



BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

WEDNESDAY 11TH JANUARY 2017 AT 6.00 P.M.

PARKSIDE COMMITTEE - PARKSIDE

MEMBERS: Councillors G. N. Denaro (Leader), K.J. May (Deputy Leader),
C. B. Taylor, R. D. Smith and P. J. Whittaker

AGENDA

1. To receive apologies for absence
2. Declarations of Interest

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.
3. To confirm the accuracy of the minutes of the meeting of the Cabinet held on 7th December 2016 (Pages 1 - 8)
4. Minutes of the meeting of the Overview and Scrutiny Board held on 19th December 2016 (Pages 9 - 22)
 - (a) To receive and note the minutes
 - (b) To consider any recommendations contained within the minutes
5. Bromsgrove District Plan 2011 - 2030 Adoption (Pages 23 - 170)
6. Staff Survey Report and Actions (Pages 171 - 180)
7. Medium Term Financial Plan and Capital Programme 2017/18 - 2020/21 Updates - Presentation
8. Council Tax Base 2017/18 (Pages 181 - 184)

9. Nomination of Asset of Community Value - The New Inn, Bourneath (Pages 185 - 220)
10. Nomination of Asset of Community Value - Hanbury Turn, Stoke Heath (Pages 221 - 272)
11. To consider any other business, details of which have been notified to the Head of Legal, Equalities and Democratic Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

3rd January 2017

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

7TH DECEMBER 2016 AT 6.00 P.M.

PRESENT: Councillors G. N. Denaro (Leader), K.J. May (Deputy Leader),
C. B. Taylor, R. D. Smith and P. J. Whittaker

Observers: Councillors S. J. Baxter, C. A. Hotham and L.C.R. Mallett

Officers: Mr K. Dicks, Ms S. Hanley, Ms J. Pickering, Mr J. Godwin, Mr G.
Revans, Mr I. Roberts, Mr K. Hirons, Mrs S. Sellers and Ms R. Cole

52/16 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

53/16 **DECLARATIONS OF INTEREST**

There were no declarations of interest at this stage.

54/16 **MINUTES**

The minutes of the meeting of the Cabinet held on 2nd November 2016
were submitted.

RESOLVED that the minutes of the meeting of the Cabinet held on 2nd
November 2016 be approved as a correct record.

55/16 **OVERVIEW AND SCRUTINY BOARD**

The minutes of the meetings of the Overview and Scrutiny Board held on
31st October 2016 and 28th November 2016 were submitted.

It was noted that at Minute 59/16 there were additional
recommendations arising from the Preventing Homelessness Task
Group report. The recommendations from the Finance and Budget
Working Group were considered under the relevant agenda item.

RESOLVED:

- (a) that the minutes of the Overview and Scrutiny Board held on 31st
October 2016 be noted;
- (b) that the recommendations of the Overview and Scrutiny Board on
28th November 2016 in Minute 59/16 as set out below be
approved:

- (i) that the £15,000 referred to in the preventing Homelessness Task Group's fourth recommendation be allocated to St Basil's to support their ability to continue to provide services in the District in 2017/18;
 - (ii) that support for housing services for young people at risk of homelessness should be added as an unavoidable pressure for the Council; and
 - (iii) that the Leader of the Council write to Worcestershire County Council to express concerns about the impact of the County Council's funding decisions at a local level, including on Bromsgrove District Council.
- (c) that the remainder of the minutes of the meeting of the Overview and Scrutiny Board held on 28th November 2016 be noted.

56/16

REPRESENTATION ON OUTSIDE BODIES

RESOLVED that the changes of the substitute Member on the Greater Birmingham and Solihull LEP and the Representative on the Worcestershire LEP Local Transport Body, from Councillor T. Onslow to Councillor I. Hardiman be noted.

57/16

REPORT OF THE NEW HOMES BONUS COMMUNITY GRANTS PANEL

(Councillor P. J. Whittaker declared an other disclosable interest in respect of this item as he had supported a number of the applications for NHB funding as Ward Councillor)

The Cabinet considered the report of the New Homes Bonus Community Grants Panel following a second round of bids being opened up on 26th September 2016.

At the invitation of the Leader, Councillor S. J. Baxter who had chaired the meeting of the Panel on 16th November introduced the report and gave additional background information to some of the recommendations.

In particular the reasons around the proposal to return the funds allocated to Hagley Tennis Club in 2015/16 to the brought forward funds given the particular circumstances which had arisen. It was noted that it would be possible for a further application to be made on behalf of the Club in future as the situation changed.

In relation to recommendation 2.2 relating to Application 8 the Head of Leisure and Cultural Services reported that there was not an outstanding Health and Safety issue and that necessary works would be addressed within existing budgets.

Members were concerned that some applications were for relatively small amounts of money and it was suggested that in some instances,

applications could have been made to the appropriate County Councillor to be met from their Divisional Funds.

It was recognised that the Scheme had proved to be time consuming to apply for and to administer and that the process was to be reconsidered for future years. Councillor Baxter and the Cabinet expressed thanks to officers and in particular the Democratic Services Officer involved for the work undertaken in administering the process.

RESOLVED:

- (a) that the funds allocated to Hagley Tennis Club in 2015/16 be returned to the brought forward funds, giving a total available for allocation in Round 2 of 327,324.
- (b) that the works referred to in Application 8 be addressed as necessary and that the funding be met from within existing budgets;
- (c) that grants, as detailed in the Summary of NHB Grants Panel recommendations attached at appendix 1 be approved;
- (d) that a full and detailed review of the NHB Community Grants Scheme including the administrative arrangements be undertaken prior to the commencement of the 2017/18 bidding process.

RECOMMENDED that the remaining balance of £27,157, which equates to the balance of the funds unallocated in 2016/17 be carried forward to 2017/18 as an earmarked reserve.

58/16

REPORT OF THE FINANCE AND BUDGET SCRUTINY WORKING GROUP

At the invitation of the Leader Councillor S. J. Baxter and (upon his later arrival) Councillor L. C. R. Mallett referred to the work undertaken to date by the cross party Finance and Budget Working Group.

It was noted that the Group was functioning effectively and that the new approach to the work around the Medium Term Financial Plan was working well. Councillor Mallett expressed his thanks to the Leader for his regular attendance at the meetings.

The recommendations from the Finance and Budget Working Group were considered.

RESOLVED

- (i) that the following recommendations be agreed:
 - (a) CMT to develop a set of principles around savings to be made;
 - (c) there should be one overall corporate training budget and HR to prioritise that budget to meet the needs of staff;
 - (d) the £11,000 in respect of Business Transformation, which was reserved for training be given up as a saving;

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- (e) the Council to have a robust four year funded Capital Programme for the period 2017/18 to 2020/21 to include estimates across each year of the budget;
 - (f) there should be an overall corporate budget for apprenticeships;
 - (g) that an exercise be carried out to ensure the Council makes the best use of its assets;
 - (h) that officers ensure that the Asset Register is kept up to date at all times;
 - (i) that a review of the Low Cost Housing Scheme be undertaken as soon as possible;
 - (j) that consideration be given to revising the pricing structure for the Recreation Road South Car Park, to blocks of hours and a day rate (already agreed);
 - (k) that virements between pay and general expenditure only be allowed with approval from the Cabinet.
- (ii) that in relation to recommendation (b) “the Leader should source, with immediate effect, the services of an external commercial organisation in order to review the management structure of the Council” it be noted that the Leader was in consultation with the Leader of Redditch Borough Council on this matter.
- (iii) that in relation to (l) “virements between income and expenditure only be allowed with approval from the Cabinet” it be noted that this was to be referred back to Corporate Management Team for consideration in the first instance.

The Leader confirmed that he would be reporting back to the Overview and Scrutiny Board on 19th December.

59/16

REVISED DEBT RECOVERY POLICY

The Cabinet considered a report on a proposed revised Debt Recovery Policy. It was reported that the Policy had been revised with the aim of balancing the needs of the Council to recover payment and supporting those who are struggling to pay.

In response to queries from Members the Executive Director Finance and Resources explained that it was intended to take a more “holistic” approach to debt collection which would mean that priority debts and those of greater value were recovered first.

RESOLVED that the revised Debt Recovery Policy be approved and adopted.

60/16

REVIEW OF CAR PARKING ORDER

The Cabinet considered a report on amendments required to update the Bromsgrove Car Parking Order.

It was noted that changes were required to rationalise the Order due to changes to car parks in Bromsgrove Town Centre and following the opening of the new Bromsgrove Station. It was anticipated that there would be minimal impact on car park revenue as a result of the changes.

The main changes proposed were:

- New Road car park and Parkside car park to be designated as long stay and the long staff tariff be applied;
- Stourbridge Road car park to be included in the general long stay permit of £320 p.a.;
- Dolphin Centre car park to be removed from the Car Park order;
- Former Bromsgrove Station car park to be re named “Aston Fields Car Park” and be available for 2 hours free of charge for shoppers;
- Recreation Road South car park tariff to be amended to allow a maximum stay of 14 hours with fee increments of 80 pence per hour up to a maximum cost of £11.20.

It was reported that there was an on going review of car parks as a whole in the light of developments and changes in economic strategy within the District to try to best meet the needs of residents and businesses.

It was noted that the changes in car park permits would be promoted with a view to increasing take up.

RESOLVED that the Bromsgrove District Council (Off-Street Parking Places) Order 2017 (as attached as appendix 1 to the report) be approved and that authority to implement the new parking order in accordance with the relevant legislation be delegated to the Head of Environment Services and the Head of Legal, Equalities and Democratic Services.

RECOMMENDED that the revised schedule of fees and charges for parking (as attached at appendix 2 to the report) be approved and that the revised fees come into effect from the date of adoption of the new Car Parking Order.

61/16

NOMINATION OF ASSET OF COMMUNITY VALUE - THE ROYAL OAK, CATSHILL

(It was noted that the report related solely to The Royal Oak, Catshill as the application in respect of the other premises was incomplete.)

The Cabinet considered a report on an Application to list The Royal Oak, Catshill as an Asset of Community Value (ACV).

Officers outlined the application received from CAMRA in respect of the Royal Oak public house. Reference was also made to the representations received from solicitors acting for Punch Taverns the owners of the premises objecting to the application.

Members considered the application on its merits and in the light of the test contained within Section 88 (1) of the Localism Act 2011, which was set out in paragraph 3.9 of the report.

Taking into account the information supplied by CAMRA within the application form, Members considered whether there was sufficient evidence to demonstrate that there was an identifiable local interest in the premises being nominated as an ACV. The limited amount of community use over and above what would normally be expected at a public house was taken into account.

Following consideration it was

RESOLVED that the application for listing of the Royal Oak, Catshill as an Asset of Community Value be not supported.

62/16

FEES AND CHARGES 2017/2018

Members considered a report on the proposed fees and charges to be levied on services provided by the Council, as used as the basis for income targets in the Medium Term Financial Plan 2017/18 – 2020/21.

It was noted that the majority of charges had been increased by 3%. In some instances such as the collection of bulky waste individual prices would need to be quoted to the customer but based on a scale of charges.

Following discussion it was

RESOLVED:

- (a) that the fees and charges contained within Appendix 1 which have no increase for 2017/18 be approved; and
- (b) that the fees and charges contained within Appendix 1 which have reduced for 2017/18 be approved.

RECOMMENDED that the fees and charges contained in Appendix 1 which are proposed to be increased over the currently agreed budget assumption of 3% be approved.

63/16

MEDIUM TERM FINANCIAL PLAN UPDATE

The Executive Director Finance and Resources gave a brief update with regard to the latest position on the Medium Term Financial Plan 2017/18 – 2020/21.

It was noted that final information on the settlement from Central Government was due to be received shortly. In addition, information on any changes to the New Homes Bonus scheme and the Business Rates arrangements was also still awaited.

Members were reminded that Efficiency Plan had been approved by the Government and that work to deliver this was on going. This included work being undertaken by the cross party Finance and Budget Working Group.

Heads of Service were continuing to look at pressures and identifying savings which would not impact on frontline delivery of services . In addition Heads of Service were looking for new ways of generating income apart from putting up charges for example this might include charging for new areas of service provision and alternative means of service delivery.

It was noted that the Capital Programme would be considered by Cabinet in January 2017. There would also be a budget report in January with the final decisions being made at Council on 28th February 2017.

RESOLVED that the latest position in respect of the Medium Term Financial Plan be noted.

64/16

FINANCE MONITORING REPORT - QUARTER 2 2016/17

Members considered a report on the Council's financial position for Revenue and Capital for the period April to September 2016. The Executive Director Finance and Resources reported that in future as a result of the new Collaborative Planning tool, financial monitoring information would be available in a more timely manner.

Following discussion it was

RESOLVED that the current financial position on Revenue and Capital as detailed in the report be noted.

65/16

LOCAL GOVERNMENT ACT 1972

That under Section 100 I of the Local Government Act 1972, as amended, the public be excluded from the meeting during the consideration of the item of business the subject of the following minute on the grounds that it involves the disclosure of "Exempt Information" as defined in Part 1 of Schedule 12A to the Act, the relevant part being as set out below and that it is in the public interest to do so.

Minute No
66 /16

Paragraph
3

66/16

BUSINESS WASTE RECYCLING SERVICE

The Cabinet considered a report on proposals to introduce a Recycling Service for Business Waste customers on a phased basis from 2017/18.

It was reported that the opportunity to provide a Recycling Service to Business waste customer had been identified by officers as an opportunity to develop the service provision and the available income stream and to provide a better service to customers.

The details within the report were noted including the benefits of reducing the amount of disposal of residual waste through the provision of an efficient Recycling waste service.

Members welcomed the report and thanked officers for the work they had undertaken in the development of the proposal to date.

RECOMMENDED:

- (a) that a phase 1 Business Waste Recycling Service be introduced in 2017/18;
- (b) that the service be extended and rolled out to all customers from 2018/19;
- (c) that the fees and charges as set out in appendix 2 to the report be approved and adopted; and
- (d) that delegated authority be given to the Head of Environmental Services to have discretion to vary the charges for the Business Waste Recycling Collection Service when agreeing terms with customers within a variance of plus or minus 25 %.

The meeting closed at 7.32 p.m.

Chairman

BROMSGROVE DISTRICT COUNCIL

MEETING OF THE OVERVIEW AND SCRUTINY BOARD

19TH DECEMBER 2016 AT 6.00 P.M.

PRESENT: Councillors L. C. R. Mallett (Chairman), S. A. Webb (Vice-Chairman), S. J. Baxter, S. R. Colella, B. T. Cooper, R. J. Laight, J. M. L. A. Griffiths, C. J. Spencer, P.L. Thomas and M. Thompson

Observers: Councillors G. N. Denaro, P. M. McDonald and C. B. Taylor

Officers: Mrs. S. Hanley, Mrs. R. Bamford, Ms. R. McAndrews, Ms. A. Scarce and Ms. J. Bayley

64/16 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

An apology for absence was received on behalf of Councillor C. Allen-Jones, with Councillor J. M. L. A. Griffiths attending as his substitute.

65/16 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest nor of any whipping arrangements.

66/16 **MINUTES**

The minutes of the meeting of the Overview and Scrutiny Board held on Monday 28th November 2016 were submitted.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 28th November 2016 be approved as a correct record.

67/16 **REVIEW OF CCTV - BRIEFING PAPER**

The CCTV and Telecare Manager presented a briefing paper on the review of the CCTV service. During the presentation of this, the following matters were highlighted:

- New legislation had been introduced which required the Council to review CCTV services to ensure they were fully compliant with legal requirements.
- The Council had been audited twice by an external company and the CCTV services had been found to be fully compliant.
- The Safer Bromsgrove group, a sub-committee of the North Worcestershire Community Safety Partnership, considered any

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requests for new CCTV cameras and made recommendations about whether CCTV should be installed at these locations.

- When considering whether to introduce CCTV potential alternative solutions, the scope of the surveillance and the possible impact on the privacy rights of individuals at those sites needed to be taken into account.
- A form had been produced to enable the Council in order to capture all the data necessary to consider whether CCTV at that location would be justified and proportionate.
- Similarly a new application form had been developed which had to be completed by those requesting CCTV for a particular site.
- By introducing these forms the Council could adopt a consistent approach to assessing all requests for new surveillance cameras.

Following presentation of the briefing paper a number of points were raised by Members:

- The operation of CCTV cameras at Bromsgrove Railway Station by Centro as part of a wider surveillance network for the local rail system.
- The length of time that it took to consider requests for new CCTV cameras and how the outcomes of this review process were communicated to those who requested CCTV cameras. In particular, Members highlighted requests for extra CCTV in Rock Hill and Hill Top wards a year ago.
- The need for the outcomes of the Safer Bromsgrove group's consideration of the application for CCTV in Rock Hill to be communicated to the ward Councillor. Officers undertook to provide this information.
- The need to report the outcomes of requests for CCTV in a timely manner in order to manage residents' expectations.
- The role of the Council in terms of making decisions about whether to provide additional funding to introduce new CCTV cameras.
- The advice that had been provided separately to Members which suggested that if a CCTV camera was introduced in one location coverage would have to be withdrawn from another site.
- The need to consider carefully any requests for additional CCTV cameras particularly when these received multi-agency support from the police, ward Councillors and local residents.
- The potential use of CCTV to deter anti-social behaviour and crime in particular hot spots.
- The process for evaluating the impact of CCTV at a given location. Members were advised that there was a requirement to review existing CCTV provision and the Council used a scoring matrix for this purpose. Further consultation was required to assess the impact on issues which could not be quantified such as fear of crime.
- The use primarily of Council funds to support the installation and management of the CCTV system. Members were advised that the Council could apply for grant funding from the Police and Crime

Commissioner (PCC) though there was no guarantee that this application would be successful.

At the end of the discussions Members concurred that there was a need to provide greater clarity about the process for applying for new CCTV cameras and how the outcomes of this process were communicated to applicants. The Board agreed that this would be a suitable subject to investigate through a short sharp review and Officers were asked to draft a topic proposal form for the consideration of Members at the following meeting.

RESOLVED that a topic proposal form detailing potential terms of reference for a short sharp review of CCTV be produced for Members' consideration at the following meeting of the Board.

68/16

PLANNING DELEGATIONS - BRIEFING PAPER

The Head of Planning and Regeneration attended the meeting to present a briefing paper on the subject of planning delegations and in so doing raised the following for the Board's consideration:

- Planning Officers had delegated powers to determine non-material amendments to applications.
- There had been some concern about a recent Officer decision to grant temporary parking on part of the open space at a new development in Cofton Hackett. However, this had been considered non-material as the arrangement would last for 3 years and only impact on a small area of open space.
- Non-material amendments related to small changes which were usually made to features such as doors and balconies.
- Planning Officers were not required to consult when considering requests for non-material amendments.
- Non-material amendments were designed to enable quick decision making in the planning process and needed to be determined within 14 days.
- There was no simple definition of what constituted a non-material amendment and this was therefore down to the discretion of officers to determine at a local level.

Members discussed the background to the item and noted that it had formed the basis of a Notice of Motion at Council earlier in the year. The key concern underpinning the motion was the Officer decision in respect of a crematorium, which followed rejection of an application for a crematorium by the Planning Committee on a number of occasions. The ward Councillor had identified the crematorium when considering the list of such applications circulated to Members. The crematorium had been considered by Officers as a variation of an application.

Concerns were expressed about the subjective nature of non-material amendments. Members highlighted the potential for such amendments to occur in developments where there were local concerns which

Officers might not be familiar with. It was suggested that ward Councillors and perhaps Parish Councils could be consulted in cases where non-material amendments arose which were more complicated than minor amendments to doors, windows or balconies. The Board proposed that this could take the form of a written list of such items being circulated to Members. The onus would be on Members to highlight any concerns with Officers more quickly due to the 14 day timeframe available to consider such amendments and Officers suggested that it would be useful to review the impact of this process in a few months' time.

There were also concerns raised in respect of the manner in which Planning Officers communicated with ward Councillors about planning applications for developments in their wards. Whilst there was recognition that Officers needed to be in regular contact with developers and residents as part of the Planning process it was suggested that action could be taken to notify ward Councillors at an earlier stage when applications involved more contentious developments. The Board suggested that this would enable ward Councillors to support their residents and respond to enquiries about these applications more effectively.

Members noted that there was the potential for action to improve the process in relation to non-material amendments, particularly in respect of communications. The possibility of assessing this through a Task Group exercise was discussed, though Members noted that there were already a number of scrutiny reviews taking place or scheduled to begin in due course. In the meantime the Board accepted a suggestion from the Portfolio Holder for Planning Services and Strategic Housing to speak with the Chairman of the Planning Committee and Planning Officers about action that could be taken to improve this process. The outcomes of these discussions would be reported for the consideration of the Board in due course.

RESOLVED that

- (1) Officers circulate a list of non-material amendments for the consideration of ward Members from January 2017 and to be reviewed in 4 months; and
- (2) An update on the outcomes of the Portfolio Holder for Planning Services and Strategic Housing's discussion with the Chairman of the Planning Committee and Planning Officers to be provided at a future meeting of the Board.

69/16

BROMSGROVE DISTRICT LOCAL PLAN - VERBAL UPDATE

The Board was advised that the Planning Inspector had reported back to the Council about the contents of the Bromsgrove District Local Plan. This report had confirmed that the district's local plan was considered to be sound subject to a number of small modifications. The updated plan

would be presented for the consideration of Cabinet and Council in January.

The Chairman asked Members to note that a briefing on the subject of the Bromsgrove District Local Plan was scheduled to be held on the evening of 5th January, which all Members were invited to attend..

70/16

CHANGES TO GREENBELT POLICY - VERBAL UPDATE

The Head of Planning and Regeneration reported that once the Bromsgrove District Local Plan had been adopted Planning Officers would focus on the Greenbelt review. There were a number of key issues to address as part of this work:

- To consider housing developments and future growth, including in neighbouring authority areas, and to attempt to quantify this.
- To develop a methodology to review development in the greenbelt.

The subject matter was complex and would take time to address. At various stages in the process sessions would be held with Members to provide an update on progress.

71/16

FINANCE AND BUDGET WORKING GROUP - UPDATE

The Leader presented the Cabinet's response to the Finance and Budget Working Group's recommendations, which had been endorsed by the Overview and Scrutiny Board on 28th November 2016. Members were advised that 10 of the group's 12 recommendations had been approved, which were scheduled to be implemented by the start of the new financial year.

Recommendation 2, which had called for the Leader to source the services of an external commercial organisation to review the management structure of the Council, had received a qualified response. The Cabinet would be liaising with the Leader of Redditch Borough Council about the proposal and had asked Officers to evaluate the options and costs involved.

Recommendation 12, which had proposed that virements between income and expenditure should only be allowed with approval from Cabinet, had been endorsed subject to amendment. Cabinet had felt that there should be an internal limit of £40,000 before such cases were reported to Cabinet. As Members' intention had been to reduce the speed and volume of virements carried out in this manner it was agreed that this subject should be referred back for consideration of the working group.

The Board was advised that at the latest meeting of the Finance and Budget Working Group Members had started to consider some of the Council's budget pressures and capital bids. Information had also been

provided about cost recovery arrangements for a number of service areas. The next meeting of the group would take place in the New Year.

During consideration of this item the Leader provided the Board with an update on the results of the Council's provisional settlement for the New Homes Bonus (NHB). When preparing the Council's suggested budget for the Medium Term Financial Plan an assumption had been made that funding from the NHB would be withdrawn after the fourth year. However, in the settlement 6 years continued to be built into the scheme and this was only due to fall to five years at a later date. There had been a change to the baseline which would result in the Council losing approximately £210,000 but this would be offset by the retention of the greater length of period over which the NHB would apply.

Members discussed the Government's consultation in respect of the NHB and questioned whether the Council would be responding to the latest round in this consultation process. In particular questions were raised about the intended use of NHB funding to help fund social care. The Board was advised that the District Council's Network had already discussed this matter and would be providing a collective response to the Government which would address these concerns.

RESOLVED that recommendation 12 from the Finance and Budget Working Group in respect of virements be reconsidered at a future meeting of the group.

72/16

TASK GROUP UPDATES

The Board received verbal updates in respect of the Task Group reviews that were taking place.

a) **Social Media Task Group – Chairman, Councillor R. J. Laight**

Councillor Laight reported that the group had held their first meeting on 30th November 2016 during which the terms of reference had been considered and key lines of enquiry agreed. Officers had already undertaken a significant amount of research on behalf of the group and as part of the review Members were aiming to consult with other local authorities about their approach to using social media. The next meeting of the group was due to take place in January during which the Council's Communications Manager would be interviewed about the Council's corporate approach to using social media.

b) **Staff Survey Joint Scrutiny Task Group – Chairman, Councillor S. R. Colella**

Councillor Colella explained that the latest meeting of the group had taken place in Redditch on 7th December 2016. During the meeting the Head of Business Transformation and Organisational Development and the Human Resources and Development

Manager had been interviewed about the background to the matter and the findings from the two surveys conducted in 2013 and 2016 respectively.

The group had also discussed the cultural referendum which had been held in December. Members recognised that this helped to demonstrate that Officers were taking action in response to feedback received from staff in the surveys. However, the group had had some concerns about the referendum and whether this represented the best way to explore organisational culture with staff. Members had questioned the possibility of delaying the referendum but had been advised that the referendum had been actively promoted making it difficult to delay the process by the date of the group's meeting.

Officers advised that a paper had been produced in advance of the cultural referendum. The content of this paper helped to clarify the reasons for the referendum and it was suggested that this should be provided for the consideration of the group as it might reassure Members about the basis for the exercise.

73/16

WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE

The Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC), Councillor B. T. Cooper, provided an update on the latest meeting of the Committee. The following matters were highlighted for Members' consideration:

a) Dental Services in Worcestershire

The subject of dental services had been discussed following the closure of a dental surgery in Worcester with limited notice to patients. A presentation had been delivered for the consideration of the Committee on this subject but Members had agreed that additional data was required and so a further update had been requested for a future meeting.

b) Pharmacy Services

The Committee had been advised that pharmacy services would be the subject of financial cuts and there was therefore a need to consider ways in which these services could be delivered differently. Again, Members had agreed that additional information on this subject was required and a further presentation had therefore been requested for a future meeting.

c) Fast Food Outlets

The Director of Public Health in Worcestershire had delivered a presentation on the subject of fast food outlets in response to

concerns about high levels of obesity in the county. The Committee had been advised that Worcester City Council had a Supplementary Planning Document (SPD) in respect of fast food outlets, but was the only district Council in Worcestershire to have one. The Director of Public Health would be writing to every district authority in Worcestershire to urge them to introduce a similar SPD.

Members noted that some years previously a scrutiny review of fast food takeaways had been undertaken in Bromsgrove. The scrutiny group had been keen to recommend that an SPD be introduced in respect of fast food takeaways but had been advised that this would be illegal. As Worcester City Council had an SPD dedicated to this matter it was suggested that national legislation must have changed.

d) Stoke Rehabilitation Units

The Committee had been advised that changes to rehabilitation services had to be made due to difficulties experienced in terms of recruiting appropriately qualified staff. This was not a problem peculiar to Worcestershire as similar problems had been experienced in other parts of the country such as Warwickshire. The concentration of specialist rehabilitation services in Evesham would ensure that patients could access expert care where needed and the Committee had been assured that a sufficient number of beds would be available. General rehabilitation services would continue to be available at the Princess of Wales Hospital in Bromsgrove. Acute hospital services would remain unaffected and continue to be available to access at Worcester Royal Hospital.

Concerns were expressed by Members about residential access to Evesham Hospital from various parts of the county. The Board was advised that similar concerns had been raised at HOSC and Members had been informed that consideration might be given to the potential to introduce a community bus.

e) Reorganisation of Health Visitors

Councillor Cooper confirmed he had raised the reorganisation of health visitors at HOSC as requested at the previous meeting of the Board. The Committee had shared the concerns expressed by Bromsgrove Members and it had been agreed that this subject should be scrutinised in further detail at a future meeting.

CABINET WORK PROGRAMME

The Chairman noted that only one additional item appeared to have been added to the Cabinet Work Programme since the previous meeting of the Board; the Alvechurch Parish Plan. Officers confirmed that, as discussed during the previous meeting of the Board, the Engagement

Strategy, listed on the plan for consideration in February 2017, would be considered by the Social Media Task Group in due course.

75/16

OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME

Members noted the content of the Overview and Scrutiny Board's Work Programme.

76/16

ANY OTHER BUSINESS

The Chairman explained that he had received a request from Councillor S. R. Colella to consider further information about homelessness levels in Bromsgrove as an urgent item following reports in the Bromsgrove Advertiser about homelessness in the district. The Deputy Chief Executive presented a briefing paper on the subject for Members' consideration (attached Appendix 1), with the following points being highlighted for Members' consideration:

- The homelessness figures quoted in the Bromsgrove Advertiser were based on information provided in a report by Shelter.
- The data was potentially misleading and based on a formula for calculating homelessness rather than an actual head count. The figure of 38 homeless people quoted in the report was based on adding the number of rough sleepers with the number in temporary accommodation and dividing by the total local population
- In Shelter's report Bromsgrove had been ranked 20th out of 31 Councils in the West Midlands and fourth in Worcestershire.
- However the Council's data indicated that there was not a problem with homelessness in Bromsgrove.
- When Officers had assessed local homelessness levels only 2 rough sleepers had been identified.
- The Council's Communications Team would be working with the local press to ensure that any confusion in respect of this would be resolved in future updates to the public.

Members expressed concerns that the information provided in the Bromsgrove Advertiser's article as the interpretation applied to the data released by Shelter could have caused reputational damage to the Council. There were also concerns that this might have led to the local MP, the Right Honourable Sajid Javid, being misinformed about homelessness levels. Officers were therefore asked to provide a copy of the briefing note for his consideration.

The meeting closed at 7.56 p.m.

Chairman

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Bromsgrove Advertiser report on Bromsgrove being a homelessness hotspot – position statement

Background

- Following the release of a national report by Shelter on December 1st 2016, and a local conference on Homelessness organised by Centrepoin, the Bromsgrove Advertiser ran a story on December 6th claiming that there are 38 homeless people in Bromsgrove.
- Shelter have reached the conclusion that there are 38 homeless people in Bromsgrove by adding the number of rough sleepers together with the number of people living in temporary accommodation and dividing the overall local population figure by this number to give a 1 in X are homeless per district.
- Following publication by the Advertiser we asked Shelter for a copy of their press release containing local data, as we did not understand where the figure of 38 homeless people came from, or how they had reached their conclusion.
- This press release has now been provided, along with information about the methodology behind the calculation.

Our analysis

- The O&S task Group on homelessness in Bromsgrove has paid considerable attention to homelessness in the last year and made recommendations.
- On this occasion, Shelter's methodological approach to analysing levels of homelessness locally is fairly rudimentary, and their note to editors mentions a number of caveats to the data supplied. See Editors notes at the end of this document.
- In their press release, Shelter also supplied a table of homelessness in the West Midlands – regionally Bromsgrove was ranked 20th out of 31 authorities, (although they did not explain the total number of councils) and 4th in Worcestershire:

Top 20 homelessness hotspots in the West Midlands				
LA	Region	Estimated total homeless people	1 in x people are homeless	Regional rank
Birmingham	West Midlands	9560	119	1
Coventry	West Midlands	1686	204	2
Solihull	West Midlands	485	444	3
Walsall	West Midlands	569	487	4
Rugby	West Midlands	204	515	5
Worcester	West Midlands	124	830	6
Wyre Forest	West Midlands	122	831	7
Shropshire	West Midlands	345	877	8
East Staffordshire	West Midlands	124	945	9
Stratford-on-Avon	West Midlands	124	1011	10
North Warwickshire	West Midlands	62	1023	11
Wolverhampton	West Midlands	250	1041	12
Wychavon	West Midlands	82	1494	13
Staffordshire Moorlands	West Midlands	59	1645	14
Herefordshire	West Midlands	100	1838	15
Telford and Wrekin	West Midlands	93	1864	16
Nuneaton and Bedworth	West Midlands	67	1945	17
Lichfield	West Midlands	52	1960	18
Tamworth	West Midlands	38	2061	19
Bromsgrove	West Midlands	38	2503	20

Position statement

- There is absolutely no evidence to suggest that Bromsgrove is a homelessness hotspot in the West Midlands – in Shelter’s data, the council is ranked 20th out of 31 local authorities in the region and 4th of the 6 authorities in Worcestershire. So Bromsgrove is in the lowest quartile for both data sets when measured in this way.
- Shelter’s calculation doesn’t provide a very robust way of providing an overview of homelessness in any area. It also combines a number of data measures to reach a conclusion in a way that has not been done before. For example, people included in Shelter’s calculation because they are living in temporary accommodation are not usually classified as homeless for data gathering exercises.
- Unfortunately, Shelter’s report compiled in the way it has been, and reported in the way that it was by the Advertiser, has caused confusion. Our latest rough sleeping analysis, undertaken in November with a number of other agencies locally shows we have 2 rough sleepers in Bromsgrove, not 38 homeless people. Had the Advertiser reported the entire data line supplied by Shelter, it would have been saying that Bromsgrove’s figure is 1 homeless person per 2503 people.
- We are confident that the extensive work undertaken by the O&S Task Group on homelessness in Bromsgrove has highlighted areas for us to focus on so that we can continue to ensure homelessness doesn’t become an issue in Bromsgrove.
- For ease of reference the homelessness position for Bromsgrove is as below:

Bromsgrove Homeless Performance Table							
	10/11	11/12	12/13	13/14	14/15	15/16	16/17
Presentations	115	127	138	122	120	123	Q1. 22 Q2. 22
Acceptances	66	66	78	68	68	70	Q1. 16 Q2. 12
Preventions	198	204	192	225	263	240	Q1. 76 Q2. 51
Housing Options Interviews	756	787	802	793	714	654	Q1. 219 Q2. 168
Rough Sleeper Snapshot Estimate	7	3	3	1	3	4	

Shelter's notes to editors

- This analysis estimates the total numbers of recorded homeless people (adults and children) in England at the most recent point in time possible.
- To arrive at a figure for the number of homeless people in the West Midlands we have added together figures on different forms of recorded homelessness, for the first time. Most of these are from official sources (DCLG figures on temporary accommodation and rough sleeping), plus Social Services figures via an FOI and figures on single homeless hostel bedspaces from Homeless Link's annual report.
- The local level figures are drawn from two of these sources only - rough sleeping and temporary accommodation, because the other datasets are at a regional level only. For this reason, the local totals will sum up to slightly less than the national total.
- Our calculations are then used in conjunction with the latest ONS population estimates to produce '1 in x people'.
- The figures should be viewed as robust lower-end estimates of recorded homelessness. A number of conservative assumptions have been built into the analysis. For example, that 'other' household types in the temporary accommodation figures contain only two people when they will contain a minimum of two. Additionally, the hostel bedspaces data from Homeless Link have been adjusted down to account for voids (10%) and possible overlap with other figures (a further 50%).
- The figures do not include 'hidden' or unrecorded homelessness which is very difficult to quantify, but known to be sizeable. A poll of 2,000 UK adults commissioned by Homeless Link in December 2013, found that 32% of people have experienced homelessness (including sofa surfing and staying with friends) or know someone who has experienced homelessness. 14% had experienced it themselves, 20% knew someone else who had experienced it, 2% said they had both experienced it and knew others who had."

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Relevant Portfolio Holder	Councillor Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Ward(s) Affected	All Wards
Ward Councillor(s) Consulted	Yes
Non Key Decision	Yes

1. SUMMARY OF PROPOSALS

- 1.1 The Bromsgrove District Plan 2011-2030 (BDP) has now been through its Examination in Public which closed on the issuing of the Inspector’s report, on the 16th of December 2016. The Inspector’s report recommends that subject to the making of a series of modifications the BDP satisfies the requirements of section 20(5) of the Planning and Compulsory Purchase Act 2004, and the criteria for soundness in the National Planning Policy Framework, and is therefore sound.
- 1.2 This report explains the processes around the final stages of the plan production and asks the Council to formally adopt the BDP as the Development Plan for the District.

2. RECOMMENDATIONS

2.1 The Cabinet is asked to RECOMMEND to the Council

- 1. That the Council note the content of the Bromsgrove District Plan Planning Inspectorate’s Report (Appendix 1), and the associated Schedule of Main Modifications (Appendix 2).**
- 2. That the Council adopt the Bromsgrove District Plan 2011 - 2030 as submitted and subsequently amended by the modifications set out in the Appendix 2 and Appendix 3 of this report.**
- 3. That the Council adopt the Policies Map which accompanied the submission version of the Bromsgrove District Plan and remains unchanged as a result of the examination process.**
- 4. That the Council note the Bromsgrove District Plan adoption statement, and Strategic Environmental Assessment (SEA) and Sustainability Appraisal Adoption Statement which forms Appendices 4 and 5 of this report.**
- 5. That the Head of Planning and Regeneration be delegated authority to undertake further minor editorial changes deemed necessary in**

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preparing the adopted District Plan for publication, following consultation with the portfolio holder for Planning.

3. KEY ISSUES

Financial Implications

- 3.1 The direct financial implications of adopting the plan are minimal and only relate to the requirement to place notices of the adoption in the local press, and to have copies of the documents available for inspection. There could be indirect costs associated with not adopting the BDP i.e. more planning appeals to defend or if the adopted BDP is challenged (see section 3.4 below) although it is not possible at this stage to identify what these costs may be.

Legal Implications

- 3.2 The relevant legislation setting out the processes around preparing and subsequent adoption of Local Plans is contained in the Planning and Compulsory Purchase Act 2004 as amended (PCPA 2004) and the Town and Country Planning (Local Planning) (England) Regulations 2012. The Sustainability Appraisal (SA) has been undertaken in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004

- 3.3 If the BDP is adopted in line with the above regulations the following will be made available,

- The BDP
- An adoption statement
- The Sustainability Appraisal report and SA/SEA Adoption Statement
- Details of where the BDP as adopted is available for inspection and the places and times at which it can be inspected

The Council is also required to send a copy of the adoption statement

- to any person who has asked to be notified of the adoption of the BDP and to
- The Secretary of State.

- 3.4 Any person who is aggrieved by the adoption of the BDP may make an application to the High Court under section 113 of the Planning and Compulsory Purchase Act 2004 on the grounds that:

- the document is not within the appropriate power
- a procedural requirement has not been complied with

Any such application must be made promptly and in any event no later than 6 weeks after the date on which the BDP was adopted ie no later than 9th March 2017.

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Service / Operational Implications

The Evolution of the BDP

- 3.5 The evolution of the BDP has been a lengthy process and has been documented in many reports to the Council in the preceding years. A significant amount of time and effort from a wide range of stakeholders has gone into ensuring the plan reflects as many views of what planning should be in the District as possible. All this work culminated in September 2013 when the BDP Proposed Submission version was approved by the Council for Publication. Following a period of representations the BDP was then submitted to the Planning Inspectorate on the 12th March 2014 which marked the beginning of the Examination in Public (EIP) proceedings. The Planning Inspectorate appointed Mr Michael J Hetherington BSc (Hons) MA MRTPI MCIEEM to carry out the EIP.

The Examination in Public and Main Modifications

- 3.6 The EIP into the BDP which was also held, in part, jointly with Redditch Borough Council due to the Cross boundary growth element of the plan, began in June 2014. Since then there have been a number of challenges in the EIP which were documented in the report to the Cabinet on the 4th July 2016, which also considered the Inspector's proposed Main Modifications.
- 3.7 As detailed in that report the Main Modifications consultation ran for an extended period over the summer to account for the summer holiday period, the consultation began on the 27th July and ran to the 21st September. During this period a total of 49 representations were received. Even though a guidance note was produced asking for specific information in the responses, half of the responses did not specify which proposed Main Modification the response was in connection with. Irrespective of this fact all the responses were passed onto the Inspector for his consideration. The Inspectorate sent the fact checking report to the authority on the 2nd December. This version of the report provided a two week opportunity to identify any factual errors and to seek clarification on any conclusions that were unclear. It did not provide any scope to question conclusions. The final report was issued on Friday 16th December 2016, this concluded the examination in public. The Inspector's report was then placed on the Council's website site and notification letters sent to all those who wished to be notified on Monday 19th December.

The Inspector's Report

- 3.8 The Inspector's report and associated Main Modifications can be seen at appendix 1 and 2 to this report. The report covers all stages of the examination including the assessment of the Duty to Cooperate. The report does not cover elements of the plan that were not challenged and not part of the proceedings. The assumption is the plan as submitted was sound and if elements were not

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challenged by objectors or the Inspector, then they are appropriate policies for making sound planning decisions.

- 3.9 Accompanying the report are the Main Modifications, these are the modifications which the Inspector requires to be made to the plan for it to be sound. If these modifications are not accepted in whole, then the plan will not be sound and cannot be adopted. These modifications are very similar to those reported to members in the July 4th report.

A considerable element of the report focuses on two main elements:

- the housing policies in the plan, including objectively assessed housing need and how the plan responds to meeting the needs of the West Midlands conurbation and,
- the site selection methodology for the cross boundary sites on the edge of Redditch.

- 3.10 The Inspector has concluded that the objectively assessed housing need for the District is 6648 dwellings and setting the housing requirement at 7000 is an appropriate target to allow some flexibility, particularly in relation to meeting the needs of the conurbation and affordable housing. The report also concludes that a plan review, including a review of the Green Belt, will be needed to meet, not only the needs of Bromsgrove, but also some of the wider needs of the West Midlands conurbation.

- 3.11 On the subject of the site selection for the housing sites around Redditch, whilst the Inspector expresses frustration about the process undertaken, the narrative work produced in December 2015 and the subsequent hearings in March 2016 have satisfied him that the decision to allocate the sites at Foxlydiate and Brockhill are sound and as such these sites remain as development sites in the plan. The remaining sites around Bromsgrove, Whitford Road and Perryfields received very little focus in the report and as such both remain in the plan unaltered. The Inspector also concludes the policies in the plan, backed up by the Infrastructure Delivery Plan are also sufficient to ensure the correct level of infrastructure can be secured in relation to the development sites coming forward.

- 3.12 Other notable elements of the Inspector's report are:

- The Council can demonstrate a 5 year land supply
- An alteration to allow for the green belt review to be based on sustainable development principles, rather than a more fixed distribution based on the settlement hierarchy as originally proposed, recognising that this may not be appropriate for meeting the needs of the Conurbation.
- Agreement that at this stage it is not necessary to give specific housing numbers or allocations to individual settlements or Parishes.

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- Clarification of the trigger for, and the scope of, the Council's proposed Green Belt Boundary Review to be completed at the latest by 2023.
- Agreement that it would be premature to initiate a Green Belt Boundary Review (GBBR) until there is greater certainty about full scale of housing provision that will be required within Bromsgrove District.

Minor Modifications

- 3.13 At the proposed submission stage of the plan members acknowledged that throughout the process of the EIP officers will be asked by the Inspector about possible changes to the plan to address issues that arise. Delegations were given to allow officers in conjunction with the portfolio holder to suggest changes to the plan, the schedule of these modifications was submitted to the examination at various points as the EIP progressed. Some of these suggested changes are now Main Modifications as detailed in appendix 2. The rest of the changes that the Inspector was happy didn't constitute a change that needed to be made to ensure soundness i.e. minor modifications can be seen at appendix 3. Recommendation 3 above also requests that these are now made to the plan to ensure the final version is up to date, accurate and a usable tool for all those involved in planning in Bromsgrove District.

Sustainability Appraisal

- 3.14 Throughout the whole process of preparing the plan Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) has been undertaken. The final stage of this process is the publication of the SA/SEA adoption statement; this can be viewed at appendix 5 of this report.

Policies Map

- 3.15 Accompanying the proposed submission plan in September 2013 was also a new policies map, and a schedule of changes that were made to the extant Bromsgrove District Local Plan proposals map to create the new policies map. If the BDP is adopted both the policies and the proposals map of the old local plan will be deleted. Paper copies of the policies maps will be available in the first instance, and in due course the online interactive plan will be updated to reflect the new BDP.
- 3.16 Whilst it is necessary to adopt the policies map at this stage, the map itself is not part of the formal development plan and therefore can be updated as the implementation of the plan progresses.

Customer / Equalities and Diversity Implications

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- 3.17 Should the plan be adopted it will be published as per the regulations identified in paragraph 3.3 above. The plan will be available across the District predominantly in the libraries and on the website. Strategic planning officers will be able to offer advice and guidance on the new plan. Training events for key stakeholders such as parish councils can be arranged if requested.

4. RISK MANAGEMENT

- 4.1 The risks associated with adopting the plan are minimal, with a legal challenge being the biggest risk but which is also an unavoidable risk. The benefits of adopting the plan are:
- Provision of a clear planning framework to deliver the vision and development for the future of the area.
 - The ability to develop 4700 houses for Bromsgrove in the short term (total being 7000 up to 2030) (and 3400 for Redditch) helping to meet the housing needs of District and allowing residents better access to the housing market.
 - Assisting in meeting affordable housing deficit
 - Retention of local control over planning matters, the lack of an up to date plan would make the District very vulnerable to ad hoc planning and planning by appeal.
 - Economic benefits would ensue from development not only in the development of new employment sites and a further town centre regeneration but also in the shorter term the in the creation of construction jobs associated with the developments and multiplier effects.
 - Collection of New Homes Bonus
 - Provide certainty for developers and utility providers and other people investing in the area who value the strategic clarity that an up to date plan provides.
 - The clarity of the planning framework set out in an adopted Plan can help authorities to make the case, to government and other funding agencies for infrastructure funding, such as new transport infrastructure
 - An adopted plan would enable the Council to progress with preparing a Community Infrastructure Levy (CIL) thereby enabling needed infrastructure to be provided.

5. APPENDICES

1. The BDP Inspector's Report
2. The BDP Inspector's Main Modifications
3. The BDP Schedule of Minor Modifications
4. The BDP Adoption Statement
5. The BDP SEA/SA Adoption Statement (To follow)

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6. BACKGROUND PAPERS

The Council's website www.bromsgrove.gov.uk/examination contains all the background information concerning the plan and the examination in public.

7. KEY

BDP - Bromsgrove District Plan 2011 - 2013

SA - Sustainability Appraisal

SEA - Strategic Environmental Assessment

GBBR - Green Belt Boundary Review

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Report to Bromsgrove District Council

By Michael J Hetherington BSc(Hons) MA MRTPI MCIEEM

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 16 December 2016

PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

**REPORT ON THE EXAMINATION INTO THE
BROMSGROVE DISTRICT PLAN**

Document submitted for examination on 12 March 2014

Examination hearings held between 16 June 2014 and 24 March 2016

File Ref: PINS/P1805/429/2

Abbreviations Used in this Report

AA	Appropriate Assessment
AAP	Area Action Plan
ADR	Area of Development Restraint
AHVA	Affordable Housing Viability Assessment
BDC	Bromsgrove District Council
BDLP	Bromsgrove District Local Plan (adopted 2004)
BDP	Bromsgrove District Plan (the plan being examined)
CIL	Community Infrastructure Levy
DEFRA	Department for Environment, Food and Rural Affairs
DtC	Duty to Co-operate
EA	Environment Agency
ELR	Employment Land Review
FRA	Flood Risk Assessment
GBBR	Green Belt Boundary Review
GBSLEP	Greater Birmingham and Solihull Local Enterprise Partnership
GTAA	Gypsy and Traveller Accommodation Assessment
HGDS	Housing Growth Development Study
HGESHAA	Hewell Grange Estate: Setting of Heritage Assets Assessment
HMA	Housing Market Area
HNAR	Housing Needs Assessment Report (August 2014)
IDP	Infrastructure Delivery Plan
LDS	Local Development Scheme
MM	Main Modification
NWHNR	North Worcestershire Housing Need Report (April 2014)
OAN	Objectively Assessed (Housing) Need
PPG	Planning Practice Guidance
RBC	Redditch Borough Council
RPG	Registered Park and Garden
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SNPP	Sub-National Population Projections
SOCG	Statement of Common Ground
SPZ	Source Protection Zone
SRN	Strategic Road Network
STW	Severn Trent Water Ltd
SuDS	Sustainable Drainage Systems
WCC	Worcestershire County Council
WMS	Written Ministerial Statement

Non-Technical Summary

This report concludes that the Bromsgrove District Plan provides an appropriate basis for the planning of the District, providing a number of modifications are made to the plan. Bromsgrove District Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted. The examination has considered updated information in respect of the objective assessment of the housing needs of both Bromsgrove and Redditch and the justification for the selection of sites to meet these and other growth needs. The report should be read alongside my report into the examination of the Borough of Redditch Local Plan No. 4.

All of the modifications to address this were proposed by the Council but where necessary I have amended detailed wording or added further clarification. I have recommended their inclusion after considering the representations from other parties on these issues.

The Main Modifications can be summarised as follows:

- clarification of the approach towards providing for the remaining housing needs of Bromsgrove District during the plan period and meeting future housing needs arising from the West Midlands conurbation;
- clarification of the trigger for, and the scope of, the Council's proposed Green Belt Boundary Review;
- inclusion of updated housing supply information;
- inclusion of updated retail capacity information;
- amendments to Green Belt policy in order to accord with national policy;
- clarification of the policy approach towards Gypsies and Travellers in the light of updated evidence submitted during the examination;
- increased emphasis on the role of the Strategic Road Network;
- introduction of additional policy safeguards in respect of flood risk and pollution control;
- clarification of the approach to nature conservation designations in line with national policy;
- amendments in line with national policy changes regarding wind energy, affordable housing contributions and technical standards for housing; and
- introduction of additional requirements for a number of site allocations in respect of matters including heritage assets, water quality, flood risk and transport.

Introduction

1. This report contains my assessment of the Bromsgrove District Plan (BDP) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It considers whether the Plan is sound and whether it is compliant with the legal requirements. At paragraph 182, the National Planning Policy Framework (the Framework) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for the examination is the Bromsgrove District Plan (BDP) Proposed Submission Version 2011-2030 which was published for consultation in September 2013.
3. The examination has been carried out alongside the examination of the Borough of Redditch Local Plan No. 4 (BORLP4). Joint hearing sessions have been held, including two days (16 and 17 June 2014) that considered, in respect of both the BDP and BORLP4, the Duty to Co-operate (DtC), objective assessment of housing needs and the approach to meeting additional housing needs from the West Midlands conurbation. These matters were addressed by my Interim Conclusions paper dated 17 July 2014¹, the findings of which in respect of the BDP are summarised in the sections of my report dealing with the DtC and Main Issue 1. The examination of the BDP was paused at that point to enable the Council to respond to my comments in respect of the objective assessment of housing need: this is considered in more detail below.
4. The matter of the approach of both Bromsgrove District Council (BDC) and the Borough of Redditch (RBC) to the selection of sites to meet the growth needs of Redditch has been the subject of considerable debate. Following the main BORLP4 hearing sessions in September 2014, I issued a Post Hearings Note dated 3 October 2014² that, among other matters, highlighted a potentially serious flaw in this methodology. This referred in particular to a site proposed for allocation within Redditch (Webheath) and a cross-boundary site (Brockhill West) that had not been allocated in either Plan. In response, the Councils requested that both Local Plan examinations be paused while further information was prepared. The relevant documentation, to which I refer in more detail below, was published during 2015 and joint hearings were held on 23 and 24 June 2015. Further concerns arising from those sessions were set out in an additional Inspector's Post-Hearings Note dated 10 July 2015³. An additional package of evidence and documentation was issued by both

¹ Document ED/12.

² Document ED/19.

³ Document ED/35.

Councils in December 2015: this was the subject of two further joint hearings held on 23 and 24 March 2016⁴.

5. Given the strong inter-relationship between the BDP and the BORLP4, and the joint nature of much of the evidence that has been submitted by the Councils, the present report should be read in conjunction with my report on the examination of the BORLP4. Many documents are shared between the two examinations (notably those listed as CDX, ED and OED) while others relate specifically to the BDP examination (notably the CDB core documents).
6. My report deals with the main modifications that are needed to make the Plan sound and legally compliant: they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council has requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
7. The main modifications that are necessary for soundness and legal compliance all relate to matters that were discussed at the examination hearings or were considered as written representations. Following the last of the above-noted hearings, the Council prepared a schedule of proposed modifications. Those modifications that are necessary for soundness (the main modifications) have been taken from that schedule, with some amendments as described in this report, and have been subject to public consultation. I have taken account of the consultation responses in coming to my conclusions in this report: as such, the main modifications differ in some respects from those that were the subject of the consultation exercise.
8. The Council is required to maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is then required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the local plan. In this case the, Submission Policies Map⁵ is supported by a document listing the changes from the adopted proposals map to the new policies map arising from the BDP⁶. The main modifications that are now recommended do not require any further changes to be made to this document.

Assessment of Duty to Co-operate

9. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation. BDC comments on this in its Duty to Co-operate Statement⁷. This describes the activities that it has undertaken with other bodies in order to maximise the effectiveness of Plan preparation. This

⁴ The timeline of both examinations is summarised in Appendix i to the Narrative on the Site Selection Process for Growth Areas at Redditch (January 2016) – document OED/46a.

⁵ Document CDB1.8.

⁶ Document CDB1.9.

⁷ Document CDB1.4.

includes co-operation with Redditch Borough Council (RBC), which has taken place to a high degree, as is evidenced most notably by the joint working in respect of meeting housing needs from the Borough of Redditch, as well as by the co-ordination in regard of the submission of the two Plans and the holding of joint examination hearings. As is noted below, BDC has participated in the Strategic Housing Land Availability Assessment (SHLAA) for the Borough of Redditch that has been an important input of the assessment of the capacity of the Borough to accommodate new housing.

10. Co-operation has also taken place with other local planning authorities in a wide range of matters that are described in more detail in the above-noted background paper. With RBC, BDC has participated in joint working in respect of the evidence base for assessing housing needs – both in the context of the Worcestershire Strategic Housing Market Assessment (SHMA) (involving all Worcestershire authorities) and the updated evidence base (also involving Wyre Forest DC). Ongoing co-operation with other statutory bodies, notably the Environment Agency, Highways England (formerly the Highways Agency) and the local highway authority (Worcestershire Council Council), has resulted in the preparation of statements of common ground in respect of the BDP and BORLP4 examinations.
11. BDC is a member of the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) and is involved in the ongoing Joint Strategic Housing Needs Study, which will inform the approach of both BDC and RBC towards meeting future needs arising from the West Midlands conurbation.
12. No objections have been raised in respect of any failure to meet the Duty to Co-operate by any of the bodies prescribed in relevant legislation for the purposes of section 33A(1)(c) of the Act. Taking these matters together, I am satisfied that Duty has been complied with.

Assessment of Soundness

Main Issues

13. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified the following main issues upon which the soundness of the Plan depends.

Main Issue 1: Are the Local Plan's housing policies based on adequate and up-to-date evidence and a clear understanding of housing needs in the market area? Is it clear how the Local Plan has addressed the matter of meeting that part of its housing requirement that is not presently provided for, as well as meeting anticipated future housing needs arising from the West Midlands conurbation? Does an adequate supply of housing land exist in line with national policy?

Objective Assessment of Housing Needs

14. Among other matters, paragraph 47 of the National Planning Policy Framework (the Framework) states that to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the

Framework's policies. Guidance on undertaking an objective assessment is set out in the PPG. This clarifies that need for housing refers to the scale and mix of housing and the range of tenures that is likely to be needed in the housing market area over the plan period – and should cater for the housing demand of the area and identify the scale of housing supply necessary to meet that demand. It should address both the total number of homes needed based on quantitative assessments, but also on an understanding of the qualitative requirements of the market segment. The PPG adds that assessing development needs should be proportionate and does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur⁸.

15. The PPG explains that this exercise is an objective assessment of need based on facts and unbiased evidence and that constraints should not be applied to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints. Such considerations should be addressed at a later stage when developing specific policies⁹. As such, a clear distinction must be drawn between the objective assessment of housing needs and the eventual determination of a Local Plan housing requirement.
16. The housing needs assessment that underpinned the Plan as submitted is broadly derived from work undertaken in 2012 as set out in the SHMA¹⁰. The SHMA's methodology has been considered in the context of the examination of the South Worcestershire Development Plan (SWDP), for which it also provides part of the evidence base. In his initial Interim Conclusions (October 2013), the Inspector concerned supported in principle the approach of beginning with trend-based projections and then modifying them to take account of the effect of job growth forecasts. However, he identified particular shortcomings in the way that the SHMA had been carried out, finding in particular that there was a lack of clear evidence to support the assumptions made in scenario SS2 and a high degree of sensitivity in the model to changes in those assumptions.
17. The SWDP Inspector's concerns are generally accepted by BDC and RBC. With Wyre Forest District Council, they commissioned the North Worcestershire Housing Need Report (NWHNR)¹¹. At the initial hearing session that considered objectively assessed housing needs (OANs), BDC stated that the overall needs total for Bromsgrove District was considered to be 6,390 dwellings (net) over the above-noted 19 year period. However, this figure has been the subject of further consideration in the light of my Interim Conclusions paper: I return to it below.
18. Before doing so it is necessary to address three general concerns that have been raised about the methodology of both the SHMA and the NWHNR. The first of these relates to the way in which housing completions between 2006

⁸ PPG paragraph ID 2a-003-20140306.

⁹ PPG paragraph ID 2a-004-20140306.

¹⁰ Documents CDB7.2a-b.

¹¹ Document CDB13.3.

and 2011 have been considered. Both studies present household growth data over the period 2006-2030, while both Plans cover the period 2011-2030. In deriving final housing needs figures for the Local Plan periods from the output of the relevant scenarios, both reports deduct the houses that were completed between 2006 and 2011. Given that building rates were comparatively low during those 5 years, this has resulted in somewhat higher annual averages for the period 2011-2030.

19. It is argued by representors seeking to reduce housing requirements that the period 2006-2011 should effectively be discounted on the basis that there was oversupply prior to 2006 in respect of the 2001-2011 Structure Plan period. The Councils have provided additional clarification in respect of this matter¹². The base date from the 2012 SHMA was aligned to the plan period of the West Midlands Regional Strategy Phase 2 revision. Given the policy context applying at the time, this was understandable. In order to be consistent, it was necessary for the NWHNR to adopt the same base date as the SHMA. In any event, it is clear that the SHMA sought to assess housing need over the period beginning from that base date. It is therefore both appropriate and consistent with national planning policy to ensure that under-supply during the period following the SHMA's base date is properly provided for.
20. The second general concern relates to the definition of the housing market area (HMA). It is argued by some representors that objectively assessed needs should be considered on the basis of an HMA that includes the West Midlands conurbation rather than the Worcestershire HMA. However, the Council accepts that Bromsgrove lies within a wider market area that includes the West Midlands and that the Worcestershire HMA is not perfectly defined. I agree that such definition is not an exact science and, moreover, that it is clear from both the SHMA and the NWHNR that relationships beyond the county boundary have been considered. A specific sensitivity scenario (SS4) was applied to address the potential for an increased level of in-migration from the conurbation taking into account expected high levels of economic growth and population increase. Furthermore, the principle of providing for additional housing to meet the conurbation's needs has also been accepted. Given the practical difficulties of extending the SHMA to cover the substantial number of local planning authority areas which relate to Bromsgrove in terms of migration and travel to work data, I therefore agree with the Council that its approach to HMA definition is both pragmatic and robust.
21. A third concern relates to the headship rates that have been adopted in the NWHNR. This adopts an 'option C' combination, which applies CLG 2011-based headship rates up to 2021, reverting to the 2008-based rate of change thereafter. This method was endorsed by the SWDP Inspector in his October 2013 Interim Conclusions paper. While it is argued that circumstances have since changed and that (in summary) this assumption is too conservative, it seems to me that the stance that he adopted, and that has been followed in the NWHNR, remains justified. Specifically, it is important to note that the 2011-based projections were interim and applied to only a 10 year period.

¹² Document M01/1a.

22. As already noted, I considered the Council's OAN figure in my Interim Conclusions paper (July 2014)¹³. The arguments are set out in detail in that paper. In summary, I did not accept the Council's view that the OAN figure of 6,390 dwellings, which derived from the output of a scenario based upon population projections (SNPP-2010), represented an adequate assessment of OANs as required by national policy. Indeed, that scenario was itself presented in the NWHNR for 'benchmark' purposes: the NWHNR went on to examine various sensitivity scenario projections, stating that scenarios SS3 and SS4 'are considered to provide the most realistic reflection of likely labour market and demographic realities'¹⁴. While I considered that an alternative scenario (SS4) represented a more robust demographic-led assessment of likely housing needs for the District than the SNPP-2010 scenario, I raised concern that sole reliance on either of the demographic-led scenarios (SNPP-2010 or SS4) would give an inadequate picture of the implications of projected changes in the labour market.
23. In this context, the Framework requires that the assessment of housing should take full account of relevant market and economic signals. As the PPG makes clear¹⁵, employment trends should be taken into account. Specifically, plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate and also having regard to the growth of the working age population in the housing market area. The PPG adds that where the supply of working age population that is economically active (labour force supply) is less than the projected job growth, this could result in unsustainable commuting patterns (depending on public transport accessibility or other sustainable options such as walking or cycling) and could reduce the resilience of local businesses. In such circumstances, the PPG states that plan makers will need to consider how the location of new housing or infrastructure development could help address these problems.
24. In the case of Bromsgrove, all three employment growth forecasts contained in the NWHNR suggest a substantial growth in jobs numbers, ranging from some 10% to 13% for the period 2012-2030. As already noted, the NWHNR set out a sensitivity scenario (SS3) that used this labour market research to derive assumptions about the degree to which overall labour market conditions will impact upon future activity and employment rates and, therefore, the local supply of labour. The average case output for scenario SS3 suggested a net need of 9,760 dwellings within Bromsgrove over the above-noted period. This 'jobs-led' scenario suggested a much higher level of housing need in the District than either of the demographic-led scenarios. However, as described in my Interim Conclusions paper, it did not take into account the potential for jobs growth to affect local commuting patterns.
25. As noted above, the PPG raises a concern that where labour force supply is less than the projected job growth, this could result in unsustainable commuting patterns and could reduce the resilience of local businesses. In

¹³ Document ED/12.

¹⁴ Paragraph 4.7 of the NWNHR – document CDB13.3.

¹⁵ PPG paragraph 2a-017-20140306.

the present case, Bromsgrove District is already characterised by significant net out-commuting. Given that the District is therefore, in effect, a net exporter of labour, it could be argued in principle that a local growth in jobs within the District might act to 'rebalance' existing commuting patterns rather than exacerbate unsustainable patterns as referred to in the PPG.

26. In that context, I noted that the housing forecasts set out in the NWHNR held the commuting ratio constant over the forecast period 2012-2030. Given that this ratio fell in Bromsgrove between 2001 and 2011 when job numbers in the District increased – in contrast to Redditch where both the ratio and the number of jobs remained broadly constant – the rationale for this assumption was unclear.
27. In response to the above concerns the Council commissioned the BDP Housing Needs Assessment Report (August 2014) (HNAR)¹⁶, which also took into account the most recent 2012-based Sub-National Population Projections (SNPP). The 'benchmark' 2012-based SNPP suggests a significantly lower population growth than the previous 2010-based projection.
28. The HNAR examined the matter of the commuting ratio in the light of my comments above. A variety of reduced commuting ratios were introduced into the jobs-led Core Scenarios and Sensitivity Scenarios, creating 18 different annual dwelling requirements¹⁷. Once employment forecasts were averaged, and completions and a vacancy rate taken into account, the resulting dwelling requirement ranged from 3,710 to 9,200. The highest of these relates to the base SS3: however, as this takes no account of a fall in the commuting ratio I share the Council's view that it represents an unrealistic assessment. Similarly, the lowest figure in this range relates to sensitivity scenario SS3d: this results in a highly unlikely balance between in- and out-commuting.
29. Accordingly, the Council has taken an average of the three remaining updated scenarios (SS3a, b and c) to establish its base figure of 5,540 dwellings over the Plan period. This is broadly comparable to the equivalent 'benchmark' output of 5,280 dwellings from the SNPP-2012¹⁸.
30. As already noted, it is necessary to take full account of relevant market and economic signals. In the present case it is clear that specific market signals, notably affordability, have worsened over time – for example, in households in the lower earning quartile¹⁹. Accordingly, the Council has decided that the above-noted figure should be increased by 20% (55 dwellings annually), a figure that it considers is based on reasonable assumptions and consistent with the principle of sustainable development. This leads to the Council's

¹⁶ BDP Housing Needs Assessment: Report in response to Inspector's Interim Conclusions – document ED14.

¹⁷ Table 3 of document ED/14.

¹⁸ See table 4 of document ED/14.

¹⁹ Appendix B to document ED/14.

conclusion²⁰ that its assessment of the level of objectively assessed housing needs has been amended to a figure of 6,648 dwellings.

31. I am satisfied that this assessment is appropriately justified. As set out above, it is necessary to take a realistic view of trends in commuting patterns in order to ensure that appropriate account is taken of economic factors when assessing housing needs in line with the PPG's advice. As already noted, the employment growth forecasts relate to jobs growth within the District: it is important to ensure that there is not a mismatch between forecast jobs growth and future labour supply. The PPG seeks to avoid unsustainable commuting patterns. Specific guidance on how demographic-based assessments should be amended in the light of market signals is not set out in national planning policy. However, the Council has clearly undertaken an assessment of local based factors and I have no substantive reason to disagree with the 20% uplift that it has applied.
32. The Council proposes changes to reflect this updated evidence base [**MM2; MM13**]: these are needed in order to be effective, justified and consistent with national policy.

Housing Requirement

33. Notwithstanding the above, the Council wishes to retain the figure of 7,000 dwellings as the Local Plan housing requirement. In the Council's view, the additional 350 dwellings (approximately) will provide greater flexibility in housing provision consistent with the Framework's aim of boosting significantly the supply of housing, as well as including an additional element for affordability. I have no reason to take a different view. Bearing in mind the presence of significant constraints to development in both the BDP and BORLP4 areas (as discussed elsewhere in both reports) I consider that the adoption of this figure represents, in principle, positive planning in line with paragraph 157 of the Framework. However, the Plan as submitted does not seek to allocate land to deliver this full amount of housing: provision is only made for some 4,700 dwellings, with the remainder to come forward through a Green Belt Boundary Review (GBBR). The Council also acknowledges that additional provision will be required to meet the needs of the West Midlands conurbation. I now turn to address these matters.

Approach to Meeting Future Housing Needs

34. It is common ground that the West Midlands conurbation, and specifically the City of Birmingham, is expected to experience unprecedented levels of economic growth and population change over the period of the BDP and BORLP4. As already mentioned, BDC, along with other GBSLEP members (and additional local planning authorities), is participating in a Joint Strategic Housing Needs Study which will inform the approach towards meeting future needs arising from the West Midlands conurbation. At the time of writing, the final phase of this exercise is yet to be completed and agreed. The present

²⁰ Letter from BDC to the Inspector dated 25.9.14 – document ED/15a.

position is therefore that the distribution of the likely shortfall within the wider sub-region has yet to be determined.

35. Notwithstanding this uncertainty, the BDP recognises that there may be a need to assist the City of Birmingham in achieving its housing target. Policy BDP4.2 commits BDC to undertake a Local Plan review including a full review of the Green Belt in advance of 2023. In addition to identifying land to help deliver the objectively assessed housing needs of the West Midlands conurbation within the current plan period (to 2030), the policy also requires the identification of land to meet the shortfall between the Council's stated housing supply and the above-noted 7,000 dwelling target.
36. This approach has attracted a significant level of objection from the development sector. Some representors consider that it renders the plan unsound to an extent that the examination should progress no further until the GBBR is carried out. Others seek amendments to ensure that such a review is undertaken immediately following adoption. However, while the scale of the shortfall arising from the City of Birmingham Development Plan is now somewhat clearer, the distribution of additional housing within the wider sub-region – including Bromsgrove District – has yet to be agreed by the local planning authorities concerned.
37. As such, it seems to me that it would be premature to initiate a GBBR until there is greater certainty about the full scale of housing provision that will be required within Bromsgrove District. Delaying the present examination would be unlikely to assist the delivery of those development sites that *are* proposed for allocation in the BDP, including those that are required to meet the needs of the Borough of Redditch. It therefore appears prudent that the GBBR should not be undertaken until relevant and robust evidence is available – notably the completion of the GBSLEP Joint Strategic Housing Needs Study. However, it is also essential – in line with national policy – that an adequate supply of housing land is maintained during the intervening period.
38. Clearly, the GBBR will also include a 'known' element, namely the outstanding shortfall in respect of Bromsgrove District's own housing needs. Subject to the Council's ability to demonstrate an adequate supply of housing land during the intervening period (with particular reference to paragraph 49 of the Framework) – a matter that I consider below – I see no reason in principle why it is necessary to allocate land to meet all of the Plan's requirements at the outset. As already noted, the Plan period runs to 2030: to allocate specific sites for all of this period at the present time would be in excess of the Framework's requirements.
39. In addition, there are advantages in incorporating such an exercise into a single GBBR that can also consider housing needs arising from the conurbation as well as identifying land to be safeguarded for the longer term – i.e. 2030-40. Multiple reviews of the Green Belt would be avoided, thereby addressing the Framework's requirement (paragraph 83) that Green Belt boundaries should be considered having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period.
40. Nevertheless, I agree with some representors that there is scope for greater clarity to be given about both the timing and scope of the GBBR. Policy BDP4

should give greater certainty about the triggers for the GBBR – specifically in respect of, first, the outcome of the GBSLEP Strategic Housing Needs Study and, second, the need to ensure that a five year housing land supply is maintained during the intervening period. It is also necessary to clarify that the GBBR will be progressed through a review of the Local Plan. This is accepted by the Council, which proposes modifications accordingly. However, additional clarity about the triggers for the GBBR is needed within policy BDP3.1 and I have added text from the suggested amendment to paragraph 8.28 accordingly. In the main modifications consultation exercise, concern was raised by some parties about the suggested removal of the 'prior to 2023' deadline from policy BDP3.1. The evidence before me, including the Council's comments at the relevant hearing session, suggests that the triggers referred to above are likely to be in place well before that date. However, I appreciate that the presence of a deadline provides some certainty to the process and I agree that it is necessary for soundness reasons that it is made clear that the review will be completed by 2023 at the latest. Nevertheless, given that the exercise may well take place before that date, I agree with the Council that this date should only be included as an ultimate deadline. The relevant changes **[MM4; MM18; MM20-22; MM24; MM29-30]** are recommended for reasons of effectiveness

41. In respect of the scope of the GBBR, the BDP implies a contradiction. Policy BDP4.3 requires the review to follow the approach in the policy BDP2's settlement hierarchy. As noted below, the evidence underpinning the District's settlement hierarchy²¹ does not include an assessment of those parts of the West Midlands urban area outside the District that immediately adjoin the District boundary. The main urban area does not appear within the hierarchy itself. However, paragraph 8.31 of the BDP states that land along the northern boundary of the District that adjoins the West Midlands conurbation will be considered within the GBBR.
42. The Council's response to this concern (in its final schedule of modifications) is to suggest that paragraph 8.31 should be changed to say that consideration of the above land would be subject to the evidence showing that this is the best location for growth. However, I do not feel that this modification is needed for soundness reasons: I have seen no evidence that this land should not be at least considered as part of the future GBBR along with other areas of the Green Belt. Nevertheless, I agree with the Council that the paragraph should refer explicitly to the GBSLEP Strategic Housing Growth Study. I also agree that policies BDP4.3 should be amended to delete the reference to the BDP settlement hierarchy and state instead that the GBBR will follow sustainable development principles. Additional text is also needed to policy BDP2 along those lines. However, in order to be consistent with the proposed change to policy BDP4.3, it is necessary to delete references to the GBBR being in accordance with the settlement hierarchy from paragraph 8.29 and policy BDP2. These changes **[MM4; MM9; MM25-26; MM28; MM31]** are needed for reasons of effectiveness and consistency with national policy.

²¹ Notably document CDB6.1.

Housing Land Supply

43. As already noted, the BDP does not identify sufficient land to meet its 7,000 dwelling housing requirement. The July 2013 Strategic Housing Land Availability Assessment (SHLAA)²² identifies sites for some 4,624 dwellings. This has been subject to review during the examination period and the overall supply figure has increased to some 4,729 dwellings – equivalent to between 12 and 13 years supply based upon the annual average requirement of 368 dwellings. The components of this supply have been set out in more detail in the Council's evidence²³. A substantial part of this supply is contained in the Bromsgrove Expansion Sites allocated in policy BDP5A. Justification for the windfall allowance of 40 dwellings per annum, which has been increased from the figure of 30, is set out in the more up-to-date assessment of five year housing land supply, discussed below. This increase is based upon evidence of increased recent windfall rates that take account of dwellings delivered through permitted development rights – notably relating to agricultural buildings. Bearing in mind the rural nature of much of the District, a modest increase of 10 dwellings per annum in the windfall estimate appears realistic – and is well below the current rate of delivery.
44. Taking these matters together, I am satisfied that the Council's revised assessment is robustly based. The Council proposes changes to update the Plan in this regard [**MM14-19**]: these are needed in order to be effective and justified. Clearly, as already discussed, there remains a substantial shortfall between the identified supply and the overall housing requirement that will need to be addressed by the proposed GBBR and Local Plan Review.
45. In respect of the five year land supply position, an updated position statement was issued in April 2014²⁴. However, in view of the delay that had occurred to the examination, I asked the Council to produce a further update. This was published for consultation in December 2015²⁵. A number of concerns were raised by respondents in respect of that document and a further update (dated 4 March 2016) was attached to the Councils' joint statement for the March hearings²⁶. This presents the land supply position at 1 March 2016 and represents the most up-to-date picture of land supply for the District.
46. It is first necessary to consider whether there has been a record of persistent under-delivery of housing in the terms of paragraph 47 of the Framework. Although annual completions declined in recent years, falling below an annual average calculated from the Worcestershire County Structure Plan (1996-2011) target after 2006/7, high levels of delivery early on in that period (notably between 2000/1 and 2004/5) meant that the Structure Plan target was comfortably exceeded by 2011²⁷. While a shortfall remains in the current

²² Document CDB7.5

²³ Hearing statement by BDC (document B2/1) pages 7-9; updated supply information in document S/1 (joint BDC/RBC statement).

²⁴ Document CDB13.5.

²⁵ Document OED/46d.

²⁶ Appendix 2 to document S/1.

²⁷ Data in Appendix 2 to document S/1.

plan period (from 2011) there is a clear trend of increasing completion rates. Bearing in mind that a moratorium on new housing permissions was in place in Bromsgrove between 2003 and 2009 as a result of *oversupply*, it does not seem to me that a record of persistent under-delivery can be demonstrated. The PPG advises that the assessment of a local delivery record is likely to be more robust if a longer term view is taken, since this is likely to take account of the peaks and troughs of the housing market cycle²⁸. As such, application of a 5% buffer, in line with paragraph 47 of the Framework, is justified. A change to policy BDP3 **[MM23]** is required for reasons of effectiveness as a result.

47. Using the Sedgefield approach, applying a 5% buffer and applying the buffer to the outstanding shortfall, the Council states that there is a five year land supply of 2,933 dwellings against a requirement of 2,655 dwellings. This gives a 'headroom' of some 278 dwellings, resulting in a 5.52 years supply. As already noted I am satisfied that the windfall estimate is robust. While objections were raised to the inclusion of C2 uses in the housing supply data in the December 2015 topic paper, these have been excluded from the more recent calculations referred to above.
48. Particular concerns have been raised in respect of the Council's assumptions in respect of four specific sites – Perryfields Road, Whitford Road, the Finstall Training Centre and the Council House, Burcot Lane – and the lack of a 'lapse rate' (or discount) in respect of undeveloped sites. In respect of the first of these sites (Perryfields Road) an outline planning application has been submitted. Phasing information has been provided by the developer²⁹, which has informed the Council's estimated delivery trajectory. This suggests a delivery of 822 units in five years, assuming a site start (40 units) in 2017/18. Bearing in mind the Council's commitment to the timely determination of planning applications, following previous scrutiny of its performance, I am satisfied on balance that this start date appears realistic.
49. Evidence³⁰ submitted by the same developer in respect of the Foxlydiate site (discussed below) suggests that a build rate of at least 120 market dwellings per year would also be achievable at Perryfields Road. The inclusion of other elements, such as affordable housing and housing for the elderly would be likely to enable additional dwellings to be delivered. Build rates in excess of this figure have been achieved at a number of sites in the locality³¹: the highest of these being some 195 dwellings per year at Oakalls, Bromsgrove. To my mind, such local evidence – supported by the recent trend of increasing completion rates already noted – is to be preferred to the more generic national figures advanced by some of the representors. Nevertheless, I have seen little evidence that would justify assuming annual delivery rates in excess of 200 units from the Perryfields Road site. This would reduce the anticipated yield from this site from 822 dwellings to 623 dwellings – equivalent to a

²⁸ PPG ID 3-035-20140306

²⁹ Appended to Appendix 2 of document S/1.

³⁰ Document ED/47a, Appendix 4.

³¹ Document ED/47, para 3.13.

reduction of 199 units³².

50. The estimated annual build rates for the Whitford Road do not exceed 120 units and to my mind appear realistic. While the site has been the subject of a planning appeal dismissal and subsequent High Court challenge³³, it is clear from comments made at the examination hearing by Worcestershire County Council (WCC) that the developer is working closely with the local highway authority to resolve outstanding issues. A further planning application has been submitted. Given that a reduced level of delivery is anticipated in the first year (2017/18) I am satisfied on balance that the Council's assumptions are realistic.
51. The two remaining sites relate to previously-developed land. It was confirmed at the hearing that both are now vacant. The Council does not expect delivery from either site to commence until 2018/19. This estimate appears suitably cautious.
52. The Council has reviewed its historic data to consider whether the application of a 'lapse rate' should be applied. Information relating to the last 5 years shows that there has been a generally low rate of lapsed permissions³⁴. The average figure was 2.8%. While there was a lapse rate of almost 20% in one year (2010/11) this related to a time when total outstanding commitments were low and recessionary factors were applicable. As already noted, the rate of annual housing completions is rising. I have seen no specific evidence that the developments included in the Council's five year land supply are unlikely to come forward. I therefore agree with the Council that there is no need to apply a broad brush 'lapse rate' discount.
53. Drawing the above together, I consider that as a result of the reduction that should be applied to the assumptions relating to the Perryfields Road site, the Council's overall five year housing land supply total should be reduced by some 199 units (to a figure of 2,734 dwellings). Given the 'headroom' noted above, this means that I am satisfied that the Council is at present able to demonstrate a five year land supply. However, the margin for error (some 79 dwellings) is not substantial. This places particular importance on the need for the Council to progress the GBBR and Local Plan review in a timely manner, as discussed above.

Conclusion – Main Issue 1

54. Subject to the changes recommended above, I therefore conclude that the Local Plan's housing policies are based on adequate and up-to-date evidence and a clear understanding of housing needs in the market area, that it is clear how the Local Plan has addressed the matter of meeting that part of its housing requirement that is not presently provided for as well as meeting anticipated future housing needs arising from the West Midlands conurbation

³² This calculation assumes yields of 200 units in 2018/19 and 2019/20 and a yield of 183 units in 2020/21 (to recognise that this is an 11 month period).

³³ Document S/3a.

³⁴ Pages 34-36 of Appendix 2 to document S/1.

and that an adequate supply of housing land exists in line with national policy.

Main Issue 2: Is the Local Plan's settlement hierarchy and proposed distribution of development sufficiently clear and adequately justified? Is the decision to accommodate some of the growth needs of Redditch within Bromsgrove District appropriately justified? Is the methodology for selecting sites, including land required to meet the growth needs of Redditch, robust and transparent?

Settlement Hierarchy

55. Policy BDP2 explains that there are four main facets to the delivery of housing within the District. In summary, these are: development of previously-developed sites within settlement boundaries; expansion sites around Bromsgrove Town; development sites in or adjacent to large settlements; and affordable housing exception sites within rural areas. The Council proposes to clarify that these are not set out in priority order [**MM8; MM9(part)**]; this is needed for reasons of effectiveness. The policy makes reference to the settlement hierarchy set out in table 2 of the Plan. It is unclear from the Plan's layout as to whether the table forms part of the policy itself. The Council confirms that it is intended that the table should fall within the policy and proposes a modification accordingly [**MM9(part)**].
56. The Council also accepts that additional clarity is needed in order to clarify which areas are considered to be parts of the settlements of Barnt Green and Wythall for the purposes of the policy [**MM10**]. In this context, I note the concern of some representors that Lickey is in a different parish from Barnt Green and has different facilities. I have no reason to disagree. However, bearing in mind the particular scope of policy BDP2 there is no soundness reason to justify two distinct settlement boundaries: in physical terms the two built-up areas, which are surrounded by the Green Belt, are contiguous.
57. The Council also proposes to delete the column headed 'suitable development' from table 2 [**MM11; MM55**]; given that the Council accepted at the relevant hearing session that the uses listed in this column are not intended to amount to a prescriptive list, this change provides necessary clarity. The acceptability of any particular use in any particular settlement will clearly depend upon the policies of the Plan as a whole along with site-specific considerations. All of the above changes to policy BDP and table 2, including deletion of a reference to villages highlighted in blue that is no longer needed [**MM12**], are recommended for reasons of effectiveness.
58. The main evidence base supporting the settlement hierarchy is the Settlement Hierarchy Background Paper³⁵. Within its scope, this is a generally robust document that justifies the hierarchy set out in table 2. I do not therefore agree with those representors who seek to have the status of particular settlements amended. However, while the Background Paper considers settlements within the District, it excludes (as already discussed) from detailed

³⁵ Document CDB6.1.

evaluation those parts of the West Midlands conurbation that are outside, but adjoin, the District boundary. Given that, with the exception of land around Redditch (to which I return below) it is not proposed at present to review the Green Belt boundary, this approach appears justified in the context of the Plan as submitted. While an allocation is proposed at Frankley (policy BDP5B), this relates to a previous Area of Development Restraint (ADR). Housing and employment sites that were allocated at Longbridge through the Longbridge Area Action Plan (AAP) (adopted in 2009 by BDC and the City of Birmingham Council)³⁶, related to the specific circumstances arising from the closure of the MG Rover car plant.

59. However, given the absence of detailed consideration of the West Midlands conurbation, the BDP settlement hierarchy forms an incomplete basis for the forthcoming GBBR. The comparative merits, in sustainable development terms, of – for example – extensions to the conurbation compared to further development in and around settlements within the District are not made explicit. As already noted, I agree with the Council that such an exercise should be based upon sustainable development principles, and I recommend changes accordingly (as set out above). For consistency, I also recommend that references to the BDP settlement hierarchy forming the 'approach' or the 'guiding principles' of the GBBR should therefore be deleted. Clearly, however, this is a matter to be addressed in the forthcoming Local Plan review. For the avoidance of doubt, this report takes no view on the relative merits of any particular strategy that may be considered at that stage.
60. It has been suggested that the Plan should include specific housing targets for each settlement. However, I share the Council's view that – at the present stage – such an exercise would be arbitrary and unrealistic. The development potential of individual settlements will necessarily involve assessing a number of detailed site-specific factors. Given the extent of the Green Belt within the District, the GBBR will be an important factor in that assessment.

Meeting the Growth Needs of Redditch within Bromsgrove District

61. Particular concern has been voiced about the principle of accommodating some of the growth needs of Redditch within Bromsgrove District. Paragraph 18 of the Framework requires that in order to be 'sound' a plan should, among other matters, be positively prepared. It explains that this means that the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, *including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development* (my italics). Bearing in mind the inability of the Borough of Redditch to meet its full development needs within its own boundaries (as described in my report on the BORLP4), the principle of Bromsgrove District accommodating some of the growth needs of the neighbouring authority is clearly in line with national planning policy.
62. As I explain in the BORLP4 report, I am satisfied that the broad approach of

³⁶ Document CDB2.7.

seeking land to meet the growth needs of Redditch in the form of urban extensions to the existing built-up area is justified. Given that the built-up area is so tightly constrained by the administrative boundary of the Borough of Redditch, the decision to assess potential sites in neighbouring local authority areas – as well as within the Borough – is also justified.

63. As set out in that report, a robust assessment of suitable sites within Redditch has been carried out, for example through successive SHLAA exercises. It is notable that BDC has verified the Redditch SHLAA and that it does not dispute the SHLAA methodology or findings. A significant number of sites have been allocated for development within Redditch although, as set out in my BORLP4 examination report, these are not sufficient to meet the BORLP4's overall housing requirement.
64. For these reasons, it seems to me that the approach that has been taken by BDC and RBC fully accords with the spirit and intentions of the Duty to Co-operate, as described at the start of this report. Paragraph 179 of the Framework states that local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans. It adds that joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework. The broad approach of the BDP and BORLP4 towards meeting the growth needs of Redditch accords with national policy in this regard. I consider the details of this exercise below.

Site Selection Methodology – Meeting the Needs of Bromsgrove District

65. It is first however necessary to consider the sites that have been identified to meet the needs of Bromsgrove District. The allocations proposed in the BDP in this regard generally relate to land that has previously been considered as having, at least in principle, longer term development potential. Many of the greenfield sites are presently identified as Areas of Development Restraint (ADRs) and do not lie within the Green Belt. As already noted, a full Green Belt Boundary Review (GBBR) is yet to be undertaken.
66. The broad approach to the distribution of development to meet the needs of Bromsgrove District comprises three main strands. First, three sustainable urban extensions are proposed to the west and north of Bromsgrove itself – the Bromsgrove Town Expansion Sites (policy BDP5A). Second, a number of additional development sites are identified in other settlements around the District: these focus primarily upon second tier 'large settlements' identified in the above-noted hierarchy, including Alvechurch, Barnt Green, Catshill, Hagley and Wythall (policy BDP5B). Allowance is made for affordable housing on rural exception sites by policy BDP9. Finally, town centre regeneration sites are identified in policy BDP17.
67. The resulting approach appears justified in line with the submitted evidence base. In particular, it takes account of a number of studies of development and strategic site options, notably the Analysis of Proposed Strategic Sites, Development Options for Bromsgrove District (both December 2010), and the

Area Assessment Study (September 2013)³⁷. As noted below, the identification of town centre regeneration sites follows earlier work on an Area Action Plan (AAP) that has been taken forward into the present Plan.

68. A significant number of additional Green Belt sites have been promoted for development by representors. It has also been suggested that the existing village envelopes should be removed. However, given that I have concluded that the Council's strategy of seeking to meet a proportion of its future housing needs (along with needs arising from the West Midlands conurbation) through a future GBBR and Local Plan review is justified, it follows that there is no soundness reason to consider such proposals at the present time. Indeed, in the absence of a GBBR, it seems to me that there is at present insufficient evidence to undertake a robust comparative assessment of the sites or boundaries concerned. For the avoidance of doubt, and with the exception of those sites that have been considered in the context of meeting the needs of Redditch, my report makes no comment on the merits of 'omission sites'.

Site Selection Methodology – Meeting the Needs of the Borough of Redditch

69. The exercise to identify land to meet the growth needs of Redditch (BDP policy RCBD1.1), and – in respect of the BDP – the identification of the site at Foxlydiate in particular, has been the subject of a significant level of objection. These matters have been discussed at a number of joint examination hearings. I comment on the site selection methodology in some detail in my report into the BORLP4 examination, which should be read in parallel with the present report. In the present report, I focus specifically upon the implications of the site selection exercise for the BDP – notably the decision to identify the major site at Foxlydiate in preference to an alternative location for a development of a broadly similar scale at Bordesley. It should however be noted at the outset that the proposed allocation of Green Belt land for housing at Brockhill (policy RBCD1.1 Site 2), which adjoins the BORLP4 strategic site of Brockhill East (BORLP4 policy 46) has proved to be uncontroversial.
70. As explained in my BORLP4 report, the up-to-date position in respect of the process and the supporting evidence base is set out in the Narrative on the Site Selection Process for the Growth Areas at Redditch (the Narrative) prepared by both BDC and RBC in January 2016³⁸. Section 16 of the Narrative sets out the Councils' conclusions on the choice of those sites that have been selected for allocation and those that have been rejected.
71. The process that has been undertaken to reach that position is summarised in sections 8 and 9 of the Narrative. This refers to, and expands upon, a number of key documents, notably the Housing Growth Development Study (HGDS)³⁹

³⁷ Documents CDB6.2a, 6.2b, 6.3a and 6.3b.

³⁸ Document OED/46a

³⁹ Document CDX1.1. While this took account of earlier studies, notably the Joint Study into the Future Growth Implications for Redditch Town to 2026 prepared by White Young Green in December 2007 (document CDX1.5), it represented an entirely independent assessment.

(January 2013) and the Addendum to the HGDS (the HGDS Addendum)⁴⁰ (November 2014). Both of these documents were accompanied by Sustainability Appraisals (SA). In addition, the SA that accompanied the BORLP4 (dated September 2013)⁴¹ was subject to a 'refresh' in November 2014 and a further revision in May 2015⁴² in the light of the additional work that had been undertaken by the Councils during the examination period. While the BDP SA was also 'refreshed' at that time⁴³, BDC clarified at the relevant hearing (June 2015) that this does not in itself contain a detailed assessment of growth options for Redditch within the BDP area, referring instead to the BORLP4 SA. In principle, this seems to me a suitably pragmatic approach: I see no benefit in duplicating such an exercise and the BDP SA (as updated) provides appropriate cross-references to the relevant documentation.

72. The starting point for the HGDS search exercise was the identification of some 20 broad areas around the urban area of Redditch⁴⁴. However, as set out in my report into the BORLP4 examination, the HGDS excluded areas (included in ADRs) that were proposed for allocation for housing and employment uses in both plans. As explained in my BORLP4 report, this represented a potentially serious flaw in the methodology and, as a result, I requested that further work should be undertaken. In response, both Councils issued the HGDS Addendum. As set out in my Post Hearings Note dated 10 July 2015, this document – although lacking in some clarity – provides sufficient justification in respect of the conclusions of the appraisal of the initial broad areas⁴⁵.
73. The HGDS Addendum takes forward seven areas for consideration in more detail (the focussed area appraisal) – namely areas 3, 4, 5, 6, 8, 11R and 18. Areas 4, 5, 6, 8 and 11R all lie wholly (or mainly) within Bromsgrove District: areas 3 and 18 are discussed in more detail in my report into the BORLP4 examination. In my Post-Hearings Note dated 10 July 2015, I expressed a concern that the conclusions of the focussed area appraisal in the HGDS Addendum lacked a sufficient explanation of why the options that were eventually selected for development had been selected. However, as noted above, additional detail has been provided by the Narrative document – notably at section 16.
74. As discussed in my BORLP4 report, the difference between Redditch's housing requirement and the capacity to accommodate new housing within the Borough amounts to some 3,400 dwellings during the periods of the BDP and BORLP4. I agree with the view of the Councils (expressed at the hearing session in March 2016) that, bearing in mind the various factors discussed elsewhere in my reports on both Plans, achievement of this figure effectively requires one of two potential large sites identified within the focussed area appraisal to be allocated as part of the preferred strategy. These are the sites

⁴⁰ Document CDX1.47

⁴¹ Document CDR1.11 in the BORLP4 examination.

⁴² Document OED/33a

⁴³ Document OED/34

⁴⁴ These are set out in Map 1 (page 16) of the HGDS (document CDX1.1).

⁴⁵ This is summarised in paragraphs A4.84 to A4.87 of the HGDS Addendum – document CDX1.47.

within areas 4 (Foxlydiate) and 8 (Bordesley). The HGDS calculates their capacities to be some 2870 and 2451 dwellings respectively. While both of these figures have been subject to further refinement, I am satisfied that they are broadly indicative of the likely yield bearing in mind the need to take account of other constraints – not least the need to establish a new defensible Green Belt boundary. Clearly, however, neither site would be sufficient on its own: additional land is required to reach the 3,400 dwelling target. (I address the merits of an alternative approach involving neither of these sites below.)

75. The choice of which of these two large sites to allocate has not been straightforward. While the eventual Foxlydiate allocation (policy RCBD1.1 Site 1) has been subject to a considerable level of objection, I have seen no evidence that a decision to allocate land at Bordesley instead would have been any less controversial. Indeed, towards the end of the examinations, some representations were submitted from communities in the locality of Bordesley indicating their objection to any change along such lines.
76. To my mind, choices of this nature are a necessary part of the local planning process. Subject to meeting the soundness criteria set out in the Framework, such decisions are best made at the local level by local planning authorities. Nevertheless, the role of a local plan examination is to consider whether such choices are appropriately justified.
77. In the present case, the merits of Foxlydiate and Bordesley are considered in the HGDS, with a clear conclusion being drawn in the Narrative document⁴⁶. This helpfully clarifies which factors weighed more heavily in the area selection process and which were not individually important in determining the final outcome. In summary, I share the view of both Councils that the following main distinctions between these two alternatives can be identified:
 - While both sites would involve encroachment into the Green Belt, the analysis within the HGDS demonstrates that stronger and more defensible Green Belt boundaries can be achieved at Foxlydiate than at Bordesley.
 - Although located further from the town centre than Bordesley, Foxlydiate is better related to the existing urban area because it adjoins an area of existing built development at Webheath, while Bordesley is separated from the main urban area by Arrow Valley Park. Notwithstanding the ability to create routes through this area of green infrastructure or to access the town centre along the A441, I share the view of the Councils that development at Bordesley would not represent a natural extension of the town. I agree that it would be physically more isolated from the main urban area than development at Foxlydiate.
 - While development at Foxlydiate would reduce the open gap between Redditch and Bromsgrove, a significant amount of separation would

⁴⁶ Document OED46/a, section 16.

remain. There is less separation between Redditch and Alvechurch. As such, development at Bordesley would erode the separation of settlements to a somewhat greater extent than development at Foxlydiate.

- On the assessment of the HGDS, Foxlydiate offers the potential to accommodate more housing than Bordesley, thereby reducing (although not avoiding) the need for sites to be found elsewhere.
- Development at Bordesley offers the potential to assist in the provision of the Bordesley bypass, which – if constructed – would amount to a significant transport improvement on the A441 corridor⁴⁷.

78. In respect of the potential for a Bordesley bypass, the Councils note that there is no evidence about either the likely costs of such a project or how it would be funded and delivered in practice⁴⁸. Representations on behalf of the site's promoter indicate that the relevant land is in their control and that development at Bordesley could assist in delivering the bypass. A route is indicated on indicative masterplans for the site's development⁴⁹. However, it is unclear whether such development would fund the full costs of any bypass or whether additional public funding would be required. A previous planning permission for a Bordesley bypass has now lapsed. These factors reduce the weight that I can attach to this matter as a factor supporting the selection of the Bordesley site.

79. The HGDS notes that part of the Foxlydiate site, notably the land north of the bridleway between Curr Lane⁵⁰ and the A448 has a greater than 60% likelihood of being best and most versatile agricultural land. Post-1988 agricultural land classification information in respect of part of the Foxlydiate site is available on the MAGIC website (DEFRA) but this information is not presented in respect of other land around Redditch. Representors have raised concern that given that it is known that grade 1 agricultural land is present at Foxlydiate, the site cannot be allocated until other areas around Redditch have been surveyed to a comparable standard. However, it is clear from the HGDS that the potential for other sites around Redditch to include the best and most versatile agricultural land has also been recognised. Recognised data sources have been used (see later in this report). I have no reason to doubt the view of the Councils that this is not a factor that materially distinguishes between the above-noted alternatives. As such, their approach accords with paragraph 112 of the Framework.

80. Taking these factors together, and notwithstanding the potential transport advantages of providing a Bordesley bypass if this could indeed be secured, it seems to me that the Councils are justified in selecting Foxlydiate in preference to Bordesley.

⁴⁷ Document CDX1.12.

⁴⁸ Document S/1, pages 7-8.

⁴⁹ For example documents CDX1.8-1.9.

⁵⁰ Also referred to as Cur Lane in the documentation. The local signage uses 'Curr Lane'.

81. Other parties have suggested that a combination of smaller sites would be a preferable alternative to either of the above proposals. I do not agree. The reduced area 11 (11R) carried forward into the focussed area appraisal has similar drawbacks in term of separation from the main urban area and reduction of the gap between Redditch and Alvechurch to those identified in respect of Bordesley. It does not represent a preferable alternative. If area 11R is discounted, the remaining two sites (those identified at areas 5 and 6 – Brockhill West and East respectively) would – even if both were allocated – provide markedly less than the 3,400 dwelling target. The HGDS estimates the potential capacities of these at 1,560 and 672 dwellings respectively, leaving a shortfall of 1168 dwellings.
82. The choice of Foxlydiate means that land for some 600 additional dwellings is required to achieve the 3,400 dwelling target. In principle, either area 5 or 6 would be of sufficient scale to meet this requirement. For the reasons set out below, it seems to me that area 6 (Brockhill East⁵¹) has significant advantages over area 5 (Brockhill West).
83. As already noted, the BDP Brockhill East allocation (within area 6) – despite the loss of Green Belt land involved – has proved to be uncontroversial. It relates well to the existing urban fabric of the town and has relatively easy access to the town centre. A strong Green Belt boundary can be established. There are limited environmental constraints and there is no evidence that heritage assets would be adversely affected. The site adjoins an ADR within Redditch Borough (also allocated for development) thereby enabling a co-ordinated cross-boundary scheme to be achieved.
84. Land at Brockhill West (within area 5) is promoted by representors as an alternative site. The majority of this land lies within Bromsgrove District, although its southern section lies within Redditch Borough. I share the view of the promoters that this site has some advantages: it is well related to the existing built-up area with good accessibility to the majority of facilities. However, I agree with the Councils that it is less well placed than Brockhill East in that regard. The promoters of Brockhill West consider that, on an equitable assessment, the site performs better than both Foxlydiate (area 4) and the Webheath allocation proposed in BORLP4 (policy 48). However, for the reasons already discussed, Brockhill West cannot be considered as a reasonable alternative to a larger site – either alone or in combination with other smaller sites. I comment on the comparative merits of Brockhill West and Webheath in my report on the BORLP4 examination. In summary, the fact that Webheath does not lie within the Green Belt, is already (in part) the subject of planning permission for development and is not subject to the same heritage constraints as Brockhill West (see below) are strong factors supporting its allocation in preference to Brockhill West.

⁵¹ The site proposed for allocation in this area in the BORLP4 is called Brockhill East (BORLP4 policy 46) while that in the BDP (policy RCBD1.1, site 2) is called Brockhill. However, in this section of my report I have described the BDP Brockhill allocation as 'Brockhill East' in order to distinguish it from the omission site promoted by representors at Brockhill West.

85. The Councils' main concern with regard to Brockhill West relates to the effects of the proposal on the heritage assets of the Hewell Grange Estate - namely a Conservation Area, Registered Park and Garden (RPG) and various listed buildings and structures. These were the subject of a 2013 study by BDC that was prepared in the light of concerns from English Heritage (now Historic England) - the Hewell Grange Estate: Setting of Heritage Assets Assessment (HGESHAA)⁵². However, as set out in my Post-Hearings Note to the Councils dated 10 July 2015, there are particular concerns with this document. Notably, it reached a conclusion that 'substantial harm' (in the terms of the Framework) would be caused to the assets' significance. The Council accepted at the relevant hearing session that this should be changed to 'less than substantial'. While I have no reason to disagree with that assessment, it appears that the assessment of the site's merits in the HGDS had been made on the basis of an incorrect understanding of the level of harm that would be caused.
86. In addition, I raised concern that in view of the provisions of the Framework, and notwithstanding the statutory duty imposed by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, a finding of 'substantial harm' (or, indeed, 'less than substantial harm') is not in itself a reason to necessarily rule out development. As is made clear by the Framework, such harm should be balanced against public benefits. It was not, at that stage, obvious where (or indeed whether) that balance had been undertaken. A further concern, to which I return below, was the absence of a full consideration of area 4 (Foxlydiate) - which also lies close to heritage assets at Hewell Grange - from this exercise.
87. The Council responded by publishing an updated version of the HGESHAA, along with an assessment of the balance between harm and public benefits⁵³. The robustness of these updated documents has been criticised by the promoters of Brockhill West, who have submitted alternative heritage evidence. I share some of the representors' concerns in respect of the updated HGESHAA. In particular, I disagree with its conclusion that '*any* development of area 5 would therefore result in the *loss* of this part of the setting of the [heritage assets] ...'⁵⁴ (my italics). To my mind, this overstates the likely effect of development within a smaller section of the site (for example that part which lies within Redditch) that would be well-separated from the assets themselves.
88. Nevertheless, I agree with the Council that the agricultural surroundings of the heritage assets - notably the Registered Park and Garden (RPG) and Conservation Area⁵⁵ - provide a rural setting that contributes to the assets' significance. Development of the larger area suggested in the most recent representation⁵⁶ would extend close to the boundary of the Conservation Area

⁵² Document CDX1.38. The listed buildings and structures are set out in an appendix to that document.

⁵³ Documents OED/46b and OED/46g.

⁵⁴ Page 55 of document OED/46b.

⁵⁵ The heritage assets also include listed buildings - see document OED/46b.

⁵⁶ Document XB1/4a & 4b: Appendix 1 Concept Masterplans.

and RPG. As set out in the updated HGESHAA there is a significant amount of intervisibility – both from viewpoints within area 5 towards the woodland of the RPG and Conservation Area and from the edge of woodland over area 5 towards the urban area. As a result, the rural setting of the heritage assets would be markedly diminished by residential development in the larger area that is now suggested for development. While development in a smaller area, as described above, would enable a clear separation from the heritage assets to be maintained, the degree of intervisibility between much of area 5 and the heritage assets themselves means that even that level of development would result in some harm to the assets' setting.

89. Although such harm would be 'less than substantial' in terms of the Framework, it is still necessary that a balancing exercise should be undertaken. Given that the required housing can be provided at Brockhill East without such harm resulting, and bearing in mind the particular advantages of the Brockhill East site as summarised above, it seems to me that it cannot be shown that the public benefits arising from an allocation at Brockhill West would outweigh the harm to the heritage assets. I comment separately on the effect of the Webheath allocation in respect of heritage assets in my report into the BORLP4 examination.
90. Drawing all of the above together, I am satisfied that the selection of the sites proposed for allocation at Foxlydiate and Brockhill East in the BDP (policy RCBD1.1) is appropriately justified. I comment on the Foxlydiate site in more detail later in this report.
91. Although not within BDP policy RCBD1.1, the proposed employment allocation at Ravensbank (the Ravensbank Expansion Site in BDP policy BDP5B) is also intended to meet the needs of Redditch. This site, which occupies an existing ADR, is well related to existing employment areas. Concern had been raised by English Heritage (now Historic England) that the effects of this proposal on the setting of Gorcott Hall (a grade II* listed building with associated listed structures) had not been assessed. This has now been carried out⁵⁷. Subject to additional references being added **[MM45-46]**, which are necessary in order to be justified and consistent with national policy, Historic England has no outstanding objections in respect of this matter⁵⁸. I have no reason to take a different view.

Sustainability Appraisal

92. Concern has been raised by a number of representors about the adequacy of the Sustainability Appraisal (SA) that underpins the development strategy set out in both the BORLP4 and BDP in respect of meeting Redditch's growth needs – particularly in relation to housing needs. In response to my request at the March 2016 hearings, a legal opinion⁵⁹ has been submitted by both Councils to the effect that the information submitted in both examinations is consistent with, and not in conflict with, the relevant legal requirements –

⁵⁷ Appendix B to BDC's matter B4 hearing statement – document B4/1.

⁵⁸ Statement of Common Ground between BDC and Historic England – document OED/37.

⁵⁹ Document ED/50.

notably the requirements of section 19(5) of the 2004 Act and regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004.

93. In summary, I have no reason to disagree with this conclusion. While deficiencies have been highlighted in the documentation that was originally submitted⁶⁰, these have been largely remedied by later documents – notably the HGDS Addendum, the Narrative, the final BORLP4 SA (May 2015) and the minor amendments to that SA accompanying the Councils' joint statement of case dated 4 March 2016⁶¹. Taken together, and notwithstanding my comments below about the testing of alternative scenarios, I am satisfied that these demonstrate that reasonable alternatives have been considered and explain why the Councils have rejected some alternatives and proceeded with others. The inclusion of specific conclusions in section 16 of the Narrative, has markedly increased the robustness of this exercise. While the Narrative has not been accompanied by substantive new SA work, such additional work appears unnecessary given that significant changes to the approach that has already been subject to SA are not being proposed as a result of that document. I share the view of the Council's legal advisor that SA should be a proportionate exercise and that an unduly forensic level of analysis of specific scores and alternatives is not appropriate.
94. As already noted, the BDP SA, which was also 'refreshed' in June 2015, does not in itself contain a detailed assessment of growth options for Redditch within the BDP area, referring instead to the BORLP4 SA. As is also set out above, I am satisfied in principle that this is a suitably pragmatic approach: I see no benefit in duplicating such an exercise and the BDP SA (as updated) provides appropriate cross-references to the relevant documentation.
95. Concern has been expressed with regard to the consideration of alternatives through the SA process. Arising from my concerns about the omission of the ADRs from the HGDS document (discussed in more detail in my BORLP4 report), four scenarios, described as 'additional scenarios' were set out in the Narrative document⁶².
96. In respect of the BDP, concerns have been raised about the relative treatment of Bordesley (area 8) in these scenarios, notably in respect to the treatment of Foxlydiate (area 4). Of the four 'additional scenarios' listed, only one (scenario 2) includes Bordesley. However, the scenario is rejected as it does not provide sufficient capacity to meet the required level of need. As such, it does not – and could never – amount to a reasonable alternative to the selected option (scenario 1), as it (in effect) represents a different strategy entirely – that of not meeting the identified housing requirement. I make a similar argument with respect to Webheath in my BORLP4 report.
97. The Councils contend that the assessment of Bordesley's site capacity in this updated exercise (a figure of 1,000 dwellings) was based upon their view of

⁶⁰ See for example my Post Hearings Note dated 10 July 2015 – document ED/35.

⁶¹ Document S/1. These take account of the updated work on heritage assets described in the main body of this report.

⁶² Document OED/46a, pages 75-78.

the comments of the site's promoters about the likely housing yield. However, this was disputed by the promoters themselves: in fact their representation refers to a *minimum* of 1,000 dwellings⁶³ and they suggest a figure of some 2,000 dwellings, although this figure appears to assume some development in area 11. As already noted, the Councils themselves assumed a larger figure (of 2,541 dwellings) in the HGDS. As such, their capacity assessment for area 8 in the Narrative's 'additional scenario' exercise does not appear to be robustly justified.

98. Having said that, even if the HGDS capacity figure (of 2,541 dwellings) was applied to Bordesley, scenario 2 would still fail to deliver the required total. The usefulness of this exercise is therefore unclear. As stated in my BORLP4 report, I feel that the Councils' presentation of the testing of alternatives in the Narrative has been unhelpful. A more robust, and common sense, way of setting out the alternative scenarios would have been to consider groups of reasonable alternatives of a sufficient scale to meet the required housing figure – and then consider the relative merits of each option. Alternatively, if reasonable alternative scenarios were not felt to exist then there would be little merit in undertaking such comparative scenario testing.
99. A similar argument can be applied, in part, to the testing of alternatives in the HGDS: the only alternative scenario to include Bordesley in section 8 of that document also failed to deliver the required housing total. However, the relevant text also refers to the concerns about the ability of the Bordesley site to integrate with Redditch's existing urban form – as discussed above.
100. Nevertheless, I do not feel that these matters amount to a fatal flaw – either in soundness or SA terms. As already noted, the comparative assessment and conclusion contained in section 16 of the Narrative document sets out the relative merits of Bordesley against the other sites that were carried forward into the Broad Area Appraisal. The reasons for the decision to allocate Foxlydiate in preference to Bordesley, which are consistent with the approach set out in the HGDS in this respect, are clearly explained. Given that preference, and bearing in mind the underlying evidence base already referred to, I have no reason to suppose that the testing of additional scenarios containing different combinations of sites would have resulted in a different outcome. I therefore reject the assertion that an inadequate consideration of alternatives has occurred.

Conclusion – Main Issue 2

101. For these reasons, and subject to the changes recommended above, I conclude that the Local Plan's settlement hierarchy and proposed distribution of development is sufficiently clear and adequately justified, that the decision to accommodate some of the growth needs of Redditch within the Borough is appropriately justified and that the methodology for selecting sites, including land required to meet the growth needs of Redditch, is robust and transparent.

⁶³ Document XB1/14.

Main Issue 3: Are the Local Plan's proposals for the provision of employment, community services and retailing, and for the regeneration of Bromsgrove Town Centre, sufficiently justified and consistent with the evidence base and national policy?

Employment

102. The key evidence base underpinning the Plan's employment policies is the Bromsgrove District Employment Land Review (ELR)⁶⁴, published in December 2012. Although pre-dating the release of the PPG I am satisfied that the ELR broadly conforms to up-to-date guidance. The ELR concludes that the District's minimum requirements are approximately 20 ha of employment land. However, the BDP identifies some 28 ha in order to ensure that a balanced portfolio of sites and location is available, as well to strike an appropriate balance between housing and employment growth. As already discussed, all three employment growth forecasts contained in the NWHNR suggest a substantial growth in jobs numbers for Bromsgrove District, ranging from some 10% to 13% for the period 2012-2030. To my mind, this approach represents positive planning in line with the Framework's requirements: it is noted that representors from the business sector have generally supported the allocation of further land to accommodate employment growth.

103. Among other matters, paragraph 22 of the Framework states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. It adds that land allocations should be regularly reviewed. In the present case, the ELR has reviewed the quality and appropriateness of existing employment sites, while a number of employment sites have been reviewed through the SHLAA⁶⁵. Very limited releases are proposed. However, the Council states that flexibility has previously been applied in specific circumstances – for example the granting of planning permission for a mixed use development including 157 dwellings on employment land at Stoke Prior on the basis of the evidence that was submitted at the time. In that context, I am satisfied that policy BDP14 of the Local Plan provides sufficient flexibility in line with the approach of the Framework.

Community Services

104. Policy BDP12 seeks both to provide for services and facilities to meet the needs of the community and to retain those services and facilities for which a need is identified. The Council proposes a change to recognise that the needs of service providers should be taken into account when making such assessments **[MM63]** and I agree that this is needed for reasons of effectiveness.

Retail & Town Centre Issues

105. The BDP incorporates work on the Bromsgrove Town Centre Area Action Plan

⁶⁴ Document CDB8.1a.

⁶⁵ See Appendix 1 to document B3/1.

(AAP) and puts forward a strategy that seeks to recognise the role of the town centre as a catalyst for regeneration and the delivery of housing and economic growth. Policy BDP17 defines the Town Centre, with extended primary and secondary shopping zones, and in addition identifies 10 development opportunity sites for a variety of uses. Policy BDP18 sets out policies for Local Centres elsewhere in the District. This positive approach is supported by a considerable body of evidence including town centre health checks and retail studies⁶⁶ and is consistent with national policy (notably paragraph 23 of the Framework). In particular, the extent of the Town Centre Zone has been guided through work on the Town Centre AAP and has taken account of relevant Framework definitions.

106. The need for the regeneration of Bromsgrove's town centre is apparent from the above-noted evidence base. The most recent retail study⁶⁷ indicates that there is likely to be a slight oversupply of convenience retailing in the town centre over the Plan period, and a limited shortfall of some 16,300 square metres gross comparison retail floorspace. The Council proposes changes to take account of this more recent information **[MM67; MM73]** which are needed in order to be justified and effective. I have amended the Council's suggested wording to clarify that this figure relates to gross floorspace.
107. Changes are also proposed by the Council to provide clearer support for a wide range of uses at first floor level, such as office, retail and residential **[MM74(part), MM80]** and to give an enhanced focus on achieving a safe, balanced and socially responsible evening economy **[MM74(part); MM82; MM83; MM101]**. These are recommended for reasons of effectiveness. Additional changes to specific policy requirements for the town centre development opportunity sites, for example in respect of flood risk, are addressed later in this report.

Conclusion – Main Issue 3

108. For these reasons, and subject to the changes recommended above, I conclude that the Local Plan's proposals for the provision of employment, community services and retailing, and for the regeneration of Bromsgrove Town Centre, are sufficiently justified and consistent with the evidence base and national policy.

Main Issue 4: Does the Local Plan provide satisfactorily for specific housing needs including affordable housing, housing for the elderly, low cost market housing and the needs of Gypsies and Travellers, consistent with national policy?

Affordable Housing

109. The affordable housing needs of Bromsgrove District were assessed in the SHMA (February 2012) and the Worcestershire SHMA Monitoring Document

⁶⁶ Notably documents CDB9.1 to CBD9.6.

⁶⁷ Document CDB9.4.

(June 2013)⁶⁸. These indicate an annual need for affordable housing in Bromsgrove District of 219 and 205 dwellings per year respectively.

110. Policy BDP8 proposes a two-tier approach to the requirement for affordable housing. A 40% requirement is applied to greenfield sites and any other sites accommodating 200 or more dwellings, while brownfield sites of less than 200 dwellings are required to make 30% provision. The Council proposes to change the threshold for affordable housing to accord with the WMS of 28 November 2014 **[MM54(part)]** and this is recommended for consistency with national policy.
111. The identified level of need for affordable housing represents a significant proportion (some 55-60%) of the Plan's overall annual housing requirement (of 368 dwellings/year). The targets set out in policy BDP8 are therefore unlikely to fully deliver the identified need. As noted above the Plan's housing requirement is somewhat higher than the overall level of objectively assessed housing need. However, the constraints that apply to housing delivery within the District, as already discussed, limit the potential to for further increases in order to achieve a higher yield of affordable housing. In addition, the requirements set out in policy BDP8 have been derived in the light of studies of the effects on development viability – the Levvel Ltd report (March 2012) and the Local Plan Viability Study for both the BDP and BORLP4 (March 2014)⁶⁹. The Council comments that although the latter document was published after submission, its preparation (beginning in 2013) informed the development of relevant policies.
112. The Levvel Ltd report supports the two-tier approach that is proposed by the Council – both in terms of the greenfield-brownfield split and the use of a 200 dwelling threshold for the application of the differential policy. While a wide variety of value areas was identified within the District, it seems to me that the suggested approach is broadly justified by this evidence base. In specific cases where the required target cannot be achieved, policy BDP8 provides sufficient flexibility to enable a lower provision to be negotiated. However, the evidence before me suggests that the Council has to date had some success in applying a two-tier policy approach (albeit in draft form) in recent years, with 40% provision secured in a number of cases⁷⁰. To my mind, this approach appears appropriately justified. The Council suggests that the policy is altered to allow for a higher level of affordable housing to be provided if this is proposed **[MM54(part)]**: given that this is not intended to apply an additional requirement on developers, this change would allow greater flexibility and could contribute towards meeting the above-noted need. It is recommended for reasons of effectiveness.
113. A consequence of this policy stance is that the Redditch cross boundary sites proposed in BDP policy RCB1.1 would be subject to a different affordable housing requirement to that of nearby sites within the Borough of Redditch. It

⁶⁸ Documents CDB7.2a & b and CDB7.4 respectively.

⁶⁹ Documents CDB7.9a-c and CDB6.4c respectively.

⁷⁰ Appendix A to document B5/1.

is acknowledged that this creates an apparent anomaly: however, as set out in my report into the BORLP4 examination, the evidence base supporting that plan does not support the adoption of a 40% target within Redditch itself. Equally, the evidence within the BDP examination does not justify a reduction from the 40% greenfield figure. However, should viability concerns emerge within these sites then policy BDP8 contains flexibility as already described.

Housing for the Elderly

114. Policy BDP10 provides explicit encouragement for the provision of housing for the elderly and for people with special needs. This is supported by evidence of need in the SHMA and the Worcestershire Extra Care Housing Strategy⁷¹. A specific allocation for retirement-led residential units and C2 nursing care uses is made at Recreation Road (policy BDP17, site TC2), while policy BDP5A requires that the site at Perryfields Road (policy BDP5A, site BROM2) should include an extra care-type facility of approximately 200 units. It therefore seems to me that adequate provision is made within the Plan. However, as is set out below, references to the Lifetimes Homes standard should be deleted from policy BDP10 and other parts of the Plan in line with the Written Ministerial Statement of 25 March 2015. In addition, I agree with the Council that changes should be made to policy BDP10 to allow for a wider range of accommodation for the elderly **[MM59]** and to the Plan's vision to emphasise the importance of meeting such needs **[MM3]**. These are needed in order to be effective.

115. Bearing this in mind, I do not accept the view that additional provision should be made to enable specialist accommodation to be developed on Green Belt sites. As already noted, a full GBBR has yet to be undertaken: the introduction of a policy allowing an exception to be made for such developments would conflict with national Green Belt policy. While concern has been raised in respect of the lack of specific provision for housing for the 'active elderly', it seems to me that this would be difficult in practice to distinguish from general market housing: in any event, substantive evidence of a specific outstanding need in that regard has not been demonstrated.

Low Cost Market Housing

116. Concern has been made that the Plan makes insufficient provision for park home developments. It is accepted that these can form a type of low cost market housing. However, while national planning policies, notably the Framework and Planning Policy for Traveller Sites (PPTS) set requirements for affordable housing and traveller sites respectively, there is no policy requirement that Local Plans should make special arrangements to provide for a particular type of low cost market housing. As such, demand for this type of accommodation should be seen in the context of the wider need for housing within the District as a whole. It is not therefore necessary to make specific allocations for such developments in order for the Plan to be sound.

⁷¹ Documents CDB7.2a & b and CDB7.12 respectively.

Housing Mix and Density

117. Policy BDP7 requires development proposals to take account of identified housing needs in terms of the size and type of dwellings. While a focus on 2 and 3 bedroomed properties is identified, I am satisfied on balance that the policy contains sufficient flexibility and is not unduly prescriptive. Clearly, it is necessary that appropriate account is taken of local character and distinctiveness. The Council proposes a change to clarify that a wider mix of dwelling types may be required on schemes of 10 or more dwellings **[MM53]** and I agree that this is needed for reasons of effectiveness.

Gypsies and Travellers

118. The Planning Policy for Traveller Sites (August 2015) (PPTS) places requirements on Local Plans in respect of this matter. A robust evidence base should be prepared, including early and effective community engagement with both settled and traveller communities (PPTS policy A). Pitch targets should be set and a supply of sites identified (PPTS policy B).
119. At the start of the examination, I raised a concern that the Local Plan did not appear to accord with these requirements⁷². However, during the examination the Worcestershire Gypsy and Traveller Accommodation Assessment (GTAA) was issued⁷³ and was the subject of a consultation exercise. No substantive criticisms were raised in respect of either the methodology of the study or its conclusions. I have no reason to take a different view.
120. In respect of Bromsgrove, the GTAA concludes that there is sufficient capacity to cover identified requirements to 2018/19 and that there is no overall additional need for plots for travelling showpeople during the remainder of the Plan period. I agree with the Council that it is necessary to change the Plan in order to reflect the updated evidence base. However, the GTAA indicates a need for permanent pitches after 2019/20. The Council's revised wording does not fully reflect this and, having due regard to the Public Sector Equality Duty, additional changes are therefore needed in order to ensure that adequate provision is made available. I agree with the Council that, in the light of the matters already discussed, policy BDP11 should also be changed to make explicit that additional land requirements will be met through the proposed Local Plan review. I have amended the relevant text to refer to the need that has been identified through the GTAA. These changes **[MM60-2]** are needed in order to be effective, justified and consistent with national policy.

Conclusion – Main Issue 4

121. For these reasons, and subject to the changes recommended, I conclude that the Local Plan provides satisfactorily for specific housing needs including affordable housing, housing for the elderly, low cost market housing and the needs of Gypsies and Travellers, consistent with national policy.

⁷² Inspector's Letter dated 10 April 2014 – document ED/3.

⁷³ Documents CDB13.7 and 13.8.

Main Issue 5: Does the Local Plan provide satisfactorily for the delivery of development, with particular reference to transportation infrastructure?

122. Although infrastructure requirements associated with specific Local Plan allocations are set out in the Plan itself, the overall infrastructure requirements arising from the BDP are contained in the BDP Infrastructure Delivery Plan (IDP) (February 2014)⁷⁴. This provides a baseline of existing infrastructure capacity and needs within the District and sets out the infrastructure that is needed to support the predicted growth contained within the Plan. It is a 'live' document and it is intended that it will be reviewed in the future – specifically in order to take into account the additional growth needs to be accommodated through the Local Plan review. The IDP has been the subject of cross-boundary consultation – notably with RBC, with whom a joint schedule has been prepared in respect of transport and cross-boundary developments. The Council proposes to amend the Plan to clarify the IDP's status **[MM1; MM99]**: these changes are needed for reasons of effectiveness.
123. As already noted, the viability of development has been tested through the Local Plan Viability Study (July 2014)⁷⁵. This adopts the residual valuation method and has tested strategic sites in Bromsgrove alongside a set of other modelled sites for residential and non-residential development. It concludes that, on balance, the cumulative impact of the Council's policies does not put residential development at risk. Indeed, the majority of sites tested within Bromsgrove District performed well, although viability concerns were identified with respect to brownfield and urban infill sites. As discussed above, policy BDP8 allows for flexibility to be applied in respect of affordable housing contributions where viability concerns are demonstrated. In respect of other infrastructure contributions, the Council remains committed to the introduction of the Community Infrastructure Levy (CIL). However, it proposes to add new text to policy BDP6 to clarify that prior to the introduction of CIL it will seek contributions on a case by case basis in line with relevant policy and guidance. This change **[MM52(part)]** is recommended for reasons of effectiveness.
124. The Local Plan indicates that monitoring will take place through the preparation of the Council's monitoring reports, alongside other regular exercises such as the monitoring of housing and employment land availability. Indicators are set out in Appendix 5 of the Plan. The Council proposes a number of changes to the list of indicators – including both additions and deletions. While these are not needed in order to make the Plan sound, it appears prudent to ensure that indicators are both relevant and able to be monitored with ease.
125. The Local Plan is supported by a range of transportation evidence⁷⁶. During the Plan's preparation, concern was raised by the Highways Agency – now Highways England – about the effects of the levels of growth envisaged in Bromsgrove on the strategic road network (SRN). Outstanding questions

⁷⁴ Document CDB1.13. This supersedes the September 2013 version (document CDB6.5).

⁷⁵ Document CDB13.6.

⁷⁶ Notably documents CDB8.8 to 8.15.

remained around whether and how the level of planned growth beyond 2021 arising from the housing requirement in Bromsgrove could be accommodated on the SRN. The agency added that work was ongoing in respect of further modelling as well as investigating the potential for specific improvements.

126. A statement of common ground (SOCG) (November 2014) was subsequently agreed between Highways England, BDC, RBC and WCC⁷⁷. This states that the parties agree that the BDP reflects a proportionate level of transport evidence to demonstrate that subject to ongoing assessment work, its provisions are deliverable over the Plan period and that the Plan is sound. I have seen no substantive evidence to justify taking a different view. Changes are proposed to the BDP to give greater clarity in respect of the need for transport assessment and the approach to developer contributions: these **[MM6; MM9 (part); MM51(part); MM52(part); MM65-66]** are needed for reasons of effectiveness. Changes are also proposed to the IDP in respect of the SRN, although these cannot be subject to recommendations in my report.

Conclusion – Main Issue 5

127. For these reasons, and subject to the changes listed above, I conclude that the Local Plan provides satisfactorily for the delivery of development, with particular reference to transportation infrastructure.

Main Issue 6: Does the Local Plan take adequate account of the effects of development on the natural and built environment? Is its approach to development within the Green Belt consistent with national policy?

Flood Risk & Water Quality

128. The Plan is supported by a range of relevant technical evidence, notably the joint RBC/BDC Strategic Flood Risk Assessment (SFRA) and the joint RBC/BDC Outline Water Cycle Study⁷⁸. Nevertheless, the Environment Agency (EA) has raised concerns about a number of matters: the omission of several of the Town Centre sites from the level 2 SFRA; phasing arrangements for these sites in respect of waste water infrastructure; and about ground water protection – notably at Foxlydiate (RCBD1.1, site 1). The latter point was also raised by Severn Trent Water Ltd (STW).

129. In response to these concerns, a SOCG was agreed between BDC, RBC, the EA and STW in July 2014⁷⁹. A further SOCG was agreed between the EA and the two councils in March 2016⁸⁰. In respect of the Bromsgrove Town Centre sites, the parties agree that revised wording to relevant policies should be changed to provide greater safeguards in respect of flood risk assessment. However they agree that existing safeguards within policies BDP5A and BDP23 are sufficient to ensure that waste water infrastructure would be in place in time for the proposed developments. In respect of Foxlydiate, additional

⁷⁷ Appendix 2 to document B3/1.

⁷⁸ Documents CDB10.12 and CDB10.11 respectively.

⁷⁹ Appendix A to document B4/1.

⁸⁰ Document ED/45

wording is proposed to policy RCBD1.1 in respect of stronger safeguards on flood risk assessment, the use of Sustainable Drainage Systems (SuDS) to manage surface water run-off, and additional requirements in respect of water quality to avoid pollution risks to controlled waters (including the need to take into account any previous contaminative uses). This is discussed in more detail later in this report. I agree that all of these changes [**MM7; MM37; MM42-44; MM47; MM51 (part); MM68-72; MM76; MM78-79; MM84; MM96**] are necessary for reasons of effectiveness and consistency with national policy.

130. In consultation with the EA, the Council has proposed changes to impose the new optional water efficiency standard (of 110 litres per person per day) on residential development within the Foxlydiate site (policy RCBD1.1) and Bow Brook and Batchley Brook catchments (policy BDP23) [**MM51, MM97**]. I am satisfied that the need for such a standard is justified by the submitted evidence base. The viability of applying a more stringent standard (the 105 litres per person per day standard in the former Code for Sustainable Homes) than that now proposed has been tested⁸¹. The imposition of requirements in respect of water use within non-domestic buildings [**MM51 (part)**] is also justified by the submitted evidence base.

Agricultural Land Quality

131. As already mentioned, agricultural land quality has been considered during the site selection and allocation processes using various data sources in the order of preference advised by Natural England. This is: the pre- and post- 1988 Agricultural Land Classification Maps, the Agricultural Land Classification Strategic Map (Natural England) and the provisional Agricultural Land Classification made available by DEFRA⁸². For Bromsgrove Town sites agricultural land quality is set out in the various assessments of development options⁸³, while for Redditch growth options it is considered in the HGDS.

Nature Conservation and Biodiversity

132. Policy BDP21 seeks to achieve better management of the District's natural environment and sets out a number of requirements for new development. However, it does not distinguish appropriately between the different levels of protection that national policy applies to different types of designation. The Council recognises these concerns and proposes amended wording accordingly. Subject to a further amendment to refer more explicitly to the requirements of paragraph 118 of the Framework, these changes [**MM88**] are needed for reasons of effectiveness and consistency with national policy. The identification of development sites has been supported by ecological appraisals⁸⁴ and the plan as whole is supported by a Green Infrastructure

⁸¹ Document CDB13.6.

⁸² See document B4/1, page 2 and document CDB10.26 pages 54-55.

⁸³ Documents CDB6.2b and CDB6.3a.

⁸⁴ Documents CDB10.25a-b, CDX1.13, CDX1.24 and CDX1.42.

Baseline Report⁸⁵.

Housing Standards

133. Local Plan policy BDP19 sets out a number of specific requirements aimed at achieving high quality design. However, these include requirements to adhere to technical standards that have now been superseded following the WMS of 25 March 2015. The Council proposes changes in order to reflect the new national technical standards for housing. Subject to some additional clarification, as well as the removal of proposed references to other standards (such as Building for Life 12) and the suggested 'expectation' that sustainable building techniques and local and low carbon materials will be used (which appears to introduce an additional design standard), I recommend these changes [**MM36; MM41; MM54(part); MM56-58; MM81; MM83; MM89-92; MM94(part); MM95; MM97**] as being necessary in order to be consistent with national policy.

Renewable Energy

134. A further WMS dated 18 June 2015 set out new considerations to be applied to wind energy development. This matter has not been the subject of significant comment or representation in this examination. Nevertheless, it is necessary to amend policies BDP15 and BDP22 (and some supporting text) to clarify that they do not apply to wind energy developments, which will be considered against national policy and guidance. These changes [**MM64; MM93-94(part)**] are necessary for consistency with national policy.

Heritage Assets

135. Policy BDP20 sets out a comprehensive approach towards managing the historic environment. The Council proposes changes [**MM85-87**] to clarify the terminology of this policy in respect of heritage assets. These are needed in order to be consistent with national policy. The Council has explained in general terms how it has considered heritage assets in respect of specific sites⁸⁶. Site-specific heritage matters are considered in more detail elsewhere in this report. For example, as noted above, changes are recommended in respect of the relationship between the Ravensbank Expansion Site and Gorcott Hall, a grade II* listed building [**MM45-46**] and in respect of the relationship between the Foxlydiate development site (policy RCBD1.1, site 1) and heritage assets at Hewell Grange Estate [**MM51(part)**].

Green Belt policy

136. The Council proposes changes to policy BDP4 to ensure that its approach to development within the Green Belt is consistent with national policy in the Framework. These include the deletion of 'and other uses of land' from policy BDP4.4(b) in line with paragraph 89 of the Framework [**MM32**], clarifications of the policy approach to dwelling extensions and the replacement of buildings

⁸⁵ Document CDB10.26.

⁸⁶ Document B4/1, pages 5-6.

[MM27; MM33-34], a correction to the reference to paragraph 14 (footnote) of the Framework **[MM5]** and an update to the reference in the Plan's glossary **[MM98]**. In respect of the thresholds set out in policy BDP4.4(c), the Council refers to earlier supplementary planning guidance⁸⁷ and gives a number of examples of how this has been applied in practice in planning appeals since 2002⁸⁸. In the circumstances, and notwithstanding the scale of extensions that can be available through permitted development rights, I am satisfied that these thresholds provide useful local guidance and are appropriately justified.

Conclusion – Main Issue 6

137. For these reasons, and subject to the changes listed above, I conclude that the Local Plan takes adequate account of the effects of development on the natural and built environment and that its approach to development within the Green Belt is consistent with national policy.

Main Issue 7: Are the allocated sites appropriate and deliverable? Are the detailed requirements for the allocations clear and justified? Are the boundaries and extent of the sites correctly defined?

138. The assessments that have taken place to identify development sites to meet the needs of Bromsgrove District, along with those needs of the Borough of Redditch that cannot be met within the Borough itself, have been described above. The appropriateness and deliverability of the sites has been considered through SHLAA exercises (in respect of housing sites) and ELR (in respect of employment sites). Viability has been assessed, as also discussed above. Required infrastructure is set out in the IDP and, in respect of many sites, in the Local Plan itself. None of these exercises has identified substantive barriers to the developments now proposed.

Meeting the Needs of Bromsgrove District

139. As already described, the sites proposed for allocation to meet the needs of Bromsgrove District fall into three broad categories: the Bromsgrove Town Expansion Sites (policy BDP5A); additional sites in other settlements (policy BDP5B); and Bromsgrove Town Centre Regeneration sites (policy BDP17). In general terms, none of these sites have been the subject of a significant level of objection during the examination. However, as described above, concerns have been raised in respect of flood risk, drainage and water quality in respect of several sites (notably in Bromsgrove Town Centre) and a number of modifications have been proposed in these regards as already discussed. In addition, the Council proposes to add references to the Green Infrastructure Concept Plan⁸⁹ in respect of the site at Perryfields Road (BROM2) **[MM35; MM42(part)]**. These are needed for reasons of effectiveness.

140. The Council proposes to clarify that the dwelling numbers set out for

⁸⁷ SPG7 – document CDB14.5.

⁸⁸ Appendix A to document B1/1.

⁸⁹ Document CDB10.27.

Bromsgrove Town Expansion Sites BROM1-3 represent approximate figures rather than minimum targets. In view of the need for consistency, and bearing in mind the evidence base submitted in respect of the capacity of these sites, these changes [MM38-40] are recommended in order to be justified and effective.

141. Changes are also proposed to provide greater detail about the likely uses that are sought in site TC4 (Parkside Middle School) and the likely timing of the delivery of sites TC9 and TC10 (Mill Lane and Worcester Road Employment Area) [MM75; MM77]. These reflect more recent information and are necessary in order for the allocations to be justified.

Meeting the Needs of the Borough of Redditch

142. As described earlier in this report, the BDP identifies three sites to meet the needs of the Borough of Redditch – two in policy RCBD1.1 (Foxlydiate and Brockhill) and one in policy BDP5B (the Ravensbank employment allocation). **Ravensbank** has already been considered in this report. As already noted, it occupies an existing ADR and is well related to existing employment areas. As also discussed, changes are proposed to clarify its relationship to heritage assets. Subject to these I am satisfied that the site has been appropriately identified.
143. Notwithstanding that it represents a Green Belt deletion, the site at **Brockhill** (policy RCBD1.1, site 2) has proved to be uncontroversial in this examination. As already discussed, it relates well to the existing urban fabric of the town and has relatively easy access to the town centre. A strong Green Belt boundary can be established. There are limited environmental constraints and there is no evidence that heritage assets would be adversely affected. The site adjoins an ADR within Redditch Borough enabling a co-ordinated cross-boundary development to be achieved. For these reasons, and bearing in mind both the need for housing within Redditch described in my report on the BORLP4 examination and the site selection exercise described above I consider that exceptional circumstances are demonstrated to justify the site's removal from the Green Belt, in line with paragraph 83 of the Framework.
144. As also discussed, the proposed allocation at **Foxlydiate** (policy RCBD1.1, site 1) has been the subject of a considerable amount of local objection. However, for the reasons set out above, I am satisfied that its selection is appropriately justified. Nevertheless, it is necessary to consider a number of the concerns that have been raised about the details of the proposed allocation. Some, such as agricultural land quality, are discussed above. Additional comments are made here in respect of heritage assets, flood risk & groundwater issues, Green Belt issues, landscape, transport and deliverability. They take account of a statement of common ground that has been agreed between both Councils and the site's promoters⁹⁰. This sets out areas in which the parties are in agreement and makes reference to a number of other supporting documents: in addition to those mentioned elsewhere in this report, these

⁹⁰ Documents ED/47-47a.

include a Landscape and Visual Impact Assessment, a Utilities Infrastructure Report, a Community Infrastructure and Baseline Requirements Report, a Geo-Environmental Desk Study and investigation of the Hawthorne Pit, a Noise Mitigation Report, an Ecological Validation Report and various protected species surveys.⁹¹ Although these documents generally post-date the Plan's submission, they amount to a comprehensive evidence base in respect of the proposed allocation.

145. My Post-Hearings Note to the Councils dated 10 July 2015 set out a number of concerns about the treatment of potential effects to the heritage assets identified at Hewell Grange. The concerns in respect of the Brockhill West 'omission site' are outlined in an earlier section of this report. However, I also raised a concern that the Foxlydiate site had not been subject to the same amount of assessment in respect of those assets as had Brockhill West. Specifically, it had not been treated in depth in the initial version of the Hewell Grange Estate: Setting of Heritage Assets Assessment (HGESHAA). Given that the boundary of the Foxlydiate allocation extends very close to the boundary of the Conservation Area and RPG, this appeared inconsistent.
146. In response, the Council updated the HGESHAA to include consideration of Foxlydiate. A statement of harm versus public benefits was also prepared⁹². These were discussed at a resumed hearing in March 2016. In summary, the Council accepts that development within the Foxlydiate site has the potential to result in less than substantial harm (in the terms of the Framework) to the significance of relevant heritage assets at Hewell Grange – specifically the Conservation Area, RPG and the grade II listed water tower. A separate assessment⁹³ reaches a similar conclusion in respect of the grade II listed building at Lanehouse Farm, which adjoins the Foxlydiate site.
147. With reference to these assessments the Council considers that the identified harm can be mitigated by ensuring that development is positioned away from the heritage assets. Areas of 'non-development' are highlighted⁹⁴. In respect of Hewell Grange, these relate to land at the northern end of the site allocation, in particular a section rising to a broad ridge to the south-west of the A448. In respect of Lanehouse Farm, an area is identified to the north and west of the farm. The Council proposes to add text to policy RCBD1.1 to require development of the Foxlydiate site to conform with policy BDP20 and to be 'informed by an understanding of the Setting of Heritage Assets Assessments'.
148. To my mind, this suggested wording is insufficiently robust. Given that the Council's evidence, and specifically its view on the planning balance required by paragraph 134 of the Framework, is based upon development not taking place in the 'no development' areas indicated above, I consider it necessary for soundness reasons that adherence to the recommendations of these

⁹¹ Documents XB1/2n, XB1/2c, XB1/2d, XB1/2k, XB1/2m, XB1/2j, XB1/2g-i, XB1/2l and XB1/2s respectively.

⁹² Document OED/46g.

⁹³ Document OED/46c.

⁹⁴ These are all shown on Map 2 of the Lanehouse Farm assessment – document OED/46c.

assessments is referenced more clearly. Subject to that change, included in **[MM51]**, I am satisfied that the public benefits of the proposed allocation are sufficient to outweigh the harm that has been identified. It is noted that the emerging masterplan for development of the Foxlydiate site⁹⁵ broadly avoids development in these areas. Bearing that in mind, I have seen no substantive evidence that restricting development in these areas would materially affect either the capacity or deliverability of the site as a whole.

149. The promoter of the Foxlydiate development has also submitted an assessment of the site's development on Norgrove Court⁹⁶. This is a grade I listed building located to the south of the site in the Borough of Redditch, with a grade II listed building (The Old Cottage) nearby. Both lie within a natural hollow. The assessment concludes that as a result of the degree of separation between the site and these heritage assets, as well as the specific characteristics of their setting (such as topography), development of the site would have a neutral effect on the assets' significance. Bearing in mind my own observations about the mutual separation of the proposed allocation and these heritage assets I have no reason to take a different view.
150. As already discussed, neither the EA nor STW object to the principle of the Foxlydiate allocation. However, initial concerns were expressed by both bodies, and continue to be expressed by local objectors. These relate to three main matters: flood risk within the site, the potential to exacerbate flooding away from the site (including downstream settlements such as Feckenham) and the effects on groundwater abstraction. I consider each in turn.
151. Foxlydiate has been the subject of a site-specific Flood Risk Assessment (FRA)⁹⁷. This shows that the site predominantly lies within Flood Zone 1 (low probability of flooding), with small areas of Flood Zones 2 and 3 along the line of the Spring Brook. Given the limited extent of this constraint, it is clear that this does not amount to a significant restriction on development: as suggested by the FRA, the relevant areas can lie within the site's green infrastructure. However, as noted above, the Council proposes (in consultation with the EA and STW) to include an additional policy safeguard in respect of this matter **[MM51(part)]**.
152. In respect of off-site flood risks, the Framework states (among other matters) that local plans should use opportunities offered by new development to reduce the causes and impacts of flooding and that when determining planning applications local planning authorities should ensure flood risk is not increased elsewhere⁹⁸. Policy BDP23 includes broadly similar provisions. The FRA recommends a drainage strategy that would maintain existing discharge rates from the site while accounting for an additional 30% rainfall as a result of climate change. The Council proposes to include additional wording to ensure that surface water run-off is managed to prevent off-site flooding and, as

⁹⁵ Appendix 1 of document S/4.

⁹⁶ Appendix 2 to document XB/1.2t.

⁹⁷ Document XB1/2f.

⁹⁸ Paragraphs 100 and 103.

already discussed, to impose the optional water efficiency standard on residential development **[MM51(part)]**.

153. STW has a public water supply groundwater source at Curr Lane. The Foxlydiate site occupies all of the EA defined Source Protection Zones (SPZ) 1 and 2 and the most significant inner part of SPZ 3 designated by the EA: STW has confirmed that no development should be undertaken in SPZ 1 and that no or very light development should take place in SPZ 2⁹⁹. Given the overall size of the proposed allocation, I see no reason why such constraints would not preclude development of the site as a whole. The Council (in consultation with STW and the EA) proposes to add further safeguards to policy RCBD1.1 in respect of this matter, addressing both the implications of new development and of the above-noted surface water drainage requirements **[MM47; MM51(part)]**.
154. Clearly, the Foxlydiate allocation represents a substantial loss of Green Belt land. However, this would also apply to the alternative large site at Bordesley as discussed above. The potential to establish strong Green Belt boundaries was examined for both sites in the HGDS. At Foxlydiate, the A448 dual carriageway – including trees along the road verge – forms a particularly well-defined north-eastern edge to the site. To the south and west, Pumphouse Lane, the Spring Brook, Curr Lane and Gypsy Lane also form strong boundaries. While the field boundaries at the northern end of the site are less obvious features on the ground, the ridge described above provides additional topographical definition. This also provides some visual separation between the site and Tardebigge. Overall, I agree with the Councils that strong and defensible Green Belt boundaries can be established for the allocation.
155. It has been suggested that the areas required for safeguarding in respect of nearby heritage assets (see above) should be retained within the Green Belt. However, as is shown by the emerging masterplan, they are integral to the larger development area. While their safeguarding is necessary in respect of the heritage assets, it has not been shown that they would contribute to the purposes of including land within the Green Belt. Furthermore, as described above, I am satisfied that the allocation as a whole would retain strong and defensible Green Belt boundaries.
156. For these reasons, and taking into account the need for housing within Redditch and the site selection exercise described above, I am satisfied that exceptional circumstances exist to justify the site's removal from the Green Belt, in line with paragraph 83 of the Framework.
157. In part, the transport implications of the Foxlydiate development have been considered within the wider transport evidence referred to above. As already noted, there are no objections from either Highways England or WCC as the local highway authority. However, a significant amount of additional site specific evidence has also been submitted¹⁰⁰. In summary, this demonstrates

⁹⁹ Appendix B of document XB1/2f.

¹⁰⁰ Including documents CDX1.31-1.34 and XB1/2b.

that, subject to various mitigation measures, development of the site would be deliverable in transport terms. Such mitigation would need to include significant improvements in public transport resulting in integrated and regular bus services – as is required by policy RCBD1.1. Full use should be made of existing walking and cycling routes – including those that already cross the site. However, it is recognised that further work is needed to establish the full details of required mitigation strategies. The Council proposes to add further requirements to policy RCBD1.1 in that regard, and also to clarify that necessary infrastructure should be delivered in parallel with the new development **[MM51(part)]**.

158. Other parties have queried the deliverability assumptions that underpin the Foxlydiate development. However, details have been submitted by the intended developer in respect of likely delivery rates, including a phasing plan¹⁰¹. The suggested annual yield of approximately 120 private dwellings per year is within the rate of other broadly comparable developments in the locality (as discussed above). At the time of writing an outline planning application has been submitted. Taken together these factors support the Council's assumptions in respect of the delivery of housing from this site.

159. The Council proposes to clarify that the dwelling numbers set out for the sites at Foxlydiate and Brockhill (RCBD1.1 Sites 1 and 2) represent approximate figures rather than minimum targets. In view of the need for consistency, and bearing in mind the evidence base submitted in respect of the capacity of these sites, these changes **[MM48-50]** are recommended in order to be justified and effective.

Conclusion – Main Issue 7

160. For these reasons, and subject to the changes listed above, I conclude that the allocated sites are appropriate and deliverable, the detailed requirements for the allocations are clear and justified and the boundaries and extent of the sites are correctly defined.

Other Matters

161. Appendix 4 of the BDP sets out a list of those policies and proposals of the Bromsgrove District Local Plan (adopted 2004) (BDLP). This includes references to policies being 'partially replaced' and 'partially superseded'. However, it is intended that no part of the BDLP will remain extant following the adoption of the Bromsgrove District Plan. Additional text is proposed to clarify this **[MM100]** which is necessary for reasons of effectiveness.

Assessment of Legal Compliance

162. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

¹⁰¹ Appendices 2 and 3 of document S/4.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The BDP has been prepared in accordance with the approved LDS (July 2016).
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in September 2006 ¹⁰² and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed main modification changes (MM)
Sustainability Appraisal (SA)	As is described in the main body of this report, SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations Assessment Screening Report (September 2013) ¹⁰³ sets out why a Stage II AA is not required.
National Policy	The Bromsgrove District Plan complies with national policy except where indicated and modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	The Bromsgrove District Plan complies with the Act and the Regulations.

Overall Conclusion and Recommendation

163. The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.

164. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Bromsgrove District Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

M J Hetherington

INSPECTOR

This report is accompanied by the Appendix containing the Main Modifications

¹⁰² Document CDB4.6.

¹⁰³ Document CDB3.10.

Appendix – Main Modifications

The modifications below are expressed either in the conventional form of ~~strikethrough~~ for deletions and *italics* for additions of text, or by specifying the modification in words in [**bold text in square brackets**].

The page numbers and paragraph numbering below refer to the submission local plan, and do not take account of the deletion or addition of text. Further renumbering of pages and paragraphs will be required as a consequence of these modifications.

Ref	Page	Policy/ para	Main Modification
MM1	3	Introduction and Context 1.7	<p>The Plan includes:</p> <ul style="list-style-type: none"> • A District Profile which describes Bromsgrove as it is at the moment • The challenges facing Bromsgrove that the Plan can help to address and the objectives for addressing these challenges • A vision of how the District could develop as a place to meet the needs of its local residents, businesses and visitors in the future • A strategy to direct growth to sustainable locations and achieve the vision • A set of Policies to deliver the strategy • A monitoring and implementation framework for delivering the Plan. The Plan is supported by a draft Infrastructure Delivery Plan (IDP) which attempts to show how the proposed development may be delivered. <p>The IDP is at present in draft and as a 'live' document and will be updated before Submission of the Plan. The draft IDP can be found as a separate document.</p>
MM2	10	District Profile 2.28	Due to the District's close proximity to the West Midlands conurbation, many inhabitants in Bromsgrove <i>District</i> commute to work in Birmingham, <i>the Black Country and Solihull</i> .
MM3	12	Vision 4.6	In the next 15 to 20 years, the District will have achieved a more balanced housing market and be continuing to deliver the required level of housing growth to meet local needs, <i>including the needs of the elderly population</i> .
MM4	13	Vision 4.12	<p><i>Following the Local Plan Review, the Green Belt boundary boundaries will remain unchanged⁸ and until 2030 and beyond.</i> The quality of the environment will continue to improve with the existing high levels of open space and 'greenery' within the settlements maintained and improved.</p> <p>8. Subject to Redditch Cross Boundary Sites and full Green Belt Review by 2030</p>
MM5	17	BDP1.3	b) Specific policies in that Framework indicate that development should be restricted as stated in footnote 9 of paragraph 14 of the NPPF. For example, those policies relating to sites designated as Sites of Special Scientific Interest; remaining land designated as Green Belt, Local Green Space,

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Ref	Page	Policy/ para	Main Modification
			designated Heritage Assets and locations at risk of flooding.
MM6	17	BDP1.4	Accessibility to public transport options and the ability of the local <i>and strategic</i> road networks to accommodate additional traffic;
MM7	17	BDP1.4	d) The quality of the natural environment including any potential impact on biodiversity, <i>water quality, geodiversity</i> , landscape and the provision of/and links to green infrastructure (GI) networks;
MM8	18	BDP2 8.13	Whilst the majority of development will occur around the Town and in the larger settlements there will be opportunities for small affordable housing schemes in rural settlements that meet local needs. <i>To reflect the need to boost housing the four facets of housing delivery set out in the policy are not set out in a priority order as it is recognised that all four will have an important role in delivering housing.</i> Until a Green Belt Review <i>and Local Plan Review</i> is carried out it is considered desirable for village envelope boundaries to remain unchanged.
MM9	19	BDP2	<p><i>BDP2.1 Initially</i> There there will be four main facets to the delivery of housing in <i>to meet the needs of Bromsgrove District</i> consisting of the following:</p> <p>a) BDP2.1 Development of previously developed land or buildings within existing settlement boundaries which are not in the designated Green Belt;</p> <p>b) BDP2.2 Expansion Sites around Bromsgrove Town (as identified in BDP 5A);</p> <p>c) BDP2.3 Development Sites in or adjacent to large settlements (as identified in BDP 5B); <i>and</i></p> <p>d) BDP.2.4 Exceptionally, affordable housing will be allowed in or on the edge of settlements in the Green Belt where a proven local need has been established through a comprehensive and recent survey and where the choice of site meets relevant planning criteria. Where viability is a concern the inclusion of other tenures within a scheme may be acceptable where full justification is provided. Where a proposed site is within the boundaries of a settlement, which is not in the Green Belt, a local need for housing would not need to be justified.</p> <p><i>Proposals for development for needs arising outside the District will be fully justified and based on principles of sustainable development and evidence indicating the most appropriate location for such development across the West Midlands area.</i></p> <p>BDP2.2 BDP2.5 Proposals for new development <i>for Bromsgrove's needs</i> should be located in accordance with the District's settlement hierarchy as shown in table 2 on page 20 <i>within this policy if up to date evidence supports this.</i> This will ensure that development contributes to the regeneration priorities for the area, preserves the attractiveness of the environment, reduces the need to travel <i>and implications for the local and strategic road network</i>, and promotes sustainable communities based on the services and facilities that are available in each settlement and will assist villages to remain viable and provide for the needs of the catchment population that they serve.</p>

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Ref	Page	Policy/ para	Main Modification
			<p>BDP2.6 The Settlement Hierarchy outlined above will provide the guiding principles in terms of sustainability for the proposed Green Belt Review sequential testing as outlined in BDP4 Green Belt.</p> <p>BDP2.7 The 'village envelope' i.e. the defined settlement boundary for a village, is identified on the Policies Map and will remain unaltered until a review of the Green Belt is undertaken. Within the village envelope appropriate development will be limited to suitable infill plots. This applies to the following villages; Adams Hill, Belbroughton, Beoley (Holt End), Bournheath, Burcot, Clent, Fairfield, Finstall, Holy Cross, Hopwood, Lower Clent, Romsley and Rowney Green.</p> <p>[Table 2 (page 20) District's Settlement Hierarchy: Layout and design to clarify that table 2 falls within policy BDP2]</p>
MM10	20	BDP2 table 2 2 nd Column – Large Settlements	<p>Alvechurch Barnt Green (<i>including Lickey</i>) Catshill Hagley Rubery Wythall (<i>including Drakes Cross, Grimes Hill and Hollywood</i>)</p>
MM11	20	BDP2, Table 2 3 rd Column	<p>Suitable development</p> <p>Comparison and convenience retail (to meet District requirements and needs)</p> <p>Commercial leisure – restaurants, cafes pubs and bars</p> <p>Office</p> <p>Residential development of a scale proportional to the sustainability of the settlement</p> <p>Hotels/guest houses</p> <p>Employment</p> <p>Leisure/culture i.e. churches, health centres, libraries, public halls etc</p> <p>Major services</p> <p>Convenience A1 retail (to meet needs of the specific village)</p> <p>Local services</p> <p>Residential development of a scale proportional to the sustainability of the settlement</p> <p>Small scale business/office development</p> <p>Leisure/culture i.e. churches, health centres, libraries, public halls etc</p> <p>Housing to meet local needs (through rural exception sites in appropriate circumstances). Where a proposed site is within the boundaries of a settlement, which is not in the Green Belt, a local need for housing would not need to be justified</p> <p>Local services</p>

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Ref	Page	Policy/ para	Main Modification																
			Small scale rural employment in appropriate circumstances. More limited local services for example, local convenience shop/post office or public house																
MM12	20	BDP2 Table 2 – Small settlement	Small 'Settlement' ¹⁰ (population circa 50-2500) 10. Villages highlighted in blue are subject to a village envelope																
MM13	21	BDP3 8.19	The Worcestershire Strategic Housing Market Assessment 2012 (SHMA) analyses the current housing market and assesses future demand and need for housing within each local authority across the County. In determining the potential housing requirement for the District a range of scenarios were tested with the most realistic being a migration led and employment constrained scenarios which identified a net dwelling requirement for the period 2011-2030 of 6,980 and 6,780 respectively. <i>However to ensure the evidence is robust and up to date further demographic forecasts have been completed. Based on the demographic scenarios run, it is considered that the figure of 6,648 would represent the Objectively Assessed housing need and a figure of 7,000 over the period 2011-2030 meets the full housing requirement of the District. The Council is committed to significantly increasing the supply of housing to meet need and demand. On this basis a housing target of 7,000 is proposed for the 19 year plan period.</i>																
MM14	21	BDP3 8.21	The NPPF highlights that windfalls can now be included in 5 year land supply calculations where there is compelling evidence that windfalls have consistently become available and will continue to do so in the future. A separate paper entitled '5 Year Land Supply in Bromsgrove District' highlights that an allowance of 30-40 dwellings per annum should be included.																
MM15	21	BDP3 8.22	The sites and associated development trajectories identified in the SHLAA highlight that approximately 4,600 4,700 homes will be delivered in the period up to 2023 over the plan period without development in the Green Belt. This equates to the equivalent of a 12-7 years supply of land that can be delivered without the need to alter Green Belt boundaries. Previous versions of the SHLAA have indicated that only 4,000 homes could be developed on non-Green Belt land. This increase of 600 700 is primarily due to the inclusion of a windfall allowance. The breakdown of the types of sites contributing to the 4,600 4,700 total is detailed in the table below:																
MM16	21	BDP3 table	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Source of Supply</th> <th style="text-align: right;">No. of Dwellings</th> </tr> </thead> <tbody> <tr> <td>Net Completions (2011-136)</td> <td style="text-align: right;">1124 386</td> </tr> <tr> <td>Net Commitments</td> <td style="text-align: right;">1092 12 1052</td> </tr> <tr> <td>Bromsgrove Expansion Sites</td> <td style="text-align: right;">1790 2406</td> </tr> <tr> <td>Remaining Development Sites</td> <td style="text-align: right;">66 479</td> </tr> <tr> <td>Other SHLAA Sites</td> <td style="text-align: right;">97 421</td> </tr> <tr> <td>Windfall Allowance</td> <td style="text-align: right;">560 (40 x 14 yrs) 480</td> </tr> <tr> <td>TOTAL:</td> <td style="text-align: right;">4729 4624</td> </tr> </tbody> </table>	Source of Supply	No. of Dwellings	Net Completions (2011-136)	1124 386	Net Commitments	1092 12 1052	Bromsgrove Expansion Sites	1790 2406	Remaining Development Sites	66 479	Other SHLAA Sites	97 421	Windfall Allowance	560 (40 x 14 yrs) 480	TOTAL:	4729 4624
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MM17	21	Footnote 12 page 21	12 This figure includes the development sites at Selsdon Close (Wythall), St. Godwalds Road (Bromsgrove), Birmingham Road (Alvechurch), Kendall End Road (Barnt Green), Kidderminster Road (Hagley) , and Bleakhouse Farm (Wythall) and Norton Farm (Bromsgrove).
MM18	21	BDP3 8.23	It is clearly essential that a full Green Belt Review will be is undertaken following the adoption of this Plan to ensure that land can be identified and allocated <i>through a Local Plan Review. This will ensure that the remaining 2,400 2,300 homes can be delivered and additional sites then allocated in the Local Plan Review. The timing of this review will be determined by updated evidence such as, the GBSLEP Strategic Housing Needs Study and the monitoring of housing delivery against the Council's projected housing trajectory. This will ensure guarantee that land can be identified and allocated to ensure that the remaining 2,400 2,300 homes can be delivered. This will ensure that the Council is in a position to achieve the housing target of 7,000 by 2030. The review will be completed by 2023 at the latest.</i>
MM19	22	BDP 3 Future Housing and Employe nt Growth table	Dwellings outside Green Belt 4600-4700 Green Belt Review 2400-2300
MM20	22	8.25	As mentioned above the Council has a duty to co-operate on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities. New housing is considered to be a strategic priority which Redditch Borough Council are unable to fully address within their own administrative boundary and require help immediately to achieve, and then maintain, a 5 year supply of housing land. Land has been identified within Bromsgrove District to deliver 3,400 homes to enable Redditch Borough to achieve their housing target of 6,400. Bromsgrove Council is also aware that Birmingham City Council may require assistance in achieving their housing target. The amount of development required is not yet known but the need for this housing is not immediate. Bromsgrove is also already helping to meet the growth needs of Birmingham with the 700 houses currently being developed on the former MG Rover plant at Longbridge. It is therefore considered that cross-boundary growth in relation to Birmingham is already being partly addressed and can be further addressed through the full Green Belt <i>and Local Plan Review.</i>
MM21	22	BDP3 (table)	Dwellings outside the Green Belt 4,700 4,600 2011-2023 30
MM22	22	BDP3.1	It is proposed that prior to 2023 a A full Green Belt Review will have been completed be carried out and further sites will have been be allocated <i>within a Local Plan Review</i> to contribute approximately 2,400 2,300 dwellings towards the 7,000 target. <i>The timing of this review will be determined by updated evidence including the GBSLEP Strategic Housing Needs Study and</i>

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			<i>the monitoring of housing delivery against the Council's projected housing trajectory. The review will be completed by 2023 at the latest.</i>
MM23	22	BDP 3.3	The Council will seek to maintain a 5 year supply of deliverable sites plus an additional buffer of 5% moved forward from later in the plan period (or 20% where there has been persistent under delivery of housing).
MM24	23	BDP4 8.28	In advance of 2023, a A Green Belt Review will <i>therefore</i> be undertaken which will remove and then through a review of the Local Plan sufficient land will be removed from the Green Belt to deliver the remaining 2,300 2,400 homes in the period up to 2023 -2030 and address the longer term development needs of Bromsgrove District and adjacent authorities based on the latest evidence at the time. <i>The timing of this review will be determined by updated evidence including the GBSLEP Strategic Housing Needs Study and the monitoring of housing delivery against the Council's projected housing trajectory.</i> The Green Belt Review will take account of: the need to accommodate 2,300 2,400 dwellings in the period up to of 2023 to 2030
MM25	23	8.29	The Green Belt Review will follow the approach in the settlement hierarchy (BDP2) for Bromsgrove related growth as follows: <ul style="list-style-type: none"> • Significant growth in Bromsgrove Town • Some growth in large settlements • Limited opportunities for growth in small settlements
MM26	24	BDP4 8.31	The Green Belt Review will also consider all land along the northern boundary of the District that adjoins the West Midlands conurbation to meet any growth needs arising from the conurbation. At this stage the quantum of development required is not yet known, however the Council is working with the local authorities in the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) under the duty to co-operate to address this issue. <i>The ongoing GBSLEP Strategic Housing Growth Study will provide further evidence to help address this matter.</i>
MM27	24	8.34	The NPPF states that the extension or alteration of a building in the Green Belt is not inappropriate provided that it does not result in disproportionate additions over and above the size of the original building permits proportionate extensions to all building in the Green Belt. In terms of residential dwellings this is interpreted by the Council as extensions up to a maximum increase of 40% of the original dwelling or a maximum total floor space of up to 140m ² (i.e. the original dwelling plus extension). <i>However, the Council acknowledges that a greater degree of extension may be allowed under Permitted Development rights.</i> Only extensions built before 1st July 1948 (the date of the first modern Planning Acts), should be considered to be part of the original dwelling. For the purpose of calculating the floorspace, only existing curtilage buildings located within 5 metres from the original dwelling house will be treated as forming part of the dwelling. New curtilage buildings located more than 5 metres from the dwelling house will normally be treated as inappropriate development. Any proposed extensions above

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			the identified thresholds will be viewed as inappropriate development and would therefore only be permitted where very special circumstances exist.
MM28	25	BDP4.2	A Local Plan Review including a full Review of the Green Belt will be undertaken <i>in accordance with policy BDP3</i> in advance of 2023 to identify...
MM29	25	BDP4.2	a) Sufficient land in sustainable locations to deliver approximately 2,300 2,400 homes in the period <i>up to 2023-2030</i> to deliver the objectively assessed housing requirement for Bromsgrove District. b) Safeguarded land for the period 2030-40 to meet the development needs of Bromsgrove <i>District</i> and adjacent authorities based on the latest evidence;
MM30	25	BDP4.2	c) Land to help deliver the objectively assessed housing requirements of the West Midlands conurbation within the current plan period ie. up to 2030. <i>The timing of the Green Belt Review will be determined by updated evidence including the GBSLEP Strategic Housing Needs Study and the monitoring and housing delivery against the Council's projected housing trajectory. The outcomes of the Green Belt Review will then be incorporated into the Local Plan Review.</i>
MM31	25	BDP 4.3	BDP4.3 The Green Belt boundary review will follow <i>sustainable development principles</i> the approach in BDP2 Settlement Hierarchy and take into account <i>up to date</i> evidence and any proposals in Neighbourhood Plans. Where appropriate, settlement boundaries and village envelopes on the Policies Map will be revised to accommodate development.
MM32	25	BDP 4.4 b)	b) Appropriate facilities for outdoor sport, and outdoor recreation, and for cemeteries, and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it;
MM33	25	BDP4.4 c)	c) Extensions to existing residential dwellings up to a maximum of 40% increase of the original dwelling or increases up to a maximum total floor space of 140m ² (<i>'original' dwelling plus extension(s)</i>) <i>provided that this scale of development has no adverse impact on the openness of the Green Belt;</i>
MM34	25	BDP4.4 e)	e) The replacement of a building of , built with the intention of being permanent, provided the new building is in the same use and should not be materially larger than the original building <i>it replaces</i>
MM35	27	BDP5A 8.51	It is preferable for the three expansion sites to include a small number of large play areas rather than a larger number of small play areas. This will enable a wider range of play equipment to be provided in selected locations that will be easier to maintain. It is however, important that all residents have access to such a facility within a 10 minute walk. The exact amounts of open space required on each site will depend upon the amount and type of dwellings proposed. Whilst the Council would expect the vast majority of provision to be provided on-site, some off-site commuted sums may be appropriate where a better outcome can be achieved through improvement or expansion of existing facilities such as at Sanders Park. <i>The Perryfields Green Infrastructure Concept Plan identifies the green infrastructure assets and spatial patterns that give rise to opportunities for a</i>

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Ref	Page	Policy/ para	Main Modification
			<p><i>connected and multifunctional green infrastructure network in BROM2. The development principles demonstrate how best practice for the development and management of green and blue infrastructure can be applied on the ground and the Council expects the principles be applied to inform the detailed masterplanning in BROM2.</i></p>
MM36	27	8.52	<p>8.52 The development of these sites would make a significant contribution towards delivering locally identified housing targets. However, it is critical that in order to achieve these targets that new housing addresses local need rather than encouraging further in-migration into the District. Therefore detailed development proposals will need to conform with other policies in the Bromsgrove District Plan that focus on the delivery of 2 and 3 bedroom units and up to 40% affordable housing. Evidence gathered also identifies a need in the District for housing suitable for the elderly and this site provides an opportunity to address this need. Whilst building to Lifetime Home Standards ensures homes are compatible for the elderly There is also a need for more specialised accommodation such as an ‘extra care’ village that offers varying degrees of residential care. It is not only the type and size of dwellings that are important, they must also be of high quality design and be constructed in a sustainable way to maximise energy efficiency, embrace opportunities for renewable energy use and provide good accessibility to existing and/or proposed community facilities.</p>
MM37	28	BDP5A 8.54	<p>The proximity of the motorway means that air and noise quality will be an issue that requires further investigation and mitigation. The sites (particularly BROM 1) are also located near to an Air Quality Management Area (AQMA) at junction 1 of the M42. The design of any new development will need to take the existence of the AQMA into full consideration to avoid any additional adverse impact.</p> <p><i>The three sites have a sensitive hydrogeological setting¹⁵. They fall within Source Protection Zones 1, 2 and 3 and there are qualitative and quantitative issues associated with the groundwater body and receiving river water body (the Battlefield Brook). BROM3 also has historic landfill¹⁶. The chemical and quantitative status of the groundwater body is poor under the Water Framework Directive (WFD) and the aquifer below the site is over abstracted which is causing low flows in the Battlefield Brook. Development and surface water drainage will need to be carefully located and designed to avoid pollution risks to controlled waters and address the environmental impact associated with over abstraction. For example, to achieve the water quality objective of the WFD, SuDS on the sites may need to provide multiple levels of treatment. To address the quantitative issues with the waterbodies, SuDS should be designed so to maximise recharge to the aquifer and support water levels in the Battlefield Brook. The development principles in the blue infrastructure section of the Perryfields Green Infrastructure Concept Plan are also applicable to BROM3.</i></p>

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			<p>¹⁵ Map of the extent of the Source Protection Zones and location of landfill is available at: http://maps.environment-agency.gov.uk</p> <p>¹⁶ Map of the sites geology is available at: http://mapapps.bgs.ac.uk/geologyofbritain/home.html</p>
MM38	29	BDP5A.2	Of this total allocation BROM1 will include approximately a minimum of 316 dwellings and associated community infrastructure that including public open space with play facilities.
MM39	29	BDP5A.3	BROM2 will contain approximately a minimum of 1300 dwellings, 5 hectares of local employment land (office and/or light industry), a local centre and community facilities.
MM40	29	BDP5A.6	BROM3 will include approximately a minimum of 490 dwellings and associated community infrastructure that should include public open space with play facilities and small scale local retail
MM41	29	BDP5A.7 b)	b) To address the housing needs of the elderly all dwellings should seek to achieve Lifetime Homes' Standards and BROM2 should contain an 'extra care' type facility of approximately 200 units;
MM42	30	BDP5A.7	<p>i) The sites will have an overall strategy for green infrastructure (incorporating SuDS and blue infrastructure) that maximises opportunities for biodiversity and recreation throughout, creating a green corridor around the Battlefield Brook (BROM2) and in the case of BROM3, links to Sanders Park. <i>The Council will expect the Perryfields Green Infrastructure Concept Plan be applied to inform the detailed masterplanning in BROM2;</i></p> <p>j) Important biodiversity habitats and landscape features should be retained and enhanced with any mitigation provided where necessary. There should be no net loss of hedgerow resource within the sites. Full account should be taken of protected and notable species (e.g badgers, reptiles, water voles and bats);</p> <p><i>k) An appropriate assessment of the pollution risks to controlled waters will be produced taking account of any previous contaminative uses on the sites (including the historic landfill) and the risks associated with the proposed uses</i></p> <p>k) l) Flood risk from the Battlefield Brook on BROM2 and BROM3 should be managed through measures that work with natural processes to improve the local water environment addressed through flood management measures to protect and enhance the District's watercourses and enable development appropriate to the flood risk;</p> <p>m) SuDS proposals must provide an appropriate level of treatment to avoid pollution risks to controlled waters, and be designed to achieve the greenfield rate of run-off and support water levels in the Battlefield Brook. and surface water run off must be managed to prevent flooding on and around all of the sites through the use of SuDS. In accordance with the objectives of the</p>

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			Water Framework Directive, development should ideally <i>contribute towards the improvement of, but as a minimum not have a deteriorative effect on, the water bodies associated with the site; enhance, or at least not worsen, water quality</i>
MM43	32	BDP5B 8.65	This site is located close to the boundary with Birmingham in the north western sector of the District. The site is approximately 6.66 hectares in area and is currently vacant. Restrictive covenants affect the site which limit both its use and developable area (See map 9). <i>A Flood Risk Assessment will be required to support any planning application proposing the development of this site which reflects the principles and recommendations within the Council's Level 2 Strategic Flood Risk Assessment.</i>
MM44	32	BDP5B 8.66	Add text to end of paragraph: <i>Any planning application proposing the development of the remainder of this site should be supported by a Flood Risk Assessment which reflects the principles and recommendations for the site within the Council's Level 2 Strategic Flood Risk Assessment.</i>
MM45	33	8.67	Ravensbank expansion site; This site is located to the south/east of the existing Ravensbank employment site and is approximately 10 hectares in area, as indicated on map 8. The original employment site caters for Redditch Borough's needs and it is envisaged that this expansion site will provide additional capacity for Redditch's future needs on a similar basis. <i>The site is within the setting of Gorcott Hall, a Grade II* listed building. The Gorcott Hall Setting Assessment (Bromsgrove DC, 2014) has been prepared to inform the principle of development and its future form, and should be applied to ensure the significance of the Hall and its setting is conserved.</i> This site is part of the Redditch Eastern Gateway, a strategic employment site, which is being promoted by the Worcestershire Local Enterprise Partnership
MM46	34	BDP 5B	Insert Footnote: <i>To ensure protection of Gorcott Hall's significance, future proposals should be in conformity with Policy BDP20 and informed by an understanding the Hall's setting, mindful of the Gorcott Hall Setting Assessment (Bromsgrove DC, 2014) and English Heritage guidance on setting matters. Historic Environment Good Practice Advice Note 3 (GPA3) The setting of Heritage Assets (Historic England, March 2015) http://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/</i>
MM47	43	RCBD1.3	Site 1 Foxlydiate is located to the north western side of Redditch within the Parish of Bentley Pauncefoot and will provide opportunities to improve facilities and services in the wider Webheath area. It also offers the opportunity to extend existing bus services and through the provision of facilities within development has the potential to reduce the need to travel. <i>The site has a sensitive hydrogeological setting and the aquifer below the site is over-abstracted. There are Source Protection Zones²³ 1, 2 and 3 located on the site and the historic landfill²⁴ presents a potential source of</i>

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			<i>contamination. Development and surface water drainage will need to be carefully located and designed to avoid pollution risks to controlled waters and maximise recharge to the underlying aquifer. For example, to achieve the water quality objective of the WFD, SuDS on the site may need to provide multiple levels of treatment to avoid pollution risks. To address the quantitative issues with the groundwater body SuDS should be designed so to maximise recharge to the aquifer.</i>
MM48	45	RCBD1.6	Two mixed use urban extensions are proposed (as shown on Map 10 RCBD1 page 44) across two sites adjacent to Redditch and are appropriate to deliver a minimum of <i>approximately</i> 3400 dwellings and comprehensive provision of associated new infrastructure to meet some of Redditch's housing requirements up to 2030.
MM49	45	RCBD1.7	Site 1 Foxlydiate will include a minimum of <i>approximately</i> 2800 dwellings, a first school and a Local Centre, including associated community infrastructure.
MM50	45	RCBD1.8	Site 2 Brockhill will contain a minimum of <i>approximately</i> 600 dwellings which will integrate with the Strategic Site at Brockhill East, as shown in the <i>Borough of Redditch Local Plan No.4</i> and should integrate well into the existing urban fabric of Redditch.
MM51	45-46	RCBD1.9	<p>II. An overall Transport Assessment will be produced taking into account of <i>the prevailing traffic conditions and the individual and the cumulative and wide-ranging</i> effects of development on transport infrastructure. <i>This will define the mitigation necessary to protect the safety and operation of the road network, including sustainable travel measures and any including new and improved access arrangements. which are in keeping with the structured road hierarchy.</i></p> <p>III. Significant improvements in passenger transport will be required resulting in integrated and regular bus services connecting both sites to key local facilities. In particular, services should be routed through both Site 1 Foxlydiate and Site 2 Brockhill, with all dwellings to be located within 250m of <i>accessible to the a bus network stop.</i></p> <p>VI. Flood risk from the Spring Brook on Site 1 Foxlydiate and the Red Ditch on Site 2 Brockhill East should be managed through measures that work with natural processes to improve the local water environment. <i>A detailed, site specific, Flood Risk Assessment will be required. This should provide a model of the nearby ordinary watercourses to ascertain the design flood extents, including the 1% plus climate change allowances, and determine the developable area of the site. This will inform the sequential approach and the need to include any necessary avoidance or mitigation measures such as the incorporation of open space and green infrastructure within the floodplain regime. Surface water runoff must be managed to prevent flooding on, around and downstream of both sites through the use of Sustainable Drainage Systems (SuDS).</i> Surface water runoff must be managed to</p>

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			<p>prevent flooding on, around and downstream of the both sites through the use of Sustainable Drainage Systems (SuDS). A supporting risk assessment will be provided as SuDS techniques may be limited due to Source Protection Zones within Site 1 Foxlydiate.</p> <p><i>VII. Water efficiency measures will meet the tighter Building Regulations optional requirement of 110 litres per person per day.</i></p> <p><i>VIII. SuDS proposals on Site 1 must provide an appropriate level of treatment to avoid pollution risks to controlled waters, and be designed to achieve the greenfield rate of run-off, maximise recharge to the underlying aquifer and support water levels in the Bow Brook. In accordance with the objectives of the Water Framework Directive, development should ideally contribute towards the improvement of, but as a minimum not have a deteriorative effect on, the water bodies associated with the site.</i></p> <p><i>IX An appropriate assessment of the pollution risks to controlled waters on Site 1 Foxlydiate will be produced taking account of any previous contaminative uses on the site including the historic landfill, and the risks associated with the proposed uses</i></p> <p>VII.X <i>Proposals for development will need to ensure that sufficient capacity of the sewerage systems for both wastewater collection and treatment is provided through engagement with Severn Trent Water Ltd and the Environment Agency and delivered at the appropriate stage.</i></p> <p><i>XI Supporting developments that follow the water conservation hierarchy: Where standards currently exist for a particular non-domestic building type in BREEAM, maximum points should be scored on water and a minimum of 25% water savings for any other development.</i></p> <p>VIII. <i>XII. All development must be of a high quality design and locally distinctive to its surrounding rural and urban character; contribute to the areas' identity and create a coherent sense of place; and respect and enhance the setting of any heritage asset. There should be a continuous network of streets and spaces, including the provision of public open spaces, creating a permeable layout with well-defined streets.</i></p> <p>IX. <i>XIII. In preparing Development proposals should incorporate, provision should be made for any necessary infrastructure to be delivered in parallel with the implementation of new development for the effective delivery of the site.</i></p> <p>X. <i>XIV. Any proposals for development on either site must not individually or cumulatively jeopardise the future use of any other part of the site (s) or</i></p>

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			<p>impede the delivery of the two sustainable communities.</p> <p><i>XV. To ensure the protection of Heritage Assets, future proposals including development boundaries should be in conformity with Policy BDP20 and informed by an understanding of the Setting of Heritage Assets set out in the most recent Setting Assessment(s) produced, or formally endorsed, by the Council in accordance with current Historic England guidance. Specifically, built development should not take place in the 'no development' areas identified in the Hewell Grange and Lanehouse Farm Setting of Heritage Assets Assessments (both dated December 2015).</i></p>
MM52	47	BDP6	<p><i>BDP6.1 Financial contributions towards development and infrastructure provision will be coordinated to ensure that growth in the District is supported by the provision of infrastructure (including Green Infrastructure), services and facilities needed to maintain and improve quality of life and respond to the needs of the local economy. This will be documented in the Infrastructure Delivery Plan.</i></p> <p><i>BDP6.2 Irrespective of size, development will provide, or contribute towards the provision of:</i></p> <ul style="list-style-type: none"> • Measures to directly mitigate its impact, either geographically or functionally, which will be secured through the use of planning obligations; • Infrastructure, facilities and services required to support growth which will be secured through a Community Infrastructure Levy (CIL) <p><i>BDP6.3 Contributions through CIL will be required once the charging schedule has been through an independent public examination and has been formally adopted by the Council. Prior to this, contributions will be sought on a case by case basis in line with relevant policy and guidance.</i></p>
MM53	49	BDP7.1	<p>Proposals for housing must take account of identified housing needs in terms of the size and type of dwellings. To ensure mixed and vibrant communities are created development proposals need to focus on delivering 2 and 3 bedroom properties. On large schemes of 10 or more dwellings it is accepted that a wider mix of dwelling types will may be required.</p>
MM54	52	BDP8.1	<p><i>BDP8.1 Contributions towards affordable housing provision will not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of 1000 sqm. Where there is a net increase of 11 40-or more dwellings or the site is equal to or greater than 0.4 hectares, affordable housing provision will be expected on-site and will be calculated against the net number of new dwellings as follows:</i></p> <ul style="list-style-type: none"> • Up to 40% affordable housing (or a higher % if proposed) on greenfield sites or any site accommodating 200 or more dwellings; • Up to 30% affordable housing (or a higher % if proposed) on brownfield sites accommodating less than 200 dwellings <p><i>BDP8.2 In exceptional circumstances where the applicant can fully</i></p>

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			<p>demonstrate that the required target cannot be achieved the Council may negotiate a lower provision.</p> <p>BDP8.3 The Council will seek to negotiate the mix of affordable housing tenures on individual schemes taking into account local needs, the housing mix in the local area and the impact on viability. A mix of the following tenures will generally be sought: Social rented; Intermediate housing; and Affordable rent</p> <p>BDP8.4 The affordable housing element of developments should focus primarily on the delivery of smaller units. However, there may be locations or changes in market conditions that warrant a different breakdown to deliver a scheme that best meets local needs in relation to the relevant settlement. The precise mix to be provided should be developed through discussions with the Strategic Housing Team.</p> <p>BDP8.5 To help meet the needs of the elderly all homes should be built to Lifetime Homes Standards in accordance with BDP10 Homes for the Elderly.</p> <p>BDP8.6 To create mixed and balanced communities affordable housing should be distributed throughout new developments and not be visually distinguishable from market housing.</p> <p>BDP8.7 When a development site is brought forward for planning consent on a piecemeal basis i.e. involving a parcel of land for development which is part of a larger site, Bromsgrove District Council will assess 'affordable housing' targets for each part of the site on a pro-rata basis having regard to the overall requirements generated by the whole site.</p>
MM55	53	8.116	<p>The settlement hierarchy (BDP2) sets out the types of uses that are generally acceptable within each tier of the hierarchy. It highlights that rural exception schemes are not appropriate in Bromsgrove Town or large settlements</p>
MM56	56	BDP10 8.125	<p>Lifetime Homes Standards are inexpensive, simple features designed to make homes more flexible and functional for all. In order to progressively encourage increased take-up in new build projects, Lifetime Homes Standards are a key feature within the Code for Sustainable Homes and currently mandatory at level 6.</p>
MM57	56	8.126	<p>The Joseph Rowntree Foundation in association with the Habinteg Housing Association (lifetimehomes.org.uk) conducted a national comparative study into the cost of meeting both Building Regulations and Lifetime Home standards. The additional cost of building Lifetime Homes ranged from £545 to a maximum of only £1615 per dwelling, depending on the size, layout and specification of the property.</p>
MM58	56	BDP10.2	<p>The Council aims to ensure that older people are able to secure and sustain their independence in a home appropriate to their circumstances and to actively encourage developers to build new homes to the 'Lifetime Homes' standards, so that they can be readily adapted to meet the needs of those with disabilities and the elderly, as well as assisting independent living at home.</p>

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MM59	56	BDP10.3	The Council will, through the identification of sites and/or granting of planning consents in sustainable locations, provide for the <i>a wide range of elderly accommodation including the</i> development of residential care homes, close care, 'extra care' and assisted care housing; and in particular Continuing Care Retirement Communities which encompass an integrated range of such provision.
MM60	57	8.129	The 2007 Gypsy and Travellers Accommodation Assessment (GTAA) identified that no additional pitches are required in the Bromsgrove District in the 5 year period between 2008 and 2013. The 2014 Gypsy and Travellers Accommodation Assessment (GTAA) shows that there is no overall shortfall of permanent pitches for Gypsies and Travellers across Worcestershire over the next five years up to 2018/19. Bromsgrove has sufficient capacity to cover identified requirements up to 2018/19. This reflects the historical low levels of demand for accommodation of this nature within the District. The more recent options consultation of the West Midlands RSS Phase 3 Revision highlighted a need of 3 pitches arising in the period up to 2017. Five additional pitches were completed at the Wythall site in 2011. Space for the additional pitches has come from converting the transit site, which has not been used as such for 19 years. The GTAA also identified that there is no need or demand for plots to be provided for travelling showpeople over the five year period 2014/15 to 2018/19
MM61	57	8.130	The needs of gypsies and travellers are also addressed in the County Housing Strategy and a further Gypsy and Travellers Accommodation Assessment has now been commissioned for the period beyond 2013. Whilst, in the short-term it is considered that current needs have been met, the 2014 GTAA indicates a need for permanent pitches after 2019/20. this situation could potentially change in the period up to 2030 once the new GTAA has been completed. Therefore, it will be necessary pertinent to consider whether sites for gypsies and travellers will need to be identified as part of the proposed Local Plan Green Belt Review.
MM62	57	BDP11.3	If additional sites are required land will be identified through a <i>Local Plan</i> full Green Belt Review.
MM63	59	BDP12.2	Add new paragraph: <i>BDP12.3 When applying these tests to specific proposals the Council will have full regard to the specific characteristics, needs, service priorities and objectives of the service and/or organisation concerned.</i>
MM64	67	BDP15.1 k)	Small scale renewable energy projects, <i>excluding wind energy developments</i> , and business to serve the industry
MM65	72	8.194	Transport Statements and Assessments should be fully informed by Guidance on Transport Assessment (DfT, March 2007) and Worcestershire LTP3 Requirements for Transport Assessments and Statements (March 2011) <i>or such relevant updates to these documents.</i>
MM66	73	BDP16.2	<i>Financial</i> contributions from developers will be sought for new development in respect of investment in public transport, pedestrian, cycle and highways

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			infrastructure as detailed by the draft Bromsgrove Infrastructure Delivery Plan in conjunction with policy BDP6 Infrastructure Contributions
MM67	74-75	BDP17 8.201 & 8.202	<p>A Retail Capacity Assessment was completed in 2004 which was updated in 2007 and 2010. An update to the 2010 assessment is expected in 2013 to identify the retail needs for Bromsgrove District up to 2030. The most recent assessment will take into consideration new retail stores that had received Planning Consent, including Sainsbury's and Aldi. Key assumptions and data sources underpinning the 2010 update will be revisited in light of the current economic climate.</p> <p>The Bromsgrove Town Retail Capacity Assessment will include a household survey to inform the needs assessment; this provides an up-to-date picture of trading patterns. The tested assumptions will provide a forecast of comparison and convenience floorspace capacity in Bromsgrove over 5 year periods (2013, 2018, 2023 and 2028). Recommendations on the level of retail expansion that could be supported and the type and format of floorspace that can be accommodated will be provided. Over the plan period there is likely to be limited need for further convenience retailing floorspace. Whilst limited need, convenience retail development may support the viability of other schemes and may contribute to the regeneration of the town centre. In terms of comparison retail floorspace there is a likely need for additional comparison retail floor space up to 2030.</p> <p><i>A Retail Capacity Assessment was completed in 2004 which was updated in 2007 and 2010. An updated retail study was then published in October 2013 to identify the retail needs for Bromsgrove District to 2030. This assessment took in to consideration new retail stores that had received planning permission, including Sainsbury's and Aldi, the latter of which is complete and trading.</i></p> <p><i>The Bromsgrove Town Retail Capacity Assessment included a household survey to inform the needs assessment; which provided an up-to-date picture of trading patterns. The tested assumptions provided a forecast of comparison and convenience floorspace capacity in Bromsgrove up to 2030. The NPPF makes it clear that the identified need for retail uses should be met in full and should not be compromised by limited site availability. As a result of the retail capacity assessment, it was concluded that there will in fact be a slight oversupply of convenience retail up to 2030 and a relatively small requirement for comparison floorspace of some 16,300m² (gross). Whilst limited need, convenience retail development may support the viability of other schemes and may contribute to the regeneration of the town centre. The retail assessment also surveyed local centres across Bromsgrove and did not suggest any major qualitative deficiencies and, in any case, most lacked major development opportunities. The study therefore recommended that most new development, particularly comparison goods floorspace, is</i></p>

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			<i>directed towards Bromsgrove town centre, in order to consolidate its role as a centre which serves residents in the area immediately surrounding it.</i>
MM68	78	BDP17 8.223	The Spadesbourne Brook flowing through the town is an important natural asset. Parts of the Brook are naturalised, including areas between Birmingham Road and School Drive, and at the bus station. However, the majority of the Brook has been re-routed, culverted and effectively relegated to function as a storm drain through the Town Centre, hidden from view, and sometimes covered entirely by access roads to properties. Even in its urban context the brook contains some plant and animal life, and the water quality is good and clear. However it fails to provide any real amenity value for users of the Town Centre and its ability to support a wider variety of plants and animals is reduced by <i>poor water quality and its unnatural form.</i>
MM69	78	8.224	Add new paragraph: <i>Parts of the Town Centre Regeneration Area (including sites TC1, TC9 and TC10) are located in Flood Zone 2 (medium probability) and Flood Zone 3 (high probability) on the Environment Agency's Flood Map which, in this location, is based on a national, generalised mapping technique. This type of modelling does not include the impacts of structures such as culverts and bridges on the flooding regime. As the Spadesbourne Brook is currently impacted by long culverts, crossings and heavily engineered banks at the open sections, a detailed flood risk assessment (including hydraulic modelling) will be required for the delivery of sites within the flood risk areas. Such proposed redevelopment should also provide betterment and take the opportunity to re-establish an open and more natural river course with a simplification of the number of crossings.</i>
MM70	78	8.226	The Historic Market Site Proposals for a mixed use development are currently expected. The development proposals are expected to include shops, restaurants and a 5 screen cinema. <i>As the site is next to the Spadesbourne Brook where flooding is an issue, the design and layout of the development should be informed by a detailed flood risk assessment including hydraulic modelling.</i>
MM71	79	BDP17 8.236	This site functions as part of the Primary Shopping Zone and as such any redevelopment will be required to maintain retail uses on the ground floor, upper floors could be used for both residential and or office accommodation. The route between Market Street and Bus Station into the High Street along Mill Lane is considered one of the key Town Centre gateway areas and as such development in this area should reflect this in the design of the public realm and the buildings that surround it. <i>This site is identified as a long-term redevelopment opportunity post 2031 and its risk of flooding will be assessed in the future strategic flood risk assessment. Should development come forward in this plan period, the design and layout of the development should be informed by a detailed flood risk assessment including hydraulic modelling.</i>
MM72	79	BDP17 8.237	The Council wishes to maintain a substantial element of employment opportunities in and around the Town Centre and as such the focus for any

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			<p>redevelopment of this site should be employment led. It is also acknowledged that flexibility needs to be introduced to enable businesses to operate in challenging economic circumstances such as those we <i>have recently faced</i>. currently face. Adjacent properties to the north, which are currently part of the existing Town Centre zone, may also offer wider opportunities for redevelopment, along with any proposals for the site identified above. <i>This site is identified as a long-term redevelopment opportunity post 2031 and its risk of flooding will be assessed in the future strategic flood risk assessment. Should development come forward in this plan period, the design and layout of the development should be informed by a detailed flood risk assessment including hydraulic modelling.</i></p>
MM73	81	BDP17.2.1	<p>BDP17.2.1 Bromsgrove District has a likely need for additional comparison floorspace of <i>some 16,300m² (gross)</i> and limited need for further convenience floorspace up to 2030. Although where positive effects on the viability of regeneration schemes can be demonstrated, further convenience floorspace may be allowed in such circumstances.</p>
MM74	81	BDP17.2.2	<p>Bromsgrove Town Centre will continue to be the main retail centre of the District with extended Primary and Secondary Shopping Zones being the focus. As such:</p> <ul style="list-style-type: none"> a) A1 Uses will remain the predominant use for ground floor premises in the Primary Shopping Zone in order to maintain the retail vitality and viability of the Primary Shopping Zone and wider Town Centre. b) Other A class uses will be supported throughout the Secondary Shopping Zone. Development outside A Class Uses in Secondary Shopping Zones and will be considered where there is no adverse impact to the retail viability of the Town Centre. c) Retail development will be generally resisted in other areas of the designated Town Centre unless it can be demonstrated that proposals will not have an adverse impact on the viability and vitality of the primary or secondary shopping zones. d) <i>A wide range of appropriate Town Centre uses would be supported at first floor level in the Town Centre including office, retail and residential.</i> <p>The Council will:</p> <ul style="list-style-type: none"> d-e) Continue to support markets in the Town Centre and provide for specific facilities within the public realm to ensure that a range of different markets can contribute to the overall vitality of the Town Centre. e-f) Support proposals to deliver high quality housing which provides a mix of unit sizes and tenure, contributing to the districts overall affordable housing provision. This includes retirement living accommodation on Recreation Road; development of vacant premises above shops on and surrounding the High Street; residential development within mixed use schemes. f-g) Continue to support small specialist shops, whilst creating opportunities for new retailers to enter the Town; and seek to offer new opportunities for

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			<p>people to work in the Town by providing an enhanced Town Centre which provides flexible business spaces available to accommodate a wide range of employment uses, as well as dedicated B1 office developments. Existing employment sites will be the focus of new employment developments.</p> <p>g h) Protect and enhance all existing public open spaces within the Town Centre with specific proposals for enhancements on The High Street, The Spadesbourne Brook and The Recreation Ground.</p> <p>h i) Seek to improve the range of the evening economy uses within the Town Centre, to include a mix of entertainment uses for all groups, including sport, leisure and culture, a choice of bars, cafes and restaurants. <i>There will be a focus on achieving a safe, balanced and socially responsible evening economy and therefore proposals must demonstrate that whether on its own or cumulatively with other uses, they do not create an unacceptable impact on neighbouring uses by reason of noise pollution, light pollution or disturbance.</i></p> <p>j) New opportunities for community events will be explored including community focused leisure and cultural development and potential for a new Civic Centre whether stand alone or part of a mixed use scheme.</p>
MM75	84	Table 5	<p>TC4 Parkside Middle School 0.7 Office led <i>Civic Centre</i> with public library and job centre Application pending-Full Planning Permission</p> <p>TC9 Mill Lane 0.2 Retail led mixed use Long term opportunity <i>post 2030</i></p> <p>TC10 Worcester Road Employment Area 2.3 Employment led Long term opportunity <i>post 2030</i></p>
MM76	84	BDP17.8 TC1	<p>F. A flood risk assessment will be required to address flood risk from the Spadesbourne Brook and appropriate mitigation implemented where necessary. The watercourse must also be considered as part of the public realm element of any proposals, including provision for enhanced walking and cycling opportunities.</p> <p>I. An appropriate assessment of flood risk must be carried out including the hydraulic modelling of the Spadesbourne Brook through the site.</p>
MM77	85	BDP17.11 TC4	<p>The former Parkside Middle School is a Grade II Listed Building and therefore would have to undergo sympathetic conversion and extension for development potential to be realised. The following development principles will apply:</p> <p>A. Office conversion is considered to be the most suitable use, although other uses may be acceptable. <i>Change of use to Civic Centre, library and job centre with other associated uses.</i></p> <p>B. Full regard to the buildings listed status will be essential for all proposals.</p> <p>C. Development will be required to contribute to the reinstatement of the avenue of lime trees on Market Street.</p>
MM78	87	BDP17.16 TC9	<p>BDP17.16 TC9 Mill Lane</p> <p>This site offers a longer term opportunity for retail led mixed use development <i>to be informed by the future Strategic Flood Risk Assessment. It is envisaged</i></p>

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			<p><i>that the following development principles will apply subject to the outcome of a flood risk assessment:</i></p> <p>A. At ground floor level A1 retail uses are to be the predominant use. with Upper floors suitable for office and residential uses development. may be considered subject to the provision of safe flood free pedestrian access and egress</p> <p>B. The scale of retail development is to be determined although the scope to include larger retail spaces must be considered.</p> <p>C. Proposals must include details of public realm improvement on Mill Lane and the creation of an enhanced public space and would require a development which reflects the role of this space as a 'town square'.</p> <p>D. Spaces to the rear of the current buildings which are adjacent to the Brook must have full regard to the enhanced environment created by the naturalised Spadesbourne Brook.</p> <p><i>E. Development must be made safe without increasing flood risk elsewhere. Opportunities should also be sought through the design and layout for reducing flood risk in the area.</i></p> <p>E F. The current pedestrian thoroughfare along Mill Lane will be protected in any development proposals.</p>
MM79	87	BDP17.17 & BDP17.18 TC10	<p><i>This site offers a longer term opportunity for employment based redevelopment to be informed by a future Strategic Flood Risk Assessment. It is envisaged subject to the outcome a flood risk assessment that P</i></p> <p>proposals for new employment uses will be supported within the existing employment allocation. Subject to BDP14 other uses may be acceptable where it can be demonstrated that they support the wider enhancement of the Town Centre and do not compromise the existing retail core of the Town Centre.</p> <p>Any major redevelopment proposals should reflect the linear nature of the Town with active frontages along Worcester Road, although opportunities exist for a wide range and scale of design approaches on other areas of the site. The eastern edge , bounded by the Spadesbourne Brook and Sanders Park must address these features <i>whilst taking the risk of flooding as identified by the strategic flood risk assessment into account</i> and where possible look to use these features as a positive design element. <i>Any development proposals must be made safe without increasing flood risk elsewhere. Opportunities should also be sought through the design and layout for reducing the flood risk in the area.</i></p>
MM80	89	BDP18.1	<p>Within the areas defined on the Policies Map the District Council will allow proposals for retail development (Class A Uses) at ground floor level and retail, office, or residential use <i>or any other appropriate Town Centre use</i> at upper floor level.</p>
MM81	92	BDP19 8.258	<p><i>One of the purposes of the planning system is to contribute to the achievement of sustainable development. Using sustainable design and construction techniques ensures that the environmental impacts of buildings</i></p>

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			<p>are minimised as far as possible. Buildings of all types and sizes have the potential to reduce their impact on the environment, including by minimising their contribution to climate change and by using less resources. This also includes the use of sustainable building materials having regard to sourcing materials in a responsible way and use of materials which have a low embodied impact over their life including extraction, processing, manufacture and recycling. It is well understood that most development damages the natural environment and it is important that the resulting damage to the environment can be minimised. The Code for Sustainable Homes and BREEAM is a are the widely adopted tools for rating and measuring the sustainability performance of domestic and non-domestic buildings. In Bromsgrove, it is tested viable in the Affordable Housing Viability Study to require affordable housing development to meet the Code for Sustainable Homes Level 6, and market housing to meet Code Level 4 now, and to meet Level 6 by 2016. For non-residential development, the Council expects non-domestic development to meet the BREEAM 'very good' standard.</p>
MM82	92	8.261	<p>Design and criminal behaviour</p> <p>8.261 The reduction of crime, and the fear of crime and anti-social behaviour are identified as important issues for Bromsgrove in the Sustainable Community Strategy. Previous consultations show that most people favour the promotion of designing out crime initiatives. The Council therefore supports the implementation of design principles consistent with the recommendations of expects all development to meet the 'Secured by Design' standard, unless this # contradicts with principles of good spatial design on site. Good crime prevention/ safety measures are also good counter terrorism protective security. For example, access control, blast resistant glazing and structural design can make unauthorised entry more difficult, and reduce casualties in case of gas explosion. So where relevant and appropriate, the Council will encourage developments in crowded locations, or those expected to become crowded, to take into account the design principles in Crowded Places: The Planning System and Counter-Terrorism and the relevant guidance.</p>
MM83	94	BDP19.1	<p>c) Ensuring residential development achieves the highest standard of Building for Life;</p> <p>d) Ensuring all affordable housing to meet the Code for Sustainable Home Level 6 and all market housing to meet Code Level 4 now and Code Level 6 by 2016, or the equivalent level(s) as set out in the transitional arrangement of the national housing standards or other successor schemes; Encouraging the use of sustainable construction methods and materials;</p> <p>e. Ensuring all non-residential developments to meets BREEAM 'very good' standard or other successor guidance</p> <p>l). Encouraging Requiring residential developments to provide sufficient functional space for everyday activities, meet people's needs and expectations from their homes, and to enable flexibility and adaptability.</p>

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			through meeting the internal environment standards in Standards and Quality in Development: A good practice guide; e). Ensuring developments meet the 'Secured by Design' standard <i>Designing out crime and the fear of crime by incorporating measures and principles consistent with those recommended by 'Secured by Design'</i> ;
MM84	94	BDP19.1	r. Ensuring development is made suitable for the proposed final use, for instance, in terms of land contamination, <i>and does not create an unacceptable risk to controlled waters (where relevant)</i> . The Council will determine whether reports detailing for example, the site history; a <i>preliminary risk assessment, an appropriate remediation scheme and where appropriate; a site investigation and remediation scheme along with long term monitoring and maintenance proposals</i> , will need to be submitted in support of any planning application. Such reports will be prepared in accordance with best practice guidance.
MM85	99	BDP20.12	The District Council will update the current draft local list of assets <i>heritage list</i> and formally adopt it. It will include all Heritage Assets recognised as being of local importance, including those which are locally distinctive such as nailers cottages, assets associated with the scythe industry and assets associated with the use of the Birmingham Worcester and Worcester <i>Birmingham</i> canal which runs the length of the District, to name but a few.
MM86	99	BDP20.13	BDP20.13 The District Council will support development that: i. Retains locally listed buildings. <i>Heritage Assets on the Local List</i> ii. Involves sympathetic alterations and extensions to locally listed buildings <i>Heritage Assets on the Local List</i> iii. Does not have a detrimental impact on the setting or context of locally listed buildings. <i>Heritage Assets on the Local List.</i>
MM87	99	BDP20.14	In considering applications that directly or indirectly affect locally listed buildings <i>Heritage Assets</i> , a balanced judgement will be applied having regard to the scale of any harm or loss as a result of proposed development and the significance of the locally listed building. <i>Heritage Asset.</i>
MM88	103	BDP21.1	BDP 21.1 The Council will seek to achieve better management of Bromsgrove's natural environment by expecting developments to: a) i) Protect and, restore, enhance and create <i>Protect and create</i> core areas of high nature conservation value (including nationally and locally protected sites and irreplaceable nature resources, such as, sites with geological interest, ancient woodlands and habitats of principleal <i>principleal</i> importance). wildlife corridors, stepping stones and buffer zones. <i>ii) Protect and create corridors and 'stepping stones'</i> <i>iii) Enhance restoration areas</i> <i>iv) Protect and create buffer zones- areas that protect core areas, restoration areas and 'stepping stones'</i> <i>v) Ensure areas of land surrounding development are managed in a sustainable and wildlife friendly manner</i> b) Take appropriate steps to maintain the favourable conservation status of

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			<p>populations of protected species.</p> <p>c) Protect, restore and enhance other features of natural environmental importance, <i>including locally protected sites</i>, in line with local environmental priorities.</p> <p><i>BDP21.2 In determining applications affecting sites of wildlife importance, the Council will apply the principles and hierarchy of designated sites set out in the NPPF and appropriate weight will be given to their importance and contribution to wider ecological networks. Due to the national importance of Sites of Special Scientific Interest (SSSI) proposals likely to have an adverse impact within or outside of a SSSI, either individually or in combination with other developments, will not normally be permitted. An exception will only be made when it can be demonstrated that the benefits of the development clearly outweigh the impact on the site or network of sites.</i></p>
MM89	105	8.290	<p>Energy Efficiency in new buildings</p> <p>8.290 It is the Government’s ambition for all new homes to be zero carbon by 2016 and new non-domestic buildings to be zero carbon by 2019⁴³. The Government’s approach to achieve zero carbon home is through revising Part L of the Building Regulations and a new mechanism called ‘allowable solutions⁴⁴’. This approach is likely to be adopted by the Government to achieve the zero carbon non-domestic buildings target. To maximise the other benefits of carbon reduction in the District, the Council expects all allowable solutions to be linked with local projects (i.e. within Bromsgrove District) that would bring local benefits before projects outside of the District, then County and Region are considered. To maximise benefits of carbon reduction in the District, the Council supports the use of sustainable building techniques and local and low-carbon materials. It is expected that the use of local materials will bring local benefits to the District and surrounding area.</p>
MM90	105		<p>In Bromsgrove, the viability of meeting the Code for Sustainable Homes standard was tested in the Affordable Housing Viability Study. The study found that it is viable for affordable housing development to meet the Code Level 6 by 2013 and for market housing, it is viable to meet Code Level 4 by 2013 and Code Level 6 by 2016.</p>
MM91	105	Footnote 43	<p>43. The Government announced in Budget 2008 its ambition that new non-domestic buildings should be zero carbon from 2019 and seek views on the issue at the “Definition of Zero Carbon Homes and Non-Domestic Buildings: Consultation”</p>
MM92	105	Footnote 44	<p>44. Allowable Solutions is a new concept. The developer will make a payment to an Allowable Solutions provider, who will take the responsibility and liability for ensuring that Allowable Solutions, which may be small, medium or large scale carbon-saving projects, deliver the required emissions reductions. However, Code Level 5 requires the zero carbon target to be reached on-site without the use of ‘Allowable Solutions’</p>
MM93	106	Paragraph 8.295	<p>8.295 To contribute to the carbon reduction target, the Council will support large scale low/ zero carbon energy generation projects when adverse impacts are addressed satisfactorily. For developments in</p>

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			<p>areas where low carbon/ renewable resources/ opportunities are available and technically feasible, the Council will expect the development to incorporate the relevant technologies, such as photovoltaic and district heating network. Where there is a firm plan on the delivery of a <i>district heating supply</i>, renewable/low carbon energy generation schemes, such as wind harvesting/turbines and combined heat and power or tri-generation, developments nearby will be required to connect to these energy supplies. <i>Wind energy generation schemes, such as wind harvesting/ turbines will be considered against national policy and guidance.</i></p>
MM94	107	BDP 22 Climate Change	<p>The Council will deliver viable low carbon climate resilient developments through:</p> <p>a. Encouraging development in existing buildings to achieve consequential energy efficiency improvements</p> <p>b. Requiring allowable solutions to be linked with projects within the District in the first instance, followed by the County and then Region</p> <p>b e. Ensuring developments and infrastructure are planned to avoid increased vulnerability to the range of impacts and take advantage of the opportunities arising from climate change, having regard to the intended lifetime of the development. Where developments and infrastructure are brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures,</p> <p>c d. Ensuring developments are in locations well-served by public/ sustainable transport, existing local facilities and infrastructure.</p> <p>d e. Ensuring the construction and design of developments as well as future occupants of the developments will follow the energy, waste management hierarchies and other relevant guidance. Where relevant, developments must comply with the Worcestershire Waste Core Strategy.</p> <p>e f. Supporting developments to incorporate zero or low carbon energy generation technologies, especially installations that improve the energy security of developments in the rural areas. Where there is a firm delivery plan of a <i>district heating zero or low carbon energy generation</i> scheme, developments nearby are expected to provide infrastructure/ to connect to the zero/ low carbon energy <i>that</i> scheme.</p> <p>f g. Supporting zero or low carbon energy generation schemes, other than wind energy, when adverse impacts are addressed satisfactorily.</p>
MM95	108	8.306	<p>In terms of residential development, the Environment Agency Report states that getting existing homes retrofitted could reduce/ delay the need for new resource developments. It is tested in the Affordable Housing Viability Assessment that all market housing in the District can achieve Level 454 of the Code for Sustainable Homes by 2013 and Level 655 by 2016 and that affordable housing can achieve Code Level 6 from 2013 onwards.</p>
MM96	109	BDP23 8.309	<p>To ensure flood risk is minimised, the Council expects all developments to take account of flood risk from all sources (which should also include the impact of climate change) and follow the flood risk management hierarchy in <i>the National Planning Practice Guidance PPS25 Development and Flood</i></p>

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			<p>Risk Practice Guide, that is: 1) Assess; 2) Avoid; 3) Substitute; 4) Control; 5) Mitigate, when planning and designing development.</p> <p><i>Site-specific Flood Risk Assessments (FRAs) and drainage proposals should have regard to the guidance within the Council's Level 2 Strategic Flood Risk Assessment (SFRA) and take account of the effect of climate change on peak river flows and peak rainfall intensity as set out in Table 1 and Table 2 (respectively) of the Government's Climate Change Allowance guidance. This is available at: https://www.gov.uk/guidance/flood-risk-assessments-climate-changeallowances</i></p>
MM97	111	BDP 23.1	<p>The Council will deliver safe developments with low environmental impact through:</p> <ul style="list-style-type: none"> a) Supporting developments that take into account of the Severn River Basin Management Plan and contribute to delivering the Water Framework Directive objectives. b) Supporting developments that follow the water conservation hierarchy. All market housing developments should achieve at least the water category of the Code for Sustainable Homes Level 4 by 2013 and Level 6 after 2016. Affordable housing should at least achieve the water category of Code Level 6 from 2013 onwards. Where standards currently exist for a particular non-domestic building type in BREEAM, maximum points should be scored on water and a minimum of 25% water savings for any other development. <i>Any major residential development (as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2010) schemes within the Bow Brook or Batchley Brook catchments should meet a water efficiency target of 110 litres per person per day</i> c) Ensuring development addresses flood risk from all sources, follows the flood risk management hierarchy when planning and designing development, and does not increase the risk of flooding elsewhere. Where inappropriate developments in areas at risk of flooding are necessary after the sequential test is applied, appropriate designs, materials and escape routes that minimise the risk(s) and loss should be incorporated. d) Requiring all developments to work with the Lead Local Flood Authority and SuDS Approval Body and pay necessary regard to the Local Flood Risk Management Strategy and its evidence. e) Requiring all major developments to engage with Severn Trent Water at the earliest opportunity to ensure that sufficient capacity of the sewerage system (i.e. wastewater collection and treatment) is available to accommodate the development. f) Supporting developments that protect and enhance water quality. This includes ensuring the phasing of development is in line with the completion of the required infrastructure and non-mains drainage will follow the foul drainage hierarchy with appropriate management plans in place. g) Requiring developments to set aside land for Sustainable Drainage Systems (SuDS) and follow the SuDS management train concept. This includes maximising opportunities for restoring watercourses, deculverting, delivering multiple benefits in line with BDC24 Green Infrastructure and ensuring that an appropriate buffer zone is provided between the watercourse and any development.

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MM98	135	Appendix II Glossary	Green Belt - Land allocated for a district to prevent urban sprawl by keeping land permanently open. Guidance on Green Belt policy is contained in <i>the NPPF PPG2</i> , and the <i>Policies Map Worcestershire Structure Plan</i> identifies the broad extent of <i>the</i> Green Belt within Bromsgrove District. and the Local Plan defines detailed boundaries of Green Belt land.
MM99	135	Appendix II Glossary	Add new text: <i>Infrastructure Delivery Plan (IDP) - The IDP is a key component of the evidence base to support the Bromsgrove District Plan. The IDP provides a baseline of the existing infrastructure capacity and needs in the District and highlights the infrastructure requirements to support the predicted growth set out in the Bromsgrove District Plan. The IDP provides a snapshot at the time of publication of the Proposed Submission Bromsgrove District Plan. Over the plan period, new funding opportunities will arise and, equally, infrastructure priorities may change. The IDP will be reviewed on an annual basis subsequent to the Local Plan's adoption to reflect these changes.</i>
MM100	138	Appendix IV	Before table in Appendix 4 insert the following text: <i>The following table sets out where policies in the Bromsgrove District Local Plan (BDLP) 2004 will be superseded by the Bromsgrove District Plan on adoption. Where terms such as 'partially replaced' and 'partially superseded' are used it simply means parts of BDLP policies were not considered necessary to carry forward as they are either no longer relevant or the level of detail will be addressed in a future Supplementary Planning Document. For clarification, no part of the BDLP will remain extant following the adoption of the Bromsgrove District Plan.</i>
MM101	152	Appendix VI	New Supplementary Planning Documents: Design SPD To replace SPG1 Residential Design Guide (<i>to include evening and night-time economy</i>), SPG2 Shopfronts and Advertisements, SPG4 Conversion of rural Buildings and SPG5 Agricultural Buildings Design Guide.

December 2016 UPDATE

Schedule of Modifications to Bromsgrove District Plan

The schedule below is intended to record and highlight minor editorial corrections, amendments, factual updates and clarifications to the Bromsgrove District Plan. These alterations are not considered to represent changes that would need to be consulted upon as they do not have any material effect on the meaning or direction of the plan and its policies. They represent instead an opportunity to make minor alterations to the plan to improve its readability, clarity and accuracy.

New wording in italics- *italics*

Deleted wording is struckthrough- ~~struckthrough~~

Minor typos not included below

Page Number	Policy/Paragraph/table	Proposed wording/correction	Reason for change
1	Contents	1. Introduction and Context Background Content What has influenced this Plan? Duty to Cooperate The Local Enterprise Partnership What happens next? 5 Can I still get involved? 5	Update for intended adoption version
102	Contents	9. Implementation and monitoring	Correction
2	Introduction and Context 1.5	The Plan reflects national and local aims for reducing carbon emissions. It also contributes to the Council's agenda of improving the quality of life and health of the residents of Bromsgrove which is set out in the Bromsgrove Priorities section of the Single Sustainable Community Strategy for Worcestershire 2011-2021. The Plan will be the starting point for the development of Neighbourhood Development Plans by local communities and for decisions on all new development proposals. <i>As there are a substantial number of Parishes in the District (19) it is anticipated that Parish Councils will continue to play a prominent role in this process. There will also be support for Neighbourhood Planning initiatives proposed in non-parished areas.</i>	Highlight importance of neighbourhood planning
3	Introduction and Context 1.9	Evidence from a number of studies about the District, including but not exclusively: <ul style="list-style-type: none"> • Employment Land Review 2008/2012 	Correction

		<ul style="list-style-type: none"> • Strategic Housing Market Assessment 2012 • Strategic Housing Land Availability Assessment 2013 • Gypsy and Traveller Accommodation Assessment • Strategic Flood Risk Assessment levels 1&2 (2008 and 2012) • Water Cycle Study Outline (2012) • Settlement Hierarchy Study 2012 • Green Infrastructure Baseline Report 2012 • Retail Study 2013 • Viability Assessment 20143? • Annual Monitoring Reports ongoing 	
4 Page 103	Introduction and Context 1.11	Involvement of key stakeholders and local communities, including consultation on: <ul style="list-style-type: none"> • Issues and Options - 2005 • Issues and Options - 2008 • Redditch Growth Joint Consultation - 2009 • Draft Core Strategy - 2010 • Draft Core Strategy 2 - 2011 • Housing Growth Joint Consultation 2013 • Bromsgrove District Plan (2011-2030) – 2013 <i>Proposed publication Submission</i> Version (current) 	Correction
4	Introduction and Context 1.12	A summary of the consultation carried out and how it has influenced the Plan is contained in the Consultation Statement which is a separate evidence base document. A brief summary of the key consultation issues is detailed in each policy under the sub heading of consultation feedback.	Update for intended adoption version
5	Introduction and Context 1.21 -1.27	What happens next? The Bromsgrove District Plan (Proposed Submission) will go out to publication for the statutory 6 week period, during which time representations from all interested parties on issues of soundness will be welcomed. All of the main issues raised will then be summarised and responded to.	Update for intended adoption version

In due course the final version of the plan will be submitted to the Secretary of State and the submitted document will be made available.

Once submitted, the BDP will be subject to independent examination to ensure the Plan is sound and for compliance with Duty to Co-operate, legal and procedural requirements. Soundness of a Plan is defined in the NPPF as being “positively prepared, justified, effective and consistent with National Policy”.

‘Positively prepared’ means that the Plan must:

- Meet objectively assessed development and infrastructure requirements
- Be consistent with achieving sustainable development

‘Justified’ means that the document must be:

- Founded on a robust and credible evidence base
- The most appropriate strategy when considered against the reasonable alternatives

‘Effective’ means that the document must be:

- Deliverable
- Based on effective joint working on cross-boundary strategic priorities

All Local Plans will be tested to make sure that they are legally compliant. They must:

- Be prepared in accordance with the Local Development Scheme (a timetable) and in compliance with the Statement of Community Involvement (SCI) and the relevant local planning Regulations;
- Be subject to Sustainability Appraisal meeting the requirements of the Strategic Environmental Assessment Directive;
- Have regard to national policy in the NPPF;
- Have regard to any Sustainable Community Strategy for its area.

The submitted document will then be considered at an

- Examination in Public to be conducted by an independent

		<ul style="list-style-type: none"> • Inspector who will determine whether the plan is sound. <p>Can I still be involved? The preparation of the Plan has been progressing for some time and you may already have been involved in earlier consultation periods. The Plan includes a summary of key issues from previous consultations and describes how this has influenced the Plan. Whether or not you have been involved in any of these earlier stages however, there is still the opportunity for you to be involved by commenting on the soundness of the Plan as detailed above.</p> <p>Publication of the District Plan is timetabled for 30 September 2013 and the publication period will run for 6 weeks. We will need to consider all of your representations on soundness before a final submission version can be issued and therefore if you have any comments on soundness they must be received by the District Council by 5pm on Monday 11th November 2013.</p> <p>Please send the completed form to: The Strategic Planning Team, Planning and Regeneration, The Council House, Burcot Lane, Bromsgrove, Worcestershire, B60 1AA</p> <p>Or alternatively email a copy of the completed response form to strategicplanning@bromsgrove.gov.uk</p> <p>To find out more about the Bromsgrove District Plan (2011-2030) Publication Version you can visit the Council's web page at www.bromsgrove.gov.uk/bdp Alternatively you may wish to speak to an officer on 01527 881316.</p>	
10	2.31	...a high quality multi-modal interchange at Bromsgrove is currently planned (<i>now</i>	Update

		<i>built 2016)...</i>	
11	Key Challenges 3.1	3) Meeting the growth needs of the District up to 2030 and beyond by ensuring that there is an adequate supply of appropriate housing and employment land thus providing certainty for the development industry.	Clarification
11	Key Challenges 3.1	12) Celebrating and conserving the District's individuality as an attractive and safe place with a unique historic built environment and landscape which is <i>geologically and biodiversity rich</i> .	Clarification
13	Vision 4.12	These include the Lickey, Clent and Waseley Hills, canals, ancient woodlands, areas of nature conservation, biodiversity, <i>geodiversity</i> and landscape character, together with Conservation Areas, listed buildings and their settings, all of which will have been carefully protected, conserved and enhanced.	Clarification
15	6.2	The context for each policy is first provided, then a brief feedback on consultation and the Sustainability Appraisal is given and then finally the actual policy is highlighted in bold typeface.	Updated document
14 Page 106	Key Diagram 7	Key Diagram and Policies Map The Key Diagram (at the bottom of this page) diagrammatically illustrates, the spatial strategy set out within the document. <i>Where possible, the policies of this Plan appear in greater detail on the Policies Map. The Policies Map should be read in conjunction with the Bromsgrove District Plan.</i>	To provide greater clarity
16	BDP1 8.5 - 8.8	Consultation Feedback 8.5 Consultation feedback was generally very positive in relation to this policy with many supporting the policy in its current form. Some did feel that the policy should be removed as it repeated national policy however following the publication of the NPPF it was considered that the policy went beyond the level of detail provided in the new national guidance. It is considered that the policy draws on a wide range of planning issues to provide a clear and concise list of criteria against which all applications can be assessed. 8.6 Some felt the policy could be strengthened to make it more deliverable and also be more positive in relation to the natural environment, making a specific reference to the significance of historic assets	Text not required in final version of the Plan

Page 107		<p>and their settings and clearly referencing walking, cycling and public transport. Some also considered that there should be an explanation in relation to the final bullet point that refers to the economic implications for the District. Some minor wording changes were included to add further clarity and strength to the policy but some of the wording changes were considered to overlap and repeat other policies. The wording 'In considering all proposals for development regard will be had to the following' has not been amended as stronger wording could be considered too onerous, as all of the criteria will not be relevant to all applications.</p> <p>8.7 The policy has been expanded significantly to include a version of the model policy on the presumption in favour of sustainable development to ensure conformity with the NPPF.</p> <p>Sustainability Appraisal</p> <p>The policy was assessed against the SA objectives and was one of the strongest performing policies due to the overarching nature of the policy. The policy performed well against social, environmental and economic objectives. There were no recommendations for mitigation.</p>	
	BDP1	BDP1 Policy Sustainable Development Principles	Correction
	BDP 2	<p>Small 'Settlement' (population circa 50-2500)</p> <p>Adams Hill</p> <p>Belbroughton</p> <p>Beoley</p> <p>Blackwell</p> <p>Bournheath</p> <p>Burcot</p> <p>Clent</p> <p>Cofton Hackett</p>	Reordered in alphabetical order and insertion of Rowney Green and Lower Clent to align with previous policy

		Dodford Fairfield Finstall Holy Cross Hopwood Lower Clent Romsley Rowney Green Stoke Prior	wording
18	BDP2 8.14-8.17	Consultation Feedback 8.14 The inclusion of a settlement hierarchy was supported although some felt that it was based solely on population size and therefore further supporting evidence was needed. Some felt that a fourth tier should be added to the hierarchy to better define the types of settlements and include greater clarity over the types of development permitted within each type of settlement. Some considered that Blackwell, Cofton Hackett and Stoke Prior should form part of a higher tier and all other smaller settlements the fourth. However it is not considered that this approach is entirely robust as some of the smaller settlements, whilst they do have a lower population sometimes have a greater range of services and facilities, such as Belbroughton and Romsley, than the three identified allegedly 'higher order' settlements. It is however considered that there is sufficient flexibility within the policy to allow appropriate development to come forward in the settlements not 'washed over' by Green Belt. Furthermore to exactly define what types of development that would be allowed in each settlement type was considered too inflexible and following the publication of the NPPF, being prescriptive about the types of allowable development would not be in conformity with the spirit of this guidance. Some also raised concerns over the position of particular settlements within the hierarchy and the omission of certain settlements, for example, Tardebigge and Hunnington. The settlement hierarchy evidence acknowledges that not all settlements are included in the hierarchy, particularly the smaller settlements within the Green Belt which are sometimes purely ribbon development and/or with very limited sustainability credentials.	Text not required in final version of the Plan

Page 109		<p>8.15 There were concerns raised that the policy effectively prohibited garden land development which can form an important part of housing supply and that mention of this aspect was inappropriate in the settlement hierarchy policy. Whilst the discussion of the issues around brownfield land was originally considered valid in this policy, following a redraft of the policy this issue has been relocated to the high quality design policy.</p> <p>8.16 Some considered that it was not necessary to make reference to the maintenance of a 5 year supply as it was repetition of national policy. Others considered that the release of development sites should be carefully managed through the plan period. It was also suggested that some of the proposed development sites should be retained as ADRs. On reflection it was considered that these issues would be better dealt with in the policy on Future Housing and Employment Development.</p> <p>Sustainability Appraisal</p> <p>8.17 The strength of the policy is that it underpins the sustainable development strategy for the District in that future development will be focussed on the most sustainable settlements which contain a range of services and facilities. The policy therefore provides the basis for focusing growth in sustainable locations whilst acknowledging the importance of allowing some growth in the villages.</p>	
22	BDP3 8.26 & 8.27	<p>Consultation Feedback</p> <p>8.26 In accordance with the responses received, the plan period has been extended so that it in excess of a 15 year period is covered. In addition the Council has amended the housing and employment targets so that they are based on the most up to date evidence as suggested by some respondents. Concerns were also raised over the failure to address the growth needs of Redditch and Birmingham. The policy has been altered to reflect the concerns in relation to cross boundary growth. The key evidence for this is the Worcestershire Strategic Housing Market Assessment 2012 (SHMA) and the Employment Land Review Update (2012).</p>	Text not required in final version of the Plan

		<p>Sustainability Appraisal 8.27 The policy performs well against a number of social and economic objectives due to the delivery of housing and creation of new jobs. However, the policy performs less favourably against some of the environmental objectives due to the loss of greenfield land and the potential loss of Green Belt towards the end of the plan period.</p>						
22	BDP3	BDP3 Policy Future Housing and Employment Growth						Correction
22	BDP3 (table)	BDP43 Development Targets						Correction
		BDP 3 Development Targets						
		BROMSGROVE			REDDITCH <i>within Bromsgrove District</i>			
		Type of development	Target	Timescale	Type of development	Target	Timescale	
		Dwellings outside Green Belt	4,700	2011-2030	Dwelling units	3400	2011-2030	
					<i>Employment land</i>	<i>10 ha</i>	<i>2011-2030</i>	
					<i>in hectares (ha)</i>			
		Green Belt Review	2,300	2023-2030				
		Employment	28ha	2011-2030				

		land in hectares (ha)				
23	8.29		... the total amount of land required will be approximately 330 320 ha, including: 128 118 ha to deliver 2,300 dwellings until 2030...			
24	BDP4 8.37-8.39		<p>Consultation Feedback 8.37 Most of the comments on Green Belt came from other policies, such as the development sites and employment policies. Comments on Green Belt were contradictory, a considerable amount of comments considered that the Council should do the Green Belt review now to ensure sufficient land is available for development, which should also include leisure development and allow businesses in the Green Belt to expand. At the same time, many considered that Green Belt should be protected from development and some suggested that several designations of Areas of Development Restraint (identified in the existing local plan adopted in 2004) should be changed to Green Belt.</p> <p>8.38 There were also some suggestions to provide further protection for the Green Belt, for example, to remove the right to retrospective planning and give higher priority to the openness of Green Belt. There were also comments on the policy repeating national guidance contained in PPG2 Green Belts.</p> <p>Sustainability Appraisal 8.39 The policy performs strongly in relation to environmental and social objectives in terms of identifying land for future housing in sustainable locations which could additionally contribute to maintaining the viability of the Town centre and local centres.</p>			Text not required in final version of the Plan
25	BDP4 and BDP4.1		<p>BDP4 Policy Green Belt</p> <p>The general extent of the Green Belt as indicated on the Policies Map will only be maintained as per BDP 4.2</p>			Correction and Clarification
28	BDP5A 8.55-8.59		<p>Consultation Feedback 8.55 A wide range of consultation responses were received in relation to the policy</p>			Text not required in

Page 112	<p>and in particular the choice of site allocations. Across all the sites a range of issues were raised including traffic congestion; lack of infrastructure; loss of greenfield land; impact on biodiversity and pollution. However, it is considered that many of the matters can be addressed through the implementation of this policy, for example, the policy seeks to retain important biodiversity features and implement a strategy to manage traffic. Planning contributions will be sought where appropriate to deliver new and improved infrastructure. It is acknowledged that development will result in the loss of greenfield land, however, there is a lack of suitable brownfield alternatives and there is a high level of housing need in the District. It is also important to note that the sites were identified as Areas of Development Restraint (ADR) in the Bromsgrove District Local Plan (Adopted 2004) which means that they were identified for future development and are not in the designated Green Belt.</p> <p>8.56 Wording changes were also sought by some respondents to CP4A (now BDP5A). Some felt that criteria i to viii contained elements of repetition of either other Bromsgrove District Plan policies or national policy and were also too generic. Detailed local assessments have identified issues that are particularly relevant to the urban extensions and Officers therefore consider that it is important that these issues are addressed and dealt with strategically in the development of BROM 1, BROM 2 and BROM 3.</p> <p>8.57 Other respondents considered that the criteria could delve into greater detail on issues such as highway improvements, ecological connectivity, SuDS and heritage assets. It was also suggested that the policy should seek to maintain 40% open space, set a maximum limit for retail floor space and remove the terminology 'landscape geodiversity features'. The Council made some of the proposed changes in relation to highway improvements and SuDS however some of the proposals were considered to create unnecessary duplication with other policies in the plan. The Council considered the imposition of a 40% open space target and a retail target was too prescriptive and could unduly constrain development.</p> <p>8.58 The Council have continued to gather evidence in relation to the sites and</p>	final version of the Plan
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		<p>engaged with relevant stakeholders which have resulted in minor changes to the capacities of each of the sites.</p> <p>Sustainability Appraisal 8.59 The policy performs well against a number of SA objectives for several reasons including the delivery of affordable housing, job creation and access to facilities and services. The policy performs less favourably against some of the environmental objectives due to the loss of greenfield land and the loss of high quality agricultural land. However, given the lack of brownfield alternatives available and the presence of much high quality of agricultural land around the town this is inevitable. The recommendation for mitigation is the creation of a detailed Masterplan that addresses a full range of issues including biodiversity and green infrastructure.</p>	
27	BDP5A	BDP5A Policy Bromsgrove Town Expansion Sites Policy	Correction
Page 113	BDP5B 8.62	Two small development sites are located on the northern edge of the existing residential area of Alvechurch. The first site, which has an area of approximately 1.06 hectares, is located on the corner of Birmingham Road and Old Rectory Lane and is predominantly in agricultural use or is grassland. The second site has an area of around 0.6 hectares and is located to the rear of houses fronting Birmingham Road, with a branch of the Worcester and Birmingham canal located to the western boundary, as shown on map 2. At the time of writing outline planning permission for 25 dwellings has been received for the Birmingham Road/ Rectory Lane site (13/0026). Land adjoining Crown Meadow, Birmingham Road, Alvechurch has full permission for 27 dwellings (11/0672) <i>and the development has now been completed.</i>	Factual update
32	BDP5B 8.63	Also included in the list of other development sites is land at Barnt Green, identified as an 'unzoned area' in the Bromsgrove District Local Plan (BDLP). The site has a developable area of approximately 5 hectares (this excludes Cherry Hill Coppice, the Barnt Green Inn and the cricket pitch) and is identified on map 3. At the Public Inquiry held into the Proposed Modifications of the BDLP the Inspector identified that the site at Barnt Green was a suitable location for some ADR provision. Following a	Factual update

		High Court challenge whereby the views of the Inspector were upheld and after due consideration, BDC now concur with this view. The boundary of the site has been redrawn to show the developable area and the remaining 'unzoned land' has been placed into the Green Belt as it should have been shown previously on the Proposals Map. At the time of writing the site has outline (11/0741) and reserved matters (13/0522) planning permission for 88 dwellings and construction is underway(11/0741).	
32	BDP5B 8.64	This site is located to the north western edge of the residential area of Catshill, to the rear of houses fronting Stourbridge Road and bounded in part to the north by the M5. It totals some 6.04 hectares in area, is vacant and has a watercourse running through it, together with associated flood plain and is shown in map 4. This site now has reserved matters planning permission for 80 dwellings (12/0586) and is now complete.	Factual update
33 Page 114	BDP5B 8.68	This development site is located south of existing residential development at Scaife Road, south/west of St Godwalds Road and in relative close proximity to Bromsgrove railway station, as shown on map 6. This site comprises almost 8 hectares of land and has planning permission for 181 dwellings following a reserved matters application (12/0708) and is now under construction.	Factual update
33	BDP5B 8.69	Comprises two development sites located to the north (Bleakhouse Farm) and east (Selsdon Close) respectively of the existing residential area at Wythall, as shown on map 7. The first site is approximately 6.3 hectares in area and the second smaller site has an area of approximately 3.1 hectares. At the time of writing the land at Bleakhouse Farm has outline planning permission for 178 dwellings (12/0912). Selsdon Close has planning permission and all 76 homes are now under construction.have now been completed.	Factual update
33	BDP5B 8.70-8.77	Consultation Feedback 8.70 A wide range of consultation responses were received in relation to this policy and in particular the choice of site allocations. Across all the sites a range of issues were raised including traffic congestion, lack of infrastructure, loss of greenfield land, impact on biodiversity and air quality. It is considered that many of the matters can be addressed through the implementation	Text not required in final version of the Plan

of the District Plan as a whole which, for example, seeks to address noise and pollution issues, retain important biodiversity (as part of Green Infrastructure) and implement a strategy to manage traffic. Planning contributions will be sought where appropriate to deliver new and improved infrastructure. It is acknowledged that development will result in the loss of greenfield land, however, there is a lack of suitable brownfield alternatives and there is a high level of housing need in the District.

8.71 Wording changes were also sought by some respondents to ensure development sites:

- Allow flexibility as to how the 40% affordable housing is allocated.
- Reflect and incorporate flood management measures to protect and enhance the District's watercourses
- Retain and enhance Green Infrastructure and incorporate SuDS

8.72 Many of the proposed changes were appropriate however these amendments were considered to create unnecessary duplication with other policies in the plan.

8.73 Concern was raised regarding the loss of certain assets, such as the cricket pitch and Barnt Green Inn on Barnt Green development site, which was never the intention but was not clear in the Plan. Therefore the Barnt Green development site map has been amended to clarify the specific developable area.

8.74 The Catshill development site boundary map has been amended to reflect what is considered to be the developable area.

8.75 The Council recognise the importance of continuing to liaise with relevant stakeholders to discuss any further site issues.

8.76 Submissions for alternative sites were received, predominately for Green Belt sites which would be considered in the event of a Green Belt review. The Council will

		<p>continue to gather information from developers regarding realistic capacities and delivery time scales for sites and update the SHLAA and subsequent versions of the Plan accordingly.</p> <p>Sustainability Appraisal 8.77 The policy performs well against a number of SA objectives for several reasons including the delivery of affordable housing, job creation and access to facilities and services. The policy performs less favourably against some of the environmental objectives due to the loss of greenfield land. However, the proposals do not result in the loss of Green belt land. Given the lack of brownfield alternatives available within the District the loss of some greenfield land is inevitable. The recommendation for mitigation is the creation of a detailed masterplan that addresses a full range of issues including biodiversity and green infrastructure.</p>	
34	BDP5B	BDP5B Policy Other Development Sites Policy	Correction
43 Page 116	RCBD1.2	<p>Two sustainable mixed use urban extensions (Foxydiate Foxlydiate and Brockhill) are proposed adjacent to the west and north of Redditch Town which will deliver two new sustainable communities. The two development sites, as shown on Page 44, will provide a minimum of 3400 dwellings and comprehensive provision of associated new infrastructure to meet some of Redditch's housing requirements up to 2030. These sites are currently designated as Green Belt; however exceptional circumstances exist to allocate these sites to meet development needs. These developments will create balanced communities that fully integrate into the existing residential areas of Redditch, addressing the social, economic and environmental elements of sustainable development, whilst being sympathetic to the surrounding rural areas of Bromsgrove.</p>	Correction
43	RCBD1.5.1-RCBD1.5.2	<p>Consultation Feedback RCBD1.5.1 A wide range of consultation responses were received in relation to the policy and in particular the choice of site allocations. Across all of the sites a range of issues were raised including traffic congestion, lack of infrastructure, loss of greenfield/Green Belt land, impact on biodiversity and pollution. However, it is considered that many of the matters can be addressed through the implementation of this policy, for example the policy seeks to retain important biodiversity features</p>	Text not required in final version of the Plan

Page 417		<p>and implement a strategy to manage traffic. Some infrastructure requirements will be provided as part of any new development and where appropriate planning contributions will be sought to deliver new and improved infrastructure. It is acknowledged that development will result in the loss of greenfield and Green Belt land, however there is a lack of suitable brownfield alternatives and there is a high level of unmet housing need in the Borough.</p> <p>Sustainability Appraisal</p> <p>RCBD1.5.2 The policy performs well against a number of SA objectives for several reasons including the delivery of affordable housing, job creation and access to facilities and services. The policy performs less favourably against some of the environmental objectives due to the loss of greenfield and Green Belt land. However, given the lack of brownfield alternatives available this is inevitable. The recommendation for mitigation is the creation of a detailed Masterplan that addresses a full range of issues including biodiversity and green infrastructure.</p>	
Page 417	<p>RCBD1.1</p> <p>BDP6 8.81- 8.85</p>	<p>RCBD1.1 Policy Redditch Cross Boundary Development</p> <p>Consultation Feedback</p> <p>8.81 From previous consultations there was support for the development of a CIL in the District, although it was highlighted that economic viability was fundamental. With Consultants being employed to address viability it is considered that this concern has been satisfactorily addressed.</p> <p>8.82 Concerns were raised about the second paragraph of the DCS2 policy where it stated that all forms of development should aim to benefit the local community taking account of its needs and aspirations. It was considered that this goes beyond the realm of what is permitted by relevant legislation; however the Council considers that most developments provide direct benefits through the creation of new homes or jobs and therefore the policy does not place an unreasonable burden on applicants. Whilst the wording has now been removed from the policy the reference to an improved quality of life for residents still maintains the stance of delivering a net benefit.</p>	<p>Correction</p> <p>Text not required in final version of the Plan</p>

Page 118		<p>8.83 Some felt the policy could be written in a more flexible way highlighting that contributions could go directly to local communities or Parishes as deemed appropriate. It was also considered necessary by some to highlight that any money should be spent within 5 years and if not returned to the developer. The Council recognises the validity of the points raised but considers these matters should be addressed within the CIL as the document progresses and will in any case be governed by the CIL Regulations.</p> <p>8.84 There were requests for additional information to be included in the policy. Several respondents felt that Green Infrastructure should be highlighted as a possible area for contributions. Whilst the Council agree that Green Infrastructure could be a possible area for contributions a definitive list of possible areas for contribution is no longer included in the policy. This is considered to be more flexible and will not impede the process of developing a charging schedule within the CIL. It was also felt by some that the New Homes Bonus (NHB) and Tax Increment Financing (TIF) could also be mentioned. The Council considers that NHB and TIF are not planning obligations and therefore have not included references to these in this policy.</p> <p>Sustainability Appraisal</p> <p>8.85 In terms of the sustainability appraisal the policy performed strongly against social, environmental and economic objectives due to the overarching nature of the benefits of contributions. No mitigation was identified for this policy.</p>	
49	BDP7 8.95-8.97	<p>Consultation Feedback</p> <p>8.95 There was support for the policy although some thought it was inflexible and too prescriptive. It was felt that the Council should be trying to deliver a wider mix of homes reflecting need, demand and the existing mix of dwellings. The evidence supporting a focus on smaller dwellings was questioned as developers argued that people tend to buy the largest property that they can afford rather than buying to meet actual needs. It was considered that trying to micromanage supply in such a</p>	Text not required in final version of the Plan

Page 119		<p>way could compound affordability problems.</p> <p>The Council considers that there are already a high proportion of larger dwellings in the District and therefore it is essential to build smaller dwellings to meet the needs of first time buyers and people of retirement age. It is considered that the policy is sufficiently flexible to deliver a wide range of dwellings across the plan period.</p> <p>8.96 Some respondents felt that a density target was unnecessary as they felt that planning should be design-led instead. It was considered that applying a density target could constrain the quality of a development. In a District that is approximately 90% Green Belt it is essential to make prudent use of land to minimise Green Belt release in the future. However, the Council recognises the importance of having a design-led approach and therefore density targets have been removed. The emphasis is now on making efficient use of land whilst achieving a high quality design outcomes without imposing prescriptive density targets.</p> <p>Sustainability Appraisal</p> <p>8.97 The Policy was assessed within the Sustainability Appraisal and performs well against a number of social and environmental objectives due to its emphasis on meeting housing needs, creating mixed and balanced communities and minimising the use of greenfield land. No weaknesses were identified.</p>	
49	BDP7	BDP7 Policy Housing Mix and Density	Correction
51	BDP8 8.107-8.111	<p>Consultation Feedback</p> <p>8.107 Consultation feedback highlighted that there was widespread support for the policy on affordable housing although some concerns were raised. It was identified by some respondents that the policy should be supported by up-to-date evidence. Following the completion of the Affordable Housing Viability Assessment and the Worcestershire SHMA this matter has been addressed and the policy has been amended to reflect this robust and up to date evidence.</p> <p>8.108 Some felt that the policy was too prescriptive and should be more flexible in terms of the percentage target and the mix and tenure of affordable units to be</p>	Text not required in final version of the Plan

Page 120		<p>provided. The Council acknowledges that it is important to be flexible with the tenure mix to ensure that the types of homes needed most in a community are delivered. Therefore the tenure mix and dwelling sizes is now proposed to be negotiated on a site by site basis.</p> <p>8.109 Some respondents felt that the policy should mention affordable rent as a type of affordable housing. The Council agreed with this comment and a reference to affordable rent is now included.</p> <p>8.110 Some felt that clarity was needed as to whether the policy only applied to the net gain in dwellings whilst others felt an SPD was needed to provide further clarity and detail generally. The Council considered that the policy already provided clarity on the issue of net gain and generally the policy provided sufficient detail so that an SPD may not be required in the future.</p> <p>Sustainability Appraisal</p> <p>8.111 The assessment of the policy within the Sustainability Appraisal has identified that the policy performs well against some of the social objectives due to the delivery of affordable housing and the creation of mixed and balanced communities. Due to the nature of the District, some the affordable housing will be on greenfield land meaning the policy performs poorly against some of the environmental objectives.</p>	
52	BDP8	BDP8 Policy Affordable Housing	Correction
53-54	BDP9 8.117-8.118	<p>Consultation Feedback</p> <p>8.117 The issue of rural exception housing was previously addressed within the affordable housing policy but has now been given greater prominence in a policy of its own so greater detail can be provided. This reflects the importance of this method as a way of delivering affordable housing and also the fact that the Council no longer intends to develop an Affordable Housing SPD following the adoption of this Plan.</p> <p>Consultation feedback from both the Draft Core Strategy 2 and the Draft Affordable Housing SPD (November 2009) highlight the support for a policy on this issue. In</p>	Text not required in final version of the Plan

		<p>particular, respondents to the draft SPD felt that the matter was of such importance it should be addressed within a DPD rather than an SPD so greater weight could be attached to it. Some respondents highlighted that some market housing could be acceptable as cross-subsidy to enable the delivery of rural affordable housing. Wording changes have been made to address this issue and ensure that the policy accords with the NPPF.</p> <p>Sustainability Appraisal 8.118 The assessment of the policy within the Sustainability Appraisal has identified that the policy performs well against some of the social objectives due to the delivery of affordable housing, the creation of mixed and balanced communities and housing, the creation of mixed and balanced communities and the potential to improve the vitality and viability of some community facilities in some small settlements. The potential loss of Green Belt land means that the policy has a negative impact when assessed against EV2.</p>	
Page 121	BDP9	BDP9 Policy Rural Exception Sites	Correction
Page 121	8.127-8.128	<p>Consultation Feedback 8.127 There was considerable support for this policy during the consultation as it demonstrated that the Council recognised the need to understand and plan for an ageing population. There were some concerns about the introduction of ‘Lifetime Homes’ standards from developers; however, these measures are seen as essential to meet the needs of the elderly and assisting independent living at home. ‘Lifetime Homes’ standards were taken into account as part of the Affordable Housing Viability Study (2012). There was also a desire from developers to provide elderly accommodation outside defined settlements; however, this would contradict policy BDP 4 Green Belt.</p> <p>Sustainability Appraisal 8.128 The policy was assessed within the Sustainability Appraisal, which identifies the need for appropriate provision for all sectors of the community including the needs of elderly people. The policy performed highly against social objectives,</p>	Text not required in final version of the Plan

		although mitigation may be required when considering development outside defined settlements.	
56	BDP10	BDP10 Policy Homes for the Elderly	Correction
57	BDP11 8.132-8.133	Consultation Feedback 8.132 Very few comments were received in relation to this policy although those who did felt that a sequential approach was inconsistent with national policy. Respondents felt that a clear set of criteria were required to guide applicants to appropriate sites in the District. The Council agreed that the sequential approach is not appropriate and the policy was amended accordingly. Sustainability Appraisal 8.133 The policy was assessed within the Sustainability Appraisal and it performs well against social objectives due to the creation of mixed and balanced communities and also promoting sites in highly accessible locations. The policy does not perform so well against environmental objectives as any new site is likely to be on Green Belt land due to a lack of alternatives.	Text not required in final version of the Plan
	BDP11	BDP11 Policy Accommodation for Gypsies, Travellers and Travelling Showpeople	Correction
	BDP12 8.138-8.139	Consultation Feedback 8.138 There were only a few comments received in relation to this policy, and those that did respond were generally in support, especially regarding the improvement of existing facilities and resisting their loss. The small number of concerns related to wording changes, which have been amended where appropriate. There was a suggestion that Green Infrastructure should be included as part of sustainable communities; however, this topic is covered in sufficient depth within BDP24 and the Plan should be read as a whole. Sustainability Appraisal 8.139 This policy was assessed within the Sustainability Appraisal and focuses on protecting essential local facilities and ensuring that new developments contribute to creating a better balance of facilities, services and infrastructure within settlements. There are no clear negative impacts of this policy; however, the linkages to BDP6	Text not required in final version of the Plan

		requiring developer contributions for the provision of facilities, infrastructure and services and other forms of environmental and social requirements may limit the viability of a scheme.	
59	BDP12	BDP12 Policy Sustainable Communities	Correction
62	BDP13 8.149-8.153	<p>Consultation Feedback</p> <p>8.149 Consultation responses identified that there was support for the policy although some felt that the policy was too focussed on traditional types of employment (B class uses) when other employers such as hotels and care homes should be mentioned. The Council notes that the policy already refers broadly to economic development and therefore considers it is not overly focussed on B class uses. On this basis no changes are proposed to policy in relation to this issue.</p> <p>8.150 It was highlighted that the policy should mention the employment target as well as explicitly highlighting the sites where employment development is permitted. In response the Council has included the employment target in the supporting text. It should be noted that the Policies Map highlights main employment areas but it is considered unrealistic to highlight every possible location where some employment might be acceptable.</p> <p>8.151 Some respondents felt that the role of previously developed land in the Green Belt should also be recognised. The Council notes that the NPPF supports redevelopment of brownfield land within the Green Belt where no additional harm is caused and therefore this matter is addressed within BDP4 Green Belt.</p> <p>8.152 One respondent felt that the policy should include reference to the protection of biodiversity and the natural environment however the Council notes that these matters are addressed in BDP21 Natural Environment. The Plan should be considered holistically and therefore no changes are proposed in relation to this issue.</p> <p>Sustainability Appraisal</p> <p>8.153 The policy performs well in the Sustainability Appraisal against the social and</p>	Text not required in final version of the Plan

		economic objectives due to the creation of jobs, the diversification of the local economy and the opportunity for people to live and work locally rather than commuting elsewhere. However, the policy may lead to some development on greenfield sites which conflicts with some of the environmental objectives.	
62	BDP13	BDP13 Policy New Employment Development	Correction
63	BDP14 8.158-8.159	<p>Consultation Feedback 8.158 There was a general positive consensus to this policy and support for the maintenance and promotion of existing employment provision across the District. There were some concerns regarding the latter part of the policy concerning the loss of employment sites. A number of responses felt the requirements for non-employment developments were too rigid. In light of this and in order to conform to the NPPF, an extra paragraph has been added to provide more flexibility. Each proposal will be based on its own merits and where it can be justified that the criteria in the policy cannot realistically be applied, alternative uses of land and buildings will be considered.</p> <p>Sustainability Appraisal 8.159 The policy performs well within the Sustainability Appraisal against the social and economic objectives due to the creation of jobs, the diversification of the local economy and the opportunity for people to live and work locally rather than commuting elsewhere. However, although development will be on existing sites, the policy may lead to some development on greenfield sites which conflicts with some environmental objectives.</p>	Text not required in final version of the Plan
64	BDP14	BDP14 Policy Designated Employment	Correction
66	BDP15 8.165-8.168	<p>Consultation Feedback 8.165 There was a positive consensus to the policy for the support of rural regeneration and the social and economic needs of rural communities. The numerous negative responses were in regard to the lack of support for commercial expansion and development in the Green Belt. The Council cannot write policy contrary to Green Belt policy and it is for an applicant to suggest any very special circumstances as part of a planning application. There was also a response suggesting a particular premises should be considered a Major Developed Site,</p>	Text not required in final version of the Plan

Page 125		<p>however, the Council do not deem this a similar scale of development. Major Developed Sites in the Green Belt are not specifically referenced in the NPPF.</p> <p>8.166 There was a response that greater attention should be given to the character, condition and role of farmsteads, which has been applied to the new policy. There was a concern on the definition of small scale renewable energy developments, which has been added to the glossary.</p> <p>Sustainability Appraisal</p> <p>8.167 The policy was assessed within the Sustainability Appraisal and it indicates there are a number of positive social and economic attributes. Allowing employment development in rural areas will help to support the rural economy, especially in the field of diversification and growth of new businesses which support existing leisure and tourism. Diversification can improve accessibility to services and the well-being of the local population. The provision of affordable housing to meet local needs can allow a greater proportion of the rural population to stay and work more locally, with positive benefits for traffic generation and climate change.</p> <p>8.168 However, beyond a certain point, it is likely that such environmental spin-offs will be outweighed by increased commuting into rural areas, as well as traffic impacts from delivery vehicles and customers. There is likely to be some landscape, biodiversity, noise, air quality, water quality impacts from a wider spread of economic development in the open countryside. Although this policy could encourage applications for development in the Green Belt (negative impact against EV2), special circumstances would need to be justified, as inappropriate development would not be permitted.</p>		
	67	BDP15	BDP15 Policy Rural Renaissance	Correction
	70	8.182	Where a need is demonstrated Bromsgrove District Council will continue to work with Worcestershire County Council and rail industry partners to improve facilities at railway stations across the District. This includes proposals to provide a new railway station and interchange facilities in Bromsgrove by relocating and improving the	Update for consistency

		existing station (<i>now completed</i>). Sustainable transport measures (buses, walking and cycling) to connect Bromsgrove Railway Station with the Town Centre and wider residential areas will make rail travel more viable.	
70	BDP16 8.183	In addition, the Cross City services to Bromsgrove will be extended by 2016, the electrification of the line will result in an increased frequency of services at the new Bromsgrove Station. <i>This will improve connectivity with the West Midlands Metropolitan area in accordance with the West Midlands Local Transport Plan or successor document.</i>	Highlight link to wider strategies ie the West Midlands Local Transport Plan or successor document
70 Page 126	BDP16 8.184	8.184 Encouraging walking and cycling is the most effective way to reduce short distance car journeys. Aside from the well-publicised health and environmental benefits of walking and cycling, these modes also offer an extensive, adaptable and permeable network of routes available for use. This network is not limited to footways alongside roads and cycle paths; it includes for example the extensive Public Rights of Way network covering urban and rural areas; <i>and</i> the National Cycle Network (NCN). And <i>Although technically not Public Rights of Way, canal towpaths also provide an important means of access to the countryside. where publically accessible.</i>	Clarification
71	BDP16 8.187	Transport user needs (including freight) will continue to be met by a combination of road, rail, bus, community transport and taxi services (or similar initiatives) or any appropriate combination of these modes. The LTP3 Worcestershire Multimodal Freight Policy has been developed to provide a comprehensive policy base to enable the delivery of schemes to enhance the efficient movement and operation of freight by all modes around the County.	Sentence not appropriate under the heading of freight.
71	BDP16 8.190	Birmingham Airport is the region's principal airport and is important in terms of the air links it provides and the role it can play to; connect Bromsgrove internationally, serve local businesses, enhance leisure and training opportunities and increase access to emergency services.	correction

72	BDP16 8.195-8.197	<p>Consultation Feedback</p> <p>8.195 There was widespread support for the policy although concerns were raised over the deliverability of the policy with the District Council being reliant on other bodies such as the County Council who have been making cuts to bus services. Discussions are ongoing with the County Council regarding public transport services and where necessary financial contributions will be sought from developers improvements.</p> <p>8.196 Some felt that the policy could be expanded to mention proposed changes to the rail network including the new Bromsgrove Station, improvements to the cross-city line and better links between the train station and Bromsgrove Town Centre. It was considered that the existing reference to relocate the new Bromsgrove Station was appropriate and additional improvements to the network have been included. Other respondents were keen for a reference to be included that supported new and expanded rail station car parks. It is not considered appropriate to actively encourage new or extended rail station car parks as Worcestershire County Council will work with Network Rail and Train Operating Companies to identify optimum levels of car parking at rail stations, supported with Station Travel Plans (as identified in the LTP3 Smarter Choices Policy) to encourage greater use of sustainable modes of travel to access rail services.” The Local Transport Plan 3 (LTP3) states that “The County Council recognises that, whilst rail is a sustainable means of travel, the provision of parking at stations is not sustainable, as this encourages rail users to drive to access rail services (particularly for short trips).”</p> <p>Sustainability Appraisal</p> <p>8.197 This policy has overall positive benefits for all objectives. The emphasis on sustainable transport will have a positive impact environmentally and may in turn improve the health of the population in Bromsgrove District.</p>	Text not required in final version of the Plan
73	BDP 16	BDP16 Policy Sustainable Transport	Correction
73	BDP 16	BDP16 Sustainable Transport BDP16.1 Development should comply with the Worcestershire County Council’s	Clarification and update

		Transport Local Transport Plan 3 policies, design guide and car parking standards , incorporate safe and convenient access and be well related to the wider transport network	
73	Footnote	Worcestershire County Council Parking Standards 2016 or successor guidance	Update
78	BDP17 8.229	8.229 Planning permission (13/0464) has been granted Current proposals to refurbish and extend the former Parkside Middle School premises to create office accommodation for staff of Worcestershire County Council and a Civic Centre for Bromsgrove District Centre Council and associated staff. The scheme also incorporates the relocation of Bromsgrove Hub, Bromsgrove Library and the job centre. This scheme is now complete.	Updated information available
80	BDP17 8.239-8.246	<p>Consultation Feedback</p> <p>8.239 There was widespread support for the regeneration of the Town Centre with very few changes actually sought to the policy.</p> <p>8.240 Overall support for the naturalisation of the Spadesbourne Brook was noted with some respondents concerned it would impact the trading access to businesses in the Town Centre. The policy seeks to encourage the naturalisation of specific parts of the Spadesbourne Brook especially in areas that will allow for greater use by local residents whilst not to the detriment of local businesses.</p> <p>8.241 Some respondents felt the policy should provide greater detail on the evening economy with others suggesting that a specific housing target for the Town Centre would be beneficial. A number of references are made to the evening economy and it is considered this policy provides adequate support to allowing such development to take place within the Town Centre. In addition an Evening Economy Group was established so that local businesses and interested parties could directly influence the economic potential of Bromsgrove Town Centre in the evening.</p> <p>8.242 In terms of housing numbers it is difficult at this stage to anticipate numbers that could be achieved, partly due to the mixed use opportunities at certain sites and</p>	Text not required in final version of the Plan

the uncertainties linked to viability and it is considered that any Town Centre housing would provide a windfall gain. The rationale for not incorporating a specific number of residential units in the Town Centre is that it is very difficult to estimate what capacity each site could contain. At this stage specific targets are almost impossible to determine, however, once developers seek to progress with the sites, only then will a realistic target be known and worth referencing.

8.243 Some respondents wanted to encourage independent retailers whilst others recognised the potential to attract a large retailer to the Town Centre. The revised policy recognises the importance of small and independent businesses to Bromsgrove and they have a role to play in Bromsgrove in offering alternative shopping choices to the large retailers. In addition the policy seeks a balanced approach in terms of providing the physical space for nationally established retailers whilst also safeguarding the smaller boutique style independent retailers. It is important for Bromsgrove Town Centre to adapt to the modern requirements of retail so that it is a positive environment for retailers.

8.244 Several respondents referred to specific development sites with some seeking improvements to the existing sports hall and support for the Sainsbury's development. In terms of specific sites the revised policy incorporates the 10 development sites within the Town Centre to emphasize the Councils support of Town Centre regeneration. This includes School Drive site which encourages a new leisure centre and the proposal for a Sainsbury's supermarket on the Birmingham Road Retail Park which received planning permission on 28 June 2010.

8.245 Some public support for the Drill Hall as a historic, architectural and local asset (by local residents) was raised. It was also noted that there is some public support to regenerate the whole site and create a modern building. There is also no reason why in regenerating the Drill Hall that some reference is given to the historical background to the site. A number of factors need to be considered when regenerating a site. Local support for keeping certain buildings in Bromsgrove is

		<p>noted and the Council can seek to encourage the retention of them, but there are other factors that would be considered when regenerating the identified sites. These include whether the buildings are on the local list, whether the building is statutory listed, the level of quality design or architectural quality of a proposed building, and also the level of economic activity that the regeneration of a site could together with viability issues to enable development to proceed. When considering these factors regeneration of a site could be very difficult to refuse.</p> <p>Sustainability Appraisal 8.246 This policy performs well overall as the regeneration of the town centre is likely to have far reaching social, economic and environmental benefits for the District.</p>	
81	BDP17	BDP17 Policy Town Centre Regeneration	Correction
88	8.248	...(as indicated <i>in blue</i> on the Policies Map).	Clarification
89	BDP18 8.249-8.251	<p>Consultation Feedback 8.249 Although this is a new policy, there were a number of comments from the DCS2 and the Draft Town Centre AAP that have influenced this policy. There were concerns from numerous residents as to whether current centres can cope with the increased populations and the affect it will have on infrastructure.</p> <p>Sustainability Appraisal 8.250 This policy aids numerous social objectives in terms of sustainability. The provision of mixed used in Local centres, with particular regard for retail facilities, mean these areas become more sustainable. People would be less likely to travel further afield for certain facilities and services, allowing more sustainable travel choices. This in turn can have effect on the health and well-being of local communities as they are more likely to walk or cycle to the centres. As cars could potentially be used less, there are also environmental advantages to this policy as there are possible improvements to air quality and the effects of climate change.</p> <p>8.251 Creating active frontages and complimenting uses above retail units can reduce crime and anti-social behaviour by providing natural surveillance there is also</p>	Text not required in final version of the Plan

		the potential for vacant buildings to be used for local retail facilities, which is an effective use of land and would help to retain the retail character of the centres. The Sustainability Appraisal showed there were no known weaknesses to the policy.	
89	BDP18	BDP18 Policy Local Centres	Correction
89	BDP 18	BDP18 Local Centres 18.1 Within the areas defined on the Policies Map the District Council will allow proposals for retail development (Class A Uses) at ground floor level and retail, office, residential use or any other appropriate Town Centre use at upper floor level. These areas are defined as Local Centres for shopping purposes in accordance with the provisions of 'large settlements' identified in Policy BDP2.	Clarification due to Main Modification in BDP2
90	BDP 19 8.257	Many poor connected developments with road-dominated layout encourage people to use car, which has led to fewer opportunities for people to meet and socialise. This can contribute to social exclusion, and a loss of local identity in neighbourhoods. To achieve well-design homes and neighbourhoods, the Council will expect all housing developments to follow the design principles in the external environment section of the Standards and Quality in Development.: A good practice guide and use Building for Life 12 as a tool to facilitate design conversation at all stages of the development process. The Council will expect development to achieve the highest standard of Building for Life 12.	Building for life deleted by Inspector in Main Modifications
93	BDP19 8.266-8.269	Consultation feedback 8.266 There was some support for the policy, in particular the reference to design out crime, soft landscaping, trees retention and the user hierarchy. There were some misunderstandings that the policy tries to keep all trees rather than those considered appropriate. 8.267 Some questioned the legitimacy of imposing the HCA space standards beyond affordable housing. As one of the aims of planning is to plan for houses that meet people's needs and expectations, it is considered that developers should take into account other published evidence and meet the requirements where viable. 8.268 Some raised concerns that references to the Building for Life and West	Text not required in final version of the Plan

		<p>Midlands Sustainability Checklist in the policy would elevate the status of the two tools which would create an extra burden for developers. Also, funding for the West Midlands Sustainability Checklist has stopped and some suggested developing a local checklist. Comments in relation to the Sustainability Checklist are noted and this has now been removed, however as Building for Life is only an assessment tool guiding developments to achieve good design, it is not considered that policy reference is conflicting with the national policy which also seeks high quality design. There is also no evidence to suggest that high quality design is more costly.</p> <p>Sustainability Appraisal 8.269 The Policy was assessed within the Sustainability Appraisal and has many positive features with respect to environmental, social and economic sustainability with no clear weaknesses.</p>	
4 of Page 132	BDP19	BDP19 Policy High Quality Design	Correction
	BDP 19 s.	s. In relation to air quality all new developments with a floor space greater than 1000sqm or 0.5 hectare or residential developments of 10 or more units should must not increase nitrogen dioxide (NO2), particulate matter (PM10) and carbon dioxide (CO2) emissions from transport and should be accompanied by an assessment of the likely impact of the development on local air quality and comply with current best practice guidance:	
97	BDP20 8.272	Within the District examples would include, nailers cottages, assets associated with the scythe industry and assets associated with the use of the Birmingham Worcester <i>Birmingham</i> and Worcester Birmingham canal which runs the length of the District, to name but a few.	Correction
97	BDP20 8.273-8.274	<p>Consultation Feedback 8.273 There was support for the policy however some respondents felt that the policy could be improved. It was argued that the approach to design was too prescriptive and a contemporary approach is not always the right approach.</p> <p>The reference to contemporary design has now been removed with the focus now on achieving development that is sympathetic to historic assets. Some respondents</p>	Text not required in final version of the Plan

considered that the policy should make greater reference to the Historic Environment Assessment, Historic Landscape Characterisation, Conservation Area Appraisals and the West Midlands Farmsteads and Landscape Project. The inclusion of a reference to each of these documents was considered unnecessary as many form part of the evidence base for the policy.

A reference to the production of appraisals and management plans for each conservation area has been retained. There was support for the inclusion of a local list and the Council agree with this view. The policy now supports the updating and adoption of a local list. Some felt that there should be a greater emphasis on the re-use of buildings and appropriate climate change measures. Greater reference to these issues are now included within the policy.

Sustainability Appraisal

8.274 This policy performs most strongly predominantly in environmental terms as it is very specific in the protection and enhancement of heritage in the District, however the policy does have some social and economic benefits. In social terms the protection and enhancement of such assets can add to the vibrancy and local distinctiveness of the District and also act as cultural, recreational and educational resources. The historic environment contributes to a sense of pride and quality of life and may enrich people's understanding of the diversity and changing nature of their community. In economic terms the preservation of the historic environment can contribute to the area's local distinctiveness. This may have economic benefits, for example, a refurbished historic character property in an area of attractive and well maintained properties may attain a higher price on the open market than an equivalent more modern and larger property due to special, perceived and actual, qualities for example, of uniqueness. Although in some cases the layout and efficiency of historic buildings may be considered unsuitable and inefficient by modern day standards and may in some cases be more costly to restore in terms of required materials and techniques, development that enhances the character and appearance of historic environment may also have the potential to contribute towards tourism and economic growth. Furthermore, the Council recognises that redundant historic buildings offer a range of opportunities for conversion to new uses which can

		act as a catalyst for regeneration and economic vitality.	
98	BDP20	BDP20 Policy Managing the Historic Environment	Correction
99	BDP20.17	Applications likely to affect the significance of known or potential h <i>Heritage Assets</i> or their setting should demonstrate an understanding of their significance in sufficient detail to assess the potential impacts. This should be informed by available evidence and, where appropriate, further information to establish significance of known or potential heritage assets.	Correction
102	BDP21 8.282	Landscape, which results from the interaction between the nature and culture of a place, directly affects our quality of life. In the past, landscapes of local importance were protected through rigid local designations, whilst the impact of developments outside of these areas was not normally considered. However, it is now recognised that all landscapes matter. <i>Following the principles established at The European Landscape Convention, which became binding to the UK from March 2007, the Worcestershire Landscape Character Assessment was produced. The Worcestershire Landscape Character Assessment identifies the distinct, recognisable and consistent pattern of landscape elements in Bromsgrove. To ensure the landscape character of the District is enhanced, the Council will expect the design of all developments to take the Landscape Character Assessment into account and result in landscape gain. Details can be found in the Landscape Character Supplementary Guidance.</i>	Add reference to European Landscape Convention
103	BDP21 8.283-8.284	Consultation Feedback 8.283 There was support for the policy and some would like to see greater protection for several habitats such as ancient woodlands and trees and stronger policy wordings such as replacing 'protecting' by 'safeguarding'. Some also referred to functional and ecological connectivity, landscape-scale thinking and suggested to include a direct reference to the Green Infrastructure policy, the Habitat Inventory and the 'Living Landscape' projects. Most comments are incorporated into this revised policy. There was also criticism that the policy repeats the national policy and other legislative requirements. It was suggested that illustrative maps should be included. It was considered that	Text not required in final version of the Plan

		<p>the policy build on national guidance and in many cases are locally distinctive. Also, to ensure that the most up-to-date information is used, it is not considered illustrative maps should be included.</p> <p>Sustainability Appraisal 8.284 The Policy was assessed within the Sustainability Appraisal and performs well in environmental terms and has some social benefits but these will need to be carefully balanced against economic objectives on a site by site basis.</p>	
103	BDP21	BDP21 Policy Natural Environment	Correction
104	8.289	<p>Reducing Energy Use Existing buildings 8.289 A large proportion of Bromsgrove district’s existing older housing stock is in need of improvement in terms of adequate insulation. The average energy performance of buildings in Bromsgrove is D, with 8.8% of homes rated E or below³⁹. From 2013, the Green Deal⁴⁰ and Energy Company Obligation⁴¹ will be in place to help householders and the non-residential sector⁴² fund energy efficiency measures installations. The Council therefore encourages developments in existing building (such as extensions, change of use) to achieve consequential energy efficiency improvements.</p>	Green Deal no longer exists
104	Footnote 36	Worcestershire County Council (2013) 2014 “Draft Worcestershire Climate Change Strategy 2012-2020”. Projections are is based on medium emissions scenario for 2020s using 90% probability level.	Update
104	8.289	<p>Reducing Energy Use Existing buildings A large proportion of Bromsgrove district’s existing older housing stock is in need of improvement in terms of adequate insulation. The average energy performance of buildings in Bromsgrove is D, with 8.8% of homes rated E or below³⁹. From 2013, the Green Deal⁴⁰ and Energy Company Obligation⁴¹ will be in place to help householders and the non-residential sector⁴² fund energy efficiency measures installations. The Council therefore encourages developments in existing building (such as extensions, change of use) to achieve consequential energy efficiency improvements.</p>	Green Deal no longer exists

104	Footnote 40	40. The Green Deal will provide finance for investment in energy efficiency measures at no up-front cost to the householder. Finance will be secured as a charge on the property to be repaid through the electricity bill over a period of up to 25 years.	Green Deal no longer exists
106	Renewable Energy, paragraph 8.294	The Renewable Energy Directive 2009 sets a target for the UK to achieve 15% of its energy consumption from renewable sources by 2020. The resource assessment in the Renewable Energy Capacity Study for the West Midlands (2011) reveals considerable potential for renewable energy generation from wind and microgeneration in Bromsgrove. The Worcestershire County Council Renewable Energy Study and the Planning for Renewable Energy in Worcestershire report have identified areas where renewable resources are available/ technically feasible. Compared to big cities, Bromsgrove is identified as having good solar irradiance, showing good opportunities for solar thermal/power generation. The Department of Energy and Climate Change has published a new National Heat Map, identifying locations where heat distribution is most likely to be beneficial and economical. To encourage the deployment of low-carbon electricity and heat generation to households and industrial, business and public sectors, the Government has introduced various schemes, including the Feed-in-Tariffs, Renewable Heat Premium Payments and Renewable Heat Incentive schemes by which householders and businesses will get paid for both the generated energy used on site and any surplus exported energy generated. <i>For residential development this policy applies to planning applications of more than 10 units.</i>	Changes in response to July Post Hearing Note suggestion by the Inspector to check compliance with Written Ministerial statement (18th June 2015)
106	BDP22 8.296	The Climate Change Act has created a framework for climate change adaptation, including the UK Climate Change Risk Assessment (2012) and the National Adaptation Programme: <i>Making the country resilient to a changing climate</i> (under-way July 2013). The UK Climate Change Risk Assessment identifies the key climate change risks and opportunities across all sectors and the results are presented in five themes: agriculture and forestry, business, health and well-being, buildings and infrastructure, and the natural environment.	
107	BDP22 8.300-8.302	Consultation Feedback 8.300 There were criticisms on demanding market housing to achieve the same level of Code for Sustainable Homes as affordable housing and requiring developments to provide infrastructure to connect to nearby zero/low energy scheme with firm delivery	Text not required in final version of the Plan

Page 137		<p>plan. Some also considered the policy repeating the national policy as there was no evidence to demonstrate local circumstances. The Affordable Housing Viability Assessment was published since DCS2 which provide evidence for requiring market housing to achieve the Code for Sustainable Homes. As developments have to provide general services, there is no reason why connecting to zero/ low carbon scheme will affect the viability of the development.</p> <p>8.301 There were suggestions to reference the impact of transport emissions in affecting carbon emissions, the potential impact of renewable energy schemes on aerodromes and link the policy with Green Infrastructure.</p> <p>It was also raised that the data shown in the Warmer Worcestershire flyover may not be 100% reliable down to individual building. Where relevant, amendments were made.</p> <p>Sustainability Appraisal</p> <p>8.302 Apart from addressing the causes and potential impacts of climate change, the policy has many positive inferences upon the SA objectives, such as promoting the health and well-being of the population. However, the policy may lead to an increase in construction cost and affect the viability of development.</p>	
107	BDP22	BDP22 Policy Climate Change	Correction
107	BDP 22 Climate Change	<p>The Council will deliver viable low carbon climate resilient developments through:</p> <p>a. Encouraging development in existing buildings to achieve consequential energy efficiency improvements</p> <p>b. Requiring allowable solutions to be linked with projects within the District in the first instance, followed by the County and then Region</p> <p>b e. Ensuring developments and infrastructure are planned to avoid increased vulnerability to the range of impacts and take advantage of the opportunities arising from climate change, having regard to the intended lifetime of the development. Where developments and infrastructure are brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures,</p>	Changes in response to July Post Hearing Note suggestion by the Inspector to check compliance with Written

		<p>c d. Ensuring developments are in locations well-served by public/ sustainable transport, existing local facilities and infrastructure.</p> <p>d e. Ensuring the construction and design of developments as well as future occupants of the developments will follow the energy, waste management hierarchies and other relevant guidance. Where relevant, developments must comply with the Worcestershire Waste Core Strategy.</p> <p>e f. Supporting developments to incorporate zero or low carbon energy generation technologies, especially installations that improve the energy security of developments in the rural areas. Where there is a firm delivery plan of a <i>district heating zero or low carbon energy generation</i> scheme, developments nearby are expected to provide infrastructure/ to connect to the zero/ low carbon energy <i>that</i> scheme.</p> <p>f g. Supporting zero or low carbon energy generation schemes when adverse impacts are addressed satisfactorily.</p>	Ministerial Statement (25th March 2015)
10 Page 138	BDP23 8.317-8.321	<p>Consultation Feedback</p> <p>8.317 There was support for the policy as well as some suggestions for stronger policy wordings and to include more details in the justifications and policy such as identifying areas by types of flooding, referring woodlands as a water risk management tool, easements adjacent to watercourses, referring to the foul drainage hierarchy and cross-referencing to issues that were addressed in other policies. Suggestions are accommodated where appropriate, except cross-referencing and issues that are dealt with in other policies. As flood maps for watercourse flooding, surface water run-off and sewer flooding are included in the evidence document, it is not considered necessary to refer to the areas in the justifications.</p> <p>8.318 Some considered water efficiency is already addressed in Building Regulations and questioned the viability of achieving the water standard in the Code for Sustainable Homes and BREEAM. The Affordable Housing Viability Assessment was published since the last consultation which provides evidence for the required standard in the Code for Sustainable Homes.</p>	Text not required in final version of the Plan

		<p>8.319 Concerns were raised on the sewage treatment capacity. Severn Trent Water has a legal obligation to initiate funding when new development is certain. The policy now states that on all major developments engagement with Severn Trent Water should take place at the earliest opportunity to agree on their foul drainage plans.</p> <p>8.320 There were also a few comments that listed out the flooding issues in local areas, comments were forwarded to North Worcestershire Water Management team accordingly.</p> <p>Sustainability Appraisal</p> <p>8.321 The policy seeks to reduce the impacts of new development on the environment, the running costs of buildings, the causes of climate change and the potential loss and disruptions to occupants and owners. However, the policy may lead to increase in construction costs and affect the viability of development.</p>	
Page 131	BDP23	<p>BDP23 Policy Water Management</p> <p>BDPC23.1 The Council will deliver safe developments with low environmental impact through:</p>	Correction
Page 132	BDP 24 8.323	<p>Green Infrastructure is therefore a holistic approach to viewing and managing the natural environment, acknowledging the multiple benefits and vital services it provides and making tangible links to economic, health and social welfare agendas and aspirations. For this reason, the Council will expect development to consider policies BDP16 Sustainable Transport, BDP20 Managing the Historic Environment, BDP47 21 Natural Environment, BDP 49 22 Climate Change, BDP23 Water Management, BDP25 Health and Well Being together to ensure developments deliver multiple benefits in accordance to priorities determined by local circumstances, improve connectivity, enhance the quality of and provide for the appropriate long term management of Green Infrastructure. The District's Green Infrastructure assets are outlined in the Green Infrastructure Baseline Report.</p>	Correction of policy references
112	BDP24 8.324	<p>The Worcestershire Green Infrastructure Framework documents form the basis for the development of the emerging Worcestershire Green Infrastructure Strategy which will create a comprehensive policy framework for the protection, creation,</p>	Update following the finalisation

		enhancement and accessibility of Green Infrastructure in the County. At the local level, Concept Plans which set out and prioritise the respective Green Infrastructure requirements for an individual site.	of the Worcestershire Green Infrastructure Strategy
112	BDP24 8.325	To ensure developments can enjoy the benefits of the local, sub-regional and wider Green Infrastructure network, the Council will expect development to have regard to and contribute towards the emerging Worcestershire Green Infrastructure Strategy and any local GI Strategy which may be prepared. All major development should explain how the design of development achieves the multiple benefits of Green Infrastructure and contribute towards the wider network.	Update following the finalisation of the Worcestershire Green Infrastructure Strategy
113 Page 140	BDP24 8.326-8.328	<p>Consultation Feedback</p> <p>8.326 There was support for the policy although there were doubts in singling out forestry/woodland from other Green Infrastructure assets in the policy. It was unclear then whether the Worcestershire Green Infrastructure Framework will take into account the Delivery Plan of the West Midlands Forestry Framework and given the multiple benefits of trees, it was considered appropriate to include tree planting in the policy. However, it is now confirmed that the Worcestershire Green Infrastructure Framework will also incorporate the Delivery Plan of the West Midlands Forestry Framework as well as the Woodland Access Standard, so the details about tree planting in the previous version is now taken out.</p> <p>8.327 It was suggested that supporting maps illustrating the locations of different Green Infrastructure assets should be incorporated. Given that the maps are already included in the evidence base documents and referred to in the policy, it is considered sufficient.</p> <p>Sustainability Appraisal</p> <p>8.328 The Policy was assessed within the Sustainability Appraisal and performs strongly against many of the environmental and social objectives and in some cases,</p>	Text not required in final version of the Plan

		brings in economic benefits (e.g. eco-tourism). But safeguarding all Green Infrastructure assets maybe costly and even unviable in some cases.	
113	BDP24	BDP24 Policy Green Infrastructure	Correction
115	BDP25 8.339-8.343	<p>Consultation Feedback</p> <p>8.339 There was support for healthier lifestyles, but there were numerous responses requiring more to be done on improving health and well-being, in particular the overconcentration of A5 uses and the use of allotments. The policy has been updated accordingly to include these topics, with more emphasis applied to the restriction of A5 uses.</p> <p>A considerable amount of support was given to the references regarding walking and cycling.</p> <p>8.340 Sport England was concerned at the lack of reference to sport, with word changes made accordingly. Two responses felt the policy should have a more emphasis on green infrastructure, however, the Council believe this topic is addressed adequately in BDP24 Green Infrastructure.</p> <p>Sustainability Appraisal</p> <p>8.341 The policy was assessed within the Sustainability Appraisal, with high scores in both the social and environmental attributes, and there are no known weaknesses. The retention and enhancement of open space for recreation and amenity and the resulting improved living environment helps improve the health and well-being of the population. The environmental benefits of maintaining or enhancing open space are wide reaching. Whilst some recreational areas, such as sports pitches, have little biodiversity value, well designed parks and gardens can contribute greatly to conserving and enhancing ecological diversity through habitat provision and maintenance or creation of wildlife corridors.</p> <p>8.342 Open space can also be beneficial in terms of preserving landscape and townscape, which is particularly important in terms of preserving the historic setting of heritage features or conservation areas. The policy also has potential to minimise flood risk through maintaining areas of undeveloped green space that will enable</p>	Text not required in final version of the Plan

		<p>precipitation to infiltrate the soil and reduce run-off.</p> <p>8.343 The provision of high-quality walking and cycling routes will also contribute to the health and well-being of the population. The policy also goes further by promoting partnership working to explore new ways to improve opportunities for healthy and active lifestyles. Reducing the over-concentration of hot food takeaways actively assist in the health and well-being of communities. The promotion and support of local food growing initiatives is not only sustainable, but encourages healthy food options.</p>	
116	BDP25	BDP25 Policy Health and Well Being	Correction
117	BDP 25 .6 a)	a) The proposed use will not result in the proportion of units within the designated centre or <i>retail</i> frontage <i>outside of a Local centre</i> being hot food takeaways exceeding 5% (updated figures for each local centre will be published annually within the Council's AMR)	Clarification
Page 9 Page 142	Appendix I (BDP3)	<p>Evidence Base</p> <p>Strategic Housing Land Availability Assessment, Bromsgrove District Council</p> <p>Worcestershire Strategic Housing Market Assessment 2012, GVA</p> <p>Employment Land Review 2012, Drivers Jonas Deloitte</p> <p>Housing Land Availability Availability Report, Bromsgrove District Council</p> <p>Five Year Land Supply, Bromsgrove District Council</p>	Correction

		Duty to Co-operate <i>Review Statement of Compliance</i> , Bromsgrove District Council	
120	Appendix I (BDP4)	<p>Worcestershire Strategic Housing Market Assessment 2012, GVA</p> <p>Employment Land Review 2012, Drivers Jonas Deloitte</p> <p>Housing Growth Development Study, Redditch Borough Council and Bromsgrove District Council</p> <p>Sustainability Appraisal of Housing Growth Development Study, Redditch Borough Council and Bromsgrove District Council</p> <p><i>Duty to Co-operate Statement of Compliance, Bromsgrove District Council</i></p>	Correction
Page 143	Appendix I (RCBD1)	<p>Housing Growth Development Study, Redditch Borough Council and Bromsgrove District Council</p> <p>Sustainability Appraisal of Housing Growth Development Study, Redditch Borough Council and Bromsgrove District Council</p> <p>Worcestershire Strategic Housing Market Assessment 2012, GVA</p> <p>Strategic Housing Land Availability Assessment, Redditch Borough Council</p>	Correction

		<p>Affordable Housing Viability Study, Level</p> <p>Hewell Grange Estate-Setting of Heritage Assets Assessment 2013 (BDC)</p> <p>Duty to Co-operate <i>Statement of Compliance Review</i> (BDC)</p> <p>An Analysis of Green Belt Land and Areas of Development Restraint within Redditch Borough (RBC)</p> <p>Redditch Green Belt Release to meet Growth needs (RBC)</p>	
134	Appendix II	<p>Authority Monitoring Report (AMR) - The report prepared by Councils to assess the implementation of the Local Development Scheme and the extent to which the policies of the Local Development Framework <i>Local plan and adopted SPDs</i> are being achieved.</p>	Correction
Page 144	Appendix II	<p><i>Building Research Establishments Environmental Assessment Method (BREEAM) is the world's most widely used environmental assessment method for buildings. BREEAM assesses buildings against a set criteria and provides an overall score which will fall within a band providing either a; PASS, GOOD, VERY GOOD, EXCELLENT or OUTSTANDING rating.</i></p>	Additions to glossary
134	Appendix II	<p>Close Care Housing - Close Care schemes consist of independent flats or bungalows built on the same site as a care home. Residents often have some services (such as cleaning) included in their service charge and other services can be purchased from the care home. Close care schemes can either be rented or purchased. Purchasers may receive a guarantee that the management will buy back the property if they enter the care home.</p> <p>Community Infrastructure Levy (CIL) - <i>The Community Infrastructure Levy (the levy) came into force in April 2010. The Community Infrastructure Levy is a new charge which local authorities in England and Wales can levy on new development in their area. CIL is the Government's preferred method for development to pay</i></p>	Additions to glossary

<p>Page 145</p>		<p><i>towards the infrastructure and is charged on the net additional floorspace created by development of buildings that people normally use. It allows local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. The money can be used to fund a wide range of infrastructure that is needed as a result of development. This includes transport schemes, flood defences, schools, hospitals and other health and social care facilities, parks, green spaces and leisure centres.</i></p> <p>Conservation Area - <i>Conservation Areas are designated by the District Council as areas of special architectural or historic interest, the character and appearance of which the Council considers desirable to preserve or enhance.</i></p> <p>Continuing care retirement communities - A continuing care community, also known as a life-care community, is a type of retirement community where a number of aging care needs, from assisted living, independent living and nursing home care, may all be met in a single residence, whether apartment or enclosed unit. Typically, elderly candidates move into a continuing-care retirement community (CCRC) while still living independently, with few health risks or healthcare needs, and will remain reside there until end of life. As patrons progress in age, and medical needs change, the level of nursing care and service increases proportionally in response. Continuing-care communities are ideal for seniors that may be living in isolation, and would like to be immersed in a hospitable environment with other people of the same age. Typically, a range of activities and amenities are provided for both recreation and resource. However, CCRCs are costly, and vary widely in entrance and recurring fees. Often, a life-care contract is required, and the stipulations within such contracts can also vary in terms of service.</p>	
<p>135</p>	<p>Appendix II Glossary</p>	<p>Major Urban Area (MUA) – The main urban area of the West Midlands Region, as identified on the RSS Spatial Strategy Diagram (see the inside back cover of West Midlands Regional Spatial Strategy).</p> <p>National Planning Policy Framework (NPPF) - <i>The NPPF was published in March</i></p>	<p>Clarification and additions to glossary</p>

Page 146		<p>2012, replacing past Planning Policy Statements/Guidance (PPSs/PPGs), and sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that it is relevant, proportionate and necessary to do so. It provides a framework within which local people and their accountable councils can produce their own distinctive local and neighbourhood plans, which reflect the needs and priorities of their communities.</p> <p>Planning Obligations - Legal agreements between a planning authority and a developer that ensure that certain extra works related to a development are undertaken. For example, the provision of highway works. More commonly known as 'Section 106 agreements'.</p> <p>Planning Policy Statements/Guidance (PPGs/PPSs) - National planning policy published by the Department for Community and Local Government, all regional and local planning policy must be in general conformity with this guidance. <i>These were replaced by the NPPF in March 2012.</i></p> <p>Previously Developed Land (PDL) - Land that contains permanent buildings (excluding agriculture or forestry buildings) and associated fixed-surface infrastructure. The definition covers the curtilage of the development.</p> <p>Priority Habitats and Species - Priorities compiled by regional bio-diversity partnerships, reflecting those in the national bio-diversity action plan and those agreed by local biodiversity partnerships at the sub-regional level.</p>	
135	Appendix II	<p>Small Scale Renewable Energy (Microgeneration) - Small-scale renewable energy schemes include the installation of solar panels and wind turbines at domestic and nondomestic premises, as well as other renewable and low carbon energy installations at these premises such as ground or air source heat pumps,</p>	Addition to glossary

		<p>biomass systems and combined heat and power (CHP) systems.</p> <p>Special Wildlife Site (SWS) – Defined areas of ecological or geological importance identified to protect habitat and species diversity.</p> <p>Strategic Flood Risk Assessment (SFRA) - A document that examines the potential for flooding from all sources in the area, this includes the potential impacts from climate change. It examines the impact of new development both within and beyond the District.</p>	
135-136 Page 147	Appendix II	<p>Special Wildlife Site (SWS) – These places are considered to be the best places for wildlife outside of legally protected areas such as SSSIs, National Nature Reserves and Local Nature Reserves.</p> <p>Use Class - The Town and Country Planning (Use Classes) Order 1987 puts uses of land and buildings into various categories. Planning permission is not needed for changes of use within the same use class.</p> <p>Viability - To be capable of existing or surviving in a successful manner. The term is often used in the context of whether town centres are able to exist as viable retail centres. Financial viability is about being able to generate sufficient income to meet overheads and allow growth whilst still being able to maintain service levels.</p> <p>Vitality - Used to describe the liveliness of an area, which may be measured by particular local features, the general environment or the quality of life for local residents. In the context of town centres, this term can be used to describe the capacity of a centre to grow or develop.</p> <p>Windfalls or Windfall Sites – Sites that come forward for development that have not been specifically identified as available for development within the Local Plan.</p>	Alterations to glossary

Delete Appendix IV Superseded BDLP Policies and Proposals as now replaced by new Plan					
Appendix IV Monitoring indicators					
Page 148	B098	146	BDP1 Sustainable Development Principles	<ul style="list-style-type: none"> • Number of trips made by public transport • Decrease in CO2 emissions • No of parks and areas of recreation space • No of listed buildings at risk • <i>New dwellings on previously developed land</i> • <i>Total amount of employment land on previously developed land</i> • Number of bus and rail travellers • % of peoples usual method of travel • Number of new AQMA's declared • Total n Number of listed buildings (<i>all grades</i>) • Number of listed buildings demolished • <i>Number of listed buildings and archaeological sites on English Heritage's register of buildings/sites at risk</i> • % of unemployment • <i>Emissions within the scope of influence of Local Authority</i> 	Corrections to ensure that all indicators are relevant and can be monitored with ease.
	B099	146	BDP2 Settlement Hierarchy	<ul style="list-style-type: none"> • <i>New dwellings on previously developed land</i> • % of development <i>Total amount of employment land on previously developed land</i> • % of development in each settlement type 	Correction
	B100	146	BDP3 Future Development	<ul style="list-style-type: none"> • Net additional dwellings <i>completed</i> • Number of hectares of employment completed • Number of years of housing supply • <i>Managed delivery target (Housing trajectory)</i> • <i>Employment land available</i> • <i>Plan period and housing targets</i> • <i>Plan period and employment targets</i> • <i>Net additional pitches (Gypsy and Traveller)</i> 	Correction

B101	146	BDP5A Bromsgrove Town Expansion Sites	<ul style="list-style-type: none"> • Number of dwellings (<i>including affordable</i>) completed on expansion sites • No. of affordable dwellings on expansion sites • No. of hectares of employment completed on expansion sites • <i>Total amount of additional employment land – by type on expansion sites, development sites and cross boundary sites</i> • Amount of retail floorspace completed on expansion sites and cross boundary sites • Amount of open space on expansion/development sites 	Correction
B102	147	BDP5B Other Development Sites	<ul style="list-style-type: none"> • Number of dwellings (<i>including affordable</i>) completed on development sites • No. of hectares of employment completed on development sites • <i>Total amount of additional employment land – by type on expansion sites, development sites and cross boundary sites</i> • Amount of open space on expansion/development sites 	Correction
B103	147	RCBD1 Redditch Cross Boundary Development	<ul style="list-style-type: none"> • Number of dwellings (<i>including affordable</i>) completed on cross boundary sites • No. of affordable dwellings on cross boundary sites • Amount of retail floorspace completed on <i>expansion sites and cross boundary sites</i> • Amount of open space on cross boundary sites 	Correction
B104	147	BDP7 Housing Mix and Density	<ul style="list-style-type: none"> • Average density of development achieved across the District • Number of dwellings built at less than 30 dwellings per hectare • Number of dwellings built between 30 and 50 dwellings per hectare • Number of dwellings built at greater than 50 dwellings per 	Correction

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			<ul style="list-style-type: none"> hectare No. and % percentage of dwellings completed in each size category (e.g. 1 bed, 2 bed, 3 bed, 4 bed and 5 bed dwellings) <i>Number of bedrooms for completed dwellings</i> 	
B105	147	BDP10 Homes for the Elderly	<ul style="list-style-type: none"> Number and types units completed for the elderly Number of dwellings completed to Lifetime Home Standards 	Correction
B106	147	BDP11 Accommodation for Gypsies, Travellers & Showpeople	<ul style="list-style-type: none"> Occupancy rates No of pitches provided in District <i>Net additional pitches (Gypsy and Traveller)</i> 	Correction
B107	147	BDP12 Sustainable Communities	<ul style="list-style-type: none"> Increase or decrease in the number of local facilities in the district <i>Diversity of Town Centre Uses (Street level property)</i> <i>Diversity of local centres (Street level property)</i> <i>% of open space, allotments , sports and recreational facilities lost to development</i> 	Correction
B108	148	BDP13 New Employment Development	<ul style="list-style-type: none"> <i>Total amount of additional employment over plan period</i> <i>Total amount of additional employment – by type</i> Total amount of Employment Completions (B1, B2, B8) Employment completions by Parish Amount of available employment land % of unemployment No. of VAT Registered businesses – registrations/deregistrations <i>Business births</i> <i>Business deaths</i> <i>Number of extensions granted to existing employment premises</i> 	Correction
B109	148	BDP14 Designated Employment	<ul style="list-style-type: none"> Amount of employment land lost to other uses Number of extensions granted to existing employment 	Correction

			<ul style="list-style-type: none"> premises <i>Total amount of employment on previously developed land</i> 	
B110	148	BDP15 Rural Renaissance	<ul style="list-style-type: none"> Number of agricultural dwellings completed Number of affordable houses completed through <i>rural exception schemes sites</i> 	Correction
B111	148	BDP16 Sustainable Transport	<ul style="list-style-type: none"> Number of bus and rail travellers % of peoples usual method of travel Number of trips made by public transport Proportion of new housing within 30 minutes by public transport from key facilities Proportion of development within 800 metres/13 minutes walk from hourly bus service % access to GP 	Correction
Page 12 Page 151	148	BDP17 Town Centre Regeneration	<ul style="list-style-type: none"> No. of Town Centre Delivery Sites completed Diversity of main Town Centre Uses (<i>Street level property</i>) Proportion of vacant street level property <i>Vacancy rates in town centre</i> Pedestrian flows <i>Progress of Town Centre development sites</i> <i>Total amount of retail (larger than 500m²)</i> 	Correction
B113	148	BDP18 Local Centres	<ul style="list-style-type: none"> Diversity of local centre uses (<i>Street level property</i>) Proportion of vacant street level property <i>Vacancy rates in local centres</i> 	Correction
B114	149	BDP19 High Quality Design	<ul style="list-style-type: none"> Proportion of relevant schemes incorporating "secured by design" principles % of people to which fear of crime is an issue Number of recorded crimes Number of <i>recorded</i> ASBO's 	Correction

			<ul style="list-style-type: none"> • % Number of non-domestic residential developments buildings to meet meeting of BREEAM 'very good ' standard • Number of dwellings completed to Lifetime Homes standard • % of affordable housing to meet the Code for Sustainable Home Level 6 • The level of the Code for Sustainable Homes achieved by market (% achieved for each code level) • No. of schemes achieving <i>meeting</i> Building for Life 12 diamond status standards or its successor guidance • Number of new developments incorporating SuDs • Emissions within the scope of influence of Local Authority • Number of new AQMA's declared 	
B115 Page 152	149	BDP20 Managing the Historic Environment	<ul style="list-style-type: none"> • Total Number of listed buildings (<i>all grades</i>) • Number of Listed Buildings demolished • Number of listed buildings at risk • <i>Number of listed buildings and archaeological sites on English Heritage's register of buildings/sites 'at risk'</i> • Total Number of Registered Parks, Gardens and Scheduled Monuments • Number of Conservation Areas • Proportion of <i>Number of Conservation Areas with an up to date Character Appraisal Assessments completed and Management Plan</i> • Number of buildings on the Local List of architectural merit 	Correction
B116	149	BDP21 Natural Environment	<ul style="list-style-type: none"> • % of total land use under landscape designation • % of planning permissions granted in the <i>applications on Green Belt land approved</i> • % of planning permissions affecting areas of recognised landscape value • No. of SWS • No. of SSSI 	Correction

			<ul style="list-style-type: none"> • No. of BAP habitats • <i>Number of Local Sites (wildlife and geological) and proportion of Local Sites in positive management</i> • <i>Number of Sites of Special Scientific Interest (SSSI) and condition</i> 	
B117	150	BDP22 Climate Change	<ul style="list-style-type: none"> • Decrease in CO2 emissions • Climate Change Decrease in average electricity consumption per household/ year in line with Government targets • % of new developments with energy efficient design • Number of new AQMAs declared • <i>Emissions within the scope of influence of Local Authority</i> • Number of new developments with on-site renewable energy • <i>Number of renewable energy applications granted permission and their capacity</i> • <i>Amount of waste collected per annum</i> • <i>% of waste disposal to landfill per annum</i> • <i>% of waste recycled per year-annum</i> • Number of bus and rail travellers • % of peoples usual method of travel • Number of trips made by public transport • Proportion of new housing within 30 minutes by public transport from key facilities • Proportion of development within 800 metres/13 minutes walk from hourly bus service • Number of noise related complaints • Vehicle flows through urban areas • <i>Percentage of watercourses within the District that meet the targets set out in the Water Framework Directive</i> • % of rivers with fairly good or better biological and chemical 	Correction

			<p>water quality</p> <ul style="list-style-type: none"> • Number of new developments incorporating SuDs • Number of planning permissions granted contrary to advice of Environment Agency, the Lead Local Flood Authority or Internal Drainage Board • Number of new developments on flood plains • Number of schemes incorporating water harvesting • Number of new industries/companies developing new technology addressing climate change • Number of new developments incorporating opportunities for recycling 	
B118	150	BDP23 Water Management	<ul style="list-style-type: none"> • Number of planning permissions granted contrary to advice of Environment Agency, the Lead Local Flood Authority or Internal Drainage Board • No of incidences of flooding • No of new properties built in the flood plain • % of watercourses within the District that meet the targets set out in the Water Framework Directive • Number of new developments incorporating SuDs 	Correction
B119	151	BDP24 Green Infrastructure	<ul style="list-style-type: none"> • Amount of open space on expansion/development sites • Amount of eligible open spaces managed to Green Flag award standard • % of open space, allotments, sports and recreational facilities lost to development • The number of applications that contribute towards the Worcestershire Green Infrastructure Strategy • No of parks and areas of recreation space • Green Infrastructure Proportion of eligible open space maintained to “green flag” standard • % of allotments lost to development • % loss of recreational land and/or buildings lost to 	Correction

			development	
B120	151	BDP25 Health and Well Being	<ul style="list-style-type: none"> • Number units and percentage of units with A5 use within the Town and Local Centres • % of obese children in Year 6 of Primary School • % of adults who are obese • % of adults who eat a healthy diet • % of adults who participate in recommended levels of physical activity • Average life expectancy • Mortality Rates from circulatory diseases under the age of 75 • Mortality rates from cancers under the age of 75 • Average yearly excess winter deaths • Total amount of leisure • No. of new cycle routes • No. of applications with cycling facilities • % of obese children in Year 6 of Primary School 	Correction
Appendix VI Supplementary Planning Documents/Guidance now renumbered Appendix V				

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Bromsgrove District Council

ADOPTION STATEMENT

Notice of Adoption of:

Bromsgrove District Plan 2011-2030 Development Plan Document (DPD)

In accordance with :

The Planning and Compulsory Purchase Act 2004

The Town and Country Planning (Local Planning) (England) Regulations 2012

The Localism Act 2011

The Environmental Assessment of Plans and Programmes Regulations 2004

Adoption Date

Notice is given that at a Council meeting on 25th January 2017, the Council formally adopted the Bromsgrove District Plan (BDP) 2011-2030 DPD and Policies Map.

The BDP was considered by an independent Inspector at an Examination in Public at hearing sessions held between June 2014 and March 2016. The Inspector's report was published on 19th December 2016 which concluded that the BDP is sound and legally compliant, subject to the Inspector's recommended Main Modifications. The adopted BDP incorporates the modifications recommended by the Inspector and minor modifications by the Council.

Subject matter and area covered

Now that it is adopted the BDP forms a key element of the Development Plan for Bromsgrove District. It replaces the Bromsgrove District Local Plan which was adopted in 2004.

The BDP outlines the spatial vision for sustainable development in the District up to 2030 and how it will be achieved against a set of objectives. The DPD sets the planning policies and identifies site specific allocations for both Bromsgrove District and Redditch Borough's needs.

Modifications

The adopted Plan includes the Main Modifications recommended by the Inspector and the minor modifications. The full list of modifications made to the Plan following receipt of the Inspector's report can be found in the Schedule of Main Modifications published as an Appendix to the Inspector's report and the Schedule of Minor Modifications published by the Council alongside the Inspector's report. The Schedules are available on the Council's website at www.bromsgrove.gov.uk/examination or at the Council's offices and public libraries.

Challenge

Any person who is aggrieved by the adoption of the BDP may make an application to the High Court under section 113 of the Planning and Compulsory Purchase Act 2004 on the grounds that:

- the document is not within the appropriate power
- a procedural requirement has not been complied with

Any such application must be made promptly and in any event no later than 6 weeks after the date on which the BDP was adopted i.e. **no later than 9th March 2017**.

Statement of document availability

The adopted BDP and Policies Map , this Adoption Statement and the Sustainability Appraisal Report and the Inspector's report are available for inspection at www.bromsgrove.gov.uk/examination and the following locations during normal opening hours.

All the material relating to the Examination process can also be viewed on the Council's website.

Council Offices:

Bromsgrove District Council, Parkside, Market St, Bromsgrove B61 8DA

Redditch Town Hall, Walter Stranz Square, Redditch, Worcestershire, B98 8AH

Libraries or Parish Council offices:

Bromsgrove library, Parkside, Market St, Bromsgrove, B61 8DA

Alvechurch Library, Birmingham Road, Alvechurch Birmingham, B48 7TA

Barnt Green Parish Council Office, 80 Hewell Road, Barnt Green, Worcestershire, B45 8NF

Catshill Community library, The Community Room, Catshill Middle School, Meadow Rd, Catshill, B61 0JW

Hagley library, Worcester Road, Hagley, Stourbridge, West Midlands, DY9 0NW

Rubery library, 7 Library Way Rubery, Birmingham, B45 9JS

Wythall library, Woodrush Community Hub, Shawhurst Lane, Hollywood, Birmingham, B47 5JW

Further Information:

Further information or advice may be obtained by telephoning 01527 881316 or by emailing: strategicplanning@bromsgrove.gov.uk

Sustainability Appraisal of the
Bromsgrove District Plan

Post Adoption Statement

January 2017



Bromsgrove
District Council

www.bromsgrove.gov.uk

Agenda Item 5

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1. Introduction

1.1 This document provides the Post-Adoption Statement for the Bromsgrove District Plan 2011-2030, which was adopted on 25th January 2017 by Bromsgrove District Council.

1.2 The District Plan is the main basis for making decisions on planning applications within the administrative area of Bromsgrove District. The District Plan provides a general policy framework and suggests sites for development to meet the housing and employment needs of the District and, where justified, unmet needs arising from outside of the District.

1.3 A Sustainability Appraisal (SA) was undertaken whilst developing the District Plan. The purpose of the SA was to ensure that the environmental, social and economic issues were considered throughout the development of the District Plan with the aim of improving sustainability through its implementation.

1.4 The purpose of the Post-Adoption Statement is to satisfy the legislative requirements of Directive 2001/42/EC and the Environmental Assessment of Plans and Programmes Regulations (2004).

1.5 BDC have previously produced the following key SA/HRA documents in the process of developing the District Plan:

1. Sustainability Appraisal Scoping Report 2004/ 2007
2. Sustainability Appraisal of the Local Development Documents Appraisal of Issues and Options Interim Report 2005
3. Bromsgrove Issues and Options Consultation SA update 2007
4. Sustainability Appraisal Scoping Report 2008/ 2011
5. Sustainability Appraisal for Draft Core Strategy 2008
6. Sustainability Appraisal for Draft Core Strategy 2010
7. Sustainability Appraisal of Strategic Site Options 2010
8. Sustainability Appraisal for Draft Bromsgrove Town Centre Area Action Plan
9. Sustainability Appraisal Scoping Report 2012/ 2015
10. Sustainability Appraisal for the Bromsgrove District and Redditch Borough Housing Growth Study 2013
11. Area Assessment Sustainability Appraisals 2013 (suite of documents)
12. Sustainability Appraisal of Bromsgrove District Plan Proposed Submission Version 2013
13. Habitats Regulation Assessment Screening Report 2013
14. Sustainability Appraisal Of Different Growth Levels 2014
15. Updated Bromsgrove District Plan Sustainability Appraisal (March 2015)
16. Updated Bromsgrove District Plan Sustainability Appraisal (May 2015)
17. Bromsgrove District Plan – Proposed Main Modifications Screening Matrix 2016

1.6 BDC took the findings and recommendations of the SA at each stage into account in preparing the District Plan before its Adoption.

1.7 Also taken into account were the findings of the Borough of Redditch Local Plan No.4 Sustainability Appraisal (March/May 2015) as this informed the cross boundary site selection process.

1.8 Most of the SA work was carried out by the Strategic Planning Team at Bromsgrove District Council, apart from the Sustainability Appraisal of the Local Development Documents Appraisal of Issues and Options Interim Report 2005 (Hyder Consulting UK Ltd). The Updated Bromsgrove District Plan Sustainability Appraisal (May 2015), whilst being carried in house, was verified by private consultants Amec Foster Wheeler.

2. Legislative background

2.1 European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment ('the SEA Directive') states that a Strategic Environmental Assessment is mandatory for plans prepared for town and country planning and land use purposes.

2.2 The SEA Directive is transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations (2004), which requires the Sustainability Appraisal of local development plan documents.

2.3 The Town and Country Planning (Local Planning) Regulations (2012) states that a Sustainability Appraisal report must be completed for Local Plan documents in accordance with section 19(5) of the Planning and Compulsory Purchase Act (2004).

2.4 In accordance with these regulations, a Sustainability Appraisal was prepared for the District Plan under the following requirements:

- Regulation 16 of the Environmental Assessment of Plans & Programmes Regulations 2004 implementing the European SEA Directive.
- Paragraph 165 of the National Planning Policy Framework (NPPF, 2012).

2.5 Article 9 of the SEA Directive requires that when a plan or programme is adopted, the Council makes available a statement summarising:
“how environmental considerations have been integrated into the plan or programme and how the environmental report prepared pursuant to Article 5, the opinions expressed pursuant to Article 6 and the results of consultations entered into pursuant to Article 7 have been taken into account in accordance with Article 8 and the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with.”

2.6 This requirement in European law has been transposed into UK law through Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations (2004), which requires the responsible authority to produce a statement

containing the following information as soon as reasonably practical after the adoption of a plan or programme:

- 1) how environmental considerations have been integrated into the plan or programme;
- 2) how the environmental report has been taken into account;
- 3) how opinions expressed in response to:
 - i. the invitation referred to in regulation 13(2)(d);
 - ii. action taken by the responsible authority in accordance with regulation 13(4), have been taken into account;
- 4) how the results of any consultations entered into under regulation 14(4) have been taken into account;
- 5) the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives dealt with; and
- 6) the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme (Regulation 16).

3. How environmental considerations have been integrated into the District Plan

3.1 The Sustainability Appraisal process involves assessing the performance of a plan or a programme against a series of sustainability objectives to test whether it is likely to result in significant environmental effects. These sustainability objectives and associated questions guide the evaluation of proposed policies and sites through a sustainability framework.

3.2 The sustainability framework for the District Plan was developed during the scoping stage for the Sustainability Appraisal by considering the following:

- The environmental objectives of other plans, programmes and objectives on a local, national and international scale;
- the characteristics of Bromsgrove District and;
- the key environmental problems within Bromsgrove District

3.3 This ensured that both the wider environmental considerations and the specific environmental problems in Bromsgrove District were integrated into the sustainability framework and therefore the District Plan, since each policy and allocation was tested using the sustainability framework.

3.4 The key sustainability issues and problems and how they are reflected in the sustainability framework is set out in Appendix A below.

3.5 The sustainability framework for the District Plan considers each of the environmental topics set out in Annex 1 of the SEA Directive and Schedule 2 of the Environmental Assessment of Plans and Programmes Regulations (2004), as shown in Table 1.2 Page 7 of the Sustainability Appraisal for the Bromsgrove District Plan dated 18 May 2015. The full range of environmental considerations was therefore integrated into the District Plan.

3.6 The Environment Agency, Natural England and Historic England (formerly known as English Heritage) were consulted as statutory consultees during the development

of the sustainability framework and during the SA Scoping stages, this ensured that the sustainability framework addressed the key environmental considerations of other organisations.

4. How the environmental report has been taken into account

4.1 The SA must be an integral part of producing the Plan being appraised. The section below describes the process by which the SA influenced the development of the District Plan.

4.2 The SA identified relevant sustainability objectives for the District and provided an objective assessment of the likely significant effects of the policies and site allocations throughout the preparation of the District Plan.

4.3 At each stage the SA recommends a series of mitigation measures to reduce or avoid the potential adverse effects and maximise the potential beneficial effects arising from the implementation of the District Plan and these changes have been incorporated into the final District Plan.

4.4 The SA has informed the selection of preferred options through an objective appraisal of a range of reasonable options and alternatives against the framework of sustainability objectives for the District. The types of options considered fall into the following categories:

- Alternatives to the development strategy
- Alternative locations for development
- Alternative levels of growth
- 'Do nothing' option

4.5 Appendix B provides details of the key stages of SA consultation during the preparation of the Plan and how this has been taken into account.

5. How the SA and Consultation Representations have been taken into account.

5.1 The SEA Directive requires the opinions expressed by consultees to be taken into account during the preparation of the plan before its adoption. Consultation is therefore an important aspect of plan making and SA and this is summarised in Appendix B.

5.2 Appendix B demonstrates that there was consultation of every key stage of the Plan's preparation and that this included consultation on the associated SA documents. SA scoping included statutory consultation with environmental bodies (Environment Agency, Natural England, Historic England/English Heritage in accordance with Regulation 13 (2) SEA Regulations) and public consultation. A summary of consultee comments on the 2005, 2008 and 2012 SA Scoping reports is contained in Appendix 7, 8 and 9 Pages 172 -186 of the 2012 Scoping Report. The Consultation Statements prepared in 2008, 2011 and 2013 summarise responses to consultation and, where appropriate, detail how these changes have been incorporated into the plan making process.

5.3 Regulation 22 (1) (c) (v) of the Town and Country Planning (Local Development) (England) Regulations 2012 sets out details of the publication of the BDP, how consultation was carried out and summarises all of the responses received. It was not appropriate to prepare Officer responses at this stage of the process as the Plan had already been submitted and this was the version the Inspector would be basing the Examination in Public on. All of these documents are available on the website.

5.4 All representations on the SA were collated and summarised at each stage of plan preparation and Officer responses were made addressing the comments of consultees. This ensured that the SA and consultation responses were considered in an iterative and ongoing way throughout the plan making process. There was no requirement for any transboundary consultations with other member States as the BDP is not likely to have any significant effects on the environment of another member State.

5.5 During the Redditch Examination hearing sessions in September 2014 clarifications were requested by the Inspector concerning the cross boundary site selection process carried out as part of the Housing Growth Development Study and accompanying SA in January 2013. An Addendum to the HGDS and SA (the HGDS Addendum) was produced in November 2014.

5.6 On publication of external Hearing Statements for the cross boundary hearing sessions some queries were raised concerning the SA process. A further revision to the Redditch SA was produced by AMEC Foster Wheeler on behalf of Redditch Borough Council in March 2015. This was consulted on and republished in May 2015. The BDP SA was also updated at this time (in house but verified by AMEC Foster Wheeler) to ensure alignment continued with the Redditch SA. Both the updated BDPSA and the BORLP4SA May 2015 contained quality assurance checklists that demonstrated how the SA's complied with the SEA Directive (page 57 of the BDPSA)

5.7 A table showing all the responses to the SA consultation carried out between March and April 2015 was published on the Councils' websites. This included a summary of the response, officers' comments and proposed action (OED/33A). Corresponding amendments were also made to both SA's as a result of this consultation (OED/ 33B –Redditch and OED/34 Bromsgrove). The Sustainability Appraisal of the Bromsgrove District Plan May 2015 details changes made as a result of the consultation at the beginning of the Document.

5.8 At the Examination hearing sessions in June 2015 it was confirmed that the BDPSA did not in itself contain a detailed assessment of growth options for Redditch within the BDP area, and that it referred instead to the BORLP4 SA. The Inspector accepted this as a suitably pragmatic approach and saw no benefit in duplicating the exercise and the BDP SA (as updated) provided appropriate cross-references to the relevant documentation.

5.9 During the final cross-boundary hearing sessions concerns were re-expressed regarding various SA issues and at the final joint examination session on 24 March 2016 the Inspector requested a Legal Opinion commissioned by the Councils on whether the SA's complied with the SEA Directive. This Opinion confirmed legal

compliance and was published on the Councils' websites on 20 April 2016 (Reference ED/50-Legal Opinion on behalf of the Councils on SEA, April 2016).

5.10 A screening of the proposed Main Modifications to the BDP following Examination found that no significant environment effects were likely and therefore further SA is not required. This screening is available as a separate document.

6. The reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives

6.1 This is explained in detail in the document the Sustainability Appraisal of the Bromsgrove District Plan May 2015 (page 89 under the title '*Evolution of the BDP and Reasonable Alternatives considered*'). This covers reasonable alternatives for both Bromsgrove's needs and those arising from cross-boundary agreement.

6.2 At each stage of the evolution of the BDP, reasonable alternative options have been identified and appraised, with detailed explanation given on the reasons for choosing the proposed option, taking account of consultee representations, planning considerations and sustainability analysis. The Submission BDP and accompanying SA set out detailed consideration of all the policies and potential housing sites and ensures that all reasonable alternatives were explicitly tested against one another. Particular attention was paid to the need to provide for development in Bromsgrove District to meet the needs of Redditch, and detailed evaluation of options relating to such strategic provision was undertaken and appraised.

6.3 The SA report identifies a number of likely effects associated with strategic sites and policy options and the likelihood and scale of these effects. Mitigation or remedial measures have also been proposed that maximise any predicted beneficial effects of the proposed options or approaches and that minimise any predicted adverse effects.

7. The measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme (regulation 16)

7.1 The significant environmental effects of the plan are summarised on page 177 of the Sustainability Appraisal of the Bromsgrove District Plan May 2015 whereby mitigation measures are also identified. These will be monitored as set out in this document on pages 48/49 which states:

'Once the BDP is adopted its effects will continue to be monitored against the identified sustainability indicators to measure how well the plan has contributed to sustainability (alongside monitoring the indicators for the Plan). Appendix D identifies the SA Objectives and indicators developed by Bromsgrove DC. The data collected will form the baseline to which future effects will be compared and the results will help inform the preparation of the District Plan Review (following the Green Belt Review). The policies contained in the Plan will be monitored through the Councils Annual Monitoring Report (AMR) which is normally published around Dec/Jan annually and which oversees and reports on the progress of the Plan.'

7.2 Monitoring indicators are set out in the BDP Appendix V page 146 of the Proposed Submission version of the Plan September 2013.

Appendix A - key sustainability issues and the sustainability framework

Topic	Baseline and trends	Key sustainability issues	How this is reflected in the sustainability framework
Social			
Rising older population	Bromsgrove has an above average older population with corresponding resultant impacts on service provision, housing needs and workforce availability. 2011 Census approximately 20% of population were aged 65-plus. This number is projected to increase by around 11,300 by 2030 (compared to 800 in the 0-17 age group)	Provision of appropriate housing ie tenures and types, services and facilities.	SO1 Provide decent affordable housing for all, of the right quality and tenure and for local needs in clean, safe and pleasant local environment
Barriers to housing and services in rural areas	Bromsgrove District ¹ has consistently demonstrated higher house prices than the national average and Worcestershire. However the housing market is also experiencing issues around supply since the recession in 2008. The District has many small settlements with limited or without their own services. Many local facilities and transport options are considered unviable due to dispersed population. Some households are unable to afford to purchase or rent on the open market in Bromsgrove District with house price increases far outstripping earnings increases ²	Range of house types including affordable housing	SO1 Provide decent affordable housing for all, of the right quality and tenure and for local needs in clean, safe and pleasant local environment SO3 Improve the vitality and viability of Town Centres, other centres and communities and quality of and equitable access to local services and facilities regardless of age, gender, ethnicity, disability, socio economic status or educational attainment
Local facilities to meet the needs of the population	Facilities lost due to high housing development rates leading to an imbalance in service provision to population size.	Support local centres and villages	SO3 Improve the vitality and viability of Town Centres, other centres and communities and quality of and equitable access to local services and facilities regardless of age, gender, ethnicity, disability, socio economic status or educational attainment
Under-provision of affordable housing	Limited affordable housing for local people leading to social exclusion and harm to community life and networks	Provision of affordable housing Social cohesion	SO1 Provide decent affordable housing for all, of the right quality and tenure and for local needs in clean, safe and pleasant local environment
An increase in young residents leaving in search of work and housing	Young people that cannot afford to live in the District and those who work outside the District are moving away.	Provision of affordable housing	SO1 Provide decent affordable housing for all, of the right quality and tenure and for local needs in clean, safe and pleasant local environment
Keeping the sense of community 'alive'	19 parishes in District, only a handful have expressed interest in pursuing Neighbourhood Plans. In 2011 32,755 votes were cast in district elections, representing a 44.7 per cent turnout	Community Engagement and Consultation.	SO6 To provide opportunities for communities to participate and contribute to decisions that affect their neighbourhood and quality of life, encouraging pride and social responsibility in the local community
Reducing fear of crime	Bromsgrove is a safe place to live and fear of crime has reduced since surveys were carried out in 2005.	High quality designed environments.	SO4 Reduce crime, fear of crime and anti-social behaviour
Housing to meet local needs	The Strategic Housing Market Assessment provides evidence for the housing figures appropriate for Bromsgrove District	Provide range of house types and tenures to meet needs	SO1 Provide decent affordable housing for all, of the right quality and tenure and for local needs in clean, safe and pleasant local environment
Possible cross boundary growth in the District	The Strategic Housing Market Assessment provides evidence for the housing figures appropriate for Redditch Borough. The Strategic Housing Market Assessment commissioned by Birmingham City Council also provides evidence for the housing figures in the City (also informed by GBSLEP Joint strategic housing study).	Making best use of land	EV2 Ensure efficient use of land through safeguarding of mineral resources, the best and most versatile agricultural land, land of Green Belt value, maximising of previously developed land and reuse of vacant buildings where this is not detrimental to open space and biodiversity interest
Environmental			
Implications of redeveloping brownfield land	High density development within existing settlements can have negative impact on local environments and brownfield sites can be biodiversity-rich. However supply of brownfield land is	Making best use of land	EV2 Ensure efficient use of land through safeguarding of mineral resources, the best and most versatile agricultural land, land of Green Belt value, maximising of previously developed land and reuse of vacant buildings

¹ AMION report Housing Needs Assessment 29.8.14 Appendix B House Prices [ED/14]

² AMION report Housing Needs Assessment 29.8.14 Appendix B Affordability [ED/14]

Topic	Baseline and trends	Key sustainability issues	How this is reflected in the sustainability framework
	running out in the District, placing more pressure on greenfield land and ultimately the potential release of Green Belt land.		where this is not detrimental to open space and biodiversity interest
Large identified greenfield sites for future development needs	A number of large greenfield sites were removed from the Green Belt or not confirmed as Green Belt through the Bromsgrove District Local Plan (2004) and designated as Areas of Development Restraint (ADRs). ADRs were reserved for future development beyond the life of the Local Plan	Efficient use of land	EV2 Ensure efficient use of land through safeguarding of mineral resources, the best and most versatile agricultural land, land of Green Belt value, maximising of previously developed land and reuse of vacant buildings where this is not detrimental to open space and biodiversity interest
Commuting out of the District	District population earn higher than average salaries but they earn then outside the District.	Increase employment opportunities within District.	EC1 Develop a knowledge driven economy, the infrastructure and skills base whilst ensuring all share the benefits, urban and rural. EC2 Promote and support the development of new technologies of high value and low impact especially resource efficient technologies and environmental technology initiatives. EC3 To raise the skills levels and qualifications of workforce and quality of education opportunities for all.
High car usage and congestion	High amount of car usage compared to sustainable transport leading to congested roads at peak periods and costs associated with this include for example costs to businesses and poor air quality. 2011 census showed that the number of people travelling to work by car (49.9%) is higher than the national average (36.9%) Only 12.5% of households in Bromsgrove do not own a car or van compared to 16.6% in Worcestershire and 25.8% in England. Rural areas are served by infrequent bus services.	Sustainable transport modes. Sustainable/mixed use development.	SO5 Increase sustainable travel choices and move towards more sustainable travel patterns
Air quality	Although the District benefits from excellent strategic road connections, it does experience localised air quality problems caused by high traffic volumes. Bromsgrove has 4 declared Air Quality Management Areas (AQMAs).	Sustainable transport modes Air quality monitoring Health	SO5 Increase sustainable travel choices and move towards more sustainable travel patterns SO2 To improve the health and well-being of the population and reduce inequalities in health
Degradation of the Natural and Historic Environment	Degradation of the environment as a whole has been realised incrementally over time as a result of damaging land use practices, development pressures, neglect/decay of heritage assets at risk, traffic congestion, air quality, noise pollution, loss/erosion of landscape/townscape character or quality, climate change and so on. Specific concerns includes conservation of biodiversity, cultural heritage, historic assets, character of the townscape, landscape character and the protection of groundwater supplies. 6 out of 14 SSSI's are described as 'favourable'. As the more densely populated areas such as Bromsgrove Town, Catshill and Hagley are highly sensitive in terms of protection of groundwater and appropriate measures will need to be taken to ensure underlying aquifers are protected. Bromsgrove has 2 listed buildings, 5 scheduled Ancient monuments, a conservation area and Registered Historic Park and Garden on the National 'Heritage at risk' register. Large portions of evidence in the form of archaeological deposits and structures above and below ground have already been destroyed by previous development especially in the 1960's. The District has many locally important buildings that do not qualify for national	Protection of certain land from development and appropriate consideration of settings. Landscape protection and enhancement. Conservation and enhancement of biodiversity Protection of Heritage Assets Health improvement	EV1 To conserve and enhance biodiversity and geodiversity EV4 Conserve, protect and enhance the architectural, cultural and historic environment, heritage and seek well-designed, high quality built environment in new development proposals EV3 Safeguard and strengthen landscape and townscape character and quality

Topic	Baseline and trends	Key sustainability issues	How this is reflected in the sustainability framework
	listing but nevertheless are important to the distinctive character of Bromsgrove.		
Responding to climate change	<p>Improvement and promotion of sustainable transport and energy efficiency, etc can all help reduce the causes of climate change. Flood risk within the District is mainly associated with flash flooding and climate change means that more extreme weather is likely to happen. This includes hotter and wetter summer and drier and colder winters.</p> <p>No major rivers run through the District. Flood risk is concentrated in a few places with the risk of major flooding being minimal.</p> <p>Increasing human demand for water, coupled with the effects of climate change mean the future of our water supply is not secure. Bromsgrove falls within the Severn River Basin District and assessment of main water resources in the River Basin management Plan indicates that the main aquifers have poor quantitative status and no change in status is forecast by 2015. The existing abstraction has also led to negative environmental impacts in several areas in the District.</p> <p>In Bromsgrove the highest CO2 emissions correlate with the M5 and M42 motorway corridors whilst in other predominantly rural areas emissions are low.</p>	<p>Climate change</p> <p>Flood risk management</p> <p>Water Efficiency</p> <p>Air quality monitoring</p>	<p>EV5 To manage waste in accordance with the waste hierarchy, 1) Prevention, 2) Preparing for reuse, 3) Recycling, 4) Other recovery, 5) Disposal</p> <p>EV6 Ensure inappropriate development does not occur in high risk flood prone areas and does not adversely contribute to fluvial flood risk or contribute to surface water flooding in all other areas.</p> <p>EV7 Promote resource efficiency and energy generated from renewable energy and low carbon sources.</p> <p>EV8 Protect and enhance the quality of water, soil and air</p> <p>EV9 Reduce causes of and adapt to the impacts of climate change.</p>
Economic			
Changing economy	<p>The District is undergoing a change in its economy from heavy industry to high tech industries. For example, MG Rover, once a major employer of Bromsgrove residents, was closed down in 2005.</p> <p>2011 census 3.1% unemployed (West Midlands 5.1% and 4.4% nationally)</p>	<p>Support and encouragement for existing and new businesses.</p> <p>Supporting farming and rural diversification.</p> <p>Homeworking.</p> <p>Lifelong education and learning skills</p> <p>Infrastructure</p>	<p>EC1 Develop a knowledge driven economy, the infrastructure and skills base whilst ensuring all share the benefits, urban and rural.</p> <p>EC2 Promote and support the development of new technologies of high value and low impact especially resource efficient technologies and environmental technology initiatives.</p> <p>EC3 To raise the skills levels and qualifications of workforce and quality of education opportunities for all.</p>
The revival of the town centre as well as regeneration at Longbridge	<p>The Town Centre is perceived as 'run down' and has a high vacancy rate. The Town Centre Health check indicates that the vacancy rate has decreased year on year until 2013 where there has been a consecutive increase in 2013 and 2014 albeit vacancy rates are still lower than 2009.</p> <p>The MG Rover plant in Longbridge was closed down in 2005</p>	<p>Regeneration of Town Centre and Longbridge</p>	<p>SO3 Improve the vitality and viability of Town Centres, other centres and communities and quality of and equitable access to local services and facilities regardless of age, gender, ethnicity, disability, socio economic status or educational attainment</p>

Appendix B - Key Stages in the BDP SA process

Document	Summary
Sustainability Appraisal of the Local Development Documents Appraisal of Issues and Options Interim Report 2005	Consultation of the Issues and Options was undertaken in 2005. Each core issue presented had a set of alternative options presented as possible solutions to the issues. The key issues and options identified were Locations for Growth; Housing for Everyone; Rural Life; the Local Economy and Creating Jobs; Shopping and Bromsgrove Town Centre; Learning, Leisure and Improving Health; Our natural Environment; Getting Around and Preserving the Past. Each of the options was assessed in the Sustainability Report carried out by Hyder Consulting UK Ltd and makes key recommendations whereby some options were amended and/or other options being combined. Those progressed had the least negative effects on environmental factors and most positive effects on social and economic factors as well as reflecting the overall Plan Strategy and being capable of delivery over the Plan Period.
Bromsgrove Issues and Options Consultation SA update 2007	A further Issues and Options Consultation was carried out in 2007. This consultation was carried out as further key issues and options had been identified in the intervening period, including new housing growth; climate change and renewable energy; flooding; waste and recycling and biodiversity. Issues around new housing growth had changed in the intervening period due to the revised context of the RSS. The above report was updated and again those options with the greatest support, the least negative impacts on sustainability factors as well as reflecting the overall Plan Strategy and capable of delivery were progressed and included in policies within the Plan
Sustainability Appraisal for Draft Core Strategy 2008	This SA appraised all of the proposed policies which included general policies to guide development and raised the issue of cross boundary growth. There were 4 agencies/businesses that responded to this SA consultation, some were supportive and some recommended changes or pointed out minor typos. Changes were made to the Plan where appropriate on the basis of these responses.
Sustainability Appraisal of Strategic Site Options 2010	In order to better understand the implications of the Strategic Sites options, a Sustainability Appraisal of each of the 7 broad areas identified in this document was undertaken. The assessment helped to determine which areas could deliver the most sustainable form of development for Bromsgrove Town.
Sustainability Appraisal for Draft Core Strategy 2011 (DCS2)	This updated version of the Core Strategy also appraised the policies but did not include mention of cross boundary growth to reflect the aspirations of the Redditch Plan. Again 4 agencies/individuals responded to the SA consultation at this stage. Changes were made to the Plan as Appropriate or further discussions were held with relevant services and/or additional evidence gathered.
Sustainability Appraisal for Draft Bromsgrove Town Centre Area Action Plan	An SA of the draft TCAAP was undertaken and consulted upon in 2011. This AAP was not progressed but many of the policies proposed were incorporated in the BDP in policy BDP 17 Town Centre Regeneration.
Sustainability Appraisal for the Bromsgrove District and Redditch Borough Housing Growth Study 2013	This document accompanied the HGDS consulted on in 2013. It compared strategic objectives against SA objectives, area assessment principles against SA objectives, SA of broad options and SA of alternative growth options.
Area Assessment Sustainability Appraisals 2013	This suite of documents identifies sites around all of the large settlements in Bromsgrove District and identifies which of these sites performs best in sustainability terms. This influenced the selection of development sites in the BDP.
Sustainability Appraisal of Bromsgrove District Plan Proposed Submission Version 2013	This SA, inter alia, carried out a SA of all the policies of the BDP. It identified key strengths, weaknesses and made recommendations for mitigation. This SA accompanied the BDP at proposed Submission stage in September 2013.
Habitats Regulation Assessment Screening Report 2013	The European Habitats Directive (European Communities, 1992) requires an assessment to be made of the possible effects of certain plans on the integrity of 'European Sites' before the plan is adopted. 'European sites' - comprise: Special Areas of Conservation (SACs), for habitats; Special Protection Areas (SPAs), for birds); and also Sites designated under the Ramsar Convention as wetlands of international importance. The screening assessment concluded that the implementation of the Bromsgrove District Plan will have no 'likely significant effects' on any Natura 2000 site, alone or in combination with other plans or projects. Therefore Stage II Appropriate Assessment would not be required.
Sustainability Appraisal Of Different Growth Levels 2014	Different growth levels were assessed throughout the evolution of the Bromsgrove District Plan. Each level of growth was assessed individually and the sustainability outcomes compared. Overall, it was considered that the growth level of 7,000 performs best due to its beneficial performance against social and economic objectives. It has been identified that lower levels of growth (2,100 and 4,000) would deliver much more limited social and economic benefits whilst the highest growth figures (9,600 and 10,500) would potentially cause significant environmental harm. It was therefore recommended that the figure of 7,000 was incorporated into the Bromsgrove District Plan.
Updated Bromsgrove District Plan Sustainability Appraisal (March and May 2015)	A final SA report was produced in May 2015 as part of the iterative process of SA, incorporating some changes made during consultation in March 2015 version of the Bromsgrove SA. This was produced to make clear legal compliancy and ensure alignment with the Redditch SA was maintained.
Borough of Redditch Local Plan No.4 Sustainability Appraisal (March/May 2015)	This document informed the cross boundary site selection process.
Bromsgrove District Plan – Proposed Main Modifications Screening Matrix 2016	SA screening of the Inspector's proposed Main Modifications was carried out. Council did not consider that the Main modifications proposed by the Inspector (nor minor ones proposed by the Council) would lead to significant changes and therefore did not require further consultation or SA work

CABINET

11th January 2017

STAFF SURVEY RESULTS

Relevant Portfolio Holder	Cllr. Geoff Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Deborah Poole, Head of Business Transformation
Wards Affected	None
Ward Councillor Consulted	No
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This report is to update to Members in respect of the Staff Survey.
- 1.2 The survey has highlighted areas where further work will be needed and also areas of good practice that the organisation will wish to build on. The report (attached at Appendix 1) also outlines the approach that has been adopted to address the top three issues at both a service and corporate level.
- 1.2 The survey has provided an opportunity to gauge employee morale, culture, workplace relationships and communication. The survey has been completed by 246 employees which equates to a response rate of 25%. Whilst this is lower than the last response rate of 33%, it is still sufficient to provide meaningful results. A breakdown of the percentage response rate by service area is attached at Appendix 2.
- 1.3 The 2016 survey used the same questions as in the previous survey so a comparison could be made. A copy of the full results for the 2016 Staff Survey have been made available to the relevant Heads of Service to enable them to address issues at a departmental level.

2. RECOMMENDATIONS

The Committee is asked to NOTE the report and its attachments.

3. KEY ISSUES

Financial Implications

- 3.1 There are no direct financial implications as a result of the staff survey. However, there may be some issues that require financial resource to fix them e.g. training needs. It is anticipated that costs such as these will be covered from within existing budgets.

Service / Operational Implications

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— There are no direct operational issues arising from the staff survey. —
However, there may be some issues relating to certain service areas that will need to be addressed. It is anticipated that, if this is the case, the outcome of addressing any issues would be a positive one

Customer / Equalities and Diversity Implications

None

4. RISK MANAGEMENT

4.1 There are no risks to the organisation as a consequence of this survey.

5. APPENDICES

Appendix 1 – Staff Survey Approach

Appendix 2 – Percentage of staff who responded

Appendix 3 - Full results

6. BACKGROUND PAPERS

None

AUTHOR OF REPORT

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Staff Survey Report

January 2017

We undertook a staff survey in April 2016. The staff survey was an opportunity to gauge employee morale, the culture of the organisation, workplace relationships and communication. It was completed by 246 employees which equates to a response rate of 25%, which whilst lower than the last response rate of 33%, it was sufficient to provide enough detail for the results to be meaningful. A breakdown of the response rate by service area is attached at Appendix 1.

The same questions were used in the survey as the previous one so a comparison could be made. A copy of the full results for the 2016 Staff Survey along with comparator results for 2013, where available, are attached at Appendix 2.

Summary of overall improvement

We have seen a number of improvements across the board including communicating with more staff receiving feedback from their line manager. We can also confirm that staff are more aware of the:

- Six Strategic Purposes and operational measures
- Support available
- Changes happening within the Councils and their impact
- Process for raising concerns and confidence in doing this

What we are doing well

The three areas below have been identified as the areas that have seen the greatest improvements since the last staff survey:-

I have the support that I need to be able to deal with change effectively	+12.20%
I feel that I am coping well with the changes that are taking place	+7.30%
These changes have been beneficial	+13.70%

It is encouraging that we have seen improvements in staff feeling able to deal with changes and reporting the benefits of change. This along with the positive results regarding communication is reassuring that all the hard work that has been undertaken in these areas is making a difference.

Where we need to improve

Specific areas which have seen the highest reduction since the previous survey:-

I have all the skills I need to be able to do my job well.	-14.00%
I am able to meet the needs of my customers on a daily basis.	-9.40%
I have a good working relationship with my colleagues	-5.60%

Work is being undertaken to help identify what has brought about these changes and what needs to be done to ensure improvements are made as outlined below.

How we take forward the results from the Staff Survey

A programme board was established, chaired by the Chief Executive and supported by Head of Business Transformation, representatives from Human Resources, Organisational Development and the Trade Unions (Unison, GMB and UCATT). Following analysis and discussion of the Survey results the Board agreed that data will be considered at both a Corporate and Service level.

Three corporate work streams have been established and are headed up by key officers as detailed below:-

- People Management – Deb Poole, Head of Business Transformation Manager
- Meeting Our Customers' Needs – Amanda Singleton, Customer Access & Financial Support
- Organisational Culture – Sue Hanley, Deputy Chief Executive

Each of the work streams will bring together work that is already ongoing in addition to work identified through the analysis of data that is available corporately.

At a Service level Heads of Service (HOS) were provided with data for their own area and have analysed this data and developed action plans with clear timescales to specifically address the three areas of greatest improvement / decline compared to the previous survey, whilst also focusing on an areas that they feel the need to address within their services.

The actions plans from both the Corporate Work Streams and the Heads of Services have been presented to the Programme Board

Key Themes

People Management

Agenda Item 6

The Head of Business Transformation is leading on the People Management work stream which includes Performance Management, Workforce Planning, Leadership Development, Learning and Development, Skills Development

Meeting the needs of our Customers

The Head of Customer Services, in conjunction with the Policy Manager are identifying how they can collect more information about what prevents employees from being able to meet the needs of their customers.

Organisational Culture

The Deputy Chief Executive, in conjunction with a sub working group including the Trade Unions, is undertaking work to identify the current culture of the organisation and to assess if the current culture is in accordance with our strategic objectives. Once corporately the desired culture has been defined, a detailed action plan will be developed to embed this desired culture into all aspects of our business.

Corporate Actions

Below are some of the corporate actions that are currently in progress;

1 Improved communication:

Regular Staff Briefing to be held at on a quarterly basis at the all of the main council sites

These will be followed by mandatory Team Meetings in all areas to:

- allow managers to put information from the Briefings into context for their staff
- allow staff to ask questions and raise issues
- give staff an opportunity to provide feedback about the content etc of the Briefings to SMT
- give staff and manager a chance to discuss any service or team issues

Plus bullet point posters which will be put up at all locations to reach more staff and updates on the Orb for office based staff.

2 Staff Involvement in Staff Survey Action Plans

Heads of Service to involve their teams in developing their service action plans, this enables HOS to gather more information from employee and to ensure that the areas identified are the key areas to focus on.

4 Bullying and Harassment

Agenda Item 6

The Chief Executive, on behalf of the Corporate Management Team, has reiterated that the Council has a zero tolerance of bullying and harassment, and has reminded employees what they can do if they feel they are the victim of, or witness to such behaviour.

Mandatory Dignity at Work workshops are being arranged to give staff and managers the tools they need to prevent bullying and harassment becoming an issue in the workplace.

5 Training Budgets

Training budgets have been reviewed to ensure they are appropriately allocated to enable employees to access the necessary training to development their skills to undertake their role.

Conclusion

Whilst Key Themes and Individual Service Plans are been development by the relevant Officers, it is important that all of the findings and subsequent actions are not considered in isolation.

The Programme Board will be regularly reviewing the work being undertaken to ensure that a holistic approach is adopted to the work being undertaken following the Staff Survey in conjunction with any other work that is being undertaken.

2016 responses: 1=not at all > 6=completely / 2013 responses: 0=not at all > 5=completely

Q	# valid responses	Total # responses 2016 = 246 (26.23%) Total # responses 2013 = 307 (31.65%)	2016	2013	2016	2013
1	246	I am clear about my role and responsibilities when I am at work	1	0	2.0%	2.3%
			2	1	4.5%	6.2%
			3	2	10.6%	7.8%
			4	3	13.4%	20.2%
			5	4	29.7%	20.8%
			6	5	39.8%	42.7%
2	246	I understand how my role contributes to the purpose of my team and I feel that what I do is important	1	0	2.4%	2.6%
			2	1	6.1%	3.6%
			3	2	6.9%	8.2%
			4	3	13.4%	14.4%
			5	4	28.9%	27.1%
			6	5	42.3%	44.1%
3	246	I have all the skills I need to be able to do my job well. (Please give details below if you have any training needs)	1	0	2.4%	0.3%
			2	1	5.7%	4.0%
			3	2	8.5%	5.0%
			4	3	22.0%	15.3%
			5	4	39.4%	38.7%
			6	5	22.0%	36.7%
4	245	I have the opportunity to do what I do best on a daily basis	1	0	9.4%	4.2%
			2	1	8.6%	9.1%
			3	2	10.2%	10.7%
			4	3	22.9%	25.0%
			5	4	26.1%	29.9%
			6	5	22.9%	21.1%
5	245	I have opportunities to develop my skills and knowledge for the future	1	0	11.4%	10.1%
			2	1	10.2%	10.1%
			3	2	13.9%	16.2%
			4	3	26.5%	25.3%
			5	4	21.2%	22.4%
			6	5	16.7%	15.9%
6	243	I am able to meet the needs of my customers (internal or external) on a daily basis.	1	0	3.3%	3.6%
			2	1	9.9%	6.2%
			3	2	12.8%	13.1%
			4	3	25.9%	19.6%
			5	4	32.1%	38.2%
			6	5	16.0%	19.3%
7	244	I have the materials and equipment that I need to do my job well.	1	0	4.5%	3.9%
			2	1	11.1%	8.5%
			3	2	16.4%	16.4%
			4	3	23.8%	24.9%
			5	4	28.3%	29.5%
			6	5	16.0%	16.7%
9	240	Systems, processes, people, cross-site working / travel between sites etc get in the way of me being able to do a good job	1	0	17.5%	13.6%
			2	1	13.8%	13.6%
			3	2	21.3%	20.1%
			4	3	18.8%	22.1%
			5	4	17.1%	22.4%
			6	5	11.7%	8.2%
11	245	I know that the Councils have 6 Strategic Purposes.	Y		80.0%	61.5%
			N		20.0%	38.5%
12	241	I am able to state what the 6 Strategic Purposes are.	Y		46.5%	26.2%
			N		53.5%	73.8%
13	206	I am aware that my service area has operational measures or that they are currently being developed.	Y		76.2%	67.5%
			N		23.8%	32.5%

2016 responses: 1=not at all > 6=completely / 2013 responses: 0=not at all > 5=completely

Q	# valid responses	Total # responses 2016 = 246 (26.23%) Total # responses 2013 = 307 (31.65%)	2016	2013	2016	2013
15	243	I feel that I have a suitable balance between work and the rest of my life	1	0	4.1%	3.3%
			2	1	8.6%	3.3%
			3	2	13.2%	12.4%
			4	3	20.2%	24.8%
			5	4	29.6%	29.1%
			6	5	24.3%	27.1%
16	243	I am able to take a lunch break every day	1	0	7.0%	4.0%
			2	1	8.6%	12.3%
			3	2	15.2%	12.0%
			4	3	12.3%	12.6%
			5	4	21.0%	20.9%
			6	5	35.8%	38.2%
17	242	I am able to take other breaks if I need them	1	0	7.0%	8.9%
			2	1	13.2%	13.9%
			3	2	14.9%	10.9%
			4	3	21.1%	17.8%
			5	4	23.1%	24.1%
			6	5	20.7%	24.4%
18	245	I am generally able to take advantage of flexible working arrangements	1	0	11.0%	17.2%
			2	1	6.5%	5.0%
			3	2	11.0%	5.6%
			4	3	8.6%	14.2%
			5	4	31.8%	26.7%
			6	5	31.0%	31.4%
19	244	I would be interested in taking part in health and wellbeing programmes at work (in addition to the smoking cessation and health checks that are already on offer). Please give details in the comments section below.	Y		56.6%	47.1%
			N		43.4%	52.9%
21	243	Does your working environment hinder your ability to work effectively? (If yes, please give details below)	Y		26.7%	N/A
			N		73.3%	N/A
23	245	Have you suffered from any illness, disability or other physical or mental problem within the last 12 months that was caused or made worse by your job or by work you have done in the past?	Y		19.2%	24.7%
			N		80.8%	75.3%
26	246	My team works well together	1	0	2.4%	3.7%
			2	1	6.9%	2.4%
			3	2	11.8%	7.4%
			4	3	13.0%	16.5%
			5	4	30.5%	37.4%
			6	5	35.4%	32.7%
27	245	I have a good working relationship with my colleagues	1	0	0.4%	1.7%
			2	1	1.6%	1.7%
			3	2	9.0%	2.7%
			4	3	11.4%	10.8%
			5	4	33.1%	37.0%
			6	5	44.5%	46.1%
28	244	I understand what my colleagues do and how this contributes to the overall purpose of the team	1	0	1.6%	1.3%
			2	1	1.6%	3.4%
			3	2	7.0%	6.1%
			4	3	13.1%	12.8%
			5	4	34.8%	35.7%
			6	5	41.8%	40.7%

2016 responses: 1=not at all > 6=completely / 2013 responses: 0=not at all > 5=completely

Q	# valid responses	Total # responses 2016 = 246 (26.23%) Total # responses 2013 = 307 (31.65%)	2016	2013	2016	2013
29	245	I feel that I have the opportunity to contribute to decision making or changes within the team	1	0	9.0%	9.8%
			2	1	9.8%	6.7%
			3	2	6.9%	11.8%
			4	3	16.3%	17.2%
			5	4	25.3%	23.6%
			6	5	32.7%	31.0%
30	244	Do you feel that you are affected by any conflict within the team?	Y		31.1%	34.5%
			N		68.9%	65.5%
31	241	Have you been subjected to any bullying or harassment while at work?	Y		17.0%	14.7%
			N		83.0%	85.3%
32	20	If you have answered "Yes" to the above question, what were the grounds for the bullying or harassment? Other available options for which there was a nil response in either survey: - Marriage & civil partnership - Pregnancy and maternity	Age		10.0%	10.0%
			Disability		10.0%	2.5%
			Gender reassignment		5.0%	0.0%
			Sexual orientation		5.0%	0.0%
			Race		0.0%	7.5%
			Religion or belief		0.0%	7.5%
			Sex		0.0%	7.5%
			Caring		0.0%	2.5%
Other		70.0%	62.5%			
34	227	I think that my team meetings are useful	1	0	14.5%	15.1%
			2	1	13.2%	9.3%
			3	2	13.7%	10.0%
			4	3	14.5%	21.6%
			5	4	26.9%	25.1%
			6	5	17.2%	18.9%
35	244	We have regular team meetings so I feel that I am well informed about what is happening	Y		60.7%	54.5%
			N		39.3%	45.5%
36	244	I have regular one-to-one meetings / status updates with my line manager / supervisor	Y		57.0%	54.3%
			N		43.0%	45.7%
37	242	I am encouraged to contribute my thoughts and ideas at team meetings and one-to-one sessions	Y		73.6%	69.8%
			N		26.4%	30.2%
38	241	The way the organisation communicates with staff eg using the Oracle newsletter and Orb notifications etc meets my needs	Y		73.9%	71.0%
			N		26.1%	29.0%
40	242	I get the support I need from my line manager	Y		76.4%	74.9%
			N		23.6%	25.1%
41	243	I get the support I need from my colleagues	Y		91.8%	86.2%
			N		8.2%	13.8%
42	243	I feel that my contribution is recognised and I receive praise when I do a good job	Y		67.9%	63.9%
			N		32.1%	36.1%
43	244	I get regular feedback from my line manager about how I am doing	Y		59.4%	50.2%
			N		40.6%	49.8%
44	244	I am aware of the support on offer through the Employee Assistance Programme, Occupational Health and Union Representatives	Y		80.3%	70.4%
			N		19.7%	29.6%

2016 responses: 1=not at all > 6=completely / 2013 responses: 0=not at all > 5=completely

Q	# valid responses	Total # responses 2016 = 246 (26.23%) Total # responses 2013 = 307 (31.65%)	2016	2013	2016	2013
			Y	N	Y	N
46	242	I am aware of the changes that are happening within the Council	Y		81.8%	88.0%
			N		18.2%	12.0%
47	242	I understand why these changes are happening	Y		80.6%	83.8%
			N		19.4%	16.2%
48	242	I understand what impact these changes will have on my role and the way that I carry it out	Y		66.1%	58.3%
			N		33.9%	41.7%
49	239	I have the support that I need to be able to deal with change effectively	Y		69.9%	57.7%
			N		30.1%	42.3%
50	238	I feel that I have the skills I need to be able to deal with the changes that are taking place	Y		84.0%	81.9%
			N		16.0%	18.1%
51	239	I feel that I am able to influence the changes taking place around me	Y		40.2%	34.5%
			N		59.8%	65.5%
52	239	I feel that I am coping well with the changes that are taking place	Y		80.3%	73.0%
			N		19.7%	27.0%
53	240	The changes in my service area have had an impact on how I do my job	Y		75.8%	69.0%
			N		24.2%	31.0%
54	232	These changes have been beneficial	Y		52.2%	38.5%
			N		47.8%	61.5%
56	239	I understand that I have a responsibility to raise any concerns I may have over possible fraud, crime, danger or other serious risk that could threaten customers, colleagues, the public or the organisation's reputation	Y		99.2%	97.2%
			N		0.8%	2.8%
57	239	I know how to raise such a concern	Y		92.1%	83.2%
			N		7.9%	16.8%
58	238	I feel confident about raising any such concerns	Y		88.2%	78.9%
			N		11.8%	21.1%
60	224	Which of the following best describes the main focus of your role?	4th Tier/Strategic Management		8.0%	10.6%
			Office based-Customer facing role		23.2%	15.8%
			Office based-Support role		20.5%	28.2%
			Operational/Frontline role		33.5%	29.6%
			Supervisory/Teamleader		14.7%	15.8%
61	215	(2016) Which Service Area do you work within?	Business Transformation		8.8%	7.3%
			Chief Executives		3.3%	4.0%
			Community Services		16.3%	11.2%
			Customer Access & Financial Services		18.1%	24.4%
			Environmental Services		17.7%	11.7%
			Housing Services		12.6%	15.6%
			Legal, Equality & Democratic Services		2.3%	5.9%
			Leisure & Cultural Services		12.6%	9.8%
			Planning & Regeneration		8.4%	10.2%
229		Which Directorate do you work within?	Chief Executive		-	7.4%
			Finance and Corporate Resources		-	33.2%
			Planning and Regeneration, Regulatory, Housing		-	24.9%
			Leisure, Environment and Community Services		-	34.5%

BROMSGROVE DISTRICT

Cabinet

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COUNCIL TAX BASE CALCULATION 2017-18

Relevant Portfolio Holder	Councillor Geoff Denaro
Portfolio Holder Consulted	Yes
Relevant Head of Service	Jayne Pickering
Wards Affected	No
Ward Councillor Consulted	No
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This reports sets out details of the calculation of the District's tax base for Council Tax setting purposes. The calculation of the Council Tax base is required as part of the determination of the level of Council Tax for 2017/18.

2. RECOMMENDATIONS

- 2.1 **Cabinet are asked to APPROVE that:**

The amount calculated by Bromsgrove District Council as the Council Tax Base for the whole area for 2017/18 is approved at **36,056.65** as detailed at **Appendix 1** to include the individual parish elements

3. KEY ISSUES

Financial Implications

- 3.1 The calculation of the Council Tax base forms the basis of the calculation of Council Tax for the new financial year. The Council Tax Base is calculated using a prescribed formula to generate the equivalent number of Band D properties in a District and also takes into account the number of Council Tax Support claimants within the area.

Legal Implications

- 3.4 The Local Authorities (Calculation of Council Tax Base) Regulations 1992, made under powers of the Local Government Finance Act 1992 specify the rules for the calculation of the Council Tax Base.

Customer / Equalities and Diversity Implications

3.7 There are no implications for the Councils Equalities and Diversity Policies.

4. RISK MANAGEMENT

4.1 There are no risk management issues.

5. APPENDICES

Appendix 1 - Council Tax Base Calculation for 2017/18

6. BACKGROUND PAPERS

Held with Revenue Services Section

AUTHOR OF REPORT

Name: Sam Morgan
E Mail: sam.morgan@bromsgroveandredditch.gov.uk
Tel: 01527 587088

BROMSGROVE DISTRICT

Cabinet

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Appendix 1

Council Tax Base Calculation 2017-18

The Council Tax Base calculation for each parish is detailed below

		<u>Gross</u>	<u>Net</u>
		36,420.86	36,056.65
101/107	Unparished	13,604.89	13,468.84
111	Alvechurch	2,327.39	2,304.12
102	Barnt Green	1,008.62	998.54
116	Belbroughton	1,212.09	1,199.97
118	Bentley Pauncefort	188.17	186.28
119	Beoley	458.58	454.00
103	Bournheath	219.79	217.59
104	Catshill & Marlbrook	2,361.75	2,338.14
120	Clent	544.21	538.77
121	Cofton Hackett	988.42	978.54
122	Dodford with Grafton	401.36	397.35
105	Finstall	308.02	304.94
123	Frankley	51.50	50.98
124	Hagley	2,930.61	2,901.30
106	Lickey & Blackwell	2,113.11	2,091.98
125	Hunnington	236.38	234.01
126	Romsley	663.50	656.86
127/131	Parish of Stoke	1,717.17	1,700.00
129	Tutnall	366.83	363.16
130	Wythall	4,718.47	4,671.28
		36,420.86	36,056.65

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NOMINATION ASSETS OF COMMUNITY VALUE : THE NEW INN BOURNHEATH

Relevant Portfolio Holder	Cllr Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford – Head of Planning & Regeneration
Wards Affected	Belbroughton and Romsley
Key Decision – N/A	

1. SUMMARY OF PROPOSALS

To consider a request to list The New Inn Bournheath as an Asset of Community Value.

2. RECOMMENDATIONS

That Cabinet consider the contents of the report in relation to the New Inn Bournheath decide to either:-

- (a) Support listing as an Asset of Community Value; or**
- (b) Not support listing as an Asset of Community Value**

3. KEY ISSUES

3.1 As Members are aware from previous reports the Localism Act included the 'Community Right to Bid' which gave communities a right to identify a building or other land that they believe to be of importance to their community's social well-being so that if it comes up for sale there is a six month period within which they can prepare their bid to buy the asset. The property in question can then be sold on the open market. Community groups have the same rights as any other bidders and there is no preference given to the local community bid.

3.2 A nomination has been received for the New Inn. The nomination has been submitted by CAMRA (Campaign for Real Ale), Redditch and Bromsgrove branch. The nomination of an asset does not give any organisation an advantage in any future purchase. CAMRA is requesting that the pub is listed to enable it to continue to operate as community asset in the future. The nomination of an asset does not give any organisation an advantage in any future purchase.

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- 3.3 The following documents have been submitted by CAMRA in support of the nomination and are attached at Appendices 1 to 6 :-
- Nomination Form – Appendix 1
 - Articles of Association - Appendix 2
 - Office copy entries - Appendix 3
 - Land Registry Plan - Appendix 4
 - Letter in support dated 25 April 2016 – Appendix 5
- 3.4 The nomination supports the inclusion of the asset due to the fact that the New Inn provides a number of services that further the social wellbeing and interests of the local community. These are detailed in section B4 of the nomination forms attached at Appendix 1.
- 3.5 The New Inn is owned by Punch Partnerships (PTL) Limited (Co. Regn. No. 3512363) and the owners have been consulted regarding the application. In accordance with the process for nominations of Assets of Community Value the ward councillors for Belbroughton and Romsley have also been consulted.
- 3.6 The landlord has raised two concerns in relation to the listing:
- They have advised that there is an alternative public house in close proximity to the New Inn and they are of the view that this is more popular and successful venue than the New Inn and therefore this has been the reason for the trade struggling and the frequency of turnover of licensee at the New Inn. On the basis of the alternative amenity they of the belief that the pub, in itself, does not further the social wellbeing or social interest of the community as a whole
 - In addition they have stated that during the period of them marketing the freehold of the site, no community group has come forward to put an offer to purchase the building. It is of the landlords view that listing the pub would not have the desired intention of allowing a community group to purchase the pub as they have not taken this opportunity during the marketing
- 3.7 Members may recall that an earlier report seeking the nomination of the New Inn as an ACV was included on the agenda for Cabinet on 7th September 2016. At that stage applications had been made by both CAMRA and Bournheath Parish Council. Unfortunately the matter could not be dealt with as Cabinet was inquorate on that occasion. Accordingly, CAMRA have now submitted a new application which is the subject of this report.

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Financial Implications

- 3.8 Property owners who believe they have incurred costs as a result of complying with these procedures can apply for compensation from the Council. As previously reported to Council, Government recognises this as a potential risk to local authorities and will provide a safety net whereby any verified claims of over £20,000 will be met by Government. The owners also have a right to appeal the decision made by the Council in agreeing that the building be included on the Assets of Community Value.

Legal Implications

- 3.9 The Localism Act 2011 made provision for a new system of listing of assets of community value, giving community groups the right to make nominations, and requiring local authorities to maintain local registers. Further more detailed rules around the operation of assets of community value are set out in the Assets of Community Value Regulations 2012.

- 3.10 The test for listing an Asset of Community Value as set out in Section 88 (1) of the Localism Act 2011 is as follows:-

“A building or other land in a Local Authority’s area is land of community value if in the opinion of the authority:-

- (a) an actual current use of the building or other land that is not an ancillary user furthers the social well-being or social interests of the local community, and
- (b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social well-being or social interests of the local community.”

- 3.11 It is worth noting that any sale of a going concern business would be exempt from the legislation relating to assets of community value. Therefore if the pub was to be sold on as a going concern the 6 month moratorium would not apply. The nomination of an asset does not give any organisation an advantage in any future purchase.

- 3.12 Members are reminded that under the process for assets of community value introduced in November 2012 the final decision regarding whether to list an asset rests with the Head of Planning and Regeneration in consultation with the Portfolio Holder for Planning and Regeneration.

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3.13 In their nomination CAMRA make reference to the First Tier Tribunal case of St Gabriel Properties Limited v London Borough of Lewisham and South East London Branch of CAMRA (also known as the Windmill case) which considered the ability of local CAMRA branches to make ACV applications. Another case on this point has since been considered by the First Tier Tribunal. The second case (Hamna Wakaf Ltd v Lambeth) suggests that authority for the nomination should be provided by CAMRA headquarters and this has been supplied as set out in Appendix 5.

3.14 Officers would draw Members attention to the following:-

- There has to be an identifiable local interest in having the asset nominated and Members needs to be satisfied that there is evidence of this in the application form.
- Each ACV application must be judged on it's own merits. If a pub satisfies the test as an ACV it is not a relevant that there may be a number of other pubs nearby which also satisfy the test.
- At the listing stage, the issue of whether a community group could raise the funds to purchase a listed property in the event of a future sale is not the determining factor; members need to apply the test set out in section 88(1) of the Localism Act.

Service/Operational Implications

3.14 There are no specific operational implications for the District. The list of nominated assets is maintained by Land Charges officers and is available on the Councils Website.

Customer / Equalities and Diversity Implications

3.15 The approval of the nomination of the New Inn would ensure that should the property be declared for sale any community group would be able to express an interest in purchasing the asset. This would result in up to 6 months of moratorium whereby any sale could only be to a community group. Following this the owner can sell to any purchaser. This excludes the sale as a going concern.

4. RISK MANAGEMENT

4.1 The register will be maintained to ensure that all assets nominated are included to mitigate any risks associated with assets not being included on the register. Consideration by officers and members will be

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undertaken at each nomination to ensure a consistent approach is taken.

APPENDICES

Appendix 1 - Nomination Form

Appendix 2 - Articles of Association of CAMRA

Appendix 3 - Office copy entries

Appendix 4 - Plan

Appendix 5 - Letter in Support dated 25th April 2016

AUTHOR OF REPORT

Name: Ruth Bamford
E Mail: r.bamford@bromsgroveandredditch.gov.uk
Tel: (01527) 881202

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<p>BROMSGROVE DISTRICT COUNCIL</p> <p>ASSETS OF COMMUNITY VALUE – THE COMMUNITY RIGHT TO BID</p> <p>NOMINATION FORM</p>
--

Section A: About your organisation

A1 Organisation's name and address

Name of organisation*: Redditch & Bromsgrove CAMRA Branch
Address including postcode Martin Hancock

**full name as written in your constitution or rules (if appropriate)*

A2 Contact details

Name: Martin Hancox
Position in organisation: Public liaison officer
Address including postcode
Daytime telephone no.
Email address
How and when can we contact you?* Email

**by email or phone, and days of the week and/or times of day you would prefer*

A3 Type of organisation

Description	Put a cross against all those that apply	Registration number of charity and/or company (if applicable)
Neighbourhood forum		
Parish Council		
Charity		
Community interest company		
Unincorporated body		
Company limited by guarantee	X	1270286
Industrial and provident society		

A4 Number of members registered to vote locally (unincorporated bodies only)

In the case of an unincorporated body, at least 21 of its members must be registered to vote in the Bromsgrove District . If relevant, please confirm the number of such members. If they are registered to vote in the area of a neighbouring local authority, rather than in Bromsgrove , please confirm which area that is.

A5 Local connection

Your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area of Bromsgrove District Council or a neighbouring local authority. In some cases this will be obvious, eg. a parish council in Bromsgrove, or an organisation whose activities are confined to the district. If your connection may not be obvious to us please explain what your organisation's local connection is.

CAMRA, the Campaign for Real Ale, is an independent consumer organisation campaigning for real ale, community pubs and consumer rights. CAMRA is a company limited by guarantee, registered in England with company number 1270286. CAMRA's national surplus is not distributed to its members and the individual CAMRA Branch activity where the pub is nominated is wholly or partly applied to the local authority area. The local CAMRA Branch submitting this nomination does not distribute any surplus it makes to its members in line with Section 5 of the regulations. The CAMRA branch has a local connection as demonstrated by the following activities which are run and funded by the branch within the local authority district:

- The CAMRA Branch hosts a beer festival in the local are
- The Branch hosts meetings in the local pub and the local area
The Branch nominates a local pub of the year in this area
- The Branch presents awards to pubs in the area

- The Branch runs campaigns to save local pubs in the area
- The Branch writes a local newsletter about pubs and campaigns in the area

The nomination is being submitted by the CAMRA Branch in line with Judge NJ Warren's First Tier Tribunal General Regulatory Chamber decision in *St Gabriel Properties Limited – v – London Borough of Lewisham and South East London Branch of CAMRA* (also enclosed within this letter). The decision outlined that CAMRA and its local branches can be treated in a 'hybrid' way and relies upon CAMRA's status as a company limited by guarantee which does not distribute any surplus it makes to its members as well as the local branch's own activities that provide a local connection with the land/property nominated.

A6 Distribution of surplus funds (certain types of organisation only)

If your organisation is an unincorporated body, a company limited by guarantee, or an industrial and provident society, its rules must provide that surplus funds are not distributed to members, but are applied wholly or partly for the benefit of the local area (ie. within the administrative area of Bromsgrove or a neighbouring local authority). If relevant, please confirm that this is the case, and specifically which area this applies to.

The nomination is being submitted by the CAMRA Branch in line with Judge NJ Warren's First Tier Tribunal General Regulatory Chamber decision in *St Gabriel Properties Limited – v – London Borough of Lewisham and South East London Branch of CAMRA* (also enclosed within this letter). The decision outlined that CAMRA and its local branches can be treated in a 'hybrid' way and relies upon CAMRA's status as a company limited by guarantee which does not distribute any surplus it makes to its members as well as the local branch's own activities that provide a local connection with the land/property nominated.

A7 More about your organisation

What are the main aims and activities of your organisation?

- The CAMRA Branch hosts a beer festival in the local are
- The Branch hosts meetings in the local pub and the local area
The Branch nominates a local pub of the year in this area
- The Branch presents awards to pubs in the area
- The Branch runs campaigns to save local pubs in the area
- The Branch writes a local newsletter about pubs and campaigns in the area

A8 Your organisation's rules

Please send us a copy of the relevant type of document for your organisation, and put a cross in the next column to indicate which one this is	X
Memorandum and Articles of Association (for a company)	X
Trust Deed (for a trust)	
Constitution and/or rules (for other organisations)	X

Part B: About the land or building(s) you are nominating

B1 Description and address

What it is (eg. pub, local shop) Public House
Name of premises (eg. Post office , Community Centre) New Inn
Address including postcode (if known) Address Line 1:10 Doctors Hill Address Line 2:Bournheath City:Bromsgrove Postcode:B61 9JE

B2 Sketch plan

Please include (here or on a separate sheet) a sketch plan of the land. This should show:-

- The boundaries of the land that you are nominating
- The approximate size and position of any building(s) on the land.
- Any roads bordering the site.

LAND REGISTRY ATTACHED

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B3 Owners and others with an interest in the building or land

You should supply the following information, if possible. If any information is not known to you, please say so.

	Name(s)	Address(es)
Names of all current occupants of the land	ATTACHED	<i>Same as B1.</i>
Names and current or last known addresses of all those owning the freehold of the land (ie. owner, head landlord, head lessor)	ATTACHED	ATTACHED
Names and current or last known addresses of all those having a leasehold interest in the land (ie. tenant, intermediate landlord, intermediate lessor)	ATTACHED	ATTACHED

B4 Why you think the building or land is of community value

Note that the following are not able to be assets of community value:-

- *A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.*
- *A caravan site.*
- *Operational land. This is generally land belonging to the former utilities and other statutory operators.*

Does it currently further the social wellbeing or social interests* of the local community, or has it done so in the recent past? If so, how?

Live music events are often hosted at the pub

The pub hosts advertising for local events

There is a beer garden attached to the pub which is used and enjoyed by local people

A children's play area for local families is also available at the pub

The pub has a great food menu enjoyed by the local community

The pub hosts regular quiz nights which bring the community together

Free wifi is available for customers

A local beer festival offering a range of local beers is hosted at the pub

There is free parking available which is accessed by the wider community

This pub is a member of CAMRA's LocAle scheme, committed to serving locally produced real ales and meeting consumer demands for local produce

There are good transport links available to/from the pub

Local sport teams meet in this pub

The Pub has been included in a tourist or local pub guide

There is good access for disabled people at the pub

back in 1889 as a result of a dispute over a button between two men a fight was set up and in the third round one of the men a Mr Alfred Waldren fell to the floor and dies the other man a Mr Thomas Price was charged with manslaughter

Meeting spaces are available for local community groups and charities to use: Used by many walkers and is on The Hunters Walk (Bromsgrove Heritage Walk) Used by many cyclist including members of Bromsgrove Olympic Cycling Club. MG Club Folk Group Fundraising and Charity Events Dominoes Club Elderly and infirm that can't go anywhere else (I.e. important social aspect of lives for locals) Used by members of five different Masonic Lodges Visited Regularly by Bromsgrove Court Leet in history, and now! Farmers groups Jazz Nights Excellent Carvery and good food Beer Festivals Keeps various local ales Summer Barbeques Darts Games Machine Background music and live music events in restaurant/function room

The pub has a dominoes club and a darts team

Local sports teams meet in the pub

The pub has a community phone

This pub is one of three in the village of Bournheath and all three are very well supported and as mentioned in previous sections this pub goes back a long way and has some historical notoriety attached to it

This pub is one of three in the village of Bournheath and all three are very well supported and as mentioned in previous sections this pub goes back a long way and has some historical notoriety attached to it

Section C: Submitting this nomination

C1 What to include

- The rules of your organisation (question A8).
- Your sketch plan (question B2).

C2 Signature

By signing your name here (if submitting by post) or typing it (if submitting by email) you are confirming that the contents of this form are correct, to the best of your knowledge.

Signature 5-12-16.

C3 Where to send this form

You can submit this nomination:-

- **By post to:** Jayne Pickering , Executive Director Finance and Resources, Bromsgrove District Council , Council House , Bromsgrove B60 1AA
- **By email to:** j.pickering@bromsgroveandredditch.gov.uk

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THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY GUARANTEE

ARTICLES OF ASSOCIATION

OF

CAMPAIGN FOR REAL ALE LIMITED

1. In these articles:-

"Articles"	means these Articles of Association.
"The Act"	means the Companies Act 2006.
"The Seal"	means the Common Seal of the Company.
"Secretary"	means any person appointed to perform the duties of the Secretary of the Company.
"United Kingdom"	means Great Britain and Northern Ireland.
"CAMRA"	means The Campaign for Real Ale Limited.
"National Executive"	means the Directors of the Company.

Expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in visible form.

Unless the context otherwise requires, words or expressions contained in these articles shall bear the same meaning as in the Act or any Statutory modification thereof in force at the date at which these Articles become binding.

2. The objects for which CAMRA is established are:-

- a. To protect the interests of all those who wish to drink real beer.
- b. To campaign for an improvement in the quality and variety of British beer.
- c. To draw to the attention of members and the general public those places where real beer can be found.
- d. To promote and foster activities concerned with the consumption of good quality beer.
- e. To campaign for the retention and reinstatement of the facilities of the traditional British pub including the public bar.

Agenda Item 9

- f. To ensure in every manner possible that producers and retailers of beer act in the best interests of the customer.
 - g. To ensure that the knowledge and expertise of brewing real beer is kept alive.
 - h. To improve the standards of food, drink (whether intoxicating or not), service, hygiene and facilities in all establishments subject to the provisions of the Licensing Act 1964 or any subsequent similar legislation.
 - i. To publish and issue to members magazines or news letters.
 - j. To publish or sponsor the publication of books, articles, magazines, photographs, films, radio, television and internet content programmes or any similar material connected in any way with the items mentioned above, and to market them and otherwise assist in the collection and dissemination of information.
3. CAMRA is formed as a non-political body to pursue these aims.
4. In furtherance of the above objects but not otherwise CAMRA shall have power:-
- a. To purchase, acquire, sell, exchange and otherwise deal in any way, whatsoever with freehold, leasehold or other property, chattels and effects.
 - b. To borrow or raise or secure the payment of money in such manner and on such terms as may seem expedient.
 - c. To co-operate with and assist in any way, including the investment of monies, by way of purchase of shares or the making of loans, whether secured or unsecured, or in any other manner whatsoever, any other organisation or corporation or company which is sympathetic to the objects of CAMRA.
 - d. To participate in bank direct debiting schemes as an originator for the purpose of collecting membership subscriptions and any other amounts due to CAMRA; in furtherance of this, CAMRA may enter into any indemnity required by the banks upon whom direct debits are to be originated, and any such indemnity may be executed on behalf of CAMRA by its authorised company account signatories.
 - e. To invest in shares or otherwise in any organisation, company or corporation.
 - f. To undertake, encourage and provide finance for research or experimental work connected with the said objects or any of them.
 - g. To manufacture, sell, treat and deal in all kinds of services, commodities, substances, materials, articles and things.
 - h. To establish and support branches whose objects are the same as the objects of CAMRA and to supply or aid in the establishment and support of clubs or associations whose objects are sympathetic to the objects of CAMRA.

- i. To carry out all or any of the foregoing objects as principals or agents or in partnership, co-operation or conjunction with any person, firm, organisation, company or corporation and in any part of the world.
 - j. To do all such other things as may be incidental or conducive to the attainment of the said objects or any of them.
5. The income and property of CAMRA whencesoever derived shall be applied solely towards the promotion of the objects of CAMRA as set forth in these Articles, and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise howsoever by way of profit to the members of CAMRA, providing that nothing herein contained shall prevent the payment of reasonable remuneration to any of the National Executive or other members for services actually rendered.
6. The liability of the members is limited.
7. Every member of CAMRA undertakes to contribute to the assets of CAMRA in the event of its being wound up while he is a member, or within one year after he ceases to be a member, in respect of the payment of the debts and liabilities of CAMRA contracted before he ceases to be a member, and of the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributors amongst themselves, such amount as may be required not exceeding £1.
8. If upon winding up or dissolution of CAMRA there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of CAMRA but shall be given or transferred to some other institution or institutor having objects similar to the objects of CAMRA and which shall prohibit the distribution of its or their income and property amongst its or their members to an extent at least as great as is imposed on CAMRA under or by virtue of Article 5 hereof, such institution or institutions to be determined by the members of CAMRA at or before the time of dissolution or in default thereof by a Judge of the High Court of Justice having jurisdiction in regard to charitable funds and if and so far as effect cannot be given to the aforesaid provision then to some charitable object.

MEMBERS

9. The number of members with which CAMRA has been registered is unlimited.
10. No corporation may be a member of CAMRA, but clubs, associations and other organisations whose objectives are in keeping with the objectives of CAMRA may be deemed "affiliated bodies" by decision of the National Executive on payment of the fee from time to time set by the National Executive for affiliation and on registration of a representative member.
11. Such persons as the National Executive shall admit to membership shall be members of CAMRA on payment of a subscription of such sum as the members in a General Meeting may from time to time decide. The members in a General Meeting may stipulate types of membership and the payment appropriate to each type. Any member in arrears with payment of such subscription shall not be entitled

to any of the benefits of membership, and after being in arrears for one month shall be deemed to have resigned. Any member may resign at any time by notice in writing to the Registered Office of CAMRA, but shall not be entitled to repayment of any part of his/her subscription for any type of membership.

Application for membership of CAMRA shall be made on such form as shall from time to time be prescribed by the National Executive and shall be considered by the National Executive who shall not refuse to grant membership save for good reason.

Without prejudice to the foregoing CAMRA shall not at any time discriminate on the grounds of social status, politics, race, sex or religion.

The submission of an application for membership shall be regarded as an acknowledgement by the applicant that, if elected, he or she will abide by the Articles of CAMRA, a copy of which shall be available to every member subject to payment of the fee allowed by law, and by all the rules and regulations of CAMRA for the time being in force. .

12. No member may make any public statement or announcement in the name of CAMRA without the consent of the National Executive.
13. The National Executive shall have power to suspend from membership any person who does anything which is prime facie detrimental to the interests of CAMRA. The decision to suspend a person from membership shall be given to that person in writing within one week, and the person shall at the same time be given notice of the next meeting at the National Executive, which he/she may attend in order to state his/her case. If the person cannot attend, a written statement of case may be submitted, or if good reason for absence is given, the hearing of the case may be deferred until the next meeting of the National Executive. If the National Executive considers that a reasonable case has been made by the person suspended, it shall lift the suspension forthwith. If, on consideration of the case, the National Executive believes that the person's action was clearly detrimental to the interests of CAMRA, it shall have the power to expel the person from membership. Notice of a decision to expel a person from membership shall be given to that person in writing within one week, and at the same time the person shall be informed of the right to appeal to the General Meeting. Any person so expelled from membership may send a notice of appeal in writing to the Chairman of the National Executive and provided that such notice of appeal is received at least one week before a General Meeting, any such appeal shall be heard at the next General Meeting of CAMRA, and the person shall have the right to address the meeting but not to vote.

GENERAL MEETINGS

14. CAMRA shall in each year hold a General Meeting as its Annual General Meeting in addition to any other meeting in that year, and shall specify the meeting as such in the notice calling it; and not more than fifteen months shall elapse between the date of one Annual General Meeting of CAMRA and that of the next. The Annual General Meeting shall be held at such time and place as the National Executive shall appoint.
15. All meetings other than Annual General Meetings shall be called General Meetings. The National Executive may convene a General Meeting if they consider such a meeting necessary in the interests of CAMRA. A General Meeting shall also be convened by the National Executive (or, if there are no current members of the National Executive, by the Company Secretary or senior officer of CAMRA) within 90 days of the receipt at the Registered Office of CAMRA of a written requisition of

such a meeting signed by not less than 200 members or by one tenth of the membership (whichever is the lesser number). Such written requisition shall be accompanied by a sum of money sufficient to meet the cost of convening such a meeting.

If at any time there are not within the United Kingdom sufficient members of the National Executive capable of acting to form a quorum, any member of the National Executive capable or any other two members of the National Executive may convene a General Meeting in the same manner as nearly as possible as that in which meetings may be convened by the National Executive.

NOTICE OF GENERAL MEETINGS

16. An Annual General Meeting and a General Meeting called for the passing of a Special Resolution shall be called by giving not less than 14 days' notice in writing. The notice shall be exclusive of the day on which it is served or deemed to be served and of the day for which it is given, and shall specify the place, the day and hour of the meeting and, in case of special business, the general nature of that business and shall be given in a manner hereinafter mentioned or in such other manner, if any, as may be prescribed by CAMRA in a General Meeting, to such persons as are, under the Articles of CAMRA, entitled to receive such notices from CAMRA.
17. The accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any person entitled to receive notice shall not invalidate the proceedings at the meeting.

PROCEEDINGS AT GENERAL MEETINGS

18. All business shall be deemed special that is transacted at a General Meeting and also all that is transacted at an Annual General Meeting with the exception of consideration of the accounts, balance sheets, and the reports of the National Executive and Auditors, the election of members of the National Executive in the place of those retiring and the appointment of and the fixing of the remuneration of the Auditors.
19. No business shall be transacted at any General Meeting unless a quorum of members is present at the time when the meeting proceeds to business; save as hereinafter otherwise provided 100 members present in person shall form a quorum.
20. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; in any other case, it shall stand adjourned to the same day in the next week, at the same time and place, or to such other day and at such other time and place as the National Executive may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members then present shall be a quorum.
21. No business shall be transacted at any General Meeting except that included in the notice calling the meeting unless written notice shall be given to the Registered Office of CAMRA of the intention to raise that business at least forty-two clear days' notice before the date of the General Meeting or, if less than forty-nine days clear notice of the General Meeting shall have been given, within seven days of the giving of such notice.
22. The Chairman, if any, of the National Executive, shall preside as Chairman at every General Meeting of CAMRA, or if there is no such Chairman, or if he shall not be present within 15 minutes after the time appointed for the holding of the

meeting or is unwilling to act, the members of the National Executive present shall elect one of their number to be a Chairman of the meeting.

23. If at any meeting no member of the National Executive is willing to act as Chairman or if no member of the National Executive is present within 15 minutes after the time appointed for holding the meeting, the members present shall choose one of their number to be Chairman of the meeting.
24. The Chairman may solely at his own discretion or on the direction of the meeting adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the notice of the adjournment took place. When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.
25. At any General Meeting a Resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded,
 - (a) by the Chairman; or
 - (b) by not less than 5 members present in person and having the right to vote at the meeting.

Unless a poll be so demanded, a declaration by the Chairman that a Resolution has on a show of hands been carried or carried unanimously, or by a particular majority, or lost, and an entry to that effect in the book containing the minutes of proceedings of CAMRA shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such Resolution. The demand for a poll may be withdrawn.

26. Except as provided in article 25, if a poll is duly demanded it shall be taken in such manner as the Chairman directs, and the result of the poll shall be deemed to be the Resolution of the meeting at which the poll was demanded.
27. A poll demanded on the election of a Chairman, or on a question of adjournment, shall be taken forthwith. A poll demanded on any other question shall be taken at such time as the Chairman directs and any business other than that upon which a poll has been demanded may be proceeded with pending the taking of a poll.
28. In case of an equality of votes, whether on a show of hands, or on a poll, the Chairman on the meeting shall be entitled to a second or casting vote.

VOTES OF MEMBERS

29. Every member shall have one vote.
30. A member of unsound mind or in respect of whom an Order has been made by a Court having jurisdiction in lunacy, may vote, by his Committee, receiver or curator bonis or other person in the nature of a Committee, receiver or curator bonis appointed by the Court.
31. No member shall be entitled to vote at any General Meeting unless all monies presently payable by him to CAMRA have been paid.

NATIONAL EXECUTIVE

32. Unless a greater or lesser number is specified by an Ordinary Resolution carried at a General Meeting, there shall be 12 places on the National Executive.
33. The remuneration (if any) to be paid to any member of the National Executive shall be determined by the members in a General Meeting. The members of the National Executive shall be entitled to be repaid all travelling, hotel and other expenses properly incurred by them in or about the business of CAMRA including their expenses of travelling to and from the National Executive or committee meetings.
34. No person shall, at the same time, be a member of the National Executive and an employee of CAMRA; provided that a General Meeting of CAMRA may authorise a member of the National Executive to be or become an employee of CAMRA; and an employee of CAMRA may continue in his employment if elected a member of the National Executive in accordance with these Articles. A member of the National Executive who is an employee of CAMRA shall retire as a member of the National Executive and may submit himself for re-election at every Annual General Meeting, but shall not be taken into account in determining the members of the National Executive who are to retire by rotation at such meetings.

BORROWING POWERS

35. The National Executive may exercise all the powers of CAMRA to borrow money, and to mortgage or charge its undertaking and property, or any part thereof, and to issue debentures, debenture stock and other securities whether outright or as security for any debt liability or obligation of CAMRA or of any third party.

POWER AND DUTIES OF THE NATIONAL EXECUTIVE

36. The business of CAMRA shall be managed by the National Executive who may pay all expenses incurred in promoting and registering CAMRA and may exercise all such powers of CAMRA as are not, by the Act or by these Articles, required to be exercised by CAMRA at a General Meeting, subject nevertheless to the provisions of the Act or those Articles and to such regulations, being not inconsistent with the aforesaid provisions, as may be prescribed by CAMRA in General Meetings; but no regulation made by CAMRA in General Meetings shall invalidate any prior act of the National Executive which would have been valid if that regulation had not been made.
37. All cheques, promissory notes, drafts, bills of exchange and other negotiable instruments, and all receipts for money paid to CAMRA shall be signed, drawn, accepted, endorsed, or otherwise executed, as the case may be, in such manner as the National Executive shall from time to time by resolution determine.
38. The National Executive shall be empowered to form Committees or appoint Officers for any special purpose and may co-opt any member of CAMRA to undertake these tasks and these members shall be entitled to travelling and hotel expenses etcetera, as allowed to members of the National Executive under article 33.
39. The Chairman and any other 3 members of the National Executive shall be empowered to make emergency decisions in the interest of CAMRA without reference to a full meeting to the National Executive and such decisions shall be binding pending the next full meeting of the National Executive. Any such decision shall have to be ratified at the next properly convened meeting of the National Executive but the presumption shall exist that the decision is acceptable unless the circumstances are exceptional.

40. The National Executive shall cause Minutes to be made in books providing for the purpose:-
- (a) of all appointments of Officers made by the National Executive;
 - (b) of names of the members of the National Executive present at each meeting of the National Executive and of any Committee of the National Executive;
 - (c) of all resolutions and proceedings at all meetings of CAMRA and of the National Executive, and of Committees of the National Executive.
41. The National Executive shall be empowered to make rules and regulations which they consider to be in the interest of CAMRA which shall be binding on all members until revoked or countermanded by the members in General Meeting. Such rules and regulations shall not conflict with the Act or with the Articles.

DISQUALIFICATION OF MEMBERS OF THE NATIONAL EXECUTIVE

42. The Office of members of the National Executive shall be vacated if the member of the National Executive:-
- (a) becomes an employee of CAMRA other than in accordance with article 34 hereof; or
 - (b) becomes bankrupt or makes any arrangements or composition with his creditors generally; or
 - (c) becomes prohibited by law from being a member of the National Executive; or
 - (d) becomes of unsound mind; or
 - (e) resigns his office by notice in writing to CAMRA; or
 - (f) ceases to be a member of CAMRA; or
 - (g) is removed by resolution in General Meeting pursuant to section 168 of the Act or according to article 49 hereunder; or
 - (h) is directly or indirectly interested in any contract with CAMRA and fails to declare the nature of his interest in a manner required by section 177 of the Act.

A member of the National Executive shall not vote in respect of any contract in which he is interested or any matter arising there out after declaring his interest and if he does so vote his vote shall not be counted.

ROTATION OF THE MEMBERS OF THE NATIONAL EXECUTIVE

43. The election for membership of the National Executive shall take place at each Annual General Meeting of CAMRA. For each resolution to fill a place on the National Executive, each member shall have one vote; thus each member is entitled to as many votes as there are vacant places on the National Executive but is not required to exercise all or any such votes. The ballot shall be declared by simple majority, with the candidate polling the highest number of votes being declared elected to the vacant places in descending order of number of votes. No member of the National Executive elected at a General Meeting shall hold office for more than three years without retiring. In each year, one-third of the members of the National Executive (or if their number is not three or a multiple of three, then the number nearest one-third) shall retire from office. The members of the National Executive to retire in any one year shall be those who will have held office for three years since their last election, then, to make up the one-third or number nearest one-third, those who have been in office longest since their last election. As between members of the National Executive elected as such on the same day,

those to retire shall be determined by agreement between such members, or, if there is no such agreement, shall be those who received the least number of the votes cast for any candidate elected at the election. The computation of the members of the National Executive to retire at any Annual General Meeting follows this formula:

- a) Any member of the National Executive who is also an employee of CAMRA must retire at each Annual General Meeting.
 - b) Any member co-opted by the National Executive must retire at the Annual General Meeting following his/her co-option.
 - c) Take one third of the remaining number of members, or the number nearest one third (e.g. 4 of 11; 3 of 10; 3 of 8; 2 of 7 etc.).
 - d) Any member who will have been in Office for three years since his/her last election must retire.
 - e) The number to retire is then made up to the one-third or number nearest one-third by the length of service agreement/least votes formula e.g. if the three next longest serving members of the National Executive have all held office for two years, and two must retire, the three may agree unanimously among themselves which two shall retire, but failing this agreement, the two polling the least votes when elected shall retire.
44. Any retiring member of the National Executive whether elected at an Annual General Meeting or co-opted shall be eligible for re-election.
 45. The members of CAMRA at the meeting at which a member of the National Executive retires in accordance with articles 43 or 34 may fill the vacated office by electing a person thereto, and in default, the retiring member of the National Executive shall, if offering himself for re-election, be deemed to have been re-elected, unless at such meeting it is expressly resolved not to fill such vacated office or unless a resolution for the re-election of such member of the National Executive shall have been put to the meeting and lost.
 46. No person shall be eligible for election to the office of Member of the National Executive at any General Meeting unless not less than 42 or more than 60 days before the date appointed for the meeting, there shall have been left at the Registered Office of CAMRA notice in writing, signed by a member duly qualified to attend and vote at the meeting for which such notice is given, of his intention to propose such person for election, and also notice in writing signed by that person of his willingness to be elected.
 47. CAMRA may from time to time by ordinary resolution increase or reduce the number of members of the National Executive and may also determine in which rotation the increased or reduced number is to go out of office.
 48. The National Executive shall have power at any time to co-opt any person to be a member of the National Executive so long as the number of members of the National Executive shall not thereby come to exceed the number fixed in accordance with article 32 above. Any member of the National Executive so appointed shall hold office only until the next following Annual General Meeting, and shall then retire and be eligible for re-election, but shall not be taken into account in determining the number of members of the National Executive who are due to retire by rotation in accordance with article 43 above.
 49. By ordinary resolution at a General Meeting, of which notice has been given according to section 168 of the Act, CAMRA may remove any member of the National Executive from that office. This removal from office shall take effect

immediately, notwithstanding anything in these Articles, or in any agreement or contract between CAMRA and the member of the National Executive so removed from office, but shall be without prejudice to any rights that member may have either under any agreement or contract with CAMRA or generally at law.

50. If the removal from office of a member of the National Executive by resolution according to article 49 above occurs at an Annual General Meeting, the vacancy so created shall be filled in the normal course of election of members of the National Executive under article 43 above. If the removal from office occurs at any General Meeting, the meeting may by ordinary resolution (of which due notice has been given under articles 14 and 21 above) appoint a person to fill any vacancy so created, and that person's term of office as a member of the National Executive shall be as stated under article 43 above. If no appointment to any vacancy so created is made at a General Meeting, the National Executive shall have power according to article 48 above to co-opt a person to fill the vacancy, except that it may not co-opt the person dismissed from office under article 49 above.

PROCEEDINGS OF THE NATIONAL EXECUTIVE

51. The National Executive may meet together for the despatch of business, adjourn and otherwise regulate their meeting as they think fit. Questions arising at any meetings shall be decided by a majority of votes. In the case of an equality of votes the Chairman shall have a second or casting vote. The Secretary shall on the requisition of the Chairman or four other members of the National Executive at any time summon a meeting of the National Executive. At least six days' clear notice shall be given of such a meeting. It shall not be necessary to give notice of a meeting of the National Executive to any member of the National Executive for the time being absent from the United Kingdom.
52. The Chairman of any meeting of the National Executive shall be the Chairman presiding at the previous meeting of the National Executive or such other person as the National Executive may appoint by a majority vote at any meeting from time to time. Any member of the National Executive who ceases to be a member of the National Executive shall automatically cease to be Chairman.
53. The quorum necessary for the transaction of the business of the National Executive shall be fixed by the National Executive at a figure being not less than four.
54. The continuing members of the National Executive may act notwithstanding any vacancy in their body, but, if and so long as their number is reduced below the number fixed by or pursuant to the Articles of CAMRA as the necessary quorum of members of the National Executive, the continuing members of the National Executive or member of the National Executive may act for the purpose of increasing the number of members the National Executive to that number, or of summoning a General Meeting of CAMRA, but for no other purpose.
55. If the Chairman is not present within 15 minutes after the time appointed for holding a meeting of the National Executive, the members of the National Executive present may choose one of their number to be Chairman of that meeting.
56. The National Executive may delegate any of its powers to Committees consisting of such member or members of CAMRA as they think fit, and any Committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the National Executive.

57. Any member of CAMRA may be invited by the Chairman to attend a meeting of the National Executive subject to the approval of the members of the National Executive at that meeting.
58. A Committee may elect a Chairman of its meeting. If no such Chairman is elected or if at any meeting the Chairman is not present within 15 minutes after the time appointed for holding the same, the members present may choose one of their number to be Chairman of the meeting.
59. A Committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present, and in the case of an equality of votes the Chairman shall have a second or casting vote.
60. All acts done by any meeting of the National Executive or of a Committee of the National Executive or any Committee of the National Executive and ordinary members of CAMRA or by any person acting as a member of the National Executive shall notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such member of the National Executive or person acting as aforesaid or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the National Executive.
61. A Resolution in writing signed by all the members of the National Executive for the time being entitled to receive notice of a meeting of the National Executive shall be as valid and effectual as if it had been passed at a meeting of the National Executive duly convened and held.
62. No decision at a meeting of the National Executive shall be rescinded at any future meeting of the National Executive unless notice of the intention to rescind the same shall have been given in the notice convening such meeting or unless two-thirds of those present being in number not less than four shall agree to waive the need for such notice.
63. Business to be conducted at each meeting of the National Executive shall, whenever practicable, be stated on the notice convening the meeting. Business of which notice has not been given on the convening notice shall not be transacted at the meeting except with the consent of at least three-fourths of those persons present, being in number not less than four.

SECRETARY

64. The Secretary, who shall not be also a member of the National Executive, shall be appointed by the National Executive for such term, at such remuneration and upon such conditions as they may think fit; and any Secretary so appointed may be removed by them.
65. A provision of the Act or these Articles requiring or authorising a thing to be done by or to a member of the National Executive and the Secretary shall not be satisfied by its being done by or to the same person acting both as a member of the National Executive and as, or in place of, the Secretary.

THE SEAL

66. The National Executive shall provide for the safe custody of the Seal, which shall only be used by the authority of the National Executive or of a Committee of the National Executive authorised by the National Executive in that behalf, and every instrument to which the Seal shall be affixed, shall be countersigned by the Secretary or by a second member of the National Executive or by some other person appointed by the National Executive for that purpose.

ACCOUNTS

67. The National Executive shall cause proper books of accounts to be kept with respect to:-
- (a) All sums of money received and expended by CAMRA and the matters in respect of which the receipt and expenditure takes place;
 - (b) All sales and purchases of goods by CAMRA; and
 - (c) The assets and liabilities of CAMRA.

Proper books shall not be deemed to be kept if there are not kept such books of accounts as are necessary to give a true and fair view of the state of CAMRA's affairs and to explain its transactions.

68. The books of account shall be kept at the Registered Office of CAMRA or subject to Section 388 of the Act at such other place or places as the National Executive think fit, and shall always be open to inspection of the National Executive.
69. The National Executive shall from time to time determine whether and to what extent and at what times and places and under what conditions or regulations the accounts and books of CAMRA or any of them shall be open to the inspection of members not being members of the National Executive, and no member, not being a member of the National Executive, shall have any right of inspecting any account or book or document of CAMRA except as conferred by statute or authorised by the National Executive or by CAMRA in General Meeting.
70. The National Executive shall from time to time in accordance with Sections 394, 398 and 415 of the Act cause to be prepared and to be laid down before CAMRA in General Meetings such profit and loss accounts, balance sheets, group accounts (if any) and reports as referred to in those sections.
71. A copy of every Balance Sheet (including every document required by law to be annexed thereto) which is to be laid before CAMRA in General Meeting together with a copy of the Auditors' Report, shall not less than 14 days before the date of the meeting be sent to every member of, and every holder of debenture of, CAMRA. Provided that this Article shall not require a copy of those documents to be sent to any person of whose address CAMRA is not aware or more than one of the joint holders of any debentures.

AUDIT

72. Auditors shall be appointed and their duties regulated in accordance with sections 475 to 479 of the Act.

NOTICES

73. A notice may be given by CAMRA to any member either personally or by sending it by post to him or to his registered address, if any, within the United Kingdom supplied by him to CAMRA for the giving of notice to him. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing pre-paying and posting a letter containing the notice, and to have been effected in the case of notice of a meeting posted by first or second class post at the expiration of 72 hours after the letter containing the same is posted and in any other case at the time at which the letter would be delivered in the ordinary course of post. Notices of General Meetings shall be deemed to be sufficiently served if incorporated in, included with or annexed to any magazine circulated by CAMRA to the whole of its membership.

74. Notice of any General Meeting shall be given in any manner hereinbefore authorised to:-
- (a) Every member except those members who (having no registered address within the United Kingdom) have not supplied to CAMRA an address within the United Kingdom for the giving of notice to them.
 - (b) Every person being a legal personal representative or a trustee in bankruptcy of a member where the member but for his death or bankruptcy would be entitled to receive notice of the meeting; and
 - (c) The Auditor for the time being of CAMRA.

MEANS OF COMMUNICATION TO BE USED

75. Anything sent or supplied by or to CAMRA under the Articles may be sent or supplied in any way in which the Act provides for documents or information which is authorised or required by any provision of that Act to be sent or supplied by or to CAMRA.
76. Any notice or document to be sent or supplied to a member of the National Executive in connection with the taking of decisions by members of the National Executive may also be sent or supplied by the means by which that member of the National Executive has asked to be sent or supplied with such notices or documents for the time being.
77. A member of the National Executive may agree with CAMRA that notices or documents sent to that member of the National Executive in a particular way are to be deemed to have been received within a specified time of their being sent, and for the specified time to be less than 48 hours.

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Agenda Item 9

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



Official copy of register of title

Title number WR43419

Edition date 15.04.2008

- This official copy shows the entries on the register of title on 11 NOV 2016 at 12:30:29.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 11 Nov 2016.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by Land Registry, Coventry Office.

A: Property Register

This register describes the land and estate comprised in the title.

WORCESTERSHIRE : BROMSGROVE

- 1 (08.09.1999) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 13 Meadow Road, Catshill, Bromsgrove (B61 0JJ).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (08.09.1999) PROPRIETOR: CATSHILL AND DISTRICT WORKING MEN'S CLUB LIMITED (Co. Regn. No. 217981) of 13a Meadow Road, Catshill, Bromsgrove, Worcs.

C: Charges Register

This register contains any charges and other matters that affect the land.

- 1 (08.09.1999) A Conveyance dated 4 November 1920 made between (1) George Thomas Stokes and (2) Samuel Juggins contains restrictive covenants but neither the original deed nor a certified copy or examined abstract thereof was produced on first registration.
- 2 (08.09.1999) REGISTERED CHARGE dated 31 December 1998 to secure the moneys including the further advances therein mentioned.
- 3 (08.09.1999) Proprietor: NATIONAL WESTMINSTER BANK PLC (Co. Regn. No. 929027) of Nottingham Securities Centre, Impact House, 8 Castle Boulevard, Nottingham NG7 1GG.

End of register

Agenda Item 9

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

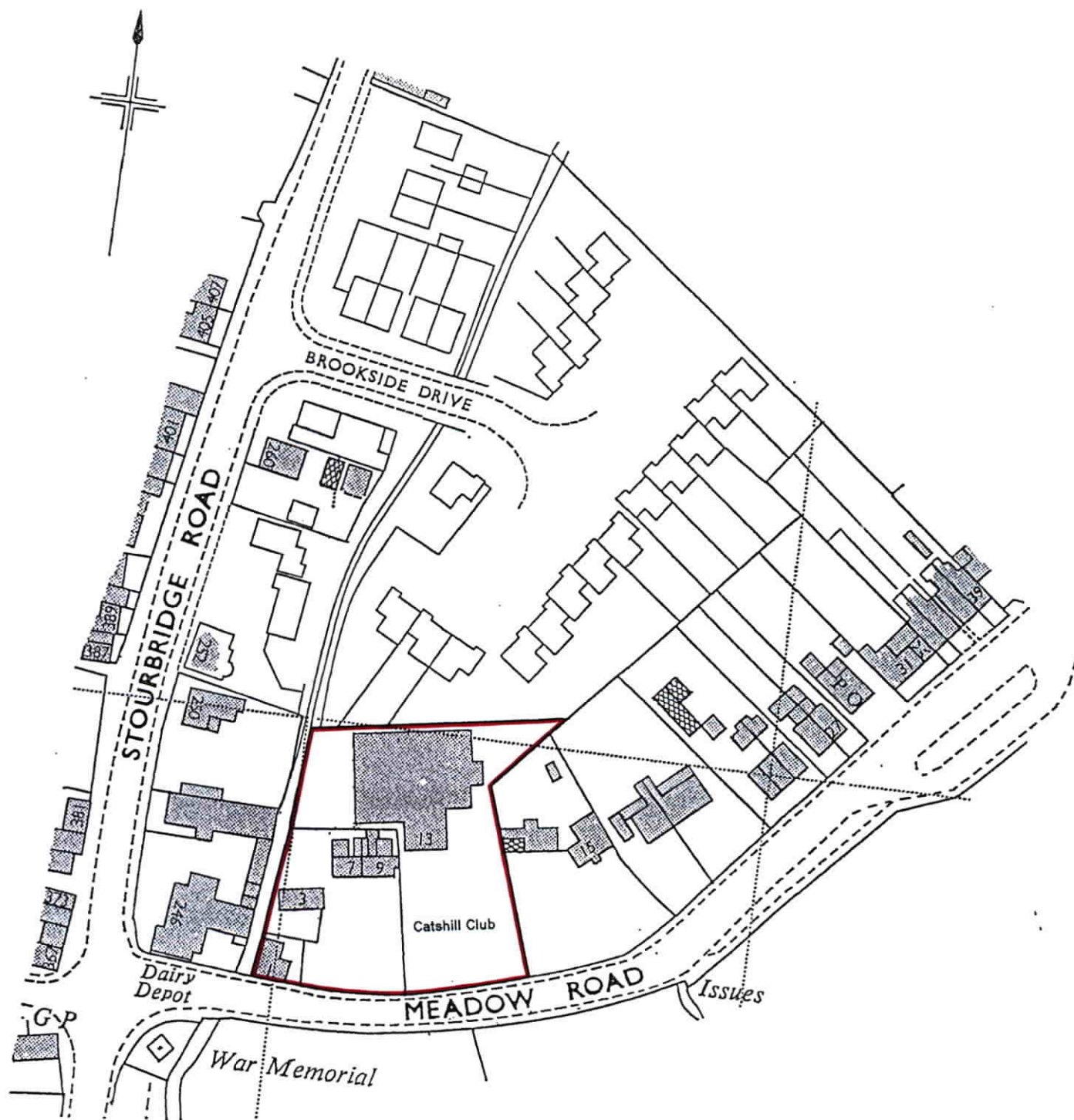
This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from Land Registry.

This official copy is issued on 11 November 2016 shows the state of this title plan on 11 November 2016 at 12:30:29. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by the Land Registry, Coventry Office .

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H.M. LAND REGISTRY		TITLE NUMBER	
		WR 43419	
ORDNANCE SURVEY PLAN REFERENCE	SO 9573	SECTION E	Scale 1/1250 Enlarged from 1/2500
ADMINISTRATIVE AREA WORCESTERSHIRE DISTRICT BROMSGROVE			© Crown copyright 1986





**CAMPAIGN
FOR
REAL ALE**

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AL1 4LW

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Email: camra@camra.org.uk
www.camra.org.uk

Statement of Support

DATE 11/11/2016

I confirm that in putting forward the attached application to list the Catshill Social Club as an 'Asset of Community Value (ACV)' that Redditch & Bromsgrove Branch of CAMRA is acting on behalf of and with full authority of the Campaign for Real Ale (CAMRA). CAMRA is a limited company, registered in England with company number 1270286.

Faye Grima

Campaigns Manager
Campaign for Real Ale (CAMRA)



Campaigning for real ale, pubs and drinkers' rights since 1971
A not-for-profit company, limited by guarantee. Registered in England: 1270286

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CABINET

11 JANUARY 2017

NOMINATION OF ASSET OF COMMUNITY VALUE : THE HANBURY TURN

Relevant Portfolio Holder	Cllr Kit Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford – Head of Planning & Regeneration
Wards Affected	Avoncroft
Key Decision – N/A	

1. SUMMARY OF PROPOSALS

To consider a request to list the Hanbury Turn as an Asset of Community Value.

2. RECOMMENDATIONS

That Cabinet consider the contents of the report in relation to the Hanbury Turn decide to either:-

- (a) Support listing as an Asset of Community Value; or**
- (b) Not support listing as an Asset of Community Value**

3. KEY ISSUES

- 3.1 As Members are aware from previous reports the Localism Act included the 'Community Right to Bid' which gave communities a right to identify a building or other land that they believe to be of importance to their community's social well-being so that if it comes up for sale there is a six month period within which they can prepare their bid to buy the asset. The property in question can then be sold on the open market. Community groups have the same rights as any other bidders and there is no preference given to the local community bid.
- 3.2 A nomination has been received for the Hanbury Turn public house. The nomination has been submitted by CAMRA (Campaign for Real Ale), Redditch and Bromsgrove branch. The nomination of an asset does not give any organisation an advantage in any future purchase. CAMRA is requesting that the pub is listed to enable it to continue to operate as community asset in the future.

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- 3.3 The following documents have been submitted by CAMRA in support of the nomination and are attached at Appendices 1 to 6 :-
- Nomination Form – Appendix 1
 - Articles of Association - Appendix 2
 - Office copy entries - Appendix 3
 - Land Registry Plan - Appendix 4
 - Letter in support dated 31 October 2016 – Appendix 5
- 3.4 The nomination supports the inclusion of the asset due to the fact that the Hanbury Turn provides a number of services that they believe further the social wellbeing and interests of the local community. These are detailed in section B4 of the nomination form attached at Appendix 1.
- 3.5 The Hanbury Turn is owned by Punch Partnership (PML) Limited. Punch Taverns have been consulted as part of the process. Initially it was intended that this matter would come before Cabinet on 7th December and members are referred to a copy of the representations received from their solicitors TLT by letter dated 28 November 2016 (Appendix 6). That report did not proceed because the application could not be dealt with due to information that had not been supplied by the applicants. Accordingly, a fresh application has now been made by CAMRA which is the subject of this report. Further comments on behalf of Punch Taverns have been submitted by their solicitors TLT by letter dated 15 December 2016 (Appendix 7).
- 3.6 In accordance with the process for nominations of Assets of Community Value the ward councillor for Avoncroft Ward (Councillor Malcolm Glass) has been consulted. Cllr Glass has responded stating that he is in support of the application.

Financial Implications

- 3.7 Property owners who believe they have incurred costs as a result of complying with these procedures can apply for compensation from the Council. As previously reported to Council, Government recognises this as a potential risk to local authorities and will provide a safety net whereby any verified claims of over £20,000 will be met by Government. The owners also have a right to appeal the decision made by the Council in agreeing that the building be included on the Assets of Community Value.

Legal Implications

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- 3.8 The Localism Act 2011 made provision for a new system of listing of assets of community value, giving community groups the right to make nominations, and requiring local authorities to maintain local registers. Further more detailed rules around the operation of assets of community value are set out in the Assets of Community Value Regulations 2012.
- 3.9 The test for listing an Asset of Community Value as set out in Section 88 (1) of the Localism Act 2011 is as follows:-
- “A building or other land in a Local Authority’s area is land of community value if in the opinion of the authority:-
- (a) an actual current use of the building or other land that is not an ancillary user furthers the social well-being or social interests of the local community, and
- (b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social well-being or social interests of the local community.”
- 3.10 It is worth noting that any sale of a going concern business would be exempt from the legislation relating to assets of community value. Therefore if the pub was to be sold on as a going concern the 6 month moratorium would not apply.
- 3.11 Members are reminded that under the new process for assets of community value introduced in November 2012 the final decision regarding whether to list an asset rests with the Head of Planning and Regeneration in consultation with the Portfolio Holder for Planning and Regeneration.
- 3.12 In their nomination CAMRA make reference to the First Tier Tribunal case of St Gabriel Properties Limited v London Borough of Lewisham and South East London Branch of CAMRA (also known as the Windmill case) which considered the ability of local CAMRA branches to make ACV applications. Another case on this point has since been considered by the First Tier Tribunal. The second case (Hamna Wakaf Ltd v Lambeth) suggests that authority for the nomination should be provided by CAMRA headquarters and this has been supplied as set out in Appendix 5.
- 3.13 In relation to the letter of objection received from TLT solicitors (Appendix 6) officers would draw Members attention to the following:-
- The fact that the nomination form includes information taken from the CAMRA website does not of itself invalidate the application process. In its process for

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ACV applications the Council does not make any stipulations about the type of evidence to be supplied with a nomination. The issue is whether there is sufficient evidence to satisfy the test in section 88(1).

- There has to be an identifiable local interest in having the asset nominated and Members needs to be satisfied that there is evidence of this in the application form.
- If a pub satisfies the test as an ACV it is not a relevant that there may be a number of other pubs nearby which also satisfy the test.
- Members need to balance the information they have received in support of the application from CAMRA as against the objection comments received from the land owner.

3.14 For clarification, officers are treating the current application as a new application and not an amendment of the original application. A new ACV application form has been submitted. The Localism Act and relevant regulations do not set out any rules regarding the status of second applications either following formal refusal, or as in this case, on the basis that the accompanying information was incomplete.

Service/Operational Implications

3.15 There are no specific operational implications for the District. The list of nominated assets is maintained by Land Charges officers and is available on the Councils Website.

Customer / Equalities and Diversity Implications

3.16 The approval of the nomination of The Royal Oak would ensure that should the property be declared for sale any community group would be able to express an interest in purchasing the asset. This would result in up to 6 months of moratorium whereby any sale could only be to a community group. Following this the owner can sell to any purchaser. This excludes the sale as a going concern.

4. RISK MANAGEMENT

4.1 The register will be maintained to ensure that all assets nominated are included to mitigate any risks associated with assets not being included on the register. Consideration by officers and members will be undertaken at each nomination to ensure a consistent approach is taken.

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APPENDICES

- Appendix 1 - Nomination Form
- Appendix 2 - Articles of Association of CAMRA
- Appendix 3 - Office copy entries
- Appendix 4 - Plan
- Appendix 5 - Letter in Support from CAMRA dated 31 October 2016
- Appendix 6 – Letter from TLT solicitors dated 28 November 2016
- Appendix 7 - Letter from TLT solicitors dated 15 December 2016

AUTHOR OF REPORT

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BROMSGROVE DISTRICT COUNCIL

**ASSETS OF COMMUNITY VALUE – THE COMMUNITY
 RIGHT TO BID**

NOMINATION FORM

Section A: About your organisation

A1 Organisation's name and address

Name of organisation* Redditch and Bromsgrove CAMRA Branch
Address including postcode

**full name as written in your constitution or rules (if appropriate)*

A2 Contact details

Name Mr Martin Hancox
Position in organisation Pubs Officer
Address including postcode
Daytime telephone no.
Email address
How and when can we contact you?*

**by email or phone, and days of the week and/or times of day you would prefer*

A3 Type of organisation

Description	Put a cross against all those that apply	Registration number of charity and/or company (if applicable)
Neighbourhood forum		
Parish Council		
Charity		
Community interest company	✓	1270200
Unincorporated body		
Company limited by guarantee	X	1270286
Industrial and provident society		

A4 Number of members registered to vote locally (unincorporated bodies only)

In the case of an unincorporated body, at least 21 of its members must be registered to vote in the Bromsgrove District . If relevant, please confirm the number of such members. If they are registered to vote in the area of a neighbouring local authority, rather than in Bromsgrove , please confirm which area that is.

A5 Local connection

Your organisation must have a local connection, which means that its activities are wholly or partly concerned with the administrative area of Bromsgrove District Council or a neighbouring local authority. In some cases this will be obvious, eg. a parish council in Bromsgrove, or an organisation whose activities are confined to the district. If your connection may not be obvious to us please explain what your organisation's local connection is.

The local Redditch & Bromsgrove CAMRA Branch submitting this nomination does not distribute any surplus it makes to its members in line with Section 5 of the regulations. The Redditch & Bromsgrove CAMRA branch has a local connection as demonstrated by the following activities which are run and funded by the branch within the local authority district:

- The CAMRA Branch hosts a beer festival in the local area
- The Branch hosts meetings in the local pub and the local area
The Branch nominates a local pub of the year in this area
- The Branch presents awards to pubs in the area
- The Branch runs campaigns to save local pubs in the area
- The Branch writes a local newsletter about pubs and campaigns in the area

A6 Distribution of surplus funds (certain types of organisation only)

If your organisation is an unincorporated body, a company limited by guarantee, or an industrial and provident society, its rules must provide that surplus funds are not distributed to members, but are applied wholly or partly for the benefit of the local area (ie. within the administrative area of Bromsgrove or a neighbouring local authority). If relevant, please confirm that this is the case, and specifically which area this applies to.

The nomination is being submitted by the CAMRA Branch in line with Judge NJ Warren's First Tier Tribunal General Regulatory Chamber decision in *St Gabriel Properties Limited – v – London Borough of Lewisham and South East London Branch of CAMRA* available at: <http://sel.camra.org.uk/wp-content/uploads/2015-01-Windmill-Tribunal-ruling.pdf>

The decision outlined that CAMRA and its local branches can be treated in a 'hybrid' way and relies upon CAMRA's status as a company limited by guarantee which does not distribute any surplus it makes to its members as well as the local branch's own activities that provide a local connection with the land/property nominated.

Please see attached Articles of Association (Section 5) to prove that our surplus is non-distributing.

A7 More about your organisation

What are the main aims and activities of your organisation?

CAMRA, the Campaign for Real Ale, is an independent consumer organisation campaigning for real ale, community pubs and consumer rights. CAMRA is a company limited by guarantee, registered in England with company number 1270286. CAMRA's national surplus is not distributed to its members and the individual CAMRA Branch activity where the pub is nominated is wholly or partly applied to the local authority area.

A8 Your organisation's rules

Please send us a copy of the relevant type of document for your organisation, and put a cross in the next column to indicate which one this is	X
Memorandum and Articles of Association (for a company)	

Agenda Item 10

Trust Deed (for a trust)	
Constitution and/or rules (for other organisations)	

Part B: About the land or building(s) you are nominating

B1 Description and address

What it is (eg. pub, local shop) PUB
Name of premises (eg. Post office , Community Centre) The Hanbury Turn
Address including postcode (if known) 44 Hanbury Road Stoke Heath Bromsgrove B60 4LU

B2 Sketch plan

Please include (here or on a separate sheet) a sketch plan of the land. This should show:-

- The boundaries of the land that you are nominating
- The approximate size and position of any building(s) on the land.
- Any roads bordering the site.

The nominated asset is a public house. Please see attached the Title Plan and Register from the Land Registry which confirm the boundaries of the property.

B3 Owners and others with an interest in the building or land

You should supply the following information, if possible. If any information is not known to you, please say so.

	Name(s)	Address(es)
Names of all current occupants of the land	Please see attached Land Registry documentation which confirms this information.	Same as B1.
Names and current or last known addresses of all those owning the freehold of the land (ie. owner, head landlord, head lessor)		
Names and current or last known addresses of all those having a leasehold interest in the land (ie. tenant, intermediate landlord, intermediate lessor)		

B4 Why you think the building or land is of community value

Note that the following are not able to be assets of community value:-

- *A building wholly used as a residence, together with land "connected with" that residence. This means adjoining land in the same ownership. Land is treated as adjoining if it is separated only by a road, railway, river or canal.*
- *A caravan site.*
- *Operational land. This is generally land belonging to the former utilities and other statutory operators.*

Does it currently further the social wellbeing or social interests* of the local community, or has it done so in the recent past? If so, how?

The pub provides the following services which further the social wellbeing and interests of the local community:

- The pub enables local people to enjoy a range of drinks (and food) in a pleasant, convivial atmosphere, which furthers their individual well-being
- The pub enables local people to meet and socialise in a welcoming environment which, individually, they find rewarding and enjoyable. Such social interaction is also in the interests of the locality as a whole as it encourages community cohesion and a collective sense of well-being.
- New research from Oxford University shows that people who have a 'local' pub are happier, are more satisfied with their life and have a wider network of friends. The research is available at: <http://www.camra.org.uk/pubs-wellbeing>
- The pub hosts advertising for local events
- The pub hosts regular quiz nights which bring the community together
- Free wifi is available for customers
- This pub is a member of CAMRA's LocAle scheme, committed to serving locally produced real ales and meeting consumer demands for local produce
- There are good transport links available to/from the pub
- Local sport teams meet in this pub
- The pub sponsors a team which represents it in sports leagues
- There is good access for disabled people at the pubs
- Meeting spaces are available for local community groups and charities to use, such as the Bromsgrove Ladies Flower Club; Poker Club (every Thursday); Classic Car & Van Club; Classic Truck Club; Newton Angling Club
- Local sports teams meet in the pub; Ladies Men's & Ladies Darts Teams Football Team
- The pub provides other important local services to the community including: Employment opportunities for young people
- The pub offers: a Dart Board and a Quiz Machine

The Quiz team that meet at the pub every Wednesday charge an entrance fee which is collected and donated to the Local church roof restoration fund. The pub also runs a monthly charity scheme, choosing a different charity to support each month.

The new licensee is a qualified Chef so soon the pub we will be able to serve meals for the local community.

There is good public transport links with a bus stop directly outside the pub.

Could it in future further the social wellbeing or social interests* of the local community? If so, how? (This could be different from its current or past use.)

The pub can further the social wellbeing and interests of the local community in the future by continuing to provide the above mentioned services.

**These could be cultural, recreational and/or sporting interests, so please say which one(s) apply.*

Section C: Submitting this nomination

C1 What to include

- The rules of your organisation (question A8).
- Your sketch plan (question B2).

C2 Signature

By signing your name here (if submitting by post) or typing it (if submitting by email) you are confirming that the contents of this form are correct, to the best of your knowledge.

Signature

5 12 16

C3 Where to send this form

You can submit this nomination:-

- **By post to:** Jayne Pickering , Executive Director Finance and Resources, Bromsgrove District Council , Council House , Bromsgrove B60 1AA
- **By email to:** j.pickering@bromsgroveandredditch.gov.uk

THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY GUARANTEE

ARTICLES OF ASSOCIATION

OF

CAMPAIGN FOR REAL ALE LIMITED

1. In these articles:-

"Articles"	means these Articles of Association.
"The Act"	means the Companies Act 2006.
"The Seal"	means the Common Seal of the Company.
"Secretary"	means any person appointed to perform the duties of the Secretary of the Company.
"United Kingdom"	means Great Britain and Northern Ireland.
"CAMRA"	means The Campaign for Real Ale Limited.
"National Executive"	means the Directors of the Company.

Expressions referring to writing shall, unless the contrary intention appears, be construed as including references to printing, lithography, photography, and other modes of representing or reproducing words in visible form.

Unless the context otherwise requires, words or expressions contained in these articles shall bear the same meaning as in the Act or any Statutory modification thereof in force at the date at which these Articles become binding.

2. The objects for which CAMRA is established are:-

- a. To protect the interests of all those who wish to drink real beer.
- b. To campaign for an improvement in the quality and variety of British beer.
- c. To draw to the attention of members and the general public those places where real beer can be found.
- d. To promote and foster activities concerned with the consumption of good quality beer.
- e. To campaign for the retention and reinstatement of the facilities of the traditional British pub including the public bar.

- f. To ensure in every manner possible that producers and retailers of beer act in the best interests of the customer.
 - g. To ensure that the knowledge and expertise of brewing real beer is kept alive.
 - h. To improve the standards of food, drink (whether intoxicating or not), service, hygiene and facilities in all establishments subject to the provisions of the Licensing Act 1964 or any subsequent similar legislation.
 - i. To publish and issue to members magazines or news letters.
 - j. To publish or sponsor the publication of books, articles, magazines, photographs, films, radio, television and internet content programmes or any similar material connected in any way with the items mentioned above, and to market them and otherwise assist in the collection and dissemination of information.
3. CAMRA is formed as a non-political body to pursue these aims.
4. In furtherance of the above objects but not otherwise CAMRA shall have power:-
- a. To purchase, acquire, sell, exchange and otherwise deal in any way, whatsoever with freehold, leasehold or other property, chattels and effects.
 - b. To borrow or raise or secure the payment of money in such manner and on such terms as may seem expedient.
 - c. To co-operate with and assist in any way, including the investment of monies, by way of purchase of shares or the making of loans, whether secured or unsecured, or in any other manner whatsoever, any other organisation or corporation or company which is sympathetic to the objects of CAMRA.
 - d. To participate in bank direct debiting schemes as an originator for the purpose of collecting membership subscriptions and any other amounts due to CAMRA; in furtherance of this, CAMRA may enter into any indemnity required by the banks upon whom direct debits are to be originated, and any such indemnity may be executed on behalf of CAMRA by its authorised company account signatories.
 - e. To invest in shares or otherwise in any organisation, company or corporation.
 - f. To undertake, encourage and provide finance for research or experimental work connected with the said objects or any of them.
 - g. To manufacture, sell, treat and deal in all kinds of services, commodities, substances, materials, articles and things.
 - h. To establish and support branches whose objects are the same as the objects of CAMRA and to supply or aid in the establishment and support of clubs or associations whose objects are sympathetic to the objects of CAMRA.

- i. To carry out all or any of the foregoing objects as principals or agents or in partnership, co-operation or conjunction with any person, firm, organisation, company or corporation and in any part of the world.
 - j. To do all such other things as may be incidental or conducive to the attainment of the said objects or any of them.
5. The income and property of CAMRA whencesoever derived shall be applied solely towards the promotion of the objects of CAMRA as set forth in these Articles, and no portion thereof shall be paid or transferred directly or indirectly, by way of dividend, bonus or otherwise howsoever by way of profit to the members of CAMRA, providing that nothing herein contained shall prevent the payment of reasonable remuneration to any of the National Executive or other members for services actually rendered.
6. The liability of the members is limited.
7. Every member of CAMRA undertakes to contribute to the assets of CAMRA in the event of its being wound up while he is a member, or within one year after he ceases to be a member, in respect of the payment of the debts and liabilities of CAMRA contracted before he ceases to be a member, and of the costs, charges and expenses of winding up, and for the adjustment of the rights of the contributors amongst themselves, such amount as may be required not exceeding £1.
8. If upon winding up or dissolution of CAMRA there remains after the satisfaction of all its debts and liabilities any property whatsoever the same shall not be paid to or distributed among the members of CAMRA but shall be given or transferred to some other institution or institutor having objects similar to the objects of CAMRA and which shall prohibit the distribution of its or their income and property amongst its or their members to an extent at least as great as is imposed on CAMRA under or by virtue of Article 5 hereof, such institution or institutions to be determined by the members of CAMRA at or before the time of dissolution or in default thereof by a Judge of the High Court of Justice having jurisdiction in regard to charitable funds and if and so far as effect cannot be given to the aforesaid provision then to some charitable object.

MEMBERS

9. The number of members with which CAMRA has been registered is unlimited.
10. No corporation may be a member of CAMRA, but clubs, associations and other organisations whose objectives are in keeping with the objectives of CAMRA may be deemed "affiliated bodies" by decision of the National Executive on payment of the fee from time to time set by the National Executive for affiliation and on registration of a representative member.
11. Such persons as the National Executive shall admit to membership shall be members of CAMRA on payment of a subscription of such sum as the members in a General Meeting may from time to time decide. The members in a General Meeting may stipulate types of membership and the payment appropriate to each type. Any member in arrears with payment of such subscription shall not be entitled

to any of the benefits of membership, and after being in arrears for one month shall be deemed to have resigned. Any member may resign at any time by notice in writing to the Registered Office of CAMRA, but shall not be entitled to repayment of any part of his/her subscription for any type of membership.

Application for membership of CAMRA shall be made on such form as shall from time to time be prescribed by the National Executive and shall be considered by the National Executive who shall not refuse to grant membership save for good reason.

Without prejudice to the foregoing CAMRA shall not at any time discriminate on the grounds of social status, politics, race, sex or religion.

The submission of an application for membership shall be regarded as an acknowledgement by the applicant that, if elected, he or she will abide by the Articles of CAMRA, a copy of which shall be available to every member subject to payment of the fee allowed by law, and by all the rules and regulations of CAMRA for the time being in force. .

12. No member may make any public statement or announcement in the name of CAMRA without the consent of the National Executive.
13. The National Executive shall have power to suspend from membership any person who does anything which is prime facie detrimental to the interests of CAMRA. The decision to suspend a person from membership shall be given to that person in writing within one week, and the person shall at the same time be given notice of the next meeting at the National Executive, which he/she may attend in order to state his/her case. If the person cannot attend, a written statement of case may be submitted, or if good reason for absence is given, the hearing of the case may be deferred until the next meeting of the National Executive. If the National Executive considers that a reasonable case has been made by the person suspended, it shall lift the suspension forthwith. If, on consideration of the case, the National Executive believes that the person's action was clearly detrimental to the interests of CAMRA, it shall have the power to expel the person from membership. Notice of a decision to expel a person from membership shall be given to that person in writing within one week, and at the same time the person shall be informed of the right to appeal to the General Meeting. Any person so expelled from membership may send a notice of appeal in writing to the Chairman of the National Executive and provided that such notice of appeal is received at least one week before a General Meeting, any such appeal shall be heard at the next General Meeting of CAMRA, and the person shall have the right to address the meeting but not to vote.

GENERAL MEETINGS

14. CAMRA shall in each year hold a General Meeting as its Annual General Meeting in addition to any other meeting in that year, and shall specify the meeting as such in the notice calling it; and not more than fifteen months shall elapse between the date of one Annual General Meeting of CAMRA and that of the next. The Annual General Meeting shall be held at such time and place as the National Executive shall appoint.
15. All meetings other than Annual General Meetings shall be called General Meetings. The National Executive may convene a General Meeting if they consider such a meeting necessary in the interests of CAMRA. A General Meeting shall also be convened by the National Executive (or, if there are no current members of the National Executive, by the Company Secretary or senior officer of CAMRA) within 90 days of the receipt at the Registered Office of CAMRA of a written requisition of

such a meeting signed by not less than 200 members or by one tenth of the membership (whichever is the lesser number). Such written requisition shall be accompanied by a sum of money sufficient to meet the cost of convening such a meeting.

If at any time there are not within the United Kingdom sufficient members of the National Executive capable of acting to form a quorum, any member of the National Executive capable or any other two members of the National Executive may convene a General Meeting in the same manner as nearly as possible as that in which meetings may be convened by the National Executive.

NOTICE OF GENERAL MEETINGS

16. An Annual General Meeting and a General Meeting called for the passing of a Special Resolution shall be called by giving not less than 14 days' notice in writing. The notice shall be exclusive of the day on which it is served or deemed to be served and of the day for which it is given, and shall specify the place, the day and hour of the meeting and, in case of special business, the general nature of that business and shall be given in a manner hereinafter mentioned or in such other manner, if any, as may be prescribed by CAMRA in a General Meeting, to such persons as are, under the Articles of CAMRA, entitled to receive such notices from CAMRA.
17. The accidental omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, any person entitled to receive notice shall not invalidate the proceedings at the meeting.

PROCEEDINGS AT GENERAL MEETINGS

18. All business shall be deemed special that is transacted at a General Meeting and also all that is transacted at an Annual General Meeting with the exception of consideration of the accounts, balance sheets, and the reports of the National Executive and Auditors, the election of members of the National Executive in the place of those retiring and the appointment of and the fixing of the remuneration of the Auditors.
19. No business shall be transacted at any General Meeting unless a quorum of members is present at the time when the meeting proceeds to business; save as hereinafter otherwise provided 100 members present in person shall form a quorum.
20. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting, if convened upon the requisition of members, shall be dissolved; in any other case, it shall stand adjourned to the same day in the next week, at the same time and place, or to such other day and at such other time and place as the National Executive may determine, and if at the adjourned meeting a quorum is not present within half an hour from the time appointed for the meeting the members then present shall be a quorum.
21. No business shall be transacted at any General Meeting except that included in the notice calling the meeting unless written notice shall be given to the Registered Office of CAMRA of the intention to raise that business at least forty-two clear days' notice before the date of the General Meeting or, if less than forty-nine days clear notice of the General Meeting shall have been given, within seven days of the giving of such notice.
22. The Chairman, if any, of the National Executive, shall preside as Chairman at every General Meeting of CAMRA, or if there is no such Chairman, or if he shall not be present within 15 minutes after the time appointed for the holding of the

meeting or is unwilling to act, the members of the National Executive present shall elect one of their number to be a Chairman of the meeting.

23. If at any meeting no member of the National Executive is willing to act as Chairman or if no member of the National Executive is present within 15 minutes after the time appointed for holding the meeting, the members present shall choose one of their number to be Chairman of the meeting.
24. The Chairman may solely at his own discretion or on the direction of the meeting adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business left unfinished at the meeting from which the notice of the adjournment took place. When a meeting is adjourned for 30 days or more, notice of the adjourned meeting shall be given as in the case of an original meeting. Save as aforesaid it shall be necessary to give any notice of an adjournment or of the business to be transacted at an adjourned meeting.
25. At any General Meeting a Resolution put to the vote of the meeting shall be decided on a show of hands unless a poll is (before or on the declaration of the result of the show of hands) demanded,
 - (a) by the Chairman; or
 - (b) by not less than 5 members present in person and having the right to vote at the meeting.

Unless a poll be so demanded, a declaration by the Chairman that a Resolution has on a show of hands been carried or carried unanimously, or by a particular majority, or lost, and an entry to that effect in the book containing the minutes of proceedings of CAMRA shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against such Resolution. The demand for a poll may be withdrawn.

26. Except as provided in article 25, if a poll is duly demanded it shall be taken in such manner as the Chairman directs, and the result of the poll shall be deemed to be the Resolution of the meeting at which the poll was demanded.
27. A poll demanded on the election of a Chairman, or on a question of adjournment, shall be taken forthwith. A poll demanded on any other question shall be taken at such time as the Chairman directs and any business other than that upon which a poll has been demanded may be proceeded with pending the taking of a poll.
28. In case of an equality of votes, whether on a show of hands, or on a poll, the Chairman on the meeting shall be entitled to a second or casting vote.

VOTES OF MEMBERS

29. Every member shall have one vote.
30. A member of unsound mind or in respect of whom an Order has been made by a Court having jurisdiction in lunacy, may vote, by his Committee, receiver or curator bonis or other person in the nature of a Committee, receiver or curator bonis appointed by the Court.
31. No member shall be entitled to vote at any General Meeting unless all monies presently payable by him to CAMRA have been paid.

NATIONAL EXECUTIVE

32. Unless a greater or lesser number is specified by an Ordinary Resolution carried at a General Meeting, there shall be 12 places on the National Executive.
33. The remuneration (if any) to be paid to any member of the National Executive shall be determined by the members in a General Meeting. The members of the National Executive shall be entitled to be repaid all travelling, hotel and other expenses properly incurred by them in or about the business of CAMRA including their expenses of travelling to and from the National Executive or committee meetings.
34. No person shall, at the same time, be a member of the National Executive and an employee of CAMRA; provided that a General Meeting of CAMRA may authorise a member of the National Executive to be or become an employee of CAMRA; and an employee of CAMRA may continue in his employment if elected a member of the National Executive in accordance with these Articles. A member of the National Executive who is an employee of CAMRA shall retire as a member of the National Executive and may submit himself for re-election at every Annual General Meeting, but shall not be taken into account in determining the members of the National Executive who are to retire by rotation at such meetings.

BORROWING POWERS

35. The National Executive may exercise all the powers of CAMRA to borrow money, and to mortgage or charge its undertaking and property, or any part thereof, and to issue debentures, debenture stock and other securities whether outright or as security for any debt liability or obligation of CAMRA or of any third party.

POWER AND DUTIES OF THE NATIONAL EXECUTIVE

36. The business of CAMRA shall be managed by the National Executive who may pay all expenses incurred in promoting and registering CAMRA and may exercise all such powers of CAMRA as are not, by the Act or by these Articles, required to be exercised by CAMRA at a General Meeting, subject nevertheless to the provisions of the Act or those Articles and to such regulations, being not inconsistent with the aforesaid provisions, as may be prescribed by CAMRA in General Meetings; but no regulation made by CAMRA in General Meetings shall invalidate any prior act of the National Executive which would have been valid if that regulation had not been made.
37. All cheques, promissory notes, drafts, bills of exchange and other negotiable instruments, and all receipts for money paid to CAMRA shall be signed, drawn, accepted, endorsed, or otherwise executed, as the case may be, in such manner as the National Executive shall from time to time by resolution determine.
38. The National Executive shall be empowered to form Committees or appoint Officers for any special purpose and may co-opt any member of CAMRA to undertake these tasks and these members shall be entitled to travelling and hotel expenses etcetera, as allowed to members of the National Executive under article 33.
39. The Chairman and any other 3 members of the National Executive shall be empowered to make emergency decisions in the interest of CAMRA without reference to a full meeting to the National Executive and such decisions shall be binding pending the next full meeting of the National Executive. Any such decision shall have to be ratified at the next properly convened meeting of the National Executive but the presumption shall exist that the decision is acceptable unless the circumstances are exceptional.

40. The National Executive shall cause Minutes to be made in books providing for the purpose:-
- (a) of all appointments of Officers made by the National Executive;
 - (b) of names of the members of the National Executive present at each meeting of the National Executive and of any Committee of the National Executive;
 - (c) of all resolutions and proceedings at all meetings of CAMRA and of the National Executive, and of Committees of the National Executive.
41. The National Executive shall be empowered to make rules and regulations which they consider to be in the interest of CAMRA which shall be binding on all members until revoked or countermanded by the members in General Meeting. Such rules and regulations shall not conflict with the Act or with the Articles.

DISQUALIFICATION OF MEMBERS OF THE NATIONAL EXECUTIVE

42. The Office of members of the National Executive shall be vacated if the member of the National Executive:-
- (a) becomes an employee of CAMRA other than in accordance with article 34 hereof; or
 - (b) becomes bankrupt or makes any arrangements or composition with his creditors generally; or
 - (c) becomes prohibited by law from being a member of the National Executive; or
 - (d) becomes of unsound mind; or
 - (e) resigns his office by notice in writing to CAMRA; or
 - (f) ceases to be a member of CAMRA; or
 - (g) is removed by resolution in General Meeting pursuant to section 168 of the Act or according to article 49 hereunder; or
 - (h) is directly or indirectly interested in any contract with CAMRA and fails to declare the nature of his interest in a manner required by section 177 of the Act.

A member of the National Executive shall not vote in respect of any contract in which he is interested or any matter arising there out after declaring his interest and if he does so vote his vote shall not be counted.

ROTATION OF THE MEMBERS OF THE NATIONAL EXECUTIVE

43. The election for membership of the National Executive shall take place at each Annual General Meeting of CAMRA. For each resolution to fill a place on the National Executive, each member shall have one vote; thus each member is entitled to as many votes as there are vacant places on the National Executive but is not required to exercise all or any such votes. The ballot shall be declared by simple majority, with the candidate polling the highest number of votes being declared elected to the vacant places in descending order of number of votes. No member of the National Executive elected at a General Meeting shall hold office for more than three years without retiring. In each year, one-third of the members of the National Executive (or if their number is not three or a multiple of three, then the number nearest one-third) shall retire from office. The members of the National Executive to retire in any one year shall be those who will have held office for three years since their last election, then, to make up the one-third or number nearest one-third, those who have been in office longest since their last election. As between members of the National Executive elected as such on the same day,

those to retire shall be determined by agreement between such members, or, if there is no such agreement, shall be those who received the least number of the votes cast for any candidate elected at the election. The computation of the members of the National Executive to retire at any Annual General Meeting follows this formula:

- a) Any member of the National Executive who is also an employee of CAMRA must retire at each Annual General Meeting.
 - b) Any member co-opted by the National Executive must retire at the Annual General Meeting following his/her co-option.
 - c) Take one third of the remaining number of members, or the number nearest one third (e.g. 4 of 11; 3 of 10; 3 of 8; 2 of 7 etc.).
 - d) Any member who will have been in Office for three years since his/her last election must retire.
 - e) The number to retire is then made up to the one-third or number nearest one-third by the length of service agreement/least votes formula e.g. if the three next longest serving members of the National Executive have all held office for two years, and two must retire, the three may agree unanimously among themselves which two shall retire, but failing this agreement, the two polling the least votes when elected shall retire.
44. Any retiring member of the National Executive whether elected at an Annual General Meeting or co-opted shall be eligible for re-election.
 45. The members of CAMRA at the meeting at which a member of the National Executive retires in accordance with articles 43 or 34 may fill the vacated office by electing a person thereto, and in default, the retiring member of the National Executive shall, if offering himself for re-election, be deemed to have been re-elected, unless at such meeting it is expressly resolved not to fill such vacated office or unless a resolution for the re-election of such member of the National Executive shall have been put to the meeting and lost.
 46. No person shall be eligible for election to the office of Member of the National Executive at any General Meeting unless not less than 42 or more than 60 days before the date appointed for the meeting, there shall have been left at the Registered Office of CAMRA notice in writing, signed by a member duly qualified to attend and vote at the meeting for which such notice is given, of his intention to propose such person for election, and also notice in writing signed by that person of his willingness to be elected.
 47. CAMRA may from time to time by ordinary resolution increase or reduce the number of members of the National Executive and may also determine in which rotation the increased or reduced number is to go out of office.
 48. The National Executive shall have power at any time to co-opt any person to be a member of the National Executive so long as the number of members of the National Executive shall not thereby come to exceed the number fixed in accordance with article 32 above. Any member of the National Executive so appointed shall hold office only until the next following Annual General Meeting, and shall then retire and be eligible for re-election, but shall not be taken into account in determining the number of members of the National Executive who are due to retire by rotation in accordance with article 43 above.
 49. By ordinary resolution at a General Meeting, of which notice has been given according to section 168 of the Act, CAMRA may remove any member of the National Executive from that office. This removal from office shall take effect

immediately, notwithstanding anything in these Articles, or in any agreement or contract between CAMRA and the member of the National Executive so removed from office, but shall be without prejudice to any rights that member may have either under any agreement or contract with CAMRA or generally at law.

50. If the removal from office of a member of the National Executive by resolution according to article 49 above occurs at an Annual General Meeting, the vacancy so created shall be filled in the normal course of election of members of the National Executive under article 43 above. If the removal from office occurs at any General Meeting, the meeting may by ordinary resolution (of which due notice has been given under articles 14 and 21 above) appoint a person to fill any vacancy so created, and that person's term of office as a member of the National Executive shall be as stated under article 43 above. If no appointment to any vacancy so created is made at a General Meeting, the National Executive shall have power according to article 48 above to co-opt a person to fill the vacancy, except that it may not co-opt the person dismissed from office under article 49 above.

PROCEEDINGS OF THE NATIONAL EXECUTIVE

51. The National Executive may meet together for the despatch of business, adjourn and otherwise regulate their meeting as they think fit. Questions arising at any meetings shall be decided by a majority of votes. In the case of an equality of votes the Chairman shall have a second or casting vote. The Secretary shall on the requisition of the Chairman or four other members of the National Executive at any time summon a meeting of the National Executive. At least six days' clear notice shall be given of such a meeting. It shall not be necessary to give notice of a meeting of the National Executive to any member of the National Executive for the time being absent from the United Kingdom.
52. The Chairman of any meeting of the National Executive shall be the Chairman presiding at the previous meeting of the National Executive or such other person as the National Executive may appoint by a majority vote at any meeting from time to time. Any member of the National Executive who ceases to be a member of the National Executive shall automatically cease to be Chairman.
53. The quorum necessary for the transaction of the business of the National Executive shall be fixed by the National Executive at a figure being not less than four.
54. The continuing members of the National Executive may act notwithstanding any vacancy in their body, but, if and so long as their number is reduced below the number fixed by or pursuant to the Articles of CAMRA as the necessary quorum of members of the National Executive, the continuing members of the National Executive or member of the National Executive may act for the purpose of increasing the number of members the National Executive to that number, or of summoning a General Meeting of CAMRA, but for no other purpose.
55. If the Chairman is not present within 15 minutes after the time appointed for holding a meeting of the National Executive, the members of the National Executive present may choose one of their number to be Chairman of that meeting.
56. The National Executive may delegate any of its powers to Committees consisting of such member or members of CAMRA as they think fit, and any Committee so formed shall in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the National Executive.

57. Any member of CAMRA may be invited by the Chairman to attend a meeting of the National Executive subject to the approval of the members of the National Executive at that meeting.
58. A Committee may elect a Chairman of its meeting. If no such Chairman is elected or if at any meeting the Chairman is not present within 15 minutes after the time appointed for holding the same, the members present may choose one of their number to be Chairman of the meeting.
59. A Committee may meet and adjourn as it thinks proper. Questions arising at any meeting shall be determined by a majority of votes of the members present, and in the case of an equality of votes the Chairman shall have a second or casting vote.
60. All acts done by any meeting of the National Executive or of a Committee of the National Executive or any Committee of the National Executive and ordinary members of CAMRA or by any person acting as a member of the National Executive shall notwithstanding that it be afterwards discovered that there was some defect in the appointment of any such member of the National Executive or person acting as aforesaid or that they or any of them were disqualified, be as valid as if every such person had been duly appointed and was qualified to be a member of the National Executive.
61. A Resolution in writing signed by all the members of the National Executive for the time being entitled to receive notice of a meeting of the National Executive shall be as valid and effectual as if it had been passed at a meeting of the National Executive duly convened and held.
62. No decision at a meeting of the National Executive shall be rescinded at any future meeting of the National Executive unless notice of the intention to rescind the same shall have been given in the notice convening such meeting or unless two-thirds of those present being in number not less than four shall agree to waive the need for such notice.
63. Business to be conducted at each meeting of the National Executive shall, whenever practicable, be stated on the notice convening the meeting. Business of which notice has not been given on the convening notice shall not be transacted at the meeting except with the consent of at least three-fourths of those persons present, being in number not less than four.

SECRETARY

64. The Secretary, who shall not be also a member of the National Executive, shall be appointed by the National Executive for such term, at such remuneration and upon such conditions as they may think fit; and any Secretary so appointed may be removed by them.
65. A provision of the Act or these Articles requiring or authorising a thing to be done by or to a member of the National Executive and the Secretary shall not be satisfied by its being done by or to the same person acting both as a member of the National Executive and as, or in place of, the Secretary.

THE SEAL

66. The National Executive shall provide for the safe custody of the Seal, which shall only be used by the authority of the National Executive or of a Committee of the National Executive authorised by the National Executive in that behalf, and every instrument to which the Seal shall be affixed, shall be countersigned by the Secretary or by a second member of the National Executive or by some other person appointed by the National Executive for that purpose.

ACCOUNTS

67. The National Executive shall cause proper books of accounts to be kept with respect to:-
- (a) All sums of money received and expended by CAMRA and the matters in respect of which the receipt and expenditure takes place;
 - (b) All sales and purchases of goods by CAMRA; and
 - (c) The assets and liabilities of CAMRA.

Proper books shall not be deemed to be kept if there are not kept such books of accounts as are necessary to give a true and fair view of the state of CAMRA's affairs and to explain its transactions.

68. The books of account shall be kept at the Registered Office of CAMRA or subject to Section 388 of the Act at such other place or places as the National Executive think fit, and shall always be open to inspection of the National Executive.
69. The National Executive shall from time to time determine whether and to what extent and at what times and places and under what conditions or regulations the accounts and books of CAMRA or any of them shall be open to the inspection of members not being members of the National Executive, and no member, not being a member of the National Executive, shall have any right of inspecting any account or book or document of CAMRA except as conferred by statute or authorised by the National Executive or by CAMRA in General Meeting.
70. The National Executive shall from time to time in accordance with Sections 394, 398 and 415 of the Act cause to be prepared and to be laid down before CAMRA in General Meetings such profit and loss accounts, balance sheets, group accounts (if any) and reports as referred to in those sections.
71. A copy of every Balance Sheet (including every document required by law to be annexed thereto) which is to be laid before CAMRA in General Meeting together with a copy of the Auditors' Report, shall not less than 14 days before the date of the meeting be sent to every member of, and every holder of debenture of, CAMRA. Provided that this Article shall not require a copy of those documents to be sent to any person of whose address CAMRA is not aware or more than one of the joint holders of any debentures.

AUDIT

72. Auditors shall be appointed and their duties regulated in accordance with sections 475 to 479 of the Act.

NOTICES

73. A notice may be given by CAMRA to any member either personally or by sending it by post to him or to his registered address, if any, within the United Kingdom supplied by him to CAMRA for the giving of notice to him. Where a notice is sent by post, service of the notice shall be deemed to be effected by properly addressing pre-paying and posting a letter containing the notice, and to have been effected in the case of notice of a meeting posted by first or second class post at the expiration of 72 hours after the letter containing the same is posted and in any other case at the time at which the letter would be delivered in the ordinary course of post. Notices of General Meetings shall be deemed to be sufficiently served if incorporated in, included with or annexed to any magazine circulated by CAMRA to the whole of its membership.

74. Notice of any General Meeting shall be given in any manner hereinbefore authorised to:-
- (a) Every member except those members who (having no registered address within the United Kingdom) have not supplied to CAMRA an address within the United Kingdom for the giving of notice to them.
 - (b) Every person being a legal personal representative or a trustee in bankruptcy of a member where the member but for his death or bankruptcy would be entitled to receive notice of the meeting; and
 - (c) The Auditor for the time being of CAMRA.

MEANS OF COMMUNICATION TO BE USED

75. Anything sent or supplied by or to CAMRA under the Articles may be sent or supplied in any way in which the Act provides for documents or information which is authorised or required by any provision of that Act to be sent or supplied by or to CAMRA.
76. Any notice or document to be sent or supplied to a member of the National Executive in connection with the taking of decisions by members of the National Executive may also be sent or supplied by the means by which that member of the National Executive has asked to be sent or supplied with such notices or documents for the time being.
77. A member of the National Executive may agree with CAMRA that notices or documents sent to that member of the National Executive in a particular way are to be deemed to have been received within a specified time of their being sent, and for the specified time to be less than 48 hours.

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Agenda Item 10

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.



Official copy of register of title

Title number HW148935

Edition date 06.11.2014

- This official copy shows the entries on the register of title on 11 NOV 2016 at 14:18:31.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 11 Nov 2016.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by Land Registry, Coventry Office.

A: Property Register

This register describes the land and estate comprised in the title.

WORCESTERSHIRE : BROMSGROVE

- 1 (24.11.1994) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 44 Hanbury Road, Stoke Heath, Bromsgrove (B60 4LU).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

- 1 (03.08.2005) PROPRIETOR: PUNCH PARTNERSHIPS (PML) LIMITED (Co. Regn. No. 3321199) of Jubilee House, Second Avenue, Burton-on-Trent, Staffs DE14 2WF.
- 2 (27.12.2002) RESTRICTION: Except under an order of the registrar no disposition or dealing by the proprietor of the land is to be registered without the consent of the proprietor of the Charge dated 21 November 2002 in favour of Deutsche Trustee Company Limited referred to in the Charges Register.
- 3 (03.08.2005) A Transfer of the land in this title and other land dated 21 November 2002 made between (1) Cousin of Pubmaster Limited and (2) Pubmaster Limited contains purchaser's personal covenant(s) details of which are set out in the schedule of personal covenants hereto.

The Transfer to the present proprietor contains a covenant to observe and perform the aforesaid covenant(s) and of indemnity in respect thereof.
- 4 (06.11.2014) RESTRICTION: No disposition of the registered estate by the proprietor of the registered estate or by the proprietor of any registered charge, not being a charge registered before the entry of this restriction, is to be registered without a written consent signed by the proprietor for the time being of the Charge dated 7 October 2014 in favour of Deutsche Trustee Company Limited referred to in the Charges Register.

Schedule of personal covenants

1 The following are details of the personal covenants contained in the Transfer dated 21 November 2002 referred to in the Proprietorship Register:-

1. "The Transferee hereby covenants for itself and its successors in title and assigns with the Transferor with the object and intent of affording to the Transferor a full and sufficient indemnity against all actions, claims and liabilities in respect thereof that the Transferee and its successors in title and assigns will from the date hereof and perform:

1.1 the covenants, agreements, restrictions, stipulations, provisions, conditions and other matters contained or referred to in the registers of the above numbered titles (so far as the same relate to any one of the Properties and are still enforceable); and

1.2 The covenants and obligations on the part of the Landlord contained in the Occupational Lease listed below;

and will indemnify and keep indemnified the Transferor from and against all actions, claims, demands, losses, costs, expenses, damages and liabilities relating to any breach thereof by the Transferee, its successors in title and assigns.

2. 'Occupational Leases' means:

2.1 Lease dated 13 October 1994 in relation to a portfolio of public houses in England and Wales known as the green portfolio made between (1) Scottish Amicable Life Assurance Society (2) Son of Pubmaster Limited and (3) Pubmaster Limited;

2.2 Lease dated 13 October 1994 in relation to a portfolio of public houses in England and Wales known as the blue portfolio made between (1) Scottish Amicable Life Assurance Society (2) Son of Pubmaster limited and (3) Pubmaster Limited;

2.3 Lease dated 13 October 1994 in relation to a portfolio of public houses in England and Wales known as the yellow portfolio and made between Scottish Amicable Life Assurance Society (2) Son of Pubmaster Limited and (3) Pubmaster Limited;

2.4 Lease dated 13 October 1994 in relation to a portfolio of public houses in England and Wales known as the red portfolio made between (1) Strathclyde Regional council (whose successor is Glasgow City Council (2) Son of Pubmaster Limited and (3) Pubmaster Limited;

2.5 Lease dated 10 July 1996 in relation to a portfolio of public houses in England and Wales known as the fawn portfolio made between (1) The Council of the Borough of South Tyneside as administering authority for the Tyne and Wear Pension Fund (2) Daughter of Pubmaster Limited and (3) Pubmaster Limited

and Lease dated 8 March 1997 in relation to a portfolio of public houses in England and Wales known as the pink portfolio made between (1) South Yorkshire Pensions Authority (2) Daughter of Pubmaster Limited and (3) Pubmaster Limited."

NOTE: The Properties referred to above are those listed in the Transfer.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 (27.12.2002) REGISTERED CHARGE contained in a Third Supplemental Pubmaster Deed of Charge dated 21 November 2002 affecting also other titles to secure the moneys including the further advances therein mentioned.

NOTE 1: The proprietor of this charge is obliged to make further advances in accordance with the terms and conditions

Title number HW148935

C: Charges Register continued

NOTE 2: Charge reference NGL723322.

- 2 (27.12.2002) Proprietor: DEUTSCHE TRUSTEE COMPANY LIMITED (Co. Regn. No. 338230) of Winchester House, 1 Great Winchester Street, London EC2N 2DB. (Ref: COP transfer).
- 3 (03.08.2005) The land is subject to the lease set out in the schedule of leases hereto.
- 4 (06.11.2014) REGISTERED CHARGE contained in a Punch Taverns B Second Priority Deed of Charge dated 7 October 2014 affecting also other titles.

NOTE: Charge reference SYK428293.

- 5 (06.11.2014) Proprietor: DEUTSCHE TRUSTEE COMPANY LIMITED (Co. Regn. No. 338230) of Winchester House, 1 Great Winchester Street, London EC2N 2DB.
- 6 (06.11.2014) The proprietor of the Charge dated 7 October 2014 referred to above is under an obligation to make further advances. These advances will have priority to the extent afforded by section 49(3) Land Registration Act 2002.

Schedule of notices of leases

- | | | | |
|---|------------|-------------------------------|---|
| 1 | 03.08.2005 | The Hanbury Turn Public House | 07.11.2001
3 years from
07.11.2001
thereafter as
therein
mentioned |
|---|------------|-------------------------------|---|

NOTE: Copy filed

End of register

Agenda Item 10

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from Land Registry.

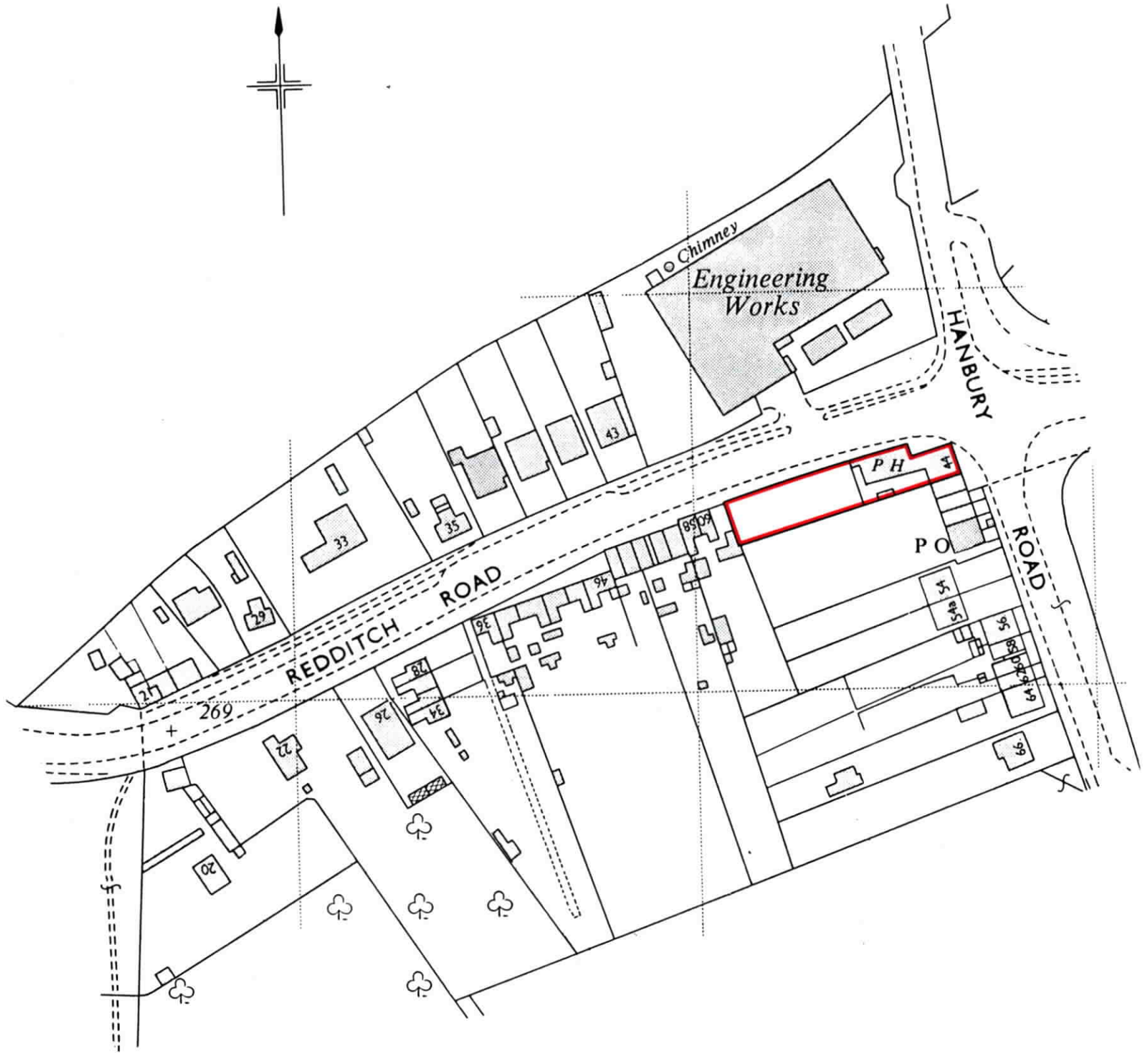
This official copy is issued on 11 November 2016 shows the state of this title plan on 11 November 2016 at 14:18:31. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by the Land Registry, Coventry Office .

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H.M. LAND REGISTRY		TITLE NUMBER	
		HW 148935	
ORDNANCE SURVEY PLAN REFERENCE	SO 9468	SECTION D	Scale 1/1250 Enlarged from 1/2500
COUNTY HEREFORD AND WORCESTER DISTRICT BROMSGROVE			© Crown copyright 1989

ADMINISTRATIVE AREA WORCESTERSHIRE





**CAMPAIGN
FOR
REAL ALE**

Campaign for Real Ale
230 Hatfield Road
St Albans
Hertfordshire
AL1 4LW

Telephone: 01727 867201
Fax: 01727 867670
Email: camra@camra.org.uk
www.camra.org.uk

Statement of Support

DATE 11/11/2016

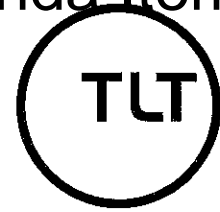
I confirm that in putting forward the attached application to list the Hanbury Turn as an 'Asset of Community Value (ACV)' that Redditch & Bromsgrove Branch of CAMRA is acting on behalf of and with full authority of the Campaign for Real Ale (CAMRA). CAMRA is a limited company, registered in England with company number 1270286.

Faye Grima

Campaigns Manager
Campaign for Real Ale (CAMRA)



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Our ref 303D/AH07/DR23/026369/26212
 Your ref

Strictly private and confidential

FAO Jayne Pickering
Executive Director Financial & Corporate Resources
 Office of the Executive Director
 Finance Corp Resources
 Council House
 Bircot Lane
 Bromsgrove
 Worcestershire
 B61 8AA

Direct tel	+44 (0)333 006 0143	Date	27 May 2016
Direct fax	+44 (0)333 006 1492	Email	andrew.harper@tltsolicitors.com

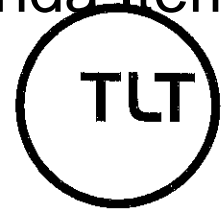
Dear Sirs

Assets of Community Value - New Inn, 10 Doctors Hill, Bourneheath B61 9JE

Your letter dated 9 May 2016, addressed to Punch Partnerships Limited, has been forwarded to us. We act on behalf of Punch Tavern Plc and subsidiary companies who own the above property.

The property is registered with title number WR38837 and the registered owner is Punch Partnerships (PTL) Limited. My client does have the following comments on the nomination:

- 1 There is an alternative public house in very close proximity to the property and provides an alternative amenity. My client's view is that the other pub in the village is a more popular, successful venue for the community and for that reason trade at the above property has struggled for many years. This is evidenced by the frequent turnover of licensee at the property. On the basis that there is an alternative amenity my client believes that the pub, in itself, does not further the social well-being or social interest of the community as a whole.
- 2 My client has been openly marketing the sale of its freehold interest in the property for some time and continues to do so. To date, no local group or individual has formulated any offer to acquire the property as a trading public house and, in the circumstances, my client has concerns that the listing of the property will not achieve the intention of offering the community group the opportunity to bid for the pub as they have had an opportunity to do so already and have failed to do so.



My client would be grateful if these points would be considered when the nomination for listing is reviewed. In the event that my client is unable to progress with a sale of the property, as a trading pub or otherwise, as a result of the listing the property as an asset community value then my client will reserve its position with regard to a claim for compensation or loss.

Yours sincerely

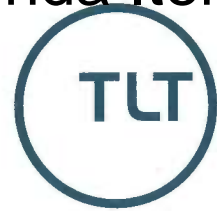
A handwritten signature in black ink, appearing to be "A. Harper", written in a cursive style.

Andrew Harper
Legal Director
for TLT LLP

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www.TLTsolicitors.com

Our ref KM21/026369/027001
 Your ref JP/WR



Jayne Pickering
 Executive Director (Finance and Corporate Services)
 Bromsgrove District Council
 The Council House
 Burcot Lane
 BROMSGROVE
 B60 1AA

By e-mail: j.pickering@bromsgroveandredditch.gov.uk

Direct tel	+44 (0)333 006 0740	Date	28 November 2016
Direct fax	+44 (0)333 006 0011	Email	Kate.james@TLTsolicitors.com

Dear Sirs

The Hanbury Turn, 44 Hanbury Road, Stoke Heath, Bromsgrove, B60 4LU
Chapter 3 Localism Act 2011
Objection to the proposed nomination as an Asset of Community Value

We act for Punch Partnerships (PML) Limited. Our client is the registered owner of the property known as The Hanbury Turn, 44 Hanbury Road, Stoke Heath, Bromsgrove (the **Property**). The Property is registered under title HW148935.

The Property is the subject of an Asset of Community Value (**ACV**) nomination (**the Nomination**) made by Redditch & Bromsgrove CAMRA (**CAMRA**) under section 90 of the Localism Act 2011 (the **Act**) and received by the Council on 11 November 2016.

Our client, for the reasons set out below, considers it would be unreasonable for the Council to accept the Nomination under section 90(3). The Property should not therefore be added to the ACV list provided for by section 87(1) of the Act.

Pertinent statutory requirements for an ACV nomination

- 1 Where the use of the nominated land or building is continuing then the test for an ACV is set out in section 88(1) of the Act. The test is that the Council must be of the reasonably formed opinion that:
 - 1.1 an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community; and
 - 1.2 that it is realistic for the Council to think there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.
- 2 The Council must of course act reasonably in the exercise of its judgement in the second limb of this test i.e. in determining what is realistic. In the absence of a

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statutory definition or case law to the contrary, the Council should adopt the ordinary meaning of the word 'realistic'. Therefore the second limb of the test can only be passed if future use is a practical rather than fanciful or aspirational use.

- 3 In both parts of the ACV test the use in question that is a social interest or wellbeing use must not be an ancillary use. What amounts to an 'ancillary use' is not defined by the legislation. Taking its ordinary meaning ancillary must require the social wellbeing or interest use identified in the Nomination to be the main use to which the land or building is put. If it is not the main use then it cannot amount to an ACV.
- 4 Social interests are defined (section 88(6)) to include each of the following: cultural interests, recreational interests and sporting interests.
- 5 There are also specific statutory requirements regarding nomination (regulation 6 of the Assets of Community Value (England) Regulations 2012 (the **Regulations**)). To amount to a nomination the nominator must include
 - 5.1 a description of the nominated land including its proposed boundaries;
 - 5.2 a statement of all the information the nominator has with regard to the owner and occupier of the land;
 - 5.3 the nominator's reasons for thinking that the responsible authority should conclude that the land is of community value; and
 - 5.4 evidence that the nominator is eligible to make the community nomination.
- 6 If any of these elements are missing then a submission by a voluntary or community body cannot amount to a nomination for the purposes of the Regulations and cannot be a submission which the Council must consider under section 90 of the Act.

Objection to the Nomination

- 7 Two critical elements of the nomination are missing. CAMRA does not describe an actual or current use which furthers the social wellbeing or interests of the local community. Nor does CAMRA describe, substantiate or evidence an ACV use that suggests it is realistic for the Council to think there can continue to be non-ancillary use of the Property which will further the social wellbeing or social interests of the local community. In their combined absence the Nomination cannot amount to a nomination for the purposes of the Regulations and the Council cannot reasonably or otherwise accept the nomination and add the Property to the ACV list.
- 8 In accordance with the Regulations, the nominator is required to expressly state the reasons for thinking that the Council should conclude that the Property is of community value (regulation 6(c)). By section 88(2) the use identified as furthering the social wellbeing or interest of the community must not be an ancillary use.
- 9 In its Nomination CAMRA fails to state which aspect of the list in box B4 amounts to a social or cultural wellbeing use, nor does CAMRA provide any evidence to support its assertions.
- 10 The Property is a public house. That is its main use. That The Hanbury Turn provides a number of facilities does not amount to the identification of a social or cultural use.

Nor does the nominator substantiate with evidence why it considers the Property's main use furthers the social or cultural wellbeing of the community.

- 11 It is not enough to merely assert, the nominator is required to provide reasons as to why the Property furthers the social wellbeing or interests of the local community and why it is reasonable to think that it will continued to do so. Without that evidence little or no weight can be given to the Nomination.
- 12 That The Hanbury Turn is a pub is not disputed, but a public house use in and of itself does not amount to an ACV use. If it was Parliament's intention that every public house was an ACV, then that would have been made clear in the legislation. It was not. Without more details of the use or evidence to support the Nomination, the Council cannot reasonably conclude that the Property should be listed.
- 13 In the supporting statement to section B4 of the Council's nomination form CAMRA states the following, none of which are of relevance to the Council's ACV determination because they are all clearly ancillary uses to the Property's main public house use, which therefore fail to meet the tests set out in section 88 of the Act:
 - 13.1.1 The pub hosts advertising for local events;
 - 13.1.2 The pub hosts quiz nights;
 - 13.1.3 Free wifi is available for customers;
 - 13.1.4 This pub is a member of CAMRA's LocAle scheme;
 - 13.1.5 There are good transport links available to/from the pub;
 - 13.1.6 Local sports teams meet in this pub;
 - 13.1.7 The pub sponsors a team;
 - 13.1.8 There is good access for disabled people;
 - 13.1.9 Meeting spaces are available for local community groups and charities to use;
 - 13.1.10 The pub offers employment opportunities for young people; and
 - 13.1.11 The pub offers a dart board and quiz machine.
- 14 No evidence has been provided to support these assertions no explanation given as to how such factors promote the social wellbeing and social interests of the local community. As such they should be disregarded.
- 15 The provision of such facilities is not uncommon. In fact, there are no less than 13 other public houses within 2 miles of the Property (see attached printout from the Campaign for Real Ale run website whatpub.com). Given the high number of other public houses in the vicinity, it cannot be argued that the provision of such facilities can have any discernible impact on the social wellbeing or social interests of the local community.



- 16 The Nomination simply states that "the pub can further the social wellbeing and interest of the local community in the future by continuing to provide the above mentioned services". No substantiated evidence or rationale is provided to support this statement. This is simply an assertion and with no evidence to explain why or how this might be the case, it must be concluded that this cannot satisfy the test in section 88(1)(b) of the Act.
- 17 The Nomination does not therefore meet the requirements in regulation 6 and therefore the Council is not obliged to accept the Nomination or to go on to consider the ACV status of the Property. The Council has no discretion to accept nominations that do not comply with the requirements. Nor is it under any obligation to perfect nominations. In short it would be unlawful for the Council to place the Property to determine this Nomination.

Intention to bid

- 18 The purpose of Part 5, Chapter 3 of the Act is to give community interest groups time to raise finance in the event that the owner of an ACV makes a relevant disposal. CAMRA clearly have no intention to raise any finance should the Property be disposed of as a relevant disposal. CAMRA are therefore arguably abusing the ACV listing process.
- 19 It is also important to note the blasé approach which CAMRA has taken to the Nomination. The reasons for the Nomination are taken, almost verbatim from the Campaign for Real Ales 'what to include in ACV nominations' document on their website <http://www.camra.org.uk/additional-resources>. Attached is a copy of this document showing the phrases which have, by and large, been copied and pasted save that the Nomination does not in fact go as far as the template document to explain how or why various facilities and services add value to the local community.
- 20 We do in fact have numerous other examples of nominations of other properties by CAMRA which have adopted the same tactic and cite almost identical grounds in support of the nomination.
- 21 This approach suggests that little or no care or attention has been given to this Nomination and again indicates that the purpose of this Nomination is simply to have the Property listed because it is a pub, rather than applying the relevant tests set out in the Act.
- 22 The only indication that any consideration has been given to the Property in question in reference to some local community groups who allegedly use meeting spaces at the Property (though no evidence has been provided to substantiate this) and reference to a quiz which allegedly takes place on Wednesdays. Both of these uses are clearly ancillary and are therefore irrelevant.

Conclusion

- 23 The Council must apply to correct test set out in section 88(1) of the Act.

- 24 Once all non-ancillary uses which CAMRA have cited are disregarded, the Nomination simply proposes the listing of the Property because it is a pub. This does not satisfy the requirements on the Act.
- 25 The failure to provide any supporting evidence, along with the failure to satisfy the tests set out in section 88 of the Act mean that it cannot be concluded that the Property is of community value. The Council should not therefore continue with its determination of the Nomination under section 90(2) of the Act.
- 26 We respectfully request therefore that the Council add this Nomination to the list of unsuccessful nominations.

Please acknowledge receipt of these representations.

Yours faithfully



TLT LLP

Encs.



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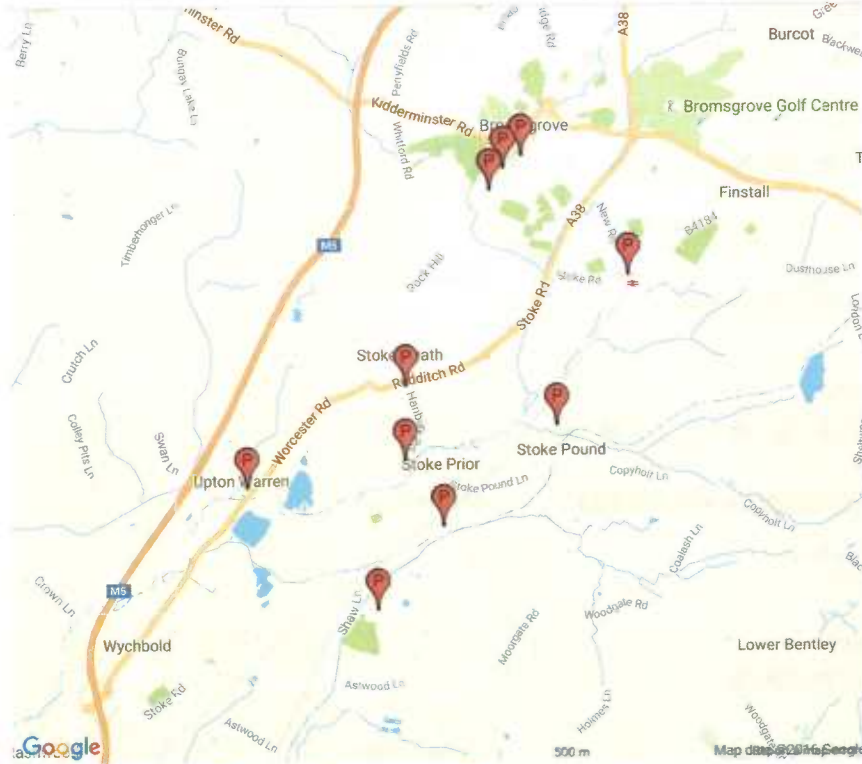
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- Beer Festivals
- Cask Marque Accredited
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- Function Room
- Traditional Pub Games
- Lined Glasses

- Pub
- Club
- Hotel
- Off Licence
- Restaurant
- Other

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Hanbury Turn
44 Hanbury Road, Stoke Heath
Stoke Heath
B60 4LU

0.0 miles (0.0km)

Pub Features

-
-
-
-
-
-
-
-
-



Ewe and Lamb
68 Hanbury Road, Stoke Heath
Stoke Heath
BROMSGROVE
B60 4DN

0.4 miles (0.7km)

Pub Features

-
-
-
-
-
-
-
-
-



Navigation Inn
57 Hanbury Road
Stoke Prior
B60 4LB

0.8 miles (1.3km)

Pub Features

-
-
-
-
-
-
-
-
-



Queens Head

0.9 miles (1.4km)



Sugarbrook Lane, Stoke Pound
Stoke Pound
BROMSGROVE
B60 3AU

Pub Features

-
-
-
-
-
-
-
-
-
-
-
-



Swan Inn
Swan Lane, Upton Warren
Upton Warren
B61 7ET

1.1 miles (1.7km)

Pub Features

-
-
-
-
-
-
-
-
-



Turks Head
147 Worcester Road, Bromsgrove
Bromsgrove
B61 7HN

1.2 miles (2.0km)

Pub Features

-
-
-
-
-
-
-
-



Stoke Prior Sports and Country Club
Weston Hall Road
Stoke Works
B60 4AL

1.3 miles (2.1km)

Pub Features

-
-
-
-
-



Olde Black Cross
70 Worcester Road, Bromsgrove
Bromsgrove
B61 7AG

1.4 miles (2.2km)

Pub Features

-
-
-
-
-
-
-
-
-
-



Ladybird
2 Finstall Road,
Bromsgrove
B60 2DZ

1.4 miles (2.3km)

Pub Features

-
-
-
-
-
-
-
-
-
-
-
-



Little Ale House
21 Worcester Road
Bromsgrove
B61 7DL

1.5 miles (2.4km)

Pub Features

-
-
-
-
-
-
-

- Live Music
- Newspapers
- Real Fire
- Restaurant Area
- Separate Bar
- Smoking Area
- Sports TV
- Wifi

1 2 3 4 5 6 7 8 9 10 . 11

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Golden Cross Hotel

20 High Street
 Bromsgrove
 B61 8HH

1.6 miles (2.5km)

Pub Features



Boat and Railway

Shaw Lane,Stoke Works,Nr Broms.
 Stoke Works
 B60 4EQ

1.6 miles (2.5km)

Pub Features



Holiday Inn

Kidderminster Road
 Bromsgrove
 B61 9AB

1.6 miles (2.6km)

Pub Features

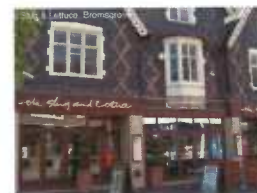
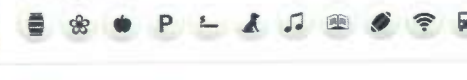


Red Lion

73 High Street
 Bromsgrove
 B61 8AQ

1.7 miles (2.7km)

Pub Features



Slug & Lettuce

126-130 High Street
 Bromsgrove
 B61 8ES

1.7 miles (2.8km)

Pub Features



Bowling Green

Shaw Lane,Stoke Works.Nr Stoke
 Stoke Works
 B60 4BH

1.9 miles (3.0km)

Pub Features



Bromsgrove Golf Centre

2.1 miles (3.3km)

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- Beer Festivals
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- Important Historic Interior
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- Pub Garden
- Parking
- Dog Friendly
- Family Friendly
- Accommodation
- Camping Nearby
- Events
- Function Room
- Traditional Pub Games
- Lined Glasses
- Music



Stratford Road, Slideslow, Broms
Bromsgrove
B60 1LD

Pub Features



Park Gate
Kidderminster Road, Park Gate
Bromsgrove
B61 9AJ

2.1 miles (3.4km)

Pub Features



Crabmill Inn
122 Birmingham Road, Bromsgrove
Bromsgrove
B61 0DF

2.1 miles (3.4km)

Pub Features



Crown Inn
Worcester Road, Wychbold
Wychbold
WR9 7PF

2.1 miles (3.4km)

Pub Features



- Live Music
- Newspapers
- Real Fire
- Restaurant Area
- Separate Bar
- Smoking Area
- Sports TV
- Wifi

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www.camra.org.uk | Email: camra@camra.org.uk | Tel: 01727 867201 | Fax: 01727 867670

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What to include in ACV nominations

To get your pub listed as an Asset of Community Value you will have to demonstrate to the Council how it adds significant value to your local community.

Below are some suggestions of what you could include in the nomination. Where possible, you should also add in as much local information as you can.

If you have any further questions please do not hesitate to contact us on acv@camra.org.uk or by calling our helpline on 01727 798 449.

Events

- Live music events are often hosted at the pub which brings the community together. This also provides a platform for local music artists and contributes to the local area's culture
- The pub hosts advertising for local events which encourages the community to come together to support local businesses.
- There are televisions screening sporting events enjoyed by patrons. This allows people in the community to come together to enjoy specific sporting events – providing a safe place to enjoy a drink and a specific sporting event for vulnerable members of society.
- The pub hosts a regular quiz night which brings people together from a variety of different backgrounds; furthering the recreational interests of the community.
- A local beer festival offering a range of local beers is hosted at the pub. This helps support local businesses as well as bringing people from the community together.
- During election periods, the pub is used to host election hustings
- The pub hosts a karaoke night which is enjoyed by people in the community
- The pub takes part in events which raise money for local charities

Facilities available

- There is a beer garden attached to the pub which is used and enjoyed by local people including families. This is particularly enjoyed in the summer months and brings different groups of people together.
- A children's play area for local families is available at the pub
- The pub adjoins a sports field and users share the pub's facilities. This not only encourages local residents to take pride in their local area, but also provides more custom for the pub and allows people from different backgrounds to mix together.
- The pub has a great food menu enjoyed by the local community. (You can also mention whether there are any special food offers available for older people etc)
- Free wifi is available for customers which allows people to access the internet that otherwise would not be able to. The pub therefore provides a vital facility for people wanting to use the pub for more than just a social event.
- There is free parking available which is accessed by the wider community. This allows people to get to/from the pub safely when transport systems may be down. It also means that families can access the pub easily.

Agenda Item 10

- There is good access for disabled people at the pub. This provides an easily accessible and inclusive space to meet with other members of the local community and provides a safe and enjoyable environment to be in furthering the persons individual wellbeing.
- Meeting spaces are available for local community groups and charities to use
- The pub provides other important local services to the community (This could include a library, a post office, a local shop or any other service that is used at the local pub)
- The pub offers games such as a dart board, quiz machine, a pool table and board game which are enjoyed y the community.
- The pub enables local people to enjoy a range of drinks (and food) in a pleasant, convivial atmosphere, which furthers their individual well-being
- There are good transport links available to/from the pub. This means that elderly members of the community can easily and safely get to/from the pub. It also means that people from surrounding areas can easily access and enjoy the pubs facilities.

Awards

- The pub has won a local award for the pubs services to the community
- The pub has won a national award for the pubs services to the community
- The pub has been included in a tourist and local pub guide, which attracts more people to the pub from surrounding areas and communities which helps boost the local economy. It also puts the pub on the map as a pub worthy of recognition from the Council.
- The pub has been included in CAMRA's Good Beer Guide. CAMRA's good beer guide is a renowned book for promoting only the best local pubs.
- This pub is a member of CAMRA's LocAle, committed to serving locally produced real ales and meeting consumer demands for local produce
- The pub has won an award for its commitment to raising money for local charity

Other ways the pub adds value to the community

- The pub sponsors a team which represents it in sports leagues furthering the sporting interests of the community
- The pub has special value to local heritage and culture which should be protected. The pubs heritage forms an important part of the community's historic and cultural identity. This furthers the cultural interest of the community, as traditional pubs of architectural value are becoming rarer.
- The local MP often uses the pub to hold constituency surgeries or meeting
- The pub provides training and development for employees which is increases individual wellbeing and supports people's professional development
- There are no other facilities in the area that provide the array of activities that this specific pub does
- The pub enables local people to enjoy a range of drinks (and food) in a pleasant, convivial atmosphere, which furthers their individual well-being
- The pub enables local people to meet and socialise in a welcoming environment which, individually, they find rewarding and enjoyable. Such social interaction is also in the interests of the locality as a whole as it encourages community cohesion and a collective sense of well-being.
- The local neighbourhood watch scheme is coordinated by the pub which forms an important part of community life
- This is the only pub in the village

Pubs and Wellbeing report

- New research from Oxford University shows that people who have a 'local' pub are happier, are more satisfied with their life and have a wider network of friends.

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