

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting: 16th September 2014
Report of: Strategic Housing Manager
Subject/Title: Key Worker Accommodation (Ref CE 14/15-22)
Portfolio Holder: Councillor Don Stockton, Portfolio Holder for Housing and Jobs

1. Report Summary

- 1.1 The Local Plan creates a vision for the future which is to deliver jobs-led growth and sustainable vibrant communities. The detailed policies, which need to be clearly linked to the Plan, will be provided through the development of Supplementary Planning Documents (SPD). The SPD will be informed by research and evidence and will enable us to have sound, defensible policies including a Policy for the provision of Key Worker Accommodation.
- 1.2 The strategic approach is to make sure that there is an appropriate mix of house types, sizes and tenures to meet the current and future needs of the authority. Affordable housing in Cheshire East plays a fundamental role in realising this ambition along with the Council's commitment to provide a mix of accommodation to meet identified needs. If we are to attract and retain a vibrant workforce then we have to provide adequate housing provision including accommodation for Key Workers. Key Workers have a fundamental role to play within our communities, nurses, police, teachers and the fire service may struggle in some of our higher value and rural areas to access affordable housing.
- 1.3 The Local Plan also seeks to address the issue of affordability within some of our rural communities. Policy SC6 – Rural Exceptions Housing for Local Needs outlines the proposed approach to the development of rural affordable housing. This policy will help address the housing needs of key workers in urban and rural communities and help put Key Workers such as the police back into rural as well as urban communities
- 1.4 As the process of compiling a robust evidence base and developing a defensible policy will take in the region of 12 months it is proposed to have an interim approach. This report outlines a suggested interim approach to secure key worker accommodation on new development sites whilst a formal Supplementary Planning Document is developed.
- 1.5 The Strategic Housing Market Assessment does not provide any information on the needs for Key Worker accommodation and therefore we are currently undertaking primary research with the Police Service who are circulating a housing needs questionnaire as part of their recruitment drive. The

questionnaire will provide valuable data in relation to not only need but the locations where affordable homes are in high demand.

- 1.6** This approach can be replicated within other employment settings including hospital, schools and within the fire service, giving us a greater understanding and enable us to formulate a defensible sound policy.
- 1.7** The formal policies which are developed through the planning process will only specify the type and tenure, it will not outline to whom the properties are to be allocated, this is determined via Cheshire East Common Allocations Policy or through Planning Committee resolutions.
- 1.8** The Cheshire East Common Allocations Policy is now going through a period of review and it is a good opportunity to explore the allocation of Key Worker accommodation within the review for those properties which are provided for rent.
- 1.9** The interim approach would be to pilot the requirement for Key Worker accommodation on new development sites. The Development Officers as part of their negotiations for affordable homes will specify the requirement for a Key Worker property for rent (affordable). This will form part of the Section 106 agreement and it will specify that the identified affordable properties will be allocated in accordance with Cheshire East's allocation policy. The revised Allocation policy will incorporate the requirement for Key Worker accommodation and that at the first let priority will be given to those professions which come under the definition of a Key Worker:

The definition of a Key Worker within Cheshire East is as follows and has been derived from the Government's Key Worker scheme taking into account the local position:

Staff employed within the following public sector roles on a permanent basis.

- 1. NHS workers (eg nurses and junior doctors)
- 2. Teachers
- 3. Police
- 4. Prison Officers
- 5. Probation Service
- 6. Local Authority (eg social workers)
- 7. Fire Fighters
- 8. Ministry of Defence

- 1.10** Staff will not qualify for Key Worker accommodation if they have a household income of more than £50,000 per annum.

2. Recommendation

2.1 It is recommended that the approach outlined in the report be approved, including:

- The approval of an interim approach including the definition of a Key Worker.
- That Officers carry out the primary research to establish the need for Key Worker provision.
- The need for Key Worker provision once established to be incorporated into the development of the Affordable Housing Supplementary Planning Document.

3. Reasons for Recommendation

3.1 The Local Plan is the statutory Development Plan for Cheshire East and is the basis for determining planning applications. The Local Plan which has been approved by Cheshire East Cabinet and is currently going through the Examination process, sets out the overall vision for the authority. The detailed policies will be provided through the development of the Development Policies Document, which will have to be considered for all new developments. The Development Policies Document will be informed by research and evidence and will enable us to have a sound, defensible policy for the provision of Key Worker Accommodation.

3.2 The Local Plan Strategy specifies under Policy SC4 – Residential Mix that the mix of housing will be expected to include properties for key workers and for those who wish to self build. The Strategy states that how this will be taken forward will be set out in a Supplementary Planning Document and the Site Allocations and Development Policies Document.

3.3 Policy SC5 seeks to address high levels of housing need through an affordable housing requirement, which specifies that the affordable housing provided must be of a tenure, size and type to help meet identified housing needs and contribute to the creation of mixed, balanced and inclusive communities.

3.4 The formal policies which are developed through the planning process will only specify the type and tenure, it will not outline to whom the properties are to be allocated, this is determined via Cheshire East Common Allocations Policy or through Planning Committee resolutions.

3.5 The Cheshire East Common Allocations Policy is now going through a period of review and it is a good opportunity to explore the allocation of Key Worker accommodation within the review for those properties which are provided for rent.

4. Wards Affected

4.1 All Wards

5. Local Ward Members

5.1 All Members

6 Policy Implications

6.1 The provision of appropriate housing forms part of Cheshire East's Three Year Plan:-

Outcome 5: People Live Well and for Longer

Priority 5: Securing housing that is locally-led, community-based, and meets local needs.

6.2 The Local Plan was approved by Full Council in 2014 and is currently progressing through to Public Examination. It is important that any policies which are developed link clearly into the Local Plan. In the defined approach articulated through the Plan there is link to the provision of Key Worker accommodation and these are found within Policies SC4 (Residential Mix), Policy SC5 (Affordable Homes) and Policy SC6 (Rural Exceptions Housing for Local Needs) and therefore this approach can be progressed through to the development of a sound policy.

6.3 The Housing Strategy adopted in 2011 sets out a clear vision to support the creation of balanced and sustainable communities. It supports the development of a mix of property types and tenures which will support economic growth and meet the needs of current and future generations. The strategy also recognises the needs of our rural communities and the requirement for affordable homes.

7 Implications for Rural Communities

7.1 In some of our rural communities there is a lack of affordable homes for local residents. With limited housing stock and constraints on new development resulting to an imbalance in the type, size and cost of housing, some residents have to migrate out of the communities in search of cheaper alternatives. This threatens the sustainability of some of our rural villages, putting local services including schools at risk of closure.

7.2 The Local Plan seeks to address the issue of affordability within some of our rural communities. Policy SC6 – Rural Exceptions Housing for Local Needs outlines the proposed approach to the development of rural affordable housing. The outlined approach also recognises that this could include Key Worker accommodation, making sure that some of the professions required within our

rural communities for example school teachers and police officers have access to affordable housing.

8 Financial Implications

- 8.1** There are no financial implications in relation to the proposed approach. The affordable housing requirement is negotiated on a site by site basis and forms part of the planning requirements. It is subsidized by the developer at no cost to the authority.

9 Legal Implications

- 9.1** The development of a Local Plan is a statutory requirement under the Town and Country Planning (Local Planning) (England) Regulation 2012. The legislation sets out the requirement for the production of the Plan including Local Development documents and Supplementary Planning documents. Regulation 8 states that any policies contained in a supplementary planning document must contain a reasoned justification of the policies contained in it and cannot conflict with the adopted development plan. It is therefore imperative that any policy is founded on a robust defensible evidence base.
- 9.2** Under the Housing Act 1996 (the “Act”), Housing authorities are required by s.166A(1) to have an allocation scheme for determining priorities, and for defining the procedures to be followed in allocating housing accommodation; and they must allocate in accordance with that scheme (s.166A(14))
- 9.3** Subject to some defined exceptions in the Act, a local housing authority may decide what classes of persons are, or are not, qualifying persons (S160ZA (7)).
- 9.4** Section 166A(13) requires authorities, before adopting an allocation scheme, or altering a scheme to reflect a major change of policy, to:
- send a copy of the draft scheme, or proposed alteration, to every Private Registered Provider¹⁹ with which they have nomination arrangements, and
 - ensure they have a reasonable opportunity to comment on the proposals

10 Risk Management

- 10.1** There is a risk of challenge to the interim approach due to the lack of evidence to support the policy. This will be mitigated by primary research and the development of a formal policy through the planning process.

11 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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