

**Minutes of a Meeting of the  
Housing and Central Services Committee  
12 April 2005**

Councillor Julie Searle (Chairperson)  
Councillor Carol Eade (Vice-Chairperson)

Councillor Carson Albury  
Councillor Peter Berry  
Councillor Vicky Parkin

\*Councillor Robert Dunn  
Councillor Brian Boggis

Absent\*

*Councillor Brian Coomber was also present and left the meeting prior to consideration of item 9: Treasury Management.*

*Councillor Carson Albury left the meeting at 8:45pm during consideration of item 5: Golden Sands Caravan Park.*

**HCSC/581/05 Declarations of Interest / Substitute Members**

Councillor Ann Bridges declared her substitution for Councillor Robert Dunn.

**HCSC/582/05 Questions and Statements by the Public**

Members of the public were invited to ask questions or make statements about any matter for which the Council had a responsibility or which affected the district.

Mr Chris Jones, Chairperson of Golden Sands Licensees Association spoke regarding item 5: Golden Sands Caravan Park. He felt that it would be unfair to ask licensees to contribute through increased licence fees to the costs of undertaking repairs to the site if the site were to be sold. In addition, he stated that he had been advised by his solicitors that the proposed storage licences were not legal. He asked the Committee to allow licensees back on to the site. Mr Jones also referred to a letter that had been received by all licensees from the Head of Legal and Democratic Services which he found to be threatening.

The Head of Legal and Democratic Services explained to the Committee the letter to which Mr Jones referred. He noted that the letter had been drafted in consultation with other officers and that the Chairperson and Vice Chairperson of the Committee were aware of its contents. The letter had indicated that a number of options for the site were to be considered by the Committee and set out the implications for caravan owners should they opt not to renew their licence.

Mr Gavin O'Brien of 102 Golden Sands Caravan Park spoke regarding item 5: Golden Sands Caravan Park. He asked the Committee to consider allowing the caravan owners back on site as soon as possible for the benefit of both parties. He expressed concerns that the site was lapsing into disrepair and that maintenance and security was poor.

### **HSCS/583/05 Confirmation of Minutes**

It was noted that the meeting of 15 March 2005 closed at 9:35pm, not 9:00pm as printed in the minutes. This amendment to the minutes was agreed.

**Resolved** that the Minutes of the Committee held on 15 March 2005 be approved as amended and signed by the Chairman.

### **HSCS/584/05 Adjournment**

The meeting was adjourned at 7:15pm for members of the Committee to receive legal advice. The meeting reconvened at 7:35pm.

### **HCSC/585/05 Items Raised under Urgency Provisions**

None.

### **HCSC/586/05 Golden Sands Caravan Park**

Before the Committee was a report of Director of Services and the Head of Legal and Democratic Services, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 5.

The Director of Services introduced Mr John Mitchell of Humberts Leisure, the consultants appointed to oversee the proposed sale of Golden Sands Caravan Park, who was available to answer questions and provide expert advice.

The Committee asked for clarification regarding West Sussex County Council's entitlement to 50% clawback. The Head of Legal and Democratic Services noted that when the freehold for Golden Sands Caravan Park was sold to Adur District Council a covenant was included that entitled West Sussex County Council to 50% clawback of the development value, namely the difference in value between the site as a caravan park and the site subject to any alternative development. This was payable at the time of development, not upon the sale of the site and applied whether or not the site was sold.

The Committee asked whether the 50% clawback covenant for Adur District Council would make the caravan park a less attractive sales prospect and what lesser percentage would be acceptable. Mr Mitchell of Humberts Leisure responded that a 50% clawback clause would sterilise the sale of the site and indicated that the current 50% for West Sussex County Council was high and therefore any additional figure for Adur District Council would not be beneficial.

Members referred to the clause on the sale of the site restricting any change in its use for 25 years and asked whether this clause would make the caravan park a less attractive sales prospect. Mr Mitchell noted that it was unlikely that the site would be sold as a development prospect but that the likely purchaser would be looking to continue to run the site as a caravan park. The Committee asked whether an amendment to this clause, reducing the time frame to 10 years, would affect the sale of the site.

Mr Mitchell suggested that the Council should take a positive approach to marketing the site, rather than a limiting approach, and set this time frame as low as possible. Mr Mitchell explained that a purchaser would probably wish to keep a number of the current licensees but would generate some revenue through selling the licensees new caravans. The licensees, in return would expect the right to retain new caravans for ten to fifteen years. Therefore by putting a positive covenant upon the purchaser to develop the site to comply with Model Standards within a set period, agreed with Environmental Health, and the security of purchasers of new caravans, the site would be secure and a negative covenant would be unnecessary.

The Committee stated that Humberts had referred to the site as 'environmentally unattractive' and asked for clarification on this. Mr Mitchell noted that this related to the site itself, rather than its surroundings. He suggested that the holiday caravan park be completely separated from the homelessness site next door to improve the marketability of the site.

The Director of Services clarified that separate access for the two caravan sites could be looked into should the Committee wish.

The Committee asked how long it would take for essential repair works to the electricity supply at the caravan park to be undertaken. The Director of Services responded that estimates had set the length of the works at four months but that officers would look for the works to be accelerated to reduce the associated loss in revenue from licence fees.

Members asked whether works to improve the electricity supply would advantage the sale of the site. Mr Mitchell noted that the repairs would allow licensees to reoccupy their caravans and that this flow of income would advantage the sale. He added that any electrical work might have to be modified in the event of re-spacing the caravans.

The Committee discussed the possibility of allowing licensees back on to the site before repairs to the electricity supply are made. Officers clarified that the street lighting for the site was on a separate circuit but that potential risks could be posed by alternative forms of power brought on to the site by licensees.

### **HSCS/587/05 Adjournment**

The meeting was adjourned at 8:05pm for members of the Committee to receive legal advice. The meeting reconvened at 8:15pm.

### **HCSC/588/05 Golden Sands Caravan Park – cont.**

The Chairman of the Committee proposed that licensees be allowed back on to the site until 31 October 2005 with no electricity supply to caravans, subject to updated licence conditions being agreed within the next 10 working days. She added that if this was agreed and the caravan site reoccupied the Council would discontinue the security arrangements that were in place and that licensees would be responsible for insuring their property.

This proposal was agreed by the Committee. It was agreed that the necessary amendments to the licence conditions be delegated to the Head of Legal and Democratic Services, in conjunction with the Chairman of the Committee. The Chairman added that she hoped the licensees would co-operate in producing these amendments to the terms of the licence.

Members continued to discuss the longer term future of the caravan park and asked whether protection of the licences for set period of five years, for example, would restrict the sale of the site. Mr Mitchell noted that a private purchaser would not be able to licence the site with the current number of caravans in place and that therefore such a restriction would negatively affect the sale.

The Committee referred to the practice whereby private owners of caravan parks generate revenue by requiring that caravan owners replace their caravans after a fixed period of ten or fifteen years and that they buy their new caravan through the site owner. Members asked whether it was usual in these circumstances for caravan owners to be granted a right for their caravans to remain on site for a period of years as part of the purchase of a new caravan. Mr Mitchell clarified that this was normally the case subject to reasonable upkeep of the caravan. Members noted that such a right would lead to the need for the site to remain as a caravan park in any case without the need for the Council to place a fixed time period in the conditions of sale. Mr Mitchell clarified that any private site owner would have to compensate caravan owners if they wished to make changes to the use of the site.

Members asked whether the feasibility study commissioned by the Council on the potential future use of the site had been undertaken. The Director of Services noted that the results of the feasibility study to date could be presented to the Committee. He added that some information from the study could be beneficial to the sale of the site.

It was proposed that the sale of the site be continued and that the conditions of the sale include a positive covenant to develop the site to Model Standards . The Committee felt that no specific time period or protection for current licence holders was necessary as the right of caravan owners to retain caravans on the site and therefore for the site to remain as a caravan park would evolve naturally. This was agreed by the Committee.

Members discussed the clawback entitlement for Adur District Council and agreed that this clause would have a negative affect on the sale of the site. It was noted that the remaining 50% clawback clause for West Sussex County Council would be of some benefit to the District.

Mr Mitchell confirmed that he could amend the particulars for the site to reflect these resolutions and produce a sales package within 3 weeks. He estimated that the sale process would take twelve to sixteen weeks in total.

The Committee discussed the proposal made regarding the separation of the holiday caravan park from the homelessness site. They asked that officers look at the costs involved in this proposal and the potential benefits such works could have on the sale of the site and report back to the Committee.

The Committee thanked Mr Mitchell of Humberts Leisure for attending the meeting.

### **Resolved**

- (i) that licensees be allowed back on to the site until 31 October 2005 with no mains electricity supply to caravans, subject to updated licence conditions being agreed within the next 10 working days;
- (ii) that that the necessary amendments to the licence conditions as per (i) above be delegated to the Head of Legal and Democratic Services, in conjunction with the Chairman of the Committee;
- (iii) that the Director of Services report back to the Committee with the results of the previously commissioned feasibility study;
- (iv) that the sale of the site be continued and that the conditions of sale include:
  - no protection for current licence holders;
  - no claw back provision for Adur District Council;
  - a positive covenant on the purchaser to develop the site to Model Standards to a schedule agreed with Environmental Health officers at Adur District Council;
  - a requirement for a business plan to show that the necessary developments will be achieved;
  - offers for the property be sought on the basis of the access arrangements as they stand or on the basis of the Council providing separate accesses to the caravan park and the homelessness site and providing a physical boundary separating the two sites.
- (v) that the Director of Services report back to the Committee on the costs of separating the holiday caravan park from the homelessness site, and the likely affects this would have on the sale of the site.

### **HSCS/589/05 Adjournment**

The meeting was adjourned at 8:45pm to allow members of the public to leave the gallery. The meeting reconvened at 8:55pm.

### **HSCS/590/05 Adur Consultative Forum Minutes**

The Committee noted the minutes of the Adur Consultative Forum held on 7 April 2005, a copy of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as Item 6.

**Resolved** that the Minutes of the Adur Consultative Forum held on 7 April 2005 be noted.

### **HSCS/591/05 Housing Inspection**

Before the Committee was a report of the Head of Housing Management Services, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 7.

The Head of Housing Management Services introduced the report noting that the Housing Inspector's final report rated the Council's Housing Management Service as a 'fair 1\* service with promising prospects for improvement'.

The Committee thanked tenants for their involvement in the inspection process.

Wendy Farmer of Adur Consultative Forum asked that an appointments system for repairs and maintenance be introduced as soon as possible. In addition she asked whether it would be possible for gas servicing to appliances, such as boilers, to be recorded on a label on the appliance, so that the tenant would be aware when the next service was due.

The Head of Housing Management Services responded that the introduction of an appointments system was being considered and that he would discuss the arrangements with the ACF with a view to implementing the system as soon as possible. He added that alternative systems for monitoring the service history of gas appliances were being looked into.

**Resolved**

- (i) that the final report of the Housing Inspectors and the Audit Commission news release be noted;
- (ii) that the Head of Housing Management Services meet with Adur Consultative Forum to discuss the introduction of an appointment system for repairs and maintenance and a system for monitoring the service history of gas appliances, such a boilers;
- (iii) that no further action is required beyond that already agreed by this Committee at its meeting on 26 January 2005 and that in (ii) above.

**HCSC/592/05 Housing Stock Options Appraisal**

Before the Committee was a report of the Head of Housing Management Services, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 8.

The Head of Housing Management Services introduced Mr Ian Simpson, residents Consultant at F.I.R.S.T. Call. Mr Simpson distributed an interim report on the survey of tenants regarding the housing stock. A copy of this report is attached to the signed copy of these minutes. The interim report indicted that 90% of tenants were happy with the service provided by the council and would want the Council to retain its housing stock.

Mr Simpson stated that the deadline for comment had passed and the final analysis would be completed shortly. He did not foresee any significant changes to the preliminary analysis. He added that the feedback to date had been very positive and that the results represented a sound platform for reaching the Decent Homes Standard and a 2\* rating from the Housing Inspectors.

Members proposed that in light of the positive results of report the Council should retain its current housing arrangements. It was proposed that these arrangements be reviewed in eight years time. This was agreed by the Committee.

**Resolved**

- (i) that the Council retain its current arrangement regarding its housing stock;
- (ii) that a review of these arrangements commence in eight years time.

## **HCSC/593/05 Treasury Management**

Before the Committee was a report of Head of Financial Services, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 9.

The Head of Financial Services introduced the report with followed on from a presentation by Alliance Capital prior to the meeting. he asked the Committee to agree to transfer £3 Million to Alliance Capital for investment and to agree the prudential indicators set out at Annex A.

The recommendations were agreed by the Committee.

### **Resolved**

- (i) that £3 million be transferred to Alliance Capital Ltd;
- (ii) that the Prudential Code Indicators as set out in Annex A of the report be agreed.

## **HCSC/594/05 Exclusion of the Press and Public**

**Resolved** that under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting from the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 5 and 7 of Part 1 of Schedule 12A to the Act.

## **HCSC/595/05 Rate Reliefs**

Before the Committee was a report of Head of Revenues, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these Minutes as Item 11.

The Head of Legal and Democratic Services introduced the report. noting the criteria against which the officers advice was formulated, as set out at Annex 1 to the report.

The Committee discussed each application for rate relief in turn and considered the officers recommendations based on the scoring system set out in the report. It was agreed that the level of discretionary relief for applicant numbers 1, 2 and 3 be set as 0%, as per the officer advice and as set out in Annexes 2 and 3 of the report.

The Committee discussed the application for discretionary rate relief for 2004/05 as set out in Annex 4 of the report. It was noted that this application related to a period before the scoring criteria were introduced. The Committee agreed that the applicant be granted 10% discretionary rate relief for 2004/05 and this was likely to be in line with that which the organisation would be granted under the new system. The Chairperson noted that the Committee looked forward to seeing the applicant's timely accounts for 2005/06.

**Resolved**

- (i) that the accounts which qualify for mandatory rate relief as set out in Annex 2 and Annex 4 of the report be noted;
- (ii) that the levels of discretionary rate relief for applicants 1, 2 and 3 be agreed as per the officer advice and as set out in Annex 2 and Annex 3 of the report;
- (iii) that the level of discretionary rate relief for applicant 4 for 2004/05 be set as 10%.

The meeting was declared closed by the Chairman at 9:40pm, it having commenced at 7:00pm.

**Chairman**