Special Council Meeting

Mr B McClenning  
Chairman of the Council

Mr C Gould  
Vice-Chairman of the Council

Group Meetings

<table>
<thead>
<tr>
<th>Conservative:</th>
<th>Time</th>
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<tbody>
<tr>
<td>Cavell &amp; Colman Rooms</td>
<td>6.00 pm</td>
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<tr>
<th>Liberal Democrats:</th>
<th>Time</th>
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<tr>
<td>Blomefield Room</td>
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Agenda

Date
Monday  
28 January 2013

Time
7.30pm

Place
Council Chamber  
South Norfolk House  
Swan Lane  
Long Stratton Norwich  
NR15 2XE

Contact
Claire White  
tel (01508) 533669

South Norfolk District Council  
Swan Lane  
Long Stratton Norwich  
NR15 2XE

Email: democracy@s-norfolk.gov.uk  
Website: www.south-norfolk.gov.uk

If you have any special requirements in order to attend this meeting, please let us know in advance  
Large print version can be made available

28 January 2013
AGENDA

The Council's Prayer;

1. Apologies for absence

2. Urgent Items;
   
   Any items of business which the Chairman decides should be considered as matters of urgency pursuant to Section 100 B (4) (b) of the Local Government Act, 1972; [Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes), the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.]

3. To Receive Declarations of Interest from Members
   (Please see guidance form and flow chart attached – page 4)

4. South Norfolk Local Development Scheme (LDS) Update
   (report attached – page 6)
   (colour copies of project plan enclosed separately)

5. Joint Core Strategy: Proposed Submission to the Secretary of State for examination of the remitted parts of the Joint Core Strategy
   (report attached – page 13)
   Please note that background papers can be viewed on the Greater Norwich Development Partnership Board website:

6. Tenancy Strategy
   (report attached – page 18)

7. Calculation of the Council Tax Base 2013 / 2014
   (report attached – page 36)

8. Calculation of the Council’s Non-Domestic Rating Income 2013/14
   (report attached – page 38)
10. Parish Council – Change of Name

The Council has received a request from Runhall Parish Council to change its name to Brandon Parva, Coston, Runhall and Welborne Parish Council. Council are requested to endorse this change, after which officers will undertake the necessary registrations.

Leah Mickleborough
Compliance and Risk Manager
The Local Development Scheme (LDS) sets out a three year rolling timetable for the production of the main Local Plan documents. The LDS project plan/timetable has been reviewed and revised on a regular basis as part of the Annual Monitoring Report process; however, the accompanying text has not been revised, or the timetable formally considered by Members, since December 2009. Given the recent progress on a number of key Local Plan documents, it is now considered an opportune time to revise the full LDS.

### Cabinet member(s):
John Fuller

### Ward(s) affected:
All

### Contact Officer, telephone number, and e-mail:
Simon Marjoram 01508 533810
smarjoram@s-norfolk.gov.uk

## 1. Background

1.1. The Local Development Scheme (LDS) sets out a three year rolling timetable for the production of the main Local Plan (formerly Local Development Framework - LDF) documents. The LDS is made up of a project plan/timetable supported by text about production of Local Plan documents; the text includes details of the documents to be produced, what they need to conform with, what they replace, resources and monitoring/review. Progress against the timetable has been reported each December in the Local Plan/LDF Annual Monitoring Report.

## 2. Current Position and Issues

2.1. The Council initially approved an LDS in February 2005 and subsequently adopted revised LDSs in June 2007 and February 2010. Although the project plan timetable has been updated since February 2010, as part of the Annual Monitoring Report process, the supporting text is now significantly out of date. Over recent months there has been progress on a number of Local Plan documents, to the extent that it is now considered an opportune time to revise the whole LDS. In addition, the 2011 Localism Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 have brought about a number of changes in the production of the Development Plan Documents that make up the Local Plan, including changes to the regulatory stages that each document needs to go through as well as changes to the LDS process itself.
2.2. As well as updating the LDS to reflect the recent progress on key documents, it is also proposed to simplify the text in order to remove other elements that are no longer necessary and/or which quickly go out of date.

3. Proposal and Reasons

3.1. Over recent months the Council has been making progress on a number of Local Plan documents including:

- consulting on the preferred options for the Site Specific Allocations and Policies, with the intention of taking the Submission version to Council in May 2013;
- preferred options for the Wymondham Area Action Plan agreed by Cabinet in October 2012, for consultation starting on 28 January 2013; and
- Vision and Objectives for the Long Stratton Area Action Plan agreed by Cabinet in October 2012, with the preferred option to be considered by Cabinet in early 2013 and consultation to follow.

3.2. The LDS project plan timetable has been updated to reflect the above, for inclusion in the December 2012 GNDP Annual Monitoring Report. The text for each document has subsequently been revised to elaborate on the timetable. Both the timetable and text are attached as Appendix A.

3.3. Previous versions of the LDS were submitted to the Secretary of State through the then Government Office for the East of England, who agreed the LDS and monitored local authorities performance against their adopted timetables. This process is no longer a requirement and Cabinet or Council can now resolve to bring the LDS into effect from a specified date.

4. Other Options

4.1. Not to update the LDS – this would result in the LDS becoming increasingly out of date, diminishing its usefulness and providing inaccurate information to developers, the public and other interested parties.

5. Relevant Corporate Priorities

5.1. Enhancing our quality of life and the environment we live in – the LDS provides the timetable and rationale for the key Local Plan documents that shape future development in the district.

5.2. Promoting a thriving local economy - the LDS provides the timetable and rationale for the key Local Plan documents that shape future development in the district.
5.3. Driving services through being businesslike, efficient and customer aware – the LDS aims to give customers an up-to-date timetable for the production of the key Local Plan documents in order that can make timely inputs into the process.

6. Implications and Risks

6.1. Whilst the publication of the LDS itself does not have direct risks, there are a number of factors which could have implications for keeping to the timetable set out in the LDS, these include: volume and nature of responses received to consultations; unforeseen need for additional information/studies to support documents; staff resources; and legal challenges. These are addressed as part of the production of each of these documents.

7. Conclusion

7.1. A number of milestones have recently been reached for various Local Plan documents which means that it is an opportune time to revise the LDS to more accurately reflect the timetable for their progress to adoption.

8. Recommendations

8.1. That the LDS attached as Appendix A be adopted by the Council on 28 January 2013 with immediate effect. Further reviews and updating of the LDS will be undertaken as part of the GNDP Annual Monitoring Report process.
## APPENDIX A

### Table: Project Milestones

<table>
<thead>
<tr>
<th>Year</th>
<th>Jan</th>
<th>Feb</th>
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### Legend
- **Regulation 18 (previously Reg 20) consultation**
  - C: Commencement
  - A: Anticipated public consultation stages
  - P: Public Consultation End

### Key
- **Submission, Examination and Adoption**
  - S: Submit to Secretary of State
  - E: Examine
  - A: Adopt

### Color Code
- Green: Completed
- Yellow: In Progress
- Red: Deferred
- Cyan: New

---

**January 2013**

- **Proposals Map for each DPD adopted**

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**Legend**

- **Regulation 18 (previously Reg 20) consultation**
  - C: Commencement
  - A: Anticipated public consultation stages
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- **Submission, Examination and Adoption**
  - S: Submit to Secretary of State
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- **Color Code**
  - Green: Completed
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  - Red: Deferred
  - Cyan: New

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**January 2013**

- **Proposals Map for each DPD adopted**
Local Plan Document Schedules

The following Local Plan Documents are subject to independent testing and have the weight of development plan status. Proposed DPDs for South Norfolk include:

- Joint Core Strategy (JCS)
- Site Specific Allocations and Policies (SS)
- Development Management Policies (DM)
- Wymondham Area Action Plan
- Long Stratton Area Action Plan

<table>
<thead>
<tr>
<th>Local Plan Document Title</th>
<th>Joint Core Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>What is the purpose of the Document?</strong></td>
<td>To provide the strategic vision, objectives and strategy for future development of the area covered by Norwich, Broadland and South Norfolk Councils, to coordinate policies between the three Local Authorities and to accommodate growth in accordance with the East of England Plan</td>
</tr>
<tr>
<td><strong>What geographical area does it cover?</strong></td>
<td>The area of Broadland, Norwich and South Norfolk Councils</td>
</tr>
<tr>
<td><strong>Is it a Local Plan Document?</strong></td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Did this document require a joint approach with other authorities?</strong></td>
<td>Yes: Broadland, South Norfolk and Norwich City Council (in partnership with Norfolk County Council)</td>
</tr>
<tr>
<td><strong>To what will this document conform?</strong></td>
<td>National Planning Policy Framework and East of England Plan</td>
</tr>
<tr>
<td><strong>Which Part of the Replacement Local Plan does this replace?</strong></td>
<td>Strategic Principles and certain key strategic policies</td>
</tr>
</tbody>
</table>

**Milestones**
- Commencement
- Regulation 18 (was Reg 25) period including consultation stages
- Publication
- Submission
- Pre-Examination Meeting
- Examination
- Adoption
- High Court judgement to remit for further consideration those parts of the adopted JCS covering the Norwich Policy Area of Broadland.
- Regulation 19 publication of revised submission content document
- Submission of revised content
- Examination of revised content
- Adoption of re-examined remitted content

| **How will the document be reviewed?** | The Councils' Annual Monitoring Reports will comment on the need for any revision to the Joint Core Strategy. This will indicate when any significant strategic issues trigger the need for a review e.g. revised housing requirement. The need for a review will be discussed and decided collectively |

**Milestones**
- May 2007
- June 2007 - October 2009
- November 2009
- March 2010
- May 2010
- November 2010
- March 2011
- February 2012
- August 2012
- February 2013
- May 2013
- July - August 2013

(Subject of an Challenge to the High Court, May 2011)
### Site Specific Allocations and Policies

**Role and content**

The document will allocate specific sites e.g. land use allocations, development boundaries and settlement specific policies etc. that apply within the Local Plan area. It will apply within the Local Plan area.

**Geographic coverage**

Local Plan Document

**South Norfolk District**

**Milestones**

- Commencement
- Regulation 18 (was Reg 25) period including consultation stages
- Publication
- Submission
- Pre-Examination Meeting
- Examination
- Adoption

- November 2009
- December 2009 – February 2013
- April/May 2013
- June 2013
- September 2013
- October 2013
- March 2014

**Lead department**

Planning Policy Team

**Management arrangements**

Refer to project plan

**Resources required**

Planning Policy Team, Development Management, Conservation

**Approach to stakeholder involvement**

Widespread participation and consultation as set out in SCI

**Monitoring and review mechanisms**

The document will be monitored via the Annual Monitoring Report and consideration given to formally reviewing it at least once every three years.

### Development Management Policies

**Role and content**

This document will set out development management criteria/policies for South Norfolk against which development proposals will be assessed, to ensure it accords with the overall vision & objectives. It will focus on topic related policies such as protecting residential amenity; protection of landscape & natural resources, addressing highway & transport issues, protecting vitality & viability and addressing visual impact etc.

**Geographic coverage**

Local Plan Document

**South Norfolk District**

**Milestones**

- Commencement
- Regulation 18 period including consultation stages
- Publication
- Submission
- Pre-Examination Meeting
- Examination
- Adoption

- January 2011
- January 2011 – August 2013
- September 2013
- November 2013
- February 2014
- March 2014
- June 2014

**Lead department**

Planning Policy Team

**Management arrangements**

Refer to project plan

**Resources required**

Planning Policy Team, Development Control, Conservation

**Approach to stakeholder involvement**

Widespread participation and consultation as set out in SCI

**Monitoring and review mechanisms**

The document will be monitored via the Annual Monitoring Report and consideration given to formally reviewing it at least once every three years.
### Wymondham Area Action Plan

**Role and content:** To establish a vision for, and to guide the future development of the Wymondham strategic growth location with a particular focus on mix of uses and implementation.

**Status**

- **Geographic coverage:** Local Plan Document
- **South Norfolk District**

**Milestones**
- Commencement
- Regulation 18 (was Reg 25) period including consultation stages
- Publication
- Submission
- Pre-Examination Meeting
- Examination
- Adoption

- December 2009
- December 2009 – May 2013
- June 2013
- August 2013
- November 2013
- December 2013
- March 2014

**Lead department:** Planning Policy Team

**Management arrangements:** Refer to project plan

**Resources required:** Planning Policy Team

**Approach to stakeholder involvement:** Widespread participation and consultation as set out in SCI.

**Monitoring and review mechanisms:** Monitored via the Annual Monitoring Report

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### Long Stratton Area Action Plan

**Role and content:** To establish a vision for, and to guide the future development of the Long Stratton strategic growth location with a particular emphasis on implementation – including a bypass.

**Status**

- **Geographic coverage:** Local Plan Document
- **South Norfolk District**

**Milestones**
- Commencement
- Regulation 18 (was Reg 25) period including consultation stages
- Publication
- Submission
- Pre-Examination Meeting
- Examination
- Adoption

- November 2009
- December 2009 – August 2013
- September 2013
- November 2013
- February 2014
- March 2014
- June 2014

**Lead department:** Planning Policy Team

**Management arrangements:** Refer to project plan

**Resources required:** Planning Policy Team

**Approach to stakeholder involvement:** Widespread participation and consultation as set out in SCI.

**Monitoring and review mechanisms:** Monitored via the Annual Monitoring Report
Joint Core Strategy: Proposed Submission to the Secretary of State for examination of the remitted parts of the Joint Core Strategy

Planning Policy Manager

This report considers the next stage of the work undertaken by the Council with its GNDP partners to address the matters set out in the High Court Order, which remitted parts of the Joint Core Strategy back to the pre-submission stage. The report details the public representations stage undertaken from August-November 2012 on the proposed remitted JCS text and the subsequent analysis of the representations made by the Council with its GNDP partners. This work has concluded that the representations made do not warrant any further remedial work to be carried out, nor that any modifications should be made to the remitted text. The GNDP Board, at its meeting on 13 December 2012, agreed to recommend to the constituent authorities (including the Council) that the Joint Core Strategy proposed should be formally submitted to the Secretary of State for examination.

Cabinet member(s): John Fuller
Ward(s) affected: All

Contact Officer, telephone number, and e-mail: Adam Nicholls 01508 533809 anicholls@s-norfolk.gov.uk

1. Background

1.1. This report should be read in conjunction with the report and background information considered by the Greater Norwich Development Partnership Board at its meeting of the 13 December 2012. These papers form Appendix 1 to this report.

1.2. The Joint Core Strategy for Broadland, Norwich and South Norfolk (JCS) was adopted in March 2011. A legal challenge to the adoption of the JCS was received on 3 May 2011 from Stephen Heard, Chairman of Stop Norwich Urbanisation. High Court Judge Mr Justice Ouseley made his judgment on 24 February 2012 and published his final Court Order on 25 April 2012.
1.3. Mr Justice Ouseley found that parts of the JCS concerning the distribution of housing and related development in the Broadland part of the Norwich Policy Area (NPA), including the North East Growth Triangle (a total of 9,000 dwellings) should be remitted for further consideration.

1.4. As a result, the Council, with its GNDP partners, undertook further remedial work to address the remitted parts of the JCS. This remedial work was resolved by the Council (on 30 July 2012) and its GNDP partners (at around the same date) to be approved for the formal Regulation 19 Publication (‘Soundness’) stage – the invitation for public representations to be made on the soundness of the remitted parts of the JCS.

1.5. The Regulation 19 representations period ran from 10 August until 8 October 2012, with a further extension to 2 November (a total of 12 weeks). A total of 478 organisations and individuals made representations, although of that total, 401 representations were identical (referring to potential increased traffic in Wroxham).

2. **Current Position and Issues**

2.1. Officers of the Council and its GNDP partners have assessed all the representations received during the Regulation 19 Publication stage. The GNDP officers, supported by technical and legal advisors, concluded that none of the representations warrant any changes to the revised Submission text (as consulted on), and thus conclude that the Proposed Submission Document is legally compliant and sound.

2.2. The GNDP Board has already agreed this position, and has recommended to the constituent authorities the approach (see papers at http://www.gndp.org.uk/content/wp-content/uploads/downloads/2012/12/GNDPBoardAGDandPapers13Dec121.pdf)

2.3. On 11 December 2012, the Secretary of State for Communities and Local Government announced that he had that day laid an order formally revoking the East of England Plan, with the revocation coming into effect on 3 January 2013. Whilst the adopted JCS is in conformity with the East of England Plan, it is important to note that the level of housing and job provision in the JCS was not remitted by Mr Justice Ouseley and is not included in the proposed submission text.

2.4. As part of the Sustainability Appraisal/Strategic Environmental Assessment process, the evidence for the level of housing requirement has been locally reviewed and the Topic Paper supporting the adopted JCS updated to take account of any changes in background data. This document “Topic Paper Homes and Housing August 2012” supported the publication of the proposed submission and has been further updated post publication to take into account additional information to support submission. The paper demonstrates that the housing targets have been considered and determined locally, and so the housing provision in the JCS remains appropriate, irrespective of the impending revocation of the East of England Plan.
3. **Proposal and Reasons**

3.1. On the 13 December 2012, the GNDP Board met to consider the report which is appended. The Board members agreed to recommend to the constituent GNDP councils that the Proposed Submission Document is considered to be legally compliant and sound, and that the “Joint Core Strategy for Broadland, Norwich and South Norfolk: proposed submission document” and supporting documents should be submitted to the Secretary of State under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012”. The Board also agreed to recommend authority be delegated to an appropriate Director (for the Council, the Head of Localism and Growth, Tim Horspole), in consultation with the appropriate portfolio holder (the Leader, John Fuller).

3.2. The evidence which supports this decision is listed in the appended GNDP report and the information listed is available to view on Members’ area of Elink. Essentially the overall numbers and distribution of housing in the Norwich Policy Area remain unaltered from the Regulation 19 representations stage, and so there is no change to the level of housing that is allocated to South Norfolk in the adopted JCS.

4. **Other Options**

4.1. The Council could decide not to agree to the GNDP Board’s recommendation. However, this would mean that the remitted parts of the JCS would not be submitted, examined and then (if found ‘sound’), adopted, leaving an incomplete Joint Core Strategy. This would mean increased uncertainty about the delivery of the remitted housing growth in the Norwich Policy Area, and it would very likely lead to pressure for more growth in South Norfolk, in both the short and long term. This is because developers would argue that allocated housing land across the Norwich Policy Area did not meet the requirements of the National Planning Policy Framework.

5. **Relevant Corporate Priorities**

5.1. Enhancing our quality of life and the environment we live in – The Joint Core Strategy looks to balance the need for new homes and jobs against the need to protect the environmental assets of the GNDP area. One of the key objectives of the JCS is to positively protect and enhance the character and culture of the area.

5.2. Promoting a thriving local economy - The proposed Joint Core Strategy seeks to create 27,000 new jobs, and includes proposals for important infrastructure that will encourage and facilitate economic development.

5.3. Supporting communities to realise their potential – one of the key objectives of the Joint Core Strategy is to make sure that people have ready access to services
6. **Implications and Risks**

6.1. Financial – the cost of re-submitting the Joint Core Strategy will be shared between the three districts which comprise the GNDP.

6.2. Legal – following the legal challenge and the issuing of the court order, legal advice has been taken throughout the process. The legal advice received is that the councils have undertaken the work to address the matters set out in Mr Justice Ouseley’s order and that the JCS is ready for re-submission for formal examination.

6.3. Environmental - the implications for the local environment are addressed in the Strategy and through the evidence base including Sustainability Appraisal and Appropriate Assessment.

6.4. Equalities – A Diversity Impact Assessment has been compiled to accompany the submission material.

6.5. Crime Reduction - the Joint Core Strategy includes a number of policies that help to address crime and disorder.

6.6. Risks – these are identified in paragraph 4.1 above.

7. **Conclusion**

7.1. Following the receipt of the High Court Order the GNDP authorities re-examined the distribution of housing previously identified for Broadland. This work saw South Norfolk Council and its GNDP partners identify a range of “reasonable alternatives”, including examining dispersal and concentration of growth. Reasonable Alternative 1 was agreed to be the most appropriate, and the Regulation 19 Publication stage was run on the basis of this decision.

7.2. Following analysis of the representations received, the choice of Alternative 1 as the most appropriate of the “reasonable alternatives” is concluded not to have been found to be unsound. No other “alternatives” suggested in representations are concluded to be “reasonable” alternatives, and thus do not necessitate further work or a revision to the choice of Alternative 1.

8. **Recommendations**

8.1. Council is recommended to:

a) Agree that the Proposed Submission Document is considered to be legally compliant and sound; and

b) Resolve that the “Joint Core Strategy for Broadland, Norwich and South Norfolk: proposed submission document” and supporting documents should be submitted to the Secretary of State in early February 2013 (in co-ordination with the other GNDP authorities) under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012; and
c) Agree to delegate authority to the Head of Localism and Growth, in consultation with the Leader, to approve the details of the technical documents required to be submitted alongside the JCS.

Background Papers
Tenancy Strategy

Housing Strategy Manager

This report introduces the South Norfolk Tenancy Strategy (attached as Appendix A), which Council is asked to approve. Housing associations are required to have regard to the Tenancy Strategy, so the document will influence the types of tenancies granted and how housing associations deal with tenants who have fixed term tenancies.

Cabinet member(s): Yvonne Bendle
Ward(s) affected: All
Contact Officer, telephone number, and e-mail: Keith Mitchell 01508 533756 kmitchell@s-norfolk.gov.uk

1. Background

1.1. The Localism Act 2011 requires each local housing authority to publish a tenancy strategy by 15 January 2013. The Council has already complied with this requirement by placing it on the website. However, it is prudent to obtain Council approval of the published document.

1.2. Section 150 of the Act requires the tenancy strategy to set out the matters to which registered providers of social housing (housing associations) for its district are to have regard in formulating policies relating to –

   a) the kinds of tenancies they grant,
   b) the circumstances in which they will grant a tenancy of a particular kind,
   c) where they grant tenancies for a term certain, the lengths of the terms, and
   d) the circumstances in which they will grant a further tenancy on the coming to an end of an existing tenancy.

1.3. Section 151 details further requirements, namely that the local authority must send a draft to every housing association with social housing in the district, and provide a reasonable opportunity to comment. Also, the strategy must have regard to the housing allocation scheme and the homelessness strategy.

1.4. There has not previously been a duty to produce a tenancy strategy, so the formal statement of principles in the attached strategy is new to South Norfolk. Although the tenancy strategy is a significant document, the Localism Act has not
provided local housing authorities with any enforceable powers: tenancy strategies are intended to influence, guide and advise the tenancy policy of each housing association through the provision of ‘good practice’ expectations, operational practices and relevant Council policies that we wish housing associations to conform with.

2. Current Position and Issues

2.1. The key requirement for a tenancy strategy arises from the introduction of fixed term tenancies. The Government introduced these tenancies to make it easier for tenants to move about within the affordable housing sector and to help ease pressures of overcrowding and under-occupation. Guidance from the Homes and Communities Agency to housing associations states, “In the majority of cases the minimum term … is years. However RPs [Registered Providers] are able to offer tenancies, down to a minimum of 2 years, where there are exceptional reasons for doing so.” This provides the starting point for the Council’s expectations.

2.2. Government guidance requires housing associations to have regard to tenancy strategies in relation to tenancy management policies, but it explicitly states that there is no requirement for housing associations to have regard to local authorities’ wishes concerning rent setting. Nevertheless the South Norfolk Tenancy Strategy includes a section on Affordable Rents because affordability could be relevant to tenancy offer or renewal.

2.3. On 17 October 2012 the Housing and Public Health Policy Committee considered a working draft of the tenancy strategy, and the Committee’s views were taken into account in the Consultation Draft.

2.4. In accordance with the legal requirement a draft of the tenancy strategy was sent to the 17 housing associations with rented stock in South Norfolk. Seeking a wider range of views, a draft was also sent to Shelter and to Saffron Housing Trust’s tenants’ federation.

2.5. The consultation period ended on 3 December 2012. The consultation exercise produced comments from six housing associations. They were generally supportive, and none identified issues that would cause clear conflict with their tenancy policy. However various points were raised.

2.6. The Housing and Public Health Policy Committee and the Cabinet Member considered the comments received, resulting in some minor changes to the tenancy strategy. The final version is attached as Appendix A.

3. Proposal and Reasons

3.1. Council is asked to approve the South Norfolk Tenancy Strategy, which fulfils legal requirements, and is compatible with the tenancy policies of housing associations with rented stock in South Norfolk.
4. **Other Options**

4.1. Producing a tenancy strategy is a legal requirement. Although there are currently no penalties for failing to have a tenancy strategy, the Government could introduce penalties, for instance by making funding available only to compliant local authorities.

5. **Relevant Corporate Priorities**

5.1. Enhancing our quality of life and the environment we live in – the strategy seeks to make the best use of the affordable housing stock for those in housing need.

5.2. Supporting communities to realise their potential – access and retention of a suitable home improves the life chances of tenants and their families.

6. **Implications and Risks**


6.2. Legal – the requirement to publish a tenancy strategy in accordance with S150 (4) of the Localism Act 2011 and Statutory Instrument 2012 No. 57.

6.3. Equalities – officers have undertaken an equalities screening and have identified no adverse impacts.

6.4. Risks – none identified.

7. **Conclusion**

7.1. The Localism Act 2011 places a duty on the Council to have a tenancy strategy, and the attached document fulfils all requirements.

8. **Recommendations**

8.1. That the South Norfolk Tenancy Strategy be approved.
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1. INTRODUCTION

1.1 This Tenancy Strategy document sets out South Norfolk Council’s response to housing reforms contained within the Localism Act 2011 and their application by Housing Associations. Our strategy has been prepared to provide flexible direction and guidance to Housing Associations operating in the South Norfolk District.

1.2 We recognize that a single solution will not meet everyone’s affordable housing needs.

1.3 The Council welcomes the potential flexibilities created by the Localism Act, and looks forward to working and agreeing with Housing Associations how these can be best implemented in the South Norfolk District.

Please Note:
This Tenancy Strategy should also be considered alongside the South Norfolk “HomeOptions” Housing Allocations Policy.

Please go to: www.snhomeoptions.org.uk

If you would like to discuss any aspects of the Tenancy Strategy please contact:

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or

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Telephone: 01508 533783
2. BACKGROUND

2.1 In 2010 the Government issued a consultation document: ‘Local decisions: a fairer future for social housing’. The document proposed a package of reforms to give Local Housing Authorities and Registered Providers (including Housing Associations) more flexibility to make the best use of their housing stock in ways which best meet the needs of their local area. Included in the consultation were proposals to:

- improve the flexibility of tenancies that Housing Associations can grant, e.g. enabling them to offer “lifetime security” where it was needed, and to set a shorter-term tenancy where it was more appropriate;
- introduce a new type of mid-range affordable housing tenure called “Affordable Rent”, which was to be higher than social rents but lower than private rents (the maximum to be charged was 80% of the open market rent);
- make it easier for existing affordable housing tenants to move about within the affordable housing sector to help ease pressures of overcrowding and under-occupation.

2.2 In 2011 the Government passed the Localism Act; the sections relevant to this document came into force in January 2012. The Act was introduced to facilitate a number of Government initiatives, including some major reforms within the affordable housing sector that were first explored in the 2010 consultation – and in particular the three proposals noted above.

2.3 A specific requirement of the Act is for all Housing Authorities to publish a Tenancy Strategy in place by January 2013.
3. AIM AND OBJECTIVES OF THE STRATEGY

3.1 Housing Service Aim

- Our over-arching aspiration is that everyone living in South Norfolk is able to live in safe, secure and appropriate accommodation.

3.2 Tenancy Strategy Aim and Objectives

Our key aim for our Tenancy Strategy is:

- to provide clear requirements and guidance on the ways in which Housing Associations operate in South Norfolk in terms of their:
  - housing lettings and use of housing stock,
  - types and tenures of tenancies offered,
  - tenancy reviews,
  - tenant advice, guidance and support services.

3.3 Our key objectives are:

- to ensure the best use of the existing affordable housing stock in South Norfolk by reducing under-occupancy and improving the match between affordable housing needs and the homes that are available;
- to reduce and prevent homelessness. For example, the Council would support a Housing Association in engaging early with households whose tenancies are likely to be terminated to ensure that they have a clear understanding of their options and are supported in pursuing them, to minimise the risk of homelessness;
- to help maintain the stability of affordable housing, and to ensure that the assurance it provides to vulnerable households in crisis is not eroded;
- to facilitate stable and sustainable communities - especially those in rural parts of our district where local community infrastructure such as schools, shops and local groups are supported by balanced populations, including newly-forming households and young families;
- to ensure that specialist accommodation within the affordable housing sector is made available to households who are most in need;
- to ensure that every tenant of a Housing Association receives regular advice and assistance from their landlord throughout their tenancy, particularly during tenancy reviews, enabling them to fulfill any aspirations and abilities they may have to progress through different tenures.
4. CONTEXT

The South Norfolk District : Affordable Housing Need and Rental Costs

4.1 South Norfolk Council no longer owns any affordable housing (having transferred its housing stock to Saffron Housing Trust in Spring 2004). As well as Saffron Housing Trust, there are a number of other affordable housing providers who also own and manage homes in the District, and all will be expected to have regard to this Tenancy Strategy within their housing policies and activity in the District.

4.2 The Greater Norwich Housing Needs Survey, published in 2006, and updated in the Housing Market Assessment Update 2011, identifies a high need for more affordable housing: 193 homes per year, of which 147 should be for rent.

4.3 The high level of affordable housing need results substantially from difficulties in buying a home, illustrated by high house price to income ratios: at the end of 2011 the ratio of lower quartile house prices to lower quartile incomes was 7.54*.

*Data Source: HM Land Registry via Norfolk County Council Norfolk Insight portal.

The Costs of Renting: Comparison Table

4.4 The table below illustrates the differences between the average weekly cost of open market rent, Affordable Rent, and Social Rent for comparable properties in South Norfolk.

4.5 The figures have been derived from information provided by Saffron Housing Trust, the Housing Association with the largest stock in South Norfolk. Please Note: open market rents are for the types of property owned by Saffron. Market rents can vary widely, depending on the size, location and overall condition of property.

<table>
<thead>
<tr>
<th>Property Type</th>
<th>£ Per Week Average Market Rent</th>
<th>£ Per Week Average Affordable Rent (80% of Market Rent)</th>
<th>£ Per Week Average Social Rent (inc. service charges)</th>
<th>£ Per Week Difference (+/-) between average Affordable and Social Rents</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Bedroom Flat</td>
<td>98.08</td>
<td>78.46</td>
<td>65.29</td>
<td>+13.17 (20%)</td>
</tr>
<tr>
<td>1 Bedroom Bungalow</td>
<td>110.18</td>
<td>88.14</td>
<td>71.51</td>
<td>+16.63 (23%)</td>
</tr>
<tr>
<td>2 Bedroom Flat</td>
<td>119.63</td>
<td>95.70</td>
<td>72.29</td>
<td>+23.41 (32%)</td>
</tr>
<tr>
<td>2 Bedroom Bungalow</td>
<td>130.15</td>
<td>104.12</td>
<td>79.77</td>
<td>+24.35 (31%)</td>
</tr>
<tr>
<td>2 Bedroom House</td>
<td>128.63</td>
<td>102.90</td>
<td>82.25</td>
<td>+20.65 (25%)</td>
</tr>
<tr>
<td>3 Bedroom House</td>
<td>142.70</td>
<td>114.16</td>
<td>88.59</td>
<td>+25.57 (29%)</td>
</tr>
<tr>
<td>4 Bedroom House</td>
<td>No Data</td>
<td>No Data</td>
<td>100.75</td>
<td>No Data</td>
</tr>
</tbody>
</table>

4.6 The table above shows that homes which are converted from Social Rent to Affordable Rent will be (on average) between 20% and 32% more expensive.

The South Norfolk “HomeOptions” (Choice-Based) Housing Allocations Scheme

4.7 Applications for a housing association property are made through South Norfolk Council’s HomeOptions scheme. HomeOptions is designed to ensure that applicants in housing need are prioritised, and that home they obtain is suitable for their needs. The HomeOptions scheme was comprehensively reviewed in April 2012. Two key outcomes were more robust eligibility criteria and a more streamlined application process.

4.8 This Tenancy Strategy has been written to complement our HomeOptions Housing Allocations Policy, and does not repeat any specific requirements of that policy (e.g. the criteria for which Housing Register applicants are eligible for particular property types and sizes). However it is
important to the Council that applicants who become Housing Association tenants are able to remain in their home as long as they require it, and are directed towards other tenures only if they are appropriate and sustainable. Therefore the Tenancy Strategy provides continuity, seeking to ensure that successful applicants do not again fall into housing need.

4.9 Current Housing Association tenants obtain a transfer to more suitable accommodation through HomeOptions. Any tenant seeking accommodation may register on HomeOptions if they demonstrate housing need and/or have a local connection to South Norfolk as specified in the HomeOptions Policy. Specific issues such as overcrowding and under-occupation are assessed through the banding system, giving current tenants appropriate priority. In order to assist mobility within the sector HomeOptions landlords may ring-fence up to 20% of vacancies for transfer applicants, with a maximum of 20% per property type in a year.

4.10 *Items covered in this Tenancy Strategy that are not in our HomeOptions Policy include:*

- joined-up approaches to tenancy reviews;
- the use of Starter (‘Introductory’) and fixed-term tenancies;
- the Affordable Rent model;
- arrangements for when a fixed-term tenancy will not be renewed.
5. SOUTH NORFOLK COUNCIL’S TENANCY STRATEGY EXPECTATIONS

5.1 Our General Expectations of Housing Association Partners (‘Registered Providers’)

South Norfolk Council expects Housing Associations to adhere to the following principles:

- their commitment to working closely with all relevant Council officers to ensure their tenants receive the best housing service possible;
- that their policies fully support South Norfolk Council’s in reducing and preventing homelessness. (The Council is unlikely to support any approach that would see a household become unintentionally homeless as a result a fixed-term tenancy being terminated);
- for general needs housing, tenancies will be for not less than 5 years in addition to any probationary tenancy;
- tenancies for a shorter period (between 2 and 5 years) will be granted only in exceptional circumstances, and will be in addition to any probationary tenancy;
- to ensure the appropriate use of Starter Tenancies, and to regularly review their merits;
- that providers of specialist older people’s supported housing will offer lifetime tenancies;
- that households who are receiving long-term support that is related to their housing receive lifetime tenancies, or fixed-term tenancies of more than 5 years, depending on their needs;
- that policies and working practices will be shaped to actively support the stability of households, for example:
  - where there are school-age children, scheduling fixed-term tenancy durations and reviews to avoid unnecessary disruption to school careers,
  - where a tenant may require a major adaptation to their home, that a full assessment of the housing options for that tenant be undertaken to ensure the most appropriate outcomes for the tenant are reached in terms of necessary changes to their current home and/or tenancy;
- a commitment to creating and maintaining sustainable communities in both urban and rural settings;
- openness concerning the use of the Affordable Rent model. This includes how properties are selected for conversion from Social Rent to Affordable Rent, and how tenants will be assessed to ensure they can afford a home available at this rent level.
5.2 Types of Tenancies

- The Council accepts that Housing Association partners should have some flexibility regarding the range of affordable housing tenancies that they are able to offer. The Council recognises that Lifetime Tenancies may be the preferred approach of some Housing Associations, but we also appreciate that there could be cases where a short-term tenancy may be more appropriate.

- Where a fixed-term tenancy is proposed, the Council expects that 5 years will be the standard minimum term (following any probationary period).

- Nevertheless, the Council acknowledges that, in exceptional circumstances, a shorter term tenancy may be appropriate: when that is the case a tenancy must not be for less than 2 years. The ‘exceptional circumstances’ should be set out in the Housing Association’s Tenancy Policy.

- In general the Council supports the use of 12 month Starter Tenancies provided they are linked to either a further 5 Year Tenancy or a Lifetime Tenancy.

- For Sheltered Accommodation, Housing with Care and other forms of supported accommodation where a tenant has a lifelong housing and support need (and would be disadvantaged by being offered a shorter-term tenancy) a lifetime tenancy is to be offered.

5.3 Tenancy Reviews

- The Council’s expectation is that Housing Association partners will adopt and follow a meaningful and transparent Tenancy Review Process. It is important that the Housing Association clearly sets out the reasons why any decisions are taken.

- A comprehensive advice, signposting and assistance service should be provided, particularly when alternative housing has been identified as the most appropriate outcome.

- It is expected that a full review will be carried out by Housing Association partners at the end of every tenancy term, commencing at least 6 months before a tenancy is due to expire. The Council is committed to working closely with Housing Association partners to ensure appropriate assistance is given to all parties during the review process, and would expect to be involved when non-renewal is a possibility.

- As part of the review process, the Council expects that Housing Association partners will ensure that at least the following areas are considered:
  - the current circumstances of the household, the need for the type of property, the size of the property;
  - the current financial circumstances of the household;
  - the conduct of the tenant(s) and other members of the household during the tenancy;
  - the longer term aspirations of the household.

- It is expected that whenever the Housing Association proposes not to renew a tenancy the household will be referred to the Council’s Housing and Advice Team in good time, before the final decision is reached.

5.4 The ‘Affordable Rent’ Model

- Housing Associations that have been accepted into the Homes & Communities Agency’s 2011-2015 Affordable Housing Programme (AHP) are required to charge an Affordable Rent for some of the properties within their stock that become available for re-letting, and also for the majority of affordable housing built after 1st April 2011.

- The Council acknowledges that it does not have a direct role in determining (what in most cases are anticipated to be higher) levels of Affordable Rent set by Housing Associations. However, we do expect that when setting rents, Housing Associations give due regard to the affordability of the home for existing and future tenants. This is to ensure that those tenants are not discouraged or prevented from securing suitable affordable housing because of the higher rent. Housing Associations are expected to set rents at a level that enables the home to be affordable
for the household size it has been built to accommodate, including those in low-paid work and those on full Housing Benefit.

- Consequently, the Council expects that Housing Associations will monitor and analyse the impacts of Affordable Rent levels on households where no Housing Benefit or only part Housing Benefit is received.

- Lastly, the Council also expects Housing Association partners to monitor and analyse impacts of introducing fixed-term tenancies in place of assured tenancies, and to share with the Council and other stakeholders the findings of these activities.

5.5 Affordable Housing S106 Agreement Requirements

- Various Affordable Housing Section 106 Agreements in the District specifically refer to ‘Social Rent’. It is our expectation that we shall not permit such existing affordable homes to change to Affordable Rent when re-let. This includes social rented housing built for local needs in villages under the ‘rural exceptions site’ policy. Where a Section 106 Agreement refers simply to ‘Rented’ affordable housing, the general expectation is that any such properties may be converted to Affordable Rent.

5.6 Under-Occupation and Overcrowding

- The Council will support Housing Association partners to address overcrowding and under-occupation to enable the best use of the available housing stock. This will be through the development of the Home Options policy, and also through advice and intervention, tailored to each customer. Assistance could include the award of Discretionary Housing Payment in the short term. The Council recognises the needs of housing association tenants who will be facing financial difficulties due to welfare reform, and will develop and implement policies that balance these with the needs of its other customers, ensuring that the Council fulfils its statutory duties.

5.7 Disposal of Existing Stock

- Due to the high need for affordable housing in the District the Council would prefer to see existing affordable housing stock levels maintained for as long as possible. We are therefore unlikely to support a request from a Housing Association partner to dispose of any of their affordable housing stock unless we are satisfied that all alternatives have been fully explored by the Housing Association (with no satisfactory outcome identified). We would also expect consultation with the Council and the local community so that the impact of the loss of affordable homes can be assessed.

5.8 Local Lettings Plans

- The Council is willing to consider a Local Lettings Plan to address local housing needs and issues. Any such policy should take account of the Tenancy Strategy and the Housing Association’s lettings policies. The impacts of any such policy should be reviewed on a regular basis to ensure it achieves the intended outcomes. The Council’s Local Lettings Policy sits within our HomeOptions Housing Allocations Policy and the proposal would need to be agreed by the Local Lettings Panel. The presumption should always be that a Local Lettings Plan is temporary in order to address a specific need. Any agreed Local Lettings Plan must be reviewed annually with a report provided to the Council to enable the Lettings Panel to agree any proposed continuation.
5.9 Housing Associations’ Tenancy Policies

Housing Associations should clearly set out their approach to the range of tenancies they are able to offer in a published Tenancy Policy, which should include the following:

- the type of tenancies they can/will grant; and the circumstances in which particular tenancies will be offered;
- where tenancies are offered/granted for a fixed term, the tenancy's duration and the criteria for justifying the specified fixed term;
  Note: for general needs housing, it is expected that fixed-term tenancies will not be granted for terms of less than five years, following any probationary period, unless there are ‘exceptional circumstances’. Housing Associations are expected to set out in their Tenancy Policy the ‘exceptional circumstances’ in which they will grant a fixed-term tenancy of less than 5 years;
- the circumstances in which they may or may not grant another tenancy on the expiry of a fixed-term tenancy (either in the same property or in a different property);
- the advice and assistance they will give to tenants on finding alternative accommodation in the event that they decide not to grant another tenancy, and how they will liaise with the Council's Housing and Advice Team. This should include how reviews will be undertaken in a timely way to ensure tenants are given sufficient time to consider the options available to them, and to make preparations for securing alternative accommodation where appropriate;
- their policy on granting discretionary succession rights, taking account of the needs of vulnerable household members;
- how existing properties are selected for conversion to the Affordable Rent model, and how prospective tenants will be assessed to ensure they can afford the rent;
- their policy on appeals, setting out the way in which a tenant or a prospective tenant may complain about or appeal against:
  - the length of any fixed-term tenancy offered,
  - the type of tenancy offered,
  - a decision not to grant another tenancy on the expiry of the fixed term;

Specialist Housing Needs / Requirements

- their policy on taking into account the needs of households who are vulnerable by reason of age and/or disability or illness, to ensure that tenancies provide a reasonable degree of stability;
- their arrangements for vulnerable client groups to ensure that all communication is appropriate to their particular needs.

5.10 Appeals

- Social landlords must ensure that all appeals are dealt with in accordance with the procedures set out by the Government in Statutory Instrument 2012/695 Flexible Tenancies (Review Procedures) Regulations 2012.
6. **DISCHARGING OUR HOMELESSNESS DUTY**

6.1 It is not always possible to meet housing applicants’ aspirations to have a home within the affordable housing sector. The Council, therefore, works closely with landlords from all housing sectors to identify ways of meeting households’ housing needs in the most appropriate way. This includes maximising the potential to use the private rented housing sector to its fullest extent, and making it an option of choice.

6.2 As part of this approach, the Council intends to use the new flexibilities open to us to discharge our Homelessness Duties within the private rented sector. Such housing will be regarded as being suitable for this purpose where the property fully meets the required standards and a 12-month tenancy can be secured.

6.3 It is acknowledged that homes in the private rented sector can vary significantly in terms of the state of repair, range of amenities, and the quality of management practices. Through our Housing Standards Team, the Council encourages landlords to improve the quality of the sector, and part of our strategic housing activity includes working to increase the supply of suitable private sector accommodation in the District to build up this alternative housing resource.

6.4 The Council will review the outcomes of tenancies offered in the private rented sector, and will undertake an analysis of the difference this resource has made in reducing the need for and time spent in temporary accommodation (and any associated costs), and any impacts on repeat homelessness. This work will also need to take account of any impacts arising from Welfare Reform and the introduction of Universal Credit – the individual impacts of both will need to be clearly identified.
7. THE WAY FORWARD

7.1 This Tenancy Strategy is a new document, produced to respond to new legislation: monitoring and review of the agreed aim and objectives, particularly in terms of take-up by Housing Associations, is therefore a key element. With this in mind:

- as part of our HomeOptions housing allocation process, housing allocations will be monitored on a regular basis (together with housing needs and housing market data) to establish the impacts and benefits of recent changes in legislation to ensure that we continue to meet the housing needs of residents across the district;

- we propose to review informally the Tenancy Strategy with housing association partners 12 months after its introduction. The outcome(s) of that work will determine whether any formal changes are required.
8. GLOSSARY

**Affordable Housing** – any housing (for rent or sale) that is made available for less than its market price.

**Affordable Housing Section 106 Agreement** – a legal agreement entered into (usually between a Local Authority and a Registered Provider) that: ensures the delivery of affordable housing; ensures that affordable housing meets the Local Authority’s requirements; ensures the long-term protection and availability of that ‘affordable’ housing.

**Affordable Rent** – a rent model introduced in 2011 which may be up to 80% of the market rent for the property. It is generally higher than a Social Rent would be for the same property.

**Assured / Secure / Lifetime Tenancy** - a tenancy where, everything being equal, the tenant is able to remain living in the property for as long as they require it. (These are referred to as a: ‘Secure’ or ‘Lifetime’ Tenancy’ by Local Authorities who own and manage their own social housing stock).

**Discretionary Housing Payment** - a pot of money to help people whose Housing Benefit does not cover the full rent.

**Fixed-Term Tenancy** - a tenancy with an agreed duration and end date (e.g. 5 years).

**Homelessness Duty** – the statutory duty placed on a Local Authority (under the Housing Act 1996) to secure access to settled accommodation for households who are eligible for assistance, in priority need and not intentionally homeless.

**Homes & Communities Agency (HCA)** – a Government Agency with responsibility for providing capital funding to Registered Providers and other registered agencies to build new affordable housing (all types). The HCA is also responsible for monitoring the internal governance and quality of service(s) of Registered Providers.

**Housing Association** – a Society, Trust or Company established for the purpose of providing housing accommodation on a non-profit-making basis. Although most Housing Associations are Registered Providers, a small number (none with stock in South Norfolk) are not Registered Providers.

**Local Lettings Plan** – a tailored lettings agreement between a Local Authority and Registered Provider / Housing Association which has been produced to cover the letting requirements of a particular property / groups of properties / area ), e.g. housing built specifically for households with a disability).

**Market Rent** – the rental fee of a property which is set at the open market (‘private sector’) fee level.

**Private Sector Housing / Private Landlords** – housing that is owned by an individual or company and let to households, for a rental fee, by a ‘Private Landlord’, which can be an organization or an individual. The rental fee for private sector housing is usually more expensive than social housing.

**Registered Provider** - (commonly referred to as an ‘RP’, and sometimes a ‘Registered Housing Provider’) – most often a charitable trust, established for the purpose of providing housing accommodation on a non-profit-making basis. RPs must be registered with the Homes & Communities Agency. Historically, RPs were referred to a ‘RSLs’ (Registered Social Landlords). Most Housing Associations are Registered Providers.

**Social Housing** – generally, this term is applied to housing that is owned, managed and let by a Registered Provider or Local Authority at a rental fee which is below open market (‘private sector housing’) rental rates.
Social Rent – the traditional basis for setting the rent for affordable housing. It is based on a government formula, and generally provides the lowest rents within the social housing sector.

Starter (Introductory) Tenancy - a short-term (usually one year) tenancy, granted by a Registered Provider to a new tenant. The short term enables the landlord to monitor the tenant’s general behaviour in the first year, to establish whether a longer-term tenancy should be offered when the Starter Tenancy is due to end. (Local Authorities who own and manage their own affordable housing stock refer to these types of tenancy as an ‘Introductory Tenancy’).

Succession Rights – these form part of a social housing tenancy, and define the extent to which the tenancy of a property may be transferred (e.g. to a spouse or long-term partner) after the tenant (or joint tenant) has passed away.

Tenancy / Tenant – a legally-binding agreement whereby a tenant occupies the accommodation of another person/organization (a 'Landlord'), for an agreed period of time, for a rental fee set by the Landlord.

Tenancy Policy – a statutory document to be produced by Registered Providers which clearly sets out the RP’s approach to all aspects relating to the tenancies they offer/grant.

Transfer – when an existing social housing tenant moves to a vacant property within the social housing sector.
Agenda Item No. 7

Calculation of the Council Tax Base 2013/2014

Head of Finance

This report seeks Council approval of the Council Tax Base for 2013/14 in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

Cabinet member(s): Garry Wheatley
Ward(s) affected: All
Contact Officer, telephone number, and e-mail: Debbie Lorimer 01508 533891 dlorimer@s-norfolk.gov.uk

1. Background

1.1. South Norfolk Council as a precepting body is required to calculate the amount of its Council Tax. This will be calculated at the same time as the budget requirements for the next financial year are considered and Council will be asked to set the Council Tax for 2013/14 at its forthcoming meeting in February.

1.2. Prior to that and in order to set the Council Tax, the ‘Council Tax Base’ has to be calculated. The tax base for the coming financial year has to be determined and notified to Norfolk County Council and the Norfolk Police Authority by 31 January of each year.

2. Current Position and Issues

2.1. The calculation has to be made in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

2.2. The tax base is, in essence, the number of dwellings in the area, modified to take account of the relative charges for each valuation band, discounts and exemptions, anticipated new dwellings, losses on collection and awards of Council Tax Support. For 2013/14 the effects of revised discount levels for second homes and empty homes have been modelled as has the anticipated level of awards under the Council tax support Scheme to be introduced on 1 April 2013. The net effect of these adjustments has been a reduction in the tax base.

2.3. The tax base must be calculated by 31 January 2013. However Town and Parish Councils need to be informed of their respective part of the total tax base to allow them to set their parish precepts which feed into the overall Council Tax setting.
process. Figures were communicated to parishes on 14 December 2012. The tax base for the district is the sum of the tax base figures calculated for the 119 parishes that make up South Norfolk.

3. Proposal and Reasons

3.1. That Council approves the tax base for South Norfolk for the financial year 2013/14 as 42,391.

3.2. Legislation requires that the calculation of the Council Tax to be set for the forthcoming financial year be approved by Council. The calculation of the tax base as a component feeding into the calculation of Council tax levels may be delegated. Council are requested to resolve that approval of the calculation of tax base be delegated to the s151 officer for 2014/15 and future years so that it can be set and communicated to all precepting authorities in a timely manner.

4. Relevant Corporate Priorities

4.1. Driving services through being businesslike, efficient and customer aware.

5. Implications and Risks

5.1. Should Council not approve the Tax Base by the 31 January 2012 then it will be in breach of legislation and would not be able to set a precept for 2013/14.

6. Conclusion

6.1. There has been a reduction in the tax Base for 2013/14 due to the introduction of the Council Tax Support Scheme. The Council Tax Base has been calculated in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 at 42,391.

7. Recommendations


7.2. Council delegates the approval of the Council Tax Base for future years to the S151 Officer.
Calculation of the Council’s Non-Domestic Rating Income 2013/14

Head of Finance

Members will be aware that the local government finance system is changing from April 2013, which will allow local authorities to retain some growth in business rates. Council approval is required of the calculation of the Non-Domestic Rating Income 2013/14 as presented on the NNDR return to the Department of Communities and Local Government.

1. Background

1.1. The Local Government Finance Act 2012 introduced changes to the way Local Government was funded. One of the changes included the localisation of business rates from 2013/14. Previously all rates collected were paid directly to the Department for Communities and Local Government (DCLG) and redistributed centrally.

1.2. The purpose of the scheme is to incentivise local authorities to encourage economic growth by allowing Local Authorities to retain a proportion of the rates they collect.

1.3. The DCLG has allocated each authority with an amount of rates they are expected to retain in 2013/14 if no changes occur. This amount is called the business rate baseline and is calculated using the average rates collected over the last two years 2010/11 and 2011/12.

1.4. Any difference between the Local Authority’s business rate baseline and the amount of rates retained will create either a pressure or additional resources for that authority depending on whether it collects more or less than the baseline.
2. **Estimating and approving the amount of Business rate income for the forthcoming financial year.**

2.1. The Council, acting as the billing authority, is required to calculate the amount of its non-domestic rating income for the forthcoming year. This is calculated by reference to the valuation list at 30 September 2012.

2.2. Estimates of the amount of business rates income an authority is forecasting to collect is required to be submitted to DCLG by 31 January each year. Following the localisation of business rates DCLG have instructed Councils that their business rates income forecasts should be sent to them by completion of a return called the National Non Domestic Rates 1 (NNDR1) return and this must be “approved through the authority’s usual processes for the exercise of functions”. The Council’s NNDR 1 return is at Appendix A.

2.3. The NNDR 1 return is based on the Council’s current position and takes into account the future opportunities and risks associated with business rates income. It has been completed in accordance with the guidance issued by DCLG and is a prudent estimate of the business rates income for 2013/14.

2.4. The Council is also required to notify Norfolk County Council of their share of the estimate for NNDR. This will form the basis for in year payments to the County Council.

2.5. At the end of the financial year an audited return (NNDR3) will be submitted and the difference between the estimated and actual outturn figures will be adjusted in the following year payments to both Norfolk County Council and DCLG.

3. **Proposal and reasons**

3.1. That Council resolves to approve the calculation of the Non-domestic Rating Income 2013/14 as set out in the NNDR1 return, in line with the requirements.

3.2. That in accordance with the relevant Non-Domestic Rating Regulations the estimated amount attributed to South Norfolk Council, as shown on the NNDR 1 form as Non-Domestic Rating Income is calculated at £11,024,942, this is above our business rates baseline. Should this be achieved then the Council would retain an element of the excess income.

3.3. Due to the technical nature of the NNDR1 form, Council are requested to consider that in future years delegated authority be given to the S151 Officer to approve the calculation of non-domestic rating income.

4. **Relevant Corporate Priorities**

4.1. Driving services through being businesslike, efficient and customer aware.

5. **Implications and Risks**

5.1. The Council would not be complying with legislation if the NNDR1 is not approved and submitted by the 31 January 2013.
6. Conclusion

6.1. The introduction of the Localisation of Business Rates requires Council to approve the finalised NNDR1 form for submission to the Department of Communities and Local Government by the 31 January 2013.

7. Recommendations

7.1. That Council resolves to approve the calculation of the Non-domestic Rating Income 2013/14 as set out in the NNDR1 return, and that for the year 2013/14 this shall be £11,024,942.

7.2. That Council resolves that for future years starting with 2014/15 that delegated authority be given to the S151 officer of South Norfolk Council to approve the calculation of Non-domestic rating income.
### NATIONAL NON-DOMESTIC RATES RETURN 1
#### NNDRI 2013-14

Please e-mail to: ndfr.statistics@communities.gsi.gov.uk

Please enter your details after checking that you have selected the correct authority name.

Please check the figures shown in the cells with a blue border and enter your own figures if you disagree with those suggested.

**A provisional version of the form should be returned to the Department for Communities and Local Government by**

**Monday 7 January 2013**

**The final version of this form, including a signed copy, must also be sent to the Department for Communities and Local Government by**

**Thursday 31 January 2013**

<table>
<thead>
<tr>
<th>Authority Name</th>
<th>E Code</th>
<th>Contact Person</th>
<th>Telephone</th>
<th>Fax Number</th>
<th>Email Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Norfolk</td>
<td>E839</td>
<td>Paul Chapman</td>
<td>01603 333333</td>
<td>01603 333332</td>
<td><a href="mailto:pchapman@norfolk.gov.uk">pchapman@norfolk.gov.uk</a></td>
</tr>
</tbody>
</table>

1. Number of hereditaments on the rating list on 30 September 2012

2. Aggregate rateable value on the rating list on 30 September 2012

**GROSS CALCULATED RATE YIELD**

3. Enter line 2 x small business non-domestic rating multiplier (0.462)

**MANDATORY RELIEFS**

4. Additional yield generated to finance the small business rate relief scheme

5. Cost of small business rate relief for properties within billing authority area

6. Net cost of the small business rate relief (Line 5 minus Line 4)

7. Cost of relief to charities

8. Cost of relief to Community Amateur Sports Clubs

9. Cost of relief for rural general stores, post offices, public houses, petrol filling stations and food shops

10. Cost of relief for partly occupied premises

11. Cost of relief for empty premises

12. Total mandatory reliefs (Sum of lines 6 to 11)

**DISCRETIONARY RELIEFS**

13. Cost of relief to charities

14. Cost of relief to non-profit making bodies

15. Cost of relief to Community Amateur Sports Clubs

16. Cost of relief for rural general stores, post offices, public houses, petrol filling stations and food shops

17. Cost of relief to other rural businesses

18. Other Section 47 reliefs (Localism Act discounts)

19. Total discretionary reliefs (Sum of lines 13 to 18)

20. Gross Rate Yield after reliefs (Line 3 minus lines 12 & 19)

21. Estimate of 'losses in collection'

22. Allowance for Cost of Collection

23. Special Authority Deductions - City of London Offset

---

**Notes:**

- Please verify all figures and make necessary adjustments.
- Figures in blue border are for reference only.
- Submit the final form with a signed copy.

**Ver 1.3**
### NATIONAL NON-DOMESTIC RATES RETURN 1 2013-14

**Section 2**

<table>
<thead>
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<th>Description</th>
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<tbody>
<tr>
<td>Enterprise Zones</td>
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<tr>
<td>24. Estimated level of discount to be awarded in 2013-14</td>
<td>0.00</td>
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<tr>
<td>25. Estimated value of non-domestic rates in the Enterprise Zone area in 2013-14</td>
<td>0.00</td>
</tr>
<tr>
<td>26. Enterprise Zone baseline</td>
<td>0.00</td>
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<tr>
<td>27. Total estimated value of business rates to be retained in 2013-14 (Line 25 minus line 26)</td>
<td>0.00</td>
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**New Development Deals**

<table>
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<tr>
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<tbody>
<tr>
<td>28. Estimated value of non-domestic rates in the New Development Deals area in 2013-14</td>
<td>0.00</td>
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<tr>
<td>29. New Development Deals baseline</td>
<td>0.00</td>
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<tr>
<td>30. Total estimated value of business rates to be retained in 2013-14 (Line 28 minus line 29)</td>
<td>20,000.00</td>
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**Renewable Energy Schemes**

<table>
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<tr>
<td>31. Total estimated value of business rates to be retained in 2013-14</td>
<td>27,768,985.40</td>
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<tr>
<td>32. Net Rate Yield excluding transitional arrangements and rate retention (Line 20 minus the sum of lines 21 to 23, 27, 30 &amp; 31)</td>
<td>760,000.00</td>
</tr>
<tr>
<td>34. Estimate of the change in rateable value as a result in the change in rateable value (line 33 times the multiplier)</td>
<td>323,400.00</td>
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</table>

This equates to a percentage change of 0.95%

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
</tr>
</thead>
<tbody>
<tr>
<td>35. Local authority's estimate of adjustment due to appeals</td>
<td>470,009.00</td>
</tr>
<tr>
<td>36. Net Rate Yield excluding transitional arrangements but after rate retention adjustments (Line 32 plus lines 34 and minus line 35)</td>
<td>27,662,356.00</td>
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</table>

**Section 3**

**Transitional arrangements**

<table>
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<th>Description</th>
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<tbody>
<tr>
<td>37. Addition revenue received because reduction in rates have been deferred</td>
<td>7,533.04</td>
</tr>
<tr>
<td>38. Revenue foregone because increase in rates have been deferred</td>
<td>137,280.67</td>
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<tr>
<td>39. Net cost of transitional arrangements (Line 38 minus line 37)</td>
<td>129,747.63</td>
</tr>
<tr>
<td>40. Net Rate Yield after transitional arrangements and rate retention (Line 36 minus line 39)</td>
<td>27,432,608.00</td>
</tr>
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</table>

**NNDR Summary for: South Norfolk**

These figures show the percentage share of the NNDR you estimate your authority will collect in 2013-14. They are based on line 38. See the Tier Split tab for full information.

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
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</thead>
<tbody>
<tr>
<td>Amount of NNDR to be paid to central government</td>
<td>13,781,178.00</td>
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<tr>
<td>Amount to be retained by South Norfolk under the rates retention scheme</td>
<td>11,624,942.00</td>
</tr>
<tr>
<td>Amount to be passed to Norfolk</td>
<td>2,768,236.00</td>
</tr>
<tr>
<td>Amount to be retained by South Norfolk under the renewable energy scheme</td>
<td>20,096.00</td>
</tr>
<tr>
<td>Amount to be passed to Norfolk under the renewable energy scheme</td>
<td>0.00</td>
</tr>
</tbody>
</table>

**Certificate of Chief Financial Officer**

I certify that the entries in lines 3, 12, 19, 20, 36, 39 and 40 of this form are the best I can make on the information available to me and that the figures given in lines 1 and 2 used in the calculating the amount shown in lines 36 and 40 are, to the best of my knowledge and belief those shown in the rating list for my authority as at 30 September 2012, subject to any order made before 16 January 2013 under the Local Government Act 1972 Implementing boundary changes. I also certify that the authority has made proper arrangements for securing efficiency and effectiveness in relation to the collection of non-domestic rates. I also certify to the best of my knowledge and belief that any amount included as legal costs in line 22 and discretionary relief in line 24 meet the conditions set out in the Non-Domestic Rating (Rates Retention) Regulations 2013.

Chief Financial Officer: .................................................................................................................................

Date: .........................................................................................................................................................

Ver 1.3
Monitoring Officer Report

Monitoring Officer

This report seeks Council approval to appoint to a new Director Post, and the Constitutional changes that arise from this appointment. It also confirms the position regarding the formation of a new group at the Council.

Cabinet member(s): John Fuller
Ward(s) affected: All
Contact Officer, telephone number, and e-mail: Andy Radford 01508 533857 aradford@s-norfolk.gov.uk

1. Director Appointment

1.1. In September 2012, the Head of Development Management retired. Following an unsuccessful recruitment exercise in September this post has been filled on an interim basis pending appointment of a permanent candidate.

1.2. Another recruitment exercise in December 2012 failed to secure a permanent appointment; despite attracting good candidates it was not felt that any of them fully met the requirements of the role. In particular, it was felt that existing skill sets within the Council were stronger than those available externally and that there were potential benefits to be gained by reviewing the wider development management and planning functions.

1.3. Having considered the options available, it was decided to combine the responsibilities of development management with planning policy, localism and growth, forming a new post at Director level to lead this important combined area. Following an internal recruitment process and Member assessment on 9 January 2013, the Head of Localism and Growth, Tim Horspole, was successful in his application for the post of Director of Growth & Localism.

1.4. Having followed the process as outlined within the Constitution for appointment to a new Director post, Council approval to the appointment is now requested. The new post will also create some re-alignment to the (current) Director of Development and Environment post, which will be re-titled Director of Environment and Housing. It is not intended to re-align the Cabinet Portfolios; a summary of the portfolios, responsible director and cabinet policy committee is attached at Appendix 1.
1.5. There are a small number of constitutional changes required from this appointment, essentially to transfer delegated responsibilities between directorates. The most significant of such changes is to amend the scheme of delegations for Development Management functions, to transfer responsibility to the Director of Growth and Localism with effect from 1 February 2013. Due to the nature of these changes, it is proposed that the Monitoring Officer be delegated responsibility for any amendment required to the Constitution.

2. Independent Group formation and changes to Committee appointments

2.1. In January 2013, the Monitoring Officer received notification that a new group had been formed, to be known as the South Norfolk Independent Group.

2.2. Under the Local Government (Committees and Political Groups) Regulations, seats on Committees and sub-Committees – except Cabinet - have to be allocated to reflect the relative strength of each political group and others (if any) on the Council. The rules also require us to separately consider the balance on “ordinary” committees – those that can make decisions, i.e. licensing, development management and the emergency committee.

2.3. The Monitoring Officer has liaised with Group leaders on proposed allocations under the political balance rules. Any departure from the political balance rules (such as those proposed for Scrutiny) will require a resolution with no member voting against.

2.4. The proposed allocations have the added complexity that the Licensing and Standards Pool includes 15 members, of which 3 or 5 members are appointed to a committee. Officers will use a rotation system to ensure that the overall political balance across the committee meetings is maintained.

2.5. The list of current committee appointments is attached at Appendix 2. The proposed amendments will be confirmed by Group Leaders at the meeting, for Council approval. It is anticipated that arising from this Group Leaders may wish to make changes to Committee appointments, which will similarly be announced at the meeting.

3. Neighbourhood Boards

3.1. At the last Council meeting, the Monitoring Officer was given delegated authority to amend the Constitution in respect of various items, including revised terms of reference for the Neighbourhood Boards. The Portfolio Holder and Shadow Portfolio Holder are considering amendments at present, and once agreed the revised terms of reference will be notified to members.
4. **Recommendations**

4.1. Council is requested to:

4.1.1. Approve the appointment of Tim Horspole to the post of Director of Growth and Localism, to apply from 1 February 2013;

4.1.2. Delegate the Monitoring Officer to make any Constitutional Changes required from the appointment

4.1.3. Approve the revised Committee appointments, as confirmed at the meeting.
<table>
<thead>
<tr>
<th>Portfolios</th>
<th>Localism</th>
<th>Growth</th>
<th>Environment and Regulation</th>
<th>Housing and Public Health</th>
<th>Resources</th>
<th>Innovation</th>
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<tr>
<td></td>
<td>Director / Policy Committee</td>
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<tr>
<td>Access and Culture</td>
<td>Director: Martin Wilby</td>
<td>Director: John Fuller</td>
<td>Director: Keith Kiddie</td>
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</tbody>
</table>

**KEY:**
- CPC: Cabinet Policy Committee
- L: Localism
- EGR: Environment, Growth, Regulation Policy Committee
- HPH: Housing and Public Health Policy Committee
- PRAG: Finance, Resources, Audit and Governance Policy Committee
- LPSG: Joint Consultative Committee
- CC: Cross-Cutting
Appendix 2

Appointments to Committees 2012/13

**Committees of the Council’s Executive – for information**

<table>
<thead>
<tr>
<th>Member</th>
<th>Portfolio</th>
<th>Deputy</th>
<th>Shadow</th>
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</thead>
<tbody>
<tr>
<td>John Fuller</td>
<td>Leader and External Affairs</td>
<td>Martin Wilby</td>
<td>Murray Gray</td>
</tr>
<tr>
<td>Martin Wilby</td>
<td>Communities and Localism (and Deputy Leader)</td>
<td></td>
<td>Pauline Allen (Trevor Lewis)</td>
</tr>
<tr>
<td>Keith Kiddie</td>
<td>Environment and Regulation</td>
<td>Colin Foulger</td>
<td>Murray Gray</td>
</tr>
<tr>
<td>Yvonne Bendle</td>
<td>Housing and Public Health</td>
<td>Terry Blowfield</td>
<td>Vivienne Bell</td>
</tr>
<tr>
<td>Garry Wheatley</td>
<td>Finance and Resources</td>
<td>Michael Edney</td>
<td>Trevor Lewis</td>
</tr>
<tr>
<td>David Bills</td>
<td>Innovation and Efficiency</td>
<td></td>
<td>Trevor Lewis</td>
</tr>
</tbody>
</table>

**Localism Committee (7)**
(6:1)

**Eastern River Valleys Neighbourhood Board (5)**
(4:1)

**Tas Valley Neighbourhood Board (5)**
(4:1)

**Northern River Valleys Neighbourhood Board (5)**
(3:2)

**Waveney Valley Neighbourhood Board (5)**
(4:1)

**Tiffey Valley Neighbourhood Board (5)**
(5:0)

**Grants Panel (5)**
(4:1)

**Housing and Public Health Policy Committee (7)**
(6:1)

**Environment, Regulation and Growth Policy Committee (7)**
(6:1)

**Local Planning Steering Group (8)**
Finance, Resources, Audit and Governance Committee (7)
(6:1)

Joint Consultative Committee (6)
(5:1)

Business Rates & Council Tax Working Group (5)
(4:1)

Scrutiny Committee (11)
(7:3:1)

Licensing, Appeals and Standards Committee (15)
(12:3)

Development Management Committee (11)
(9:2)

Development Management Committee Substitute Pool
(3:1)

Sites Sub-Committee (6)
(5:1)
To be appointed in rotation from membership of the Development Management Committee.

Emergency Committee (5)
(4:1)

Equalities
(3:1)

Aldermanic Review Panel

To be composed of the Chairman of Council, Leader of the Majority Group, Leader of the Main Opposition Group, and any current members who have previously served as Chairman of the Council.
### CHAIRMEN OF COMMITTEES

<table>
<thead>
<tr>
<th>BODY</th>
<th>CHAIRMAN</th>
<th>VICE CHAIRMAN</th>
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</thead>
<tbody>
<tr>
<td><strong>Committees requiring formal Council Approval:</strong></td>
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<tr>
<td>Council</td>
<td>Bob McClennning</td>
<td>Colin Gould</td>
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<tr>
<td>Scrutiny Committee</td>
<td>Margaret Dewsbury</td>
<td>Trevor Lewis</td>
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<tr>
<td>Development Management Committee</td>
<td>Joe Mooney</td>
<td>Derek Blake / Colin Foulger</td>
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<tr>
<td>Licensing Committee</td>
<td>Robert Savage</td>
<td>Sue Thomson</td>
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<tr>
<td>Standards Committee</td>
<td>Kay Billig</td>
<td>Christopher Kemp</td>
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<tr>
<td>Emergency Committee</td>
<td>John Fuller</td>
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<tr>
<td>Tas Valley Neighbourhood Board</td>
<td>Beverly Spratt</td>
<td>Andrew Pond</td>
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<tr>
<td>Eastern River Valleys Neighbourhood Board</td>
<td>John Overton</td>
<td>Derek Blake</td>
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<tr>
<td>Northern River Valleys Neighbourhood Board</td>
<td>David Bills</td>
<td>Christopher Kemp</td>
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<td>Waveney Valley Neighbourhood Board</td>
<td>Brian Riches</td>
<td>Tony Palmer</td>
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<td>Tiffey Valley Neighbourhood Board</td>
<td>Michael Edney</td>
<td>Neil Ward</td>
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<tr>
<td>Localism Committee</td>
<td>Martin Wilby</td>
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<tr>
<td>Housing and Public Health Policy Committee</td>
<td>Terry Blowfield</td>
<td>Nigel Legg</td>
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<tr>
<td>Environment, Regulation and Growth Policy Committee</td>
<td>Colin Foulger</td>
<td>Florence Ellis</td>
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<tr>
<td>Grants Panel</td>
<td>David Goldson</td>
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<tr>
<td>Local Planning Steering Group</td>
<td>Derek Blake</td>
<td>Colin Gould</td>
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<tr>
<td>Finance, Resources, Audit and Governance Committee</td>
<td>Michael Edney</td>
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