DECISION-MAKER:		CABINET COUNCIL			
SUBJECT:		1000 HOMES PROGRAMME			
DATE OF DECISION:		14 JULY 2020 (Cabinet) 15 JULY 2020 (Council)			
REPORT OF:		CABINET MEMBER FOR CULTURE AND HOMES, CLLR KAUR			
	CONTACT DETAILS				
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STATEMENT OF CONFIDENTIALITY

Confidential - Appendices: 2, 3 and 4 contains information deemed to be exempt from general publication based on Category 3 and 7(A) of paragraph 10.4 of the Council's Access to Information Procedure Rules. In applying the public interest test this information has been deemed exempt from publication due to confidential sensitivity and confidentiality. It is not considered to be in the public interest to disclose this information. It would prejudice the Council's ability to operate in a commercial environment and prejudice commercial relations with third parties.

BRIEF SUMMARY

The purpose of this report is to seek approval to proceed with the remainder of the 1000 council homes programme. As part of this programme, which began in the summer of 2018, 274 homes have either been delivered, or are under construction, this report seeks approval to fund the remaining 726 homes. The aim is for all of these to be affordable homes, there will be a mix of council rented and shared ownership properties. The Ministry of Housing, Communities and Local Government defines social and affordable homes as social, affordable and intermediate which includes shared ownership. This development will be funded from a mix of council borrowing, Right-to-Buy (RtB) income and the sale of the shared ownership properties. Grant funding will also be sought. The council home programme is aligned with the council's corporate priorities of creating a city that is Greener, Fairer and Healthier.

CABINET

RECOMMENDATIONS:

Subject to the financial approvals of Council, to delegate authority to the Director of Place following consultation with the Cabinet Member for Homes and Culture, Executive Director Communities, Culture and Homes, the Executive Director Finance and Commercialisation and the Service Director Legal and Governance:

- To deliver a programme in accordance with the overall financial parameters and assumption outlined in this report and to approve and agree the details of each individual scheme which will be based on a specific scheme by scheme business case evaluation.
- To establish a new Programme Board to oversee the delivery of the programme.
- To enter into contracts with consultants, design teams and construction companies as required.
- To agree the final housing and tenure mix for each individual scheme.
- To approve funding applications and successful awards towards this programme.
- To take any other actions required, ancillary approvals or enter into any agreements required to give effect to this decision.

COUNCIL

RECOMMENDATIONS

- (i) To approve a capital programme with a total scheme cost of £144m and expenditure of the programme within the Housing Revenue Account Capital Programme to deliver a programme of affordable council rented and shared ownership properties. To be funded from £83.9 loan finance paid through rental and sales income, £23,2m retained Right-to-Buy and grants plus £36.9m capital receipt from shared ownership sales.
- (ii) To approve the appropriation of land from the General Fund to the Housing Revenue Account as required in order to deliver the programme.

REASON FOR THE REPORT RECOMMENDATIONS

- 1. The council has an ambition as set out in the Corporate Plan to deliver 1000 council homes by 2025, this is underpinned by:
 - The identification of a need for affordable homes in the city, whilst new homes are being delivered, there is a gap between the need for and the provision of affordable homes.
 - The impact that a new homes programme will have on growth in the city and region, leading to new jobs, apprenticeships, investment in the local construction industry and growth.
 - A longer-term vision to continue to provide homes for those in need across the city.
 - The aim to address the continual reduction of the council stock of around 100-150 homes per year through the RtB programme
 - The ability for the council to have control over the delivery of homes to address the local need.
 - Giving opportunities through the Housing Revenue Account to give residents secured tenancies.
 - The ability through shared ownership to help households into property ownership that may not otherwise have been achievable.

2. On 29th October 2018 the government implemented the removal of the HRA borrowing cap to encourage councils to deliver new homes to help address the national housing crisis. 274 new homes are either already delivered or under construction in Southampton as part of the 1000 council homes programme. This report seeks approval to use this borrowing option in addition to the retained RtB income plus grant income that can be secured to deliver the remaining 726 homes. Approval is sought for the full capital budget to proceed with this programme. 3. This programme will help deliver council priorities of making Southampton Greener, Fairer and Healthier. Greener – This council homes programme will aim to deliver better quality, energy efficient homes that are working towards the RIBA Climate Challenge target for 2025. Homes will be more affordable to heat and maintain. Fairer – In a time of economic uncertainty, this council homes programme will help to stimulate the local economy by creating jobs. It will also provide access to homes that match local need in areas such as affordability and adaptability. Healthier – Good quality of homes improves the quality of life and has a positive impact on the health and wellbeing of communities. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED 4. Do Nothing – this is not a recommended option given the current and future demand for homes in the city as outlined in paragraph 12. 5. Sale of all vacant sites for capital return- this would secure a capital receipt for the council but would not maximise the number of affordable homes or deliver more council homes. This is evidenced by the reduction in the number of affordable homes built in the city by developers in recent years. Sale of all sites for less than best value for the provision of more affordable 6. homes - this would secure a significantly reduced capital receipt and could secure affordable homes, but not council homes with secured tenancies. 7. A Joint Venture for all sites – this approach would not maximise the number of affordable council homes on the site and has a lengthy programme of selection and implementation associated with it. 8. Sale and Lease back - this option involves an external investor funding the development in return for a rental payment over a period which may vary but is generally between 20-40 years, it relies on a mix of affordable and market rent properties. The model does not allow for Right-to-Buy to apply. This is a complex arrangement with financial risk and procurement issues. This option does not maximise the number of affordable homes on the site as there would need to be a significant percentage of market rental properties, so it relies on a demand for market rent across the sites. **DETAIL (Including consultation carried out)** 9. In 2017 the National Audit Office advised that house building was not keeping up with demand. "Since the 1980s, demand for housing in England has increased. Housebuilding, however, has not kept pace with demand. Public sector housebuilding has fallen and the number of homes added by the

private sector has been vulnerable to both economic recessions and the cost of finance to potential homeowners." The report also stated that "for housebuilding to match future need, it must increase in most parts of the country". The National Audit Office also outlined that the number of social rented homes had decreased.

https://www.nao.org.uk/wp-content/uploads/2017/01/Housing-in-England-overview-Summary.pdf

Following this report as part of the Autumn Budget 2017 the government confirmed its commitment to delivering 300,000 homes per year.

https://www.gov.uk/government/publications/autumn-budget-2017-documents/autumn-budget-2017

Following on from the 2017 announcement to deliver 300,000 homes per year, on the 29th October 2018 the Housing Revenue Account (HRA) borrowing cap was formally removed with the publication of the Limits on Indebtedness (Revocation) Determination 2018. In the HM Treasury Budget Policy Paper October 2018, "enabling councils to increase house building to around 10,000 homes per year."

https://www.gov.uk/government/news/government-announces-new-generation-of-council-housing

A further financial commitment was made in the budget in March 2020 with a £10.9bn increase in housing investment to support the commitment to build at least 1 million new homes by the end of Parliament, and an average of 300,000 homes a year by the mid 2020s.

https://www.gov.uk/government/publications/budget-2020-documents/budget-2020

On the 21st June the Local Government Association commented that 100,000 post pandemic social homes should be built per year. The organisation states that councils should build more council homes where they are needed and "spearhead the national recovery from the virus"

https://www.local.gov.uk/100000-social-homes-year-needed-part-covid-19-recovery-councils-warn

Research for the LGA also highlighted the economic benefits to councils building new homes, stating that they found that every £1 invested in a new social home generates £2.84 in the wider economy with every new social home generating a saving of £780 a year in housing benefit.

- This new homes programme will deliver significant economic benefits for the city, helping to stimulate recovery in the local economy. This includes an estimated 1089 jobs (based on the One Public Estate calculation of 1.5 jobs per home), additional spending in the local economy and supply chain, and an increase in opportunities for skills training and apprenticeships. Using the figures from the LGA research this would equate to an investment of £78.6m in the wider economy.
- 12. The removal of the HRA borrowing cap has given councils a significant opportunity to deliver new homes. The first project to be approved locally

	using this new funding measure was the project to build 103 council homes on the former Oaklands School site which was agreed by council in July 2019. Through approval of this report, the council plans to continue to take advantage of this opportunity to help facilitate the delivery of homes that are needed within the city.
13.	The council homes programme will focus on addressing need and current gaps within the wider market, the following information highlights the need for affordable new homes that has been identified. Whilst the range of new homes completed in Southampton per year has been on average around 800 between 2008-2018, the number of affordable homes delivered significantly reduced over that time due to developers stating that there is a lack of viability to do so.
14.	As at September 2019 there were 15,636 tenancies in council homes, however there is substantial demand in the city for more affordable homes. In addition to this around 105 – 150 council homes are lost from the stock per year as a result of the RtB process. Based on the same date there were 8,254 families on the general needs housing register waiting for a home. 1 bedroom properties are most in demand, however the average wait is longest for 3 and 4 bedroom homes. A lack of dwellings accessible to wheelchair users is evident and there is a demand for supported accommodation for Learning Disability clients to meet a growing need in the city. There is a further need in Southampton to help address increased homelessness. While all rough sleepers have been sheltered during lockdown, there is a growing need for temporary and move on accommodation.
15.	During the period of lockdown the home has increasingly become a workplace, a home school location and at times the place for most if not all social activity and leisure time. There is an important focus therefore on affordability but also the design to enhance quality of life. This also includes the need for more energy efficient homes that are cheaper to heat.
16.	The council intends to continue to contribute to the housing market to address the gaps highlighted above. It therefore seeks approval for funding to deliver a further 726 homes tailored in terms of size and design predominantly to meet the needs of those on the housing register. This is in addition to the 274 which is already approved and either delivered or under construction. This programme will therefore prioritise the delivery of 1 and 3 bedroom homes, the developments will include provision for adult social care clients and there will be a focus on accessibility and carbon reduction and energy efficiency in line with the green aspirations of the council. These homes will also be designed to be managed and maintained by the council and the design and quality will reflect this.
17.	The council has: Identified the potential sites for the delivery of this programme (see Appendix 2) Reviewed each site including the potential housing densities (see Appendix 3) Carried out an overarching financial appraisal for the overall programme based on financial assumptions (see Appendix 4)

- Worked with key departments across the council to identify the demand for not only general needs but also other client group needs
- Developed overarching council requirements in terms of design and specification for the Southampton Home. (see Appendix 1)
- It is the council's approach for the programme to be financially viable, demonstrate value for money and not have a wider impact on the HRA. In order to deliver the programme the council will need to procure consultants and contractors. For each project, the council will procure an Employer's Agent (EA) who will act as contract administrator for the duration of the contract. The EA will report to the council's in house project lead officer. The EA will assess the most advantageous procurement route and will advise the council, prior to proceeding with the appointment of contractors. The EA will also carry out a value for money assessment which will include benchmarking the cost of the scheme with reference to other comparable cost data in order for the council to make an informed decision about each contractor appointment.
- 19. For all sites, the council aims to utilise a Design & Build contract where the main contractor is appointed to design and construct the work. The stage at which the contractor is appointed may vary depending on the individual project requirements and design input required. Contractors may be procured to develop more than one site, where appropriate to improve the efficient use of council resources. The council will use framework agreements for the appointments of contractors.
- 20. As mentioned earlier in this report the pandemic has further highlighted the need for quality homes in the city. A Draft Design Manual for the future Southampton Home (Appendix 1) has been developed by the councils Property Design Team this sets out the requirements for new homes in the city. The manual sets out the aspirations and standards that designers are encouraged to embrace when developing new housing on behalf of the council. In support of the Green City Charter the manual sets out the general principles which will improve energy efficiency thereby reducing energy bills for council residents and a reduction in the carbon footprint. The Design Manual also reflects the quality needed in these homes which will be managed and maintained by the council in the long term. Unlike developers looking to sell properties after construction the council needs to consider the long term costs of managing and maintaining these properties so quality is key. These measures will be assessed on a project by project basis when each site is approved. The themes of the Manual are outlined below.
 - Be a home for life
 - Be part of a community
 - Be comfortable
 - Be safe
 - Be efficient
- 21. Engagement with communities within areas of regeneration is an important part of this programme for each of the projects within the programmes:
 - All the stakeholders will be identified for each project
 - An action plan will be developed to ensure that communities and stakeholders are effectively engaged in relation to each project

	 There will be a separate communication plan developed for the whole programme.
22.	Alongside the construction of new homes the council will take advantage of the other opportunities available to contribute to the housing programme and aid place shaping which could include acquisitions such as buying back council homes and working with other developers across the city.
23.	A new Programme Board will be established to oversee the delivery of the 1000 Homes programme, this will be chaired by the Executive Director of Place. Individual scheme approval will be delegated to the Director of Place following consultation with others including Cabinet Member for Homes and Culture

RESOURCE IMPLICATIONS

Capital/Revenue

The total estimated cost of the scheme is £144m applying the assumptions made and it is proposed that this will be funded as outlined in the table below, with the programme assumptions are built into Appendix 4.

Source of Funding	Total £M
Sales income from RtB and assumed grants	23.2
Capital Receipts (sale of Shared Ownership)	36.9
Borrowing	83.9
Total	144.0

The forecast costs are based on a cost per square metre rate that has been benchmarked against other construction projects, there has also been a mark up to include provision for design features to work towards the RIBA Climate Challenge target of 2025. All the council homes as part of this programme will be Affordable homes as there is a gap in the market currently. Each scheme will be considered under a separate evaluation with a business case made, with any local factors, new market rates etc. allowed for and, if agreed, the financial year phasing applied into the capital programme within the overall cost envelope.

The role of the Employers Agent will be to scrutinise the predicted costs of each scheme at key stages throughout the project lifecycle; critically prior to entering into a contract for the construction to reduce the risk of changes to the final contract sum.

This report provides delegated authority to finalise the details of each scheme and to enter into contract with the building contractor and consultants as may be required to develop the scheme.

25. A Financial Appraisal has been produced by the council which forecasts (based on a range of assumptions) that the cost of borrowing can be paid back over a 45-year period. The assumptions are summarised in Appendix 4. The high level assumptions are as follows: That the council aims to deliver 100% Affordable housing tenures on council owned land. That the council aims to achieve at least 20% social rent overall. That the rented homes will adopt the National Described Space Standards set out in 2015 by the Government providing the standards for bedrooms, storage and internal areas in new dwellings across all tenures where possible. The aim is that the homes will be built to the RIBA Climate Challenge target for 2025 which will result in improved energy efficiency and lower energy bills. That both affordable rent and Shared Ownership is necessary for the overall financial viability and does not adversely affect the HRA. The Financial Appraisal has assumed a level of subsidy across the overall 26. programme. This will likely take the form of RtB receipts and/or grant programme. Projects will run concurrently and the Project Board will not commit to an individual scheme until the funding mix is secured. 27 As outlined in the report previously, further funding has been made available nationally for investment in house building and it is likely that new programmes will invite submission for shovel ready schemes. Homes England ("HE") already provides funding to Registered Providers to contribute as gap funding towards affordable homes, these could be developed for Social Rent, Affordable Rent or Shared Ownership. This current funding programme extends until 2022, and while it is likely that further funding programmes will be announced to follow this current round, the timing of this is uncertain. Discussions are ongoing with HE and the local Wayfarer Consortium through which applications in Southampton are made to HE. The scheme costs for Affordable Rent and Social Rent properties assumes a level of Right to Buy and HE funding. A level of HE funding is assumed within the financial model. 28. In parallel with this growing demand for affordable homes there is an annual reduction in the number of council affordable homes available as a result of the sales of council properties under the RtB scheme. Between 2014 and 2019 between 105 and 165 tenants exercised their RtB each year. The income from these sales can be spent on the delivery of new homes, up to 30% of the cost of each home can be funded by the RtB income. If it is not spent within three years this has to be returned to the government with interest. Over the last year this income has been invested in Potters Court, Townhill Park and the Oaklands Development. 29. In addition to the cost of construction, the financial modelling includes assumptions relating to on costs for this programme, for example: planning fees, legal costs, valuation fees, site survey fees, architects fees, employer's agent fees, Fire Risk Assessments, project management fees, demolition costs and marketing fees for the shared ownership units. Internal resources will be used where possible and additional staff may be needed in some areas of the council to support this programme. In some cases these services

	are not carried out by the council and in this respect these will be procured externally.		
30.	Prior to entering into any contract with a main contractor to develop a housing project, the council will carry out financial checks to confirm the financial capacity and stability of the company. NHBC insolvency cover will be obtained and if necessary, a Parent Company Guarantee will be requested. There will be a need for the council to re-examine the council's approach to assessing contractor risk to align with procurement and financial risks.		
	Payments will be made to contractors on a monthly basis following certification by the Contract Administrator. Pre-construction design work and surveys together with associated management costs may be paid in advance of a building contract to progress planning approvals and feasibility costings. There are financial risks to this programme which are heightened by Covid19. These risks could have an impact on the assumptions built into the existing financial appraisal and business case. These risks include:		
	 Impact of Covid19 – social distancing regulation changes, potential of a second wave, the impact on the construction sector. 		
	 Counterparty risk. General inflation and the cost of borrowing. Demand in the housing market in relation to Shared Ownership properties. 		
	 Homes England Funding being available. Paragraph 41 outlines the risk management process. 		
Propert			
31.	The rented homes will be added to the council's housing stock and will be managed by the housing management team and maintained under the		
	council's asset management process. The new homes will come with a 12-month defects liability period, 10-year NHBC guarantee or other approved building warranty, and some individual elements of the construction will carry longer warranty periods. The delivery programme will be the responsibility of the Regeneration and Development Team within the Property Division.		
LEGAL	IMPLICATIONS		
Statuto	ry power to undertake proposals in the report:		
32.	The Council's power to acquire property for housing purposes is pursuant to Section 17 Housing Act 1985 (HA 85). The Council also has the right of first refusal to purchase a RTB property for the first 10 years after the sale pursuant to Section 156A HA 1985. The Council has the right to provide housing accommodation by erecting or converting houses or by acquiring houses under Section 9 HA 85.		
33.	Under Section 11(6) of the Local Government Act 2003, local authorities are required to spend retained Right to Buy receipts within three years, and for the receipts to fund no more than 30% of the cost of a replacement unit. Where a local authority is unable to spend receipts within three years they have to be returned to the Ministry of Housing, Communities and Local Government, together with interest (currently4% above base rate).		

RtB receipts must be applied in accordance with relevant legislation and guidance and particularly the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (as amended) and the terms of any retention agreement reached under section 11(6) of the Local Government Act 2003 modifying the applicability of the regulations

The legislation that allows the council to appropriate the land into the Housing Revenue Account from the General Fund is Section 19 of the Housing Act 1985. Land appropriation is carried out by a transfer of debt equal to the valuation of land from the General Fund to the HRA to reflect the value and benefit of the asset transfer.

The council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness-the best value duty.

Under Section 3 of the Local Government Act 1972 the Council has the power to do anything incidental to the exercising of any of its functions.

The general power of competence under section 1 of the Localism Act 2011 gives local authorities a broad range of powers "to do anything that individuals generally may do" subject to limits within other legislation and there are no adverse limits on the proposed scheme under the current legislation.

Other Legal Implications:

- 35. Southampton City Council owns the freehold of the sites to be used for this housing development programme. Investigations concerning any covenants, third party rights, contracts or rights of way on the site that would affect or restrict house building will need to be carried out for all sites. Most of the land is currently held by the Housing Revenue Account. The land held by the General Fund is required to develop a site, this will need to be appropriated to the Housing Revenue Account. This will result in a financial payment to the General Fund.
- 36. Contractors will be procured in a public procurement compliant way, ordinarily by using an OJEU compliant national framework agreement. This will involve a mini-competition tender exercise set out in the appropriate framework agreement. The council has access to several OJEU compliant frameworks for the appointment of main contractors. The Employers Agents will be appointed through either a traditional competitive tender process or via a mini-competition tender exercise using an OJEU compliant framework.
- This housing programme will include the granting of Affordable Rented properties. Affordable Rented properties will be delivered in line with Homes England guidance at up to 80% of market rate. The affordability of these properties and impact on the housing register has been reviewed, and Southampton City Council's Tenancy Strategy is currently being updated to reflect the Council's approach to delivering Affordable Rent properties on a scheme by scheme basis.

38.	Legal Services will also consider the use of HRA funds for this programme/projects to ensure government guidance and the Council's Section 11(6) agreement are complied with.			
39.	In taking this decision Members must be aware of their obligations under Section 149 of the Equality Act 2010. This section contains the Public Sector Equality Duty (PSED). It obliges public authorities, when exercising their functions to have 'due regard' to the need to:			
	 Eliminate discrimination, harassment and victimisation and other conduct which the Act prohibits; Advance equality of opportunity; and Foster good relations between people who share relevant protected characteristics and those who do not. 			
	The relevant protected characteristics under the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Members are advised to read the Equality Safety Impact Assessment in Appendix 5.			
40.	This report seeks approval to enter into agreements necessary to deliver the programme. This includes demolition notices. The current Initial Demolition Notices (IDN's) for Townhill Park Regeneration scheme that preclude 'Right to Buy' expires in January 2021. The council is required to seek to renew these. This requires an application and approval by the Secretary of State.			
RISK M	ANAGEMENT IMPLICATIONS			
41.	There are risks in undertaking the 1,000 homes programme and a best practice approach will be taken to risk in terms of identifying, assessing and managing risks at all stages throughout the programme. An overall programme risk register has been developed and will be kept under review throughout the programme. Each individual project will also have its own risk register. The Programme Board will receive regular reports relating to the current position of the risk register and all the actions and mitigations will be kept under review. The Programme Board will also receive regular finance updates on each of the projects within the programme. The financial risks are described in paragraph 30 of this report, there are also other risks such as those linked to planning which include securing approval for the densities required and nitrates issues.			
	FRAMEWORK IMPLICATIONS			
42.	The proposal in this report reflects the Council's Corporate Plan, the Green City Charter, Southampton City Council Housing Strategy 2016-2025 and the Core Strategy.			
KEY DE	CISION? Yes			
WARDS/COMMUNITIES AFFECTED: ALL				
SUPPORTING DOCUMENTATION				
Appendices				
1.	Designer Manual			

2	Map of Potential Sites
3	List of Potential Sites
4	Financial Assumptions
5.	Equality and Safety Impact Assessment

Documents in Members' Rooms

1.	None			
Equalit	Equality Impact Assessment			
	Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.			
Data Protection Impact Assessment				
	Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.			
Other Background Documents Other Background documents available for inspection at:				
Title of Background Paper(s)		Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)		
1.	None			