

Housing Needs Survey

At an extra-ordinary meeting of the parish council on 8th September, the parish council, after agreeing to continue the meeting in open session (**Min.EO.21.09.03 refers**) carefully considered:

1. the Housing Needs Survey Agreement proposed by Community Action Suffolk (CAS) (previously circulated as **WPC.EC.21.09.01**)
2. the responses from both CAS and West Suffolk Council to its queries
3. oral comments from Ms Osborne in response to questions at the meeting and, having noted the following points:
 - The background to the agreement as stated, to protect Community Action Suffolk's intellectual property and provide income to enable it to further its charitable purposes
 - The proposed continuity at 7.2 beyond expiry or termination of the agreement (and therefore ongoing risk to WPC of indemnity or breach claims from CAS);
 - That the survey itself would not result in designation of a site or Registered Provider
 - That even where WPC were to put in place measures to control access, sharing and disposal of any controlled documents identified under 6.7.1, there may still be circumstances where a 3rd party could obtain access to controlled documents without the pc's consent, which may be deemed by CAS as negligent. Consequently, whilst the likelihood on unconsented disclosure might be low, it could not be fully controlled or mitigated, and the financial risk to the parish council arising from the penalties £10,000 and possibly 1.5% of acquisition and build cost, is not fully quantifiable and beyond the resources of the parish council;
 - That, as advised by the clerk, were the parish council to set aside the breach of contract fee (£10,000) notified at 6.10.1 as an earmarked reserve, it would be unlikely to be able to meet the required 25% value of precept as general reserves;
 - That the parish council would still bear the cost of stationery materials supplied by CAS as set out in the report (£1050).
 - It would be possible for the parish council to identify either other providers of Housing Needs Surveys, or technical assistance or advice through the Neighbourhood Planning process to undertake a survey of its own

The meeting decided not to enter into the agreement, which it considered would put the parish council at risk of a large financial liability, and constrain the council's intention to make full use of information from the report to inform the development of its Neighbourhood Plan. The meeting did not consider this to be in the interests of the parish community.

The meeting:

- Instructed the clerk not to sign the agreement with Community Action Suffolk;
- and asked the clerk to
 - return the housing needs survey packs to Community Action Suffolk
 - digitally shred the electronic survey document supplied to the parish council by CAS; and

WPC.21.09.09: Housing Needs Survey

- prepare a statement for the website and social media to explain the parish council's decision.

Min.EO.21.09.06 refers

The clerk has subsequently published the following statement on the parish council's website and facebook page:

"The parish council has carefully considered the agreement proposed by Community Action Suffolk (CAS), the provider of the survey and subsequent summary and full report. On reflection, the council has decided not to enter into the agreement, which it considers would put the parish council at risk of a large financial liability, and constrain the council's intention to make full use of information from the report to inform the development of its Neighbourhood Plan. Councillors do not consider this to be in the interests of the parish community.

The draft minutes of the extra-ordinary meeting at which this decision was reached on 8th September will be available shortly.

The parish council will continue to explore options to undertake a housing needs survey in the future as part of the wider Neighbourhood Planning project."

One enquiry has been received from a local resident in response to this.

West Suffolk Strategic Housing Team have subsequently advised that whether the parish council chooses to commission another provider to conduct a housing needs survey, or it chooses to conduct its own survey, West Suffolk will work with the parish to interpret the findings of the survey, and, where a housing need is established, identify suitable sites and registered providers to bring forward a Rural Exception Site in the future.

Min. References:
EO.21.09.03 & 066
21.05.29
21.03.5.1 & 2
20.11.06