



BROMSGROVE DISTRICT COUNCIL

YOU ARE HEREBY SUMMONED to attend a MEETING of BROMSGROVE DISTRICT COUNCIL virtual meeting to be held via Skype at 6.00 p.m. on Wednesday 21st October 2020, when the business referred to below will be brought under consideration:-

Welcome

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 Council held on 16th September 2020 (Pages 1 - 22)**

4. **To receive any announcements from the Chairman and/or Head of Paid Service**

5. **To receive any announcements from the Leader**

6. **Independent Remuneration Panel Report (Pages 23 - 38)**

7. **To receive comments, questions or petitions from members of the public**

A period of up to 15 minutes is allowed for members of the public to make a comment, ask questions or present petitions. Each member of the public has up to 3 minutes to do this. A councillor may also present a petition on behalf of a member of the public.

8. **Recommendations from the Cabinet - to follow**

To consider the recommendations from the meeting(s) of the Cabinet held on 14th October 2020.

9. **To note the minutes of the meetings of the Cabinet held on 9th September and 14th October 2020** (Pages 39 - 46)

Minutes from meeting held on 14th October 2020 – to follow

(Recommendations in minutes from meeting held on 9th September 2020 were considered at the Council meeting held on 16th September 2020)

10. **Questions on Notice** (Pages 47 - 48)

To deal with any questions on notice from Members of the Council, in the order in which they have been received.

A period of up to 15 minutes is allocated for the asking and answering of questions. This may be extended at the discretion of the Chairman with the agreement of the majority of those present.

11. **Motions on Notice** (Pages 49 - 52)

A period of up to one hour is allocated to consider the motions on notice. This may only be extended with the agreement of the Council.

12. **Background information on the recommendations from the Cabinet meeting held on 14th October 2020**

- (i) Planning for the Future - Government White Paper (Council Response) (Pages 53 - 86)

K. DICKS
Chief Executive

Parkside
Market Street
BROMSGROVE
Worcestershire
B61 8DA

TO ALL MEMBERS OF THE BROMSGROVE DISTRICT COUNCIL

If you have any queries on this Agenda please contact
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GUIDANCE ON VIRTUAL MEETINGS

Due to the current Covid-19 pandemic Bromsgrove District Council will be holding this meeting in accordance with the relevant legislative arrangements for remote meetings of a local authority. For more information please refer to the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police Crime Panels meetings) (England and Wales) Regulations 2020.

Please note that this is a public meeting conducted remotely by Skype conferencing between invited participants and live streamed for general access via the Council's YouTube channel.

You are able to access the livestream of the meeting from the Committee Pages of the website, alongside the agenda for the meeting or by using the link detailed below.

[Council Meeting 21st October 2020](#)

If you have any questions regarding the agenda or attached papers please do not hesitate to contact the officer named above.

Notes:

As referred to above, the virtual Skype meeting will be streamed live and accessible to view. Although this is a public meeting, there are circumstances when Council might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded and for any such items the live stream will be suspended and that part of the meeting will not be recorded.

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE COUNCIL

16TH SEPTEMBER 2020, AT 6.00 P.M.

PRESENT: Councillors R. J. Laight (Chairman), A. J. B. Beaumont (Vice-Chairman), S. R. Colella, R. J. Deeming, G. N. Denaro, S. P. Douglas, A. B. L. English, M. Glass, S. G. Hession, C.A. Hotham, S. A. Hughes, R. J. Hunter, R. E. Jenkins, H. J. Jones, A. D. Kent, J. E. King, A. D. Kriss, L. C. R. Mallett, K.J. May, M. Middleton, P. M. McDonald, H. D. N. Rone-Clarke, M. A. Sherrey, C. J. Spencer, P.L. Thomas, M. Thompson, J. Till, K. J. Van Der Plank, S. A. Webb and P. J. Whittaker

WELCOME

As a number of Members were experiencing connectivity issues, the meeting commenced at 6.10 pm and initially the Vice Chairman welcomed Members to the virtual full Council meeting and reminded them of the protocol to be followed during the meeting. This covered both the muting of microphones, the use of the instant messaging facility and the use of roll calls for the approval of items. Members were reminded that the detail of these would not be included within the minutes and if Members wished for a named vote, then this should be requested in the usual manner.

Members were also reminded that the meeting was being live streamed to the Council's You Tube channel to allow the public to view it.

14\2020

APOLOGIES

An apology for absence was received from Councillor S. Baxter and it was noted that Councillor S. Hession would need to leave the meeting at 8.00 pm.

15\2020

DECLARATIONS OF INTEREST

Councillor A. Kriss declared a disclosable pecuniary interest in respect of Minute No. 20/2020, the recommendations in respect of Amenity Standards Report and left the meeting during this item and took no part in the debate.

Councillors C. Hotham, M. Middleton, M. Sherrey and P. Whittaker queried whether, as Trustees of the Artrix Holding Trust they should declare an interest under Minute No. 22/2020.

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The Monitoring Officers confirmed that under normal circumstances these would be disclosable pecuniary interest, but as the questions raised by other Members would not be debated, but simply responded to by the Leader, this would not be necessary but should be noted for transparency in the minutes of the meeting.

16\2020

MINUTES

(The Chairman, having joined the meeting via the telephone link, took over from the Vice Chairman for the remainder of the meeting.)

Members considered the Minutes of the full Council meeting held on 5th August 2020.

RESOLVED that the minutes of the full Council meeting held on 5th August 2020 be approved.

17\2020

TO RECEIVE ANY ANNOUNCEMENTS FROM THE CHAIRMAN AND/OR HEAD OF PAID SERVICE

There were no announcements from the Chairman or Head of Paid Service.

18\2020

TO RECEIVE ANY ANNOUNCEMENTS FROM THE LEADER

(Due to connectivity issues, the meeting was paused on two occasions to give Members the opportunity to re-join the meeting and for the live stream to re-commence.)

The Leader began her announcements by updating Members on the Covid 19 situation in Bromsgrove. It was confirmed that the current numbers of Covid-19 cases in Bromsgrove District, stood at 30 cases per 100,000. The rate per 100,000 in Bromsgrove was similar to the England average as cases had risen across the Country. On 8th September Worcestershire County Council's Public Health Team took the precautionary decision to close visits to care homes and currently only essential visits were allowed. This decision was taken in order to protect the elderly and vulnerable residents something that was of paramount importance to everyone. The Leader asked everyone to continue to adhere to the social distancing rules, wash their hands regularly and wear face coverings where necessary, which was simple to do and saved lives.

The Leader was proud to report to Council, that Maz Salmou a volunteer from the Bromsgrove Community Support Group, a Group set up to help the elderly and vulnerable during the Coronavirus Crisis, had been awarded a "Make a Difference Superstar award" from BBC Hereford and Worcester. Maz had moved to Bromsgrove as a refugee in September 2018 and said he wanted to give something back to the Bromsgrove Community, which had made him so welcome since he had settled here. He was one of two overall winners of the award and would now have his

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name on the side of a GWR train which he would be given free travel on. The Leader gave sincere thanks to Maz and to everyone in Bromsgrove District who had worked to ensure the safety of its residents during this pandemic, they were all very much appreciated for the work that they had done and continued to do.

The Leader went on to announce that Councillor G. Denaro had made the decision that due to family commitments he wished to stand down as the Deputy Leader of the Council. The Leader placed on record her sincere thanks for all that Councillor Denaro had done in his role as the Deputy Leader which was much appreciated. It was confirmed that Councillor Denaro would continue in his role as the Cabinet Member for Finance and Enabling.

Councillor A. Kent was to become the new Deputy Leader, and he would retain the Planning and Regulatory Services Portfolio in addition to his new role.

Finally, the Leader took the opportunity to advise Members that, as they were probably aware, Ms. Jayne Pickering, the Director of Finance and Resources, was leaving Bromsgrove District Council at the beginning of October to take up a new role as the Deputy Chief Executive at a neighbouring authority. This was sadly Jayne's last Full Council meeting for this Authority. Ms. Pickering had been at Bromsgrove District Council for 17 years and the Leader thanked her most sincerely for her service, commitment, energy and drive over this time. Jayne would be greatly missed, and everyone wished her success and happiness in her new role.

Councillor R. Hunter took the opportunity to also pass on his and his Group's thanks and best wishes to Ms. Pickering. He also thanked the Leader for her update in respect of Covid-19 and questioned whether she had any information in respect of the reported difficulties some residents had faced in getting tested for it. The Leader provided a brief update in respect of interim plans for a walk in testing centre in Bromsgrove and the role of the proposed Marshalls (which was a work in progress) and the impact this would have on Bromsgrove. She was receiving regular updates on the position and would ensure that all necessary measures were put in place as soon as practicably possible to ensure the general safety of residents.

Councillor P. McDonald also took the opportunity to wish Ms. Pickering all the best in the future. He also asked the Leader whether she was able to provide any update in respect of the asylum seekers who were currently residing in a hotel within the District. The Leader responded that following the incident (and the video posted on social media) the security had been increased and a number of preventative actions taken to ensure the safety of the occupants. She also confirmed that it was now a Police matter. A number of other Members also raised concerns about the incident and were reassured that the appropriate action had been taken quickly.

Councillor L. Mallett also commented that he had received a number of calls from concerned and frustrated residents who had been unable to access Covid-19 testing at either Redditch or Bromsgrove. As both were on the edge of Birmingham, which had been put in a local lockdown, he shared residents' frustrations and concerns around this and the track and trace system, and asked the Leader to write to the Secretary of State raising these concerns. The Leader responded that she shared those concerns and was happy to raise the matter, although the whole situation was a "moving feast" and it was hoped the track and trace system would be up and running more effectively soon.

As there had been a number of technical issues Councillor S. Hughes raised a point of order as to whether the Chairman was able to monitor the meeting appropriately as Members had been made aware that he had had to phone-in to the meeting. The Chairman confirmed that he was being fully supported by officers who were alerting him to those Members who wished to speak and assured her that nobody would be missed.

Councillor C. Hotham took the opportunity to say a fond farewell to Ms. Pickering and gave personal thanks for all her support over recent years and her part in setting up the Finance and Budget Working Group, which had been so successful and continued to play an integral part in the budget setting process.

19\2020

TO RECEIVE COMMENTS, QUESTIONS OR PETITIONS FROM MEMBERS OF THE PUBLIC

There were no comments, questions or petitions from members of the public on this occasion.

20\2020

RECOMMENDATIONS FROM THE CABINET

Cabinet Recommendations – 6th August 2020

Partnership Waste Strategy Officer

Councillor M. Sherrey, Portfolio Holder for Environmental Services presented the report and explained the reasoning behind the need for this post. She provided background information and explained that the Government had published "Resource and Waste Strategy" in December 2018, as the first major policy document for Waste since 2007. This focused on keeping resources in use as long as possible to extract maximum value and was aimed at changing how waste was perceived and managed from production through to final disposal. The main elements affecting Local Authorities (LAs) were proposed changes to services regarding waste collection and disposal/processing:

- Compulsory Weekly Food Waste Collection by 2023

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- Removal of discretionary status for garden waste collection, and removal of ability to charge residents for providing the service.
- Increased pressure on LA's to implement kerbside recycling collections.

These were being enacted in the Environment Bill currently being processed through Parliament, and currently being considered by a Public Bill Committee. The Committee was now scheduled to report by Tuesday 29th September 2020, and further Government consultation regarding elements affecting LA's were expected in September/October. These would finalise the minimum expectation for a dedicated Food Waste collection and support final decisions on the status of garden waste collections and discretionary fees for the service.

The impact of those elements on Authorities signed up to the Herefordshire and Worcestershire Joint Municipal Waste Management Strategy included: up to 80 additional vehicles and associated staff to collect food waste, approximately £8million per annum across the partnership; Approximately £801k yearly cost to this Council (this would have a significant impact on disposal arrangements and logistics for disposal, with a possible commercial opportunity through investment in Anaerobic Digestion facility with Private sector to generate income and potential loss of approx. £900k income on the existing Garden Waste service, with increased annual costs of approximately £580k in vehicles and staff to support larger take-up across the District, plus a potential cost of up to £300k to buy and deliver wheeled bins.)

In addition to these changes, the Government were also looking at Deposit return schemes and Extended Producer Responsibility, to recoup costs of processing packaging from manufacturers. These could all have an impact on the more valuable recycling materials, and potentially remove or reduce those elements that support profitability of private sector recycling facilities, and impact on viability of wider recycling arrangements currently in place.

Councillor Sherrey confirmed that Government had committed to supporting the costs of these changes, with the expectation that much of the additional funding would come from the private sector to support NET costs for LA's.

The Herefordshire & Worcestershire Waste Partnership Board had been collaborating on joint responses to consultations carried out already, but the proposed Strategy Officer would:

- Actively engage with National Policy Development to understand and influence it to reflect on local needs and concerns – specifically focusing on the approach to food and garden waste, and the funding implications for each member LA.
- Prepare for the implementation of this legislation and support service planning for member authorities to

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accommodate the new requirements and support consistency and best value for Herefordshire and Worcestershire authorities.

- Support implementing a Food Waste Collection as an entirely new service for Collection Authorities, and support the most cost effective disposal arrangements to suit operations, and potential opportunities to invest in new infrastructure as a commercial venture to generate future income from private sector or other authorities outside of Herefordshire and Worcestershire.

The recommendations were proposed by Councillor Sherrey and seconded by Councillor K. May.

Following presentation of the report, Members discussed a number of areas including:

- The need for such an officer and whether one officer covering all of Worcestershire was actually sufficient for such a role and whether the job grade would attract a suitable person. It was confirmed that whilst this was a fixed term contract, there may be an opportunity to review the position in due course.
- The importance of the role and the need for recycling to be promoted as there had been a significant drop during recent months, so action needed to be taken to move things forward. It was confirmed that there were a number of initiatives which the Council would progress, but there were also serious cost implications from the proposed Resource and Waste Strategy which needed to be considered. It was therefore important that such a role be put in place to ensure all local authorities were prepared.
- The conditions of the vehicles and the need and cost of replacements and what support the Government would provide in reality, as from the information provided it appeared that this would cost the Council in excess of £2m overall. Councillor Sherrey confirmed that it would be the role of the new Officer to put forward this (and the other) Councils' case in the coming months.
- It was reiterated that the report was, at this stage, only asking for £8k per year for 3 years and any of the costs referred to following the impact of the new Legislation would be addressed separately.
- It was anticipated that by creating the joint role through the Joint Board that this would give more "weight" to the lobbying of Central Government.
- Details of the work that the Partnership undertook were highlighted within the report and how the proposed post would be managed.
- The impact of the new legislation – particularly the financial impact and how it was difficult to see that Central Government would cover much of that cost.

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- The amount of uncertainty around the implementation of the legislation and its impact, in light of the reference in the report to the Government's response to the consultation – particular reference was made by Members to the need to put in place a separate weekly food waste collection. It was further questioned as to why this was only now coming before Council when the consultation response had been published in July 2019.
- The role of the Strategic Waste Management Board and this Council's representative on it.
- The importance of having a specialist resource, such as this post, to be able to respond to the legislative changes, and the type of applicant it might attract, and whether this would be appropriate for the kind of work the role would involve. It was further questioned as to whether one person for such a wider area was sufficient.
- In respect of food waste, it was confirmed that this was being looked at collectively as part of future joint working. There may be an opportunity for investment, which would create an income in the future through the disposal arrangements.

At this point in the debate Councillor P. McDonald proposed that the item be deferred as he believed that due to the cost implications further work needed to be carried out and clarification sought on a number of areas before Members could make an informed decision, this was seconded by Councillor L. Mallett.

A point of clarification was raised, and the Monitoring Officer confirmed that there should now be the opportunity for the alternative recommendation put forward to be debated. During this debate, the following areas were discussed in some detail:

- Councillor McDonald did not believe that, as the report made reference to the Council needing to spend over £1m to implement the legislation, it was appropriate due to the current uncertainty around this and other Councils' financial position as a result of Covid-19. He had therefore suggested the deferral to allow Officers time to get clarification on the Government's proposal of how this would be funded.
- A number of Members were in support of Councillor McDonald's proposal and supported the reasoning behind it.
- Members questioned what contact Councillor Sherrey had had with central Government and what efforts she had made to lobby them on behalf of the Council.
- The Leader reiterated that the report was in fact merely asking this Council to release £8k per year for three years to cover this Council's cost of the proposed post and it would then be the role of the post holder to take this matter forward and help secure the best deal possible for the Council and ensure value for money was achieved. The actual areas covered within the changes to legislation did not form part of the recommendations within the

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report before Members but were there as an indication as to what the post would involve.

- It was important that Members supported the role which would also contribute to the Council's Climate Change agenda, and again the request was for £8k per year in order to do this.
- Members spoke in support of the need for the role and also understood the "bigger picture" as detailed in the report, which it was felt would be addressed as much as possible through the appointment of this officer.
- It was felt that at least at this early stage, this needed to be a joint venture as this would add strength to the case put forward to Central Government in due course.

On being put to the vote the alternative recommendation was lost.

As there was no further debate the substantive recommendations were voted on and it was

RESOLVED that

- (1) the establishment of a Joint Waste Strategy Officer to work on behalf of the partnership of all 8 Local Authorities in Herefordshire and Worcestershire be agreed;**
- (2) the allocate £8,000 per annum from existing funds for a fixed term of three years be agreed; and**
- (3) the consideration of requests for additional funding to support further work which has been identified and proposed via the partnership Senior Waste Officer Group be agreed.**

Finance Outturn 2019/20 and Reserves

Councillor G. Denaro, the Portfolio Holder for Finance and Enabling presented the report and highlighted that the figures to the end of March only included one week of lockdown figures so that impact would be more evident in the figures due at the end of September for the half year. It was noted that, from the figures on page 65 of the agenda pack, the Council ended the year with an underspend of £231,000 made up of a mix of savings and vacancies with all areas maintaining budgets within the 10% guidelines. Councillor Denaro doubted that this would be able to be maintained over the current year. 'Keep my place safe and looking good' had an overspend of £136k as a result of additional disposal costs in trade and domestic services.

Considerable savings had been made in Enabling Services, amounting to £314k. With this surplus and the addition of £267k of saving on Capital financing, the refund of Business rates on Burcot of £189k and £267K from the Business Rates Pool, the Council had been able to make a substantial transfer to its economic development reserve of £1m plus. The Financial Services team would be undertaking a full review of

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the savings and vacancies that had been achieved and the causes of this.

Councillor Denaro commented that It is perhaps fortunate to have achieved these savings at this time as it helped to secure the Council's overall financial position with Balances at year end of £4.4 million, after demolition costs of £1.0m at the Dolphin site. Detailed analysis of departmental adjustments were shown on pages 65 to 67 in the agenda pack.

The Council's Capital programme has once again shown a shortfall against projection. Burcot Lane had taken longer than planned but was at last on the move and action on site was expected shortly. A full review would be undertaken to tighten management to avoid slippage in the future. The new finance system would also be a great help.

Whilst the Council recognized the benefit in its surplus, Councillor Denaro advised Members that Council would wish to use its Economic Reserve for the benefit of businesses and residents, as the effect of the Pandemic continued to ravage High Streets and the Government furlough scheme would end soon. With the Investment and acquisition strategy the Council had the financial firepower to make an impact. To date opportunities had not met the finance guidelines, but this had now been amended to allow for a social impact and value to be considered.

Councillor Denaro recognized this was a truncated report but had done so knowing full details were in Members' agenda packs and had therefore concentrated on pertinent areas.

The recommendations were proposed by Councillor Denaro and seconded by Councillor K. May, and it was noted that Recommendation 2 was as amended in the explanatory note within the agenda pack.

Members were pleased to see that the savings and reserves would be used for the benefit of residents and agreed that the issue around vacancies being carried needed to be addressed, as this was something which had been questioned on a number of previous occasions.

It was further commented that the report had been discussed in detail at the recent Finance and Budget Working Group meeting and whilst it was the right thing to do in increasing balances, concerns had been raised that for a number of years greater savings than anticipated had been made, and there may come a time when the figures went the other way with a hefty overspend being recorded. It was therefore hoped that the new finance system would support managers and Heads of Service in being able to budget much more accurately in the future.

RESOLVED that

2) movement of £758k in existing reserves as included in appendix 1 of the report be approved;

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- 3) the addition of new reserves of £1,411k be approved;
- 4) the carry forward to the 2020/21 capital programme of £8,600k be approved;
- 5) an increase in the 2020/21 Capital Programme of £163k for Disabled Facilities Grants be approved. This is due to the budget allocations having now been announced by the Ministry of Housing, Communities and Local Government (MHCLG). This will increase the available budget to £913k;
- 6) an increase in the 2020/21 Capital Programme of £119k for additional funds towards the already approved capital project for Environmental services new IT system, to be funded from borrowing, be approved;
- 7) the funding from balances of the overspend from the demolition of the Dolphin Centre of £217k be approved;
- 8) an increase in the 2020/21 Capital programme 2019/20 of £100k due to match funding being received for a ULEV Taxi infrastructure scheme in Bromsgrove be approved;
- 9) an increase to the revenue budget for 2020/21, due to receiving £40k SEP Grant (Strategic Economic Plan), be approved;
- 10) an increase to the Capital programme 2020/21 of £13k s106 monies for the Bromsgrove Town Centre be approved;
- 11) an increase to the Capital programme 2020/21 of £150k ringfenced capital receipts for a grant to be provided to BDHT for the provision on new affordable homes be approved.

Amenity Standards Report

Councillor S. Webb presented the report and in so doing explained that the Council had revised its previous amenity standards in line with the requirements under the Housing Act 2004, together with guidance from the Chartered Institute of Environmental Health. The new amenity standards were in line with those adopted by the majority of other West Midlands Local Authorities.

The recommendation was proposed by Councillor Webb and seconded by Councillor K. May.

RESOLVED that power be delegated to the Head of Community and Housing Services to approve the adoption of the Amenity Standards documents.

(Councillor A. Kriss was removed from the meeting during this item and took no part in the discussions.)

Replacement of the Burcot Hostel

Councillor S. Webb presented the report and in so doing reminded Members that back in February 2016 Cabinet had received a report in respect of the options for replacement of the Burcot Hostel in light of its closing as a consequence of the redevelopment of the wider area. The report set out how the Hostel had now finally been replaced by alternative facilities in the District provided by Bromsgrove District Housing Trust (BDHT).

The recommendations were proposed by Councillor Webb and seconded by Councillor K. May.

RESOLVED that

- (1) the creation of a £35k capital budget for the scheme for the 2020/21 capital programme funded from balances be approved;**
- (2) the creation of a new net revenue budget of £41k, to be funded from balances in 2020/2021, and an ongoing unavoidable revenue pressure for future years to be considered as part of the review of the Medium Term Financial Plan be approved; and**
- (3) the creation of a bad debt provision of £5k per annum for potential non-payment of Council Tax liabilities, to be funded from balances in 2020/21 and as an unavoidable pressure from 2021/22 onwards be approved.**

Cabinet Recommendation – 9th September 2020

Revenue Monitoring Quarter 1

Councillor G. Denaro as the Portfolio Holder for Finance and Enabling presented the report which set out the Revenue Monitoring for the first quarter using the new Strategic Purposes, which had been agreed by Council. Whilst this showed a significant overspend, it was noted that the Covid-19 grant had not been allocated as it was important for Members to see a “clean” view of its current position. This did not include Council Tax or Business Rates, which would not normally be included, but did include the losses from car parking. The position was not in fact as bad as it looked but it was important for Members to see the wider picture in respect of Covid-19.

There were a number of explanations around some of the underspends and projects which had not been undertaken, detailed in the report. The Government grant of £1.2m was much needed, together with the compensation fund. The position would be much clearer when Quarter 2 was produced as this would reflect the whole position. Councillor Denaro advised that Human Resources had requested a shared allocation of the training budget, which would mean a reduction in it for Bromsgrove. This could be allocated back to the Council’s savings target, which was important in the current circumstances. In respect of Capital, a budget of £4.371m and underspend of £200k against Living Independently and this was mainly on Disabled Facilities Grants. This was largely due to being unable to access Occupational Therapists into people’s homes from April through to June 2020. Councillor Denaro had raised the issue of the availability of Occupational Therapists and whether there was anything the Council could do to bypass this by employing them itself, as this had been an ongoing problem prior to Covid-19.

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The recommendations were proposed by Councillor Denaro and seconded by Councillor K. May.

Following discussion, Councillor P. McDonald asked that the recommendations be taken with a) and c) together and recommendation b) separately, as his Group could not support a shared budget in respect of training.

On being put to the vote it was

RESOLVED that

- a) **a change in the 2020/21 Capital Programme of the S106 scheme already approved for Barnt Green Millennium Park – Toilet £62k be reallocated to a new scheme at Bittell Road Recreation Ground in relation to infrastructure/fitness route improvements due the requirements of the original project no longer needed. (See 6.1 of the report) be approved;**
- b) **the training budget held within the Human Resources service, is allocated to a shared service budget meaning that any training provided to our staff is beneficial to both Councils as we upskill our workforce be approved; and**
- c) **the inclusion of the £1.154m of Government Grant in relation to Covid pressures and losses of income into the 2020/21 revenue budgets (see 3.6 of the report) be approved.**

21\2020

TO NOTE THE MINUTES OF THE MEETINGS OF THE CABINET HELD ON 6TH AUGUST 2020

The minutes of the Cabinet meeting held on 5th August 2020 were noted.

22\2020

QUESTIONS ON NOTICE

The Chairman advised Members that due to the exceptional circumstances under which everyone found themselves, the Leader had again agreed to allow one supplementary question in respect of each question asked. He would also allow the time spent on questions to be extended as it had been agreed that the Motions on Notice attached to the agenda for this meeting would not be debated.

Question Submitted by Councillor K. Van der Plank

“A number of trees have been cut down, in Alvechurch and around the District, over recent months which is extremely concerning when we are facing a climate emergency and should be protecting trees and planting more, not removing them.

Why have these trees been removed? What checks are in place to ensure that trees are only cut down where absolutely necessary and

how is this being monitored and reported? What plans are in place to ensure new trees are planted to replace any that are removed”

Councillor A Kent responded that after checking with the officers they had come back and stated that they were not aware of any of the trees to which Councillor Van der Plank had referred. However, Councillor Kent advised that he believed that Councillor Van der Plank had raised an important point about trees and their impact on the environment and feeling of well-being within Bromsgrove. He therefore hoped that she would be delighted with the proposal by Worcestershire County Council to plant 150,000 trees throughout Worcestershire.

Councillor Kent further commented that, he could not recall whether Councillor Van der Plank had attended the Strategic Planning Steering Group where Members had discussed the new planning consultation paper; but within that was a proposal to ensure that all the streets are lined with trees on new developments.

Councillor Kent apologised for not being able to answer Councillor Van der Plank’s question in more detail but if she were able to evidence the trees concerned he would ask the officers to look into the matter in more detail.

Question submitted by Councillor C Hotham

“Now that the Bird Box is complete, please could the cabinet member responsible inform council of the final build cost? Thank you”

The Leader thanked Councillor Hotham for his questions and confirmed that the total capital spend was £210K in line with the budget, £100k of which had come from Hintons.

Councillor Hotham’s supplementary question was whether, if the Birdbox was seen as a success, the Council would consider it remaining in situ as opposed to the original plan of it being in place for approximately 18 months, until a more permanent use was found for the site.

The Leader responded that due to the current circumstances, all options were being considered before a final decision was made and that those options would come before this Council in due course.

Question Submitted by Councillor J King

Protecting our Green Belt from Government planning reforms

“Are you concerned about the analysis from Lichfields planning consultants which indicates that the number of new homes to be built in Bromsgrove will almost double to 694 a year under the Governments proposed new formula? What will you do to ensure that Bromsgrove’s Green Belt is protected and that new homes are genuinely affordable for local people to rent and buy?”

Councillor A Kent, as Portfolio Holder for Planning and Regulatory Services responded to the question and advised Councillor King that the

analysis from Lichfield was simply repeating the Government's own figures which had already been worked out and presented by this Council's officers to Members via the recent Strategic Planning Steering Group. Under the reforms the Council would still be required to produce a local plan and it was under this mechanism that it would be able to consider the protection of the green belt and the appropriate levels and types of affordable housing.

Councillor King's supplementary question was in respect of houses being affordable on new developments and Councillor Kent responded that up to 40% had to be affordable as this figure was included within the Local Plan.

Questions from Councillor R Hunter

Preparing for a second wave of Covid

"How much of the Government's £89,000 'Reopening High Streets Safely' grant allocated to Bromsgrove has been spent and how are we preparing to protect local people and businesses in the event of a second wave?"

The Leader responded to Councillor Hunter's question, in two parts, in respect of his first question she confirmed that £7,170 had been spent on 19 sanitiser stations and £352.50 on printing, £7,522.50 in total.

The Leader responded to Councillor Hunter's question, in two parts, in respect of his first question she confirmed that £7,170 had been spent on 19 sanitiser stations and £352.50 on printing, £7,522.50 in total.

The Leader explained that the Government guidance set out four categories of eligible activities, as these were lengthy in description, she was happy to provide details of these outside of the meeting if Members would like to see them.

It was further explained that a whole range of costs were deemed ineligible, including but not limited to; market stalls coverings and / or new gazebos to enable more businesses to trade outdoors; temporary outdoor furniture to enable businesses to trade outdoors; changes to toilets; cleaning regimes, consumables and staff; purchase or installation of seating; loss of car parking revenue; parklets / erection of seating within parking bays and car parks; new cycle lanes / paths; street wardens / town ambassadors / security to support the reopening of the high street; activities / events of town re-launch.

In response to the second question, the Leader advised that preventative work continued to be the key, Worcestershire County Council had the lead responsibility for responding to the pandemic through its Public Health team and it was the County Council that had been given some limited powers to support additional control measures if required. As part of the response, a Local Engagement Board had been created with membership from the six district councils and the county (the Leader sat on this Board on behalf of this Council). One of

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its roles was to support the delivery of messages from the dedicated communications cell to its communities to help prevent a second wave of the pandemic. Clearly the behaviour of members of the public would be the key determinant in how the disease was propagated in communities and following the right measures around hand-washing, social distancing and limiting contacts would remain the best measures for preventing the spread of the disease.

Apart from communications, the district council had direct input into the Local Outbreak Management Team via its Environmental Health officers in the shared regulatory service, WRS. A group of WRS officers worked as part of this Team, dealing mainly with outbreaks at business premises. This would continue for the foreseeable future and would also play a key part of managing any outbreak and limiting spread. Those officers were used to dealing with similar situations when they dealt with things like food poisoning outbreaks or diseases such as legionella. The contact tracing processes used in such circumstances were equally applicable to Covid-19 outbreaks. Most of the small outbreaks at business premises so far had related to activities regulated by the HSE for health and safety purposes, so the team had worked closely with those colleagues to help the businesses move into safe operations and to adjust processes to reduce the risk of further outbreaks.

As well as this, at the commencement of any outbreak, the Secretary of State had made Environmental Health Officers (district councils) and Trading Standards Officers (county councils) responsible for the enforcement of business closure provisions. WRS created a team from within its Community Environmental Health to deliver such enforcement activities and continued to respond to alleged breaches of Covid-19 controls in shops, pubs and similar venues. The team had provided significant levels of advice and support to businesses during the process of the re-opening of the economy, helping them to interpret the provisions and apply them to their local situations. The demand for advice had now fallen significantly but the service continued to respond to allegations of breaches. This work would continue going forward and the service would look to use legal powers if necessary where persuasion did not lead to changes in business behaviour.

This work would continue to help reduce the risk of a second wave. With the rise in case numbers, the WRS Management team was looking at establishing more regular out of hours working to look at potential non-compliances as they occurred.

However, the Leader advised that in terms of the anticipated second wave it should be noted that all teams were completing a review of their business continuity plans. This was because a second wave was a risk that was anticipated and could be and should be planned for, in order to ensure this Council could support its residents and maintain its services through this difficult and uncertain time. The process of reviewing business continuity plans had, amongst other things, triggered compiling information for all managers about where officers lived in relation to

actual or anticipated lockdown areas. In terms of the national Test, Track and Test approach officers across the organisation had been identified and would be trained to assist with this national initiative. As an aside, and in line with Test, Track and Trace, there was a strict approach to entering council buildings so that Test, Track and Trace could be instigated by the council as landlord, if required.

Councillor Hunter's supplementary question was in respect of any opportunity to make a further claim and that all actions necessary be put in place to safeguard the residents.

The Leader confirmed the claim process and that the Council was working with the relevant partner organisation to ensure the safety of everyone.

Question Submitted by Councillor S Hughes

Putting no limit on our climate ambition

"Can you please clarify that it is not BDC's target to become carbon neutral by 2050 and that in fact we aim to drastically reduce emissions long before then. The motion this council passed last June means that in Bromsgrove action will not be delayed to 2050 but taken as soon as possible, as is required to save the planet?"

The Leader confirmed that, the Council declared a climate emergency at its meeting on 26th July 2019 and had formally created the Climate Change Working Group (of which Councillor Hughes was a Member) which was working with officers to develop a Climate Change Strategy for the Council to better understand its impact and how to reduce this.

This strategy would inform how the Council's services could work towards being carbon neutral and officers were currently working with the Climate Change Working Group and Heads of Services to consider realistic timelines, costs, alternatives and the resources required to achieve this

This Council was working hard to becoming carbon neutral as soon as was practicably possible and was already working on initiatives to reduce carbon with projects coming forward for example electric vehicle charging and a district heating network, which had been discussed at both Overview and Scrutiny Board and Cabinet meetings.

The Leader confirmed to Councillor Hughes that she did not think it was necessary to be tied to a deadline and that this Council would work hard to be carbon neutral as soon as practicably possible and support its residents wherever possible to do so.

Question Submitted by Councillor P McDonald

After the success regarding extending the suspension of rent evictions, would the Leader write once again calling upon the Government to support: Landlords, letting agents and charities urging the Government

to support private tenants with a £270 million fund to help with rent arrears.

At least 322,000 private renters have fallen behind on payments since the pandemic began, according to a coalition of Shelter, the National Residential Landlords Association, ARLA property mark, Crisis, Citizen Advice and Generation Rent. Without the fund it is feared there will be a devastating homelessness crisis.

The Leader responded that whilst writing to the Government would give a view on this Council's commitment to supporting tenants and residents across all tenures, as Leader, she considered the Council could best support the families and communities in financial difficulty and crisis supported by its actions. By providing them with supportive financial advice and working with a range of agencies and partners to ensure families received the correct benefits, and advice to minimise debt and reduce arrears throughout would ensure the Council could serve them best.

The Leader confirmed that the Government had advised that renters affected by Covid-19 would continue to be supported over Autumn and Winter through comprehensive measures, which was most welcome. The Government had changed the law to increase notice periods to 6 months, meaning renters who were served with notice could stay in their homes over Winter, with time to find alternative support or accommodation. The only exceptions to this were the most egregious cases including where tenants had demonstrated anti-social behaviour or committed fraud, and the landlord rightly would like to re-let their property to another tenant. The Housing Secretary had also confirmed that with Covid-19 still posing a risk, if an area was in a local lockdown that included a restriction on gathering in homes, evictions would not be enforced by bailiffs.

Clearly any additional national fund would help those in the greatest difficulty but the Council's work in support was also vitally important.

Councillor McDonald raised a supplementary question in respect of letting agents and writing further to the Government.

The Leader responded that whilst writing to the Government would give a view on this Council's commitment to supporting tenants and residents across all tenures, as Leader, she considered the Council could best support the families and communities in financial difficulty and crisis supported by its actions. By providing them with supportive financial advice and working with a range of agencies and partners to ensure families received the correct benefits, and advice to minimise debt and reduce arrears would ensure the Council could serve them best.

Question Submitted by Councillor S Hughes

Can the council leader update on the support the council has given to the Artrix Holding Trust to date and confirm its intention to continue to engage with the Holding Trust to exercise its community leadership role and secure a future sustainable model of delivery for the venue.

The Leader responded that the Artrix Holding Trust was an independent organisation and must make decisions on the future of the Artrix venue unfettered by the Council or other bodies. This Council had worked and continues to work, with the Holding Trust to provide support so that it was able to take decisions independently.

This support had included Council officer time, securing independent industry expertise through the Theatres Trust and providing independent legal advice to the Holding Trust. The Council would continue to engage with and support the Holding Trust so that it could independently secure a sustainable future for the venue.

Councillor Hughes' asked a supplementary question in respect of what the Council's response would be should the Holding Trust come to it and ask for support for the Artrix. The Leader responded that this would be a matter for full Council to consider when and if the time came.

Question Submitted by Councillor K Van der Plank

"Can the leader please update the council on the progress that has been made since the Council agreed the actions in the Fly Tipping motion that I submitted in September 2019."

Councillor Kent responded to this question and provided an update on progress made since the motion, which had been seconded by the Leader and endorsed by all Members in November last year.

The motion had covered a range of issues including developments regarding enforcement, funding and CCTV, publication of prosecutions, education, working with partners and communications.

In respect of how enforcement was carried out across the district, the Council continued to review its arrangements to make best use of existing resources and develop closer partnership working with its neighbouring districts, including working more closely with the Police.

It was looking to develop its CCTV usage and would be starting Covert surveillance in the near future at designated areas. There was some funds in this year's budget to support higher standards of CCTV camera to support such use. This would be used initially as a trial and to support future bids for funding if it proved effective at areas considered as hot spots.

In respect of publicising formal action and prosecutions, there was currently a case waiting to go to court, but for obvious reasons, there were significant delays in the court system due to Covid-19 at the moment. The Council always publicised convictions as widely as

possible so that its communities were aware of the action it was taking and always at the time of any conviction.

The Council was continuing with its awareness and education programme and although the planned project to support recycling across the district had been slightly delayed, it was planned to tie-in the required duty of care elements with the future programme, which was planned to commence in 2021. The Council was also continuing with regular messages via its social media and recycling week in late September was a national campaign which the Council would be supporting and publicising locally. The Council was also looking at how it could get involved with rural schemes to support residents, alongside the local Police and SNT teams.

In addition to the communications already stated, further publicity was planned specifically on fly tipping over the coming months, with simpler access through its website to check waste carriers licences, which would be referenced using the web page, all future publicity on social media and in the media.

Bulky Waste collections were still limited as to what the Council could take, but it was hoping to be able to start a trial in 2021 to consider additional items at a commercial rate to cover the disposal costs. Councillor Kent concluded by confirming that he would continue to keep Members updated as to progress in all of these areas.

Councillor Van der Plank thanked Councillor Kent for his comprehensive response as this was an area where there had been a huge increase over recent months and which needed addressing as a matter of urgency.

Councillor Kent agreed to provide the exact dates in respect of the areas he had covered, outside of the meeting.

Question Submitted by Councillor J King

“We are pleased to hear that subsidy for local bus services is set to increase in Worcestershire this year. Could the Leader please confirm how much additional funding has been allocated for services replacing the 202?”

Councillor S. Webb, as Portfolio Holder for Housing and Communities responded that Worcestershire County Council had allocated an additional £200,000 bus subsidy to the budget for this year. The additional cost of extending the 145 to replace areas affected by the withdrawal of the 202 bus was £29k per annum.

Question Submitted by Councillor S Douglas

“Can the leader confirm that this council will be urging the Artrix Holding Trust when considering future management options, to take note of the demise of the previous operator, that the new lease has sufficient longevity, and ensure that any future operator has a robust and

sustainable business plan including the ability to invest in Arts development for the future?”

The Leader reiterated her view that the Artrix Theatre was a valuable and cherished community asset, as was evidenced by the responses when the previous operator went into administration. This Council very much wanted to see a vibrant Artrix Theatre in the future, and not be in the same position as it found itself now in a year or 18 months time. The Council would therefore be supporting the Holding Trust to ensure that any future operator had a robust and sustainable business plan and the ability to invest in Arts in the district in the future.

Question Submitted by Councillor P McDonald

“I understand that it might be possible for the Rubery Festival to apply for some support with the running costs of the event. Can the Leader confirm the best route for the organisers to take to achieve this?”

The Leader confirm that it would be possible for the Rubery Festival to apply for funding. The Arts Development Service would be ideally suited to support the development of Rubery Festival in the summer of 2021.

The Leader understood that the Arts Development Service already had a long standing relationship with Rubery Festival and its Chairman. The work of the festival, outside of the main Rubery Festival event, had also been integrated into other Council events including the Rubery and Bromsgrove Christmas Lights Switch On events. The Rubery Festival’s initial success was achieved through the work of the Arts Development Service working with the Chairman and his team. The Leader would therefore ask a member of the Arts Development team to make contact with the Rubery Festival Chairman in order to discuss this matter further.

Question Submitted by Councillor P McDonald

“Would the Leader please request the Holding Trust to keep the Council updated of events.”

The Leader advised that, as per her previous replies regarding the Artrix Holding Trust, the Council was supporting the Holding Trust to review its options for the future of the Artrix Venue, and the Council would ask and expect to be kept updated on progress.

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MOTIONS ON NOTICE

The Chairman confirmed that it had already been agreed by the Leader, in consultation with all Group Leaders, that the motions from Councillors Hotham and Colella will be considered by Cabinet. In respect of the motion from Councillor Hunter, the Leader had agreed to write to the Chancellor. There would therefore be no debate on these items. The Leader confirmed that she was in agreement with this.

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The meeting closed at 8.58 p.m.

Chairman

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MEMBERS ALLOWANCES – INDEPENDENT REMUNERATION PANEL REPORT AND RECOMMENDATIONS

Relevant Portfolio Holder	Cllr K May
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A

1. SUMMARY OF PROPOSALS

1.1 This report asks the Council to consider the report and recommendations of the Independent Remuneration Panel (IRP); to decide whether or not to accept the IRP's report and to agree the Members Allowances scheme for 2020-21 arising from this.

2. RECOMMENDATIONS

The Council is asked to RESOLVE

2.1 whether or not to accept all, some or none of the recommendations of the Independent Remuneration Panel for 2020-21;

2.2 having considered the Panel's report and recommendations, whether or not changes are required to the Council's scheme of allowances for Members arising from this.

3. KEY ISSUES

Financial Implications

3.1 If the Council makes changes to the current amounts of allowances there may be additional savings or costs. If the Council implements all the recommendations of the IRP costs would be increased in the region of £5,900.

Legal Implications

3.2 The Council is required to maintain a Panel of people from outside the Council to consider and recommend to it:

- the level of basic and special responsibility allowances paid to Councillors and
- travel, subsistence and dependent carers' expenses for Councillors

The Council is required to “have regard” to the recommendations of the Panel. However, it is not obliged to agree to them. It can choose to implement them in full or in part, or not to accept them.

- 3.3 If the Council wishes to change its scheme of allowances for Councillors it should do so prior to the start of the new financial year, having had regard to recommendations made by the Panel. If changes to the amounts of the allowances are agreed by the Council, then the scheme will be updated automatically.

Service/Operational Implications

- 3.4 The current allowances paid by the authority are shown in appendix 1 to the IRP’s report, together with the allowances recommended by the Panel.

Customer/Equalities and Diversity Implications

- 3.5 There are no specific customer or equalities implications arising from this report.

4. RISK MANAGEMENT

Payments to Councillors can be a high profile issue. The main risks are reputational. However, the Council is transparent about the decisions made on allowances. The Allowances scheme and sums paid to Councillors each year are published on the Council’s website.

5. APPENDICES

Report and recommendations from the Independent Remuneration Panel for 2020-21.

6. BACKGROUND PAPERS

None

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**Independent Remuneration Panel
for Worcestershire District Councils**

Annual Report and Recommendations for 2020-21

Bromsgrove District Council

January 2020

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Recommendations

The Independent Remuneration Panel recommends to Bromsgrove District Council the following:

- 1. That the Basic Allowance for 2020-21 is £4,526 representing a 2% increase.**
- 2. That the Special Responsibility Allowances are as set out in Appendix 1.**
- 3. That travel allowances for 2020-21 continue to be paid in accordance with the HMRC mileage allowance.**
- 4. That subsistence allowances for 2020-21 remain unchanged.**
- 5. That the Dependent Carer's Allowance remains unchanged.**
- 6. That for Parish Councils in the District, if travel and subsistence is paid, the Panel recommends that it is paid in accordance with the rates paid by Bromsgrove District Council and in accordance with the relevant Regulations.**

Introduction

The Independent Remuneration Panel (IRP) has been appointed by the Council to carry out reviews of the allowances paid to Councillors, as required by the Local Government Act 2000 and subsequent legislation. The Panel has carried out its work in accordance with the legislation and statutory guidance.

The law requires each Council to "have regard" to the recommendations of the Independent Panel. We noted that last year the Council supported the recommendations of the Panel other than that the Special Responsibility Allowances remain at the current multipliers used by the Council.

This year the Panel offered to meet with the Group Leaders of the Council to discuss any other particular issues. Members of the Panel met with the Leader and Deputy Leader of the Council on 11 November. A number of issues were discussed including the Special Responsibility Allowances (SRAs) for Planning, Licensing and Audit Committees and also the SRA for the Deputy Leader. In addition attracting new Councillors and the importance of Overview and Scrutiny in local government was discussed.

The Leader and Deputy agreed to provide evidence to support increasing the SRA for those discussed. The Panel received evidence from the Leader and Deputy and has made the following observations:

In the case of the Deputy Leader the Panel feels there was not enough quantified evidence to justify an increase in the multiplier for the role.

For Planning and Licensing Chairs there was not enough evidence to be able to make an informed decision. The Panel is deferring a decision on these multipliers pending comparable evidence across the IRP membership to be gathered for the Panel.

Finally, in terms of Audit, the Panel noted that delegation has been made for the Committee to approve the Council accounts, however this already happens in other Local Authorities and so the role is not significantly different to justify a multiplier increase. The Panel has, however, noted this is an important delegation and will further explore the Audit Chair role for all of the five Councils as part of its work programme for next year.

The Panel is always willing to consider further information and/or evidence the Council or individual Councillors may wish to submit for consideration in reviewing SRAs.

At this point we would like to stress that our recommendations are based on thorough research and benchmarking. We have presented the Council with what we consider to be an appropriate set of allowances to reflect the roles carried out by the Councillors. The purpose of allowances is to help enable people from all walks of life to become involved in local politics if they choose.

The Panel does, however, acknowledge that in the current challenging financial climate there are difficult choices for the Council to make. Ultimately it is for the Council to decide how or whether to adopt the recommendations that we make.

Background Evidence and Research Undertaken

There is a rich and varied choice of market indicators on pay which can be used for comparison purposes. These include:

- National survey data on a national, regional or local level;
- Focussed surveys on a particular public sector;
- Regular or specific surveys;
- Use of specific indices to indicate movement in rewards or cost of living.

As background for the decisions taken by the Panel this year we have:

- Analysed and considered the Annual Survey of Hours and Earnings (ASHE) statistics for 2019 which gives the mean hourly wage rate for Worcestershire at £14.88.
- Benchmarked the Basic Allowance against allowances for comparable roles paid by the Chartered Institute of Public Finance and Accountancy (CIPFA) "Nearest Neighbour" Councils for each authority.
- Considered local government pay awards.
- Reviewed information from the West Midland Members Allowance Survey 2019.
- Considered the inflation rate (CPI) which was 1.5% in November 2019 (ONS).

In 2015, Worcester City Councillors recorded time spent on Council business for a number of weeks. This enabled the Panel to confirm the number of hours per week for front line councillors, which is used in consideration of the recommended basic allowance.

We give more details about these areas of research in Appendix 2.

The figure being recommended by the Panel of £4,526 for the Basic Allowance appears reasonable and appropriate when compared to other Local Authorities.

Arising from our research, in **Table 1** we have included information showing the Members' allowances budget for Basic and Special Responsibility Allowances paid for 2018-19 as a cost per head of population for each Council. To give context, we have included details of the proportion of net revenue budget spent by each Council on basic and Special Responsibility allowances.

In **Table 2** we show the average payment per member of each authority of the Basic and Special Responsibility Allowances, which illustrates the balance between the level of Special Responsibility Allowances paid and the Basic Allowance.

Table 1 - Total spend on Basic and Special Responsibility Allowances (SRA) as a cost per head of population 2018-19 figures

Authority, population¹ and number of Councillors	Total spend Basic Allowances	Total spend on SRA	SRA as a percentage of total Basic Allowance	Cost of total basic and SRA per head of population	Total of basic and SRA as a percentage of Net General Revenue Fund expenditure %
	£	£	%	£	
Bromsgrove DC (31) 95,768	136,350	60,697	45.01	2.05	1.80
Malvern Hills DC (38) 75,339	163,274.80	65,517.37	40	2.93	2.99
Redditch Borough (29) 84,500	100,881	38,706	38.37	1.65	1.46
Worcester City (35) 100,405	150,117	68,016	45.31	2.17	1.64
Wychavon (45) 118,738	192,241	69,087	35.94	2.08	1.95

Table 2 - Average allowance per Member of each authority (Basic and Special Responsibility Allowances, 2018 – 19 figures)

Authority (number of Councillors)	Amount £
Bromsgrove District (31)	6,356.35
Malvern Hills District (38)	6,020.85
Redditch Borough (29)	4,813.37
Worcester City (35)	6,232.37
Wychavon District (45)	5,807.29

¹ ONS population figures mid 2019. Totals for Basic and Special Responsibility allowances paid are as published by each authority for the 2018-19 financial year.

Basic Allowance 2020 - 21

Consideration in calculating the Basic Allowance

In considering the Basic Allowance note is taken of:

- The roles and responsibilities of Members; and
- Their time commitments – including the total average number of hours worked per week on Council business.

We then apply a public service discount of 40% to reflect that Councillors volunteer some of their time to the role. As part of the Panel's assessment and analysis in June 2019 of a random sample of IRP reports from "Nearest Neighbour" councils we identified that other panels reported that they also apply a 40% public service discount. The Panel remain of the opinion that this level of public service discount is appropriate.

The Basic Allowance is paid to all Members of the Council.

Whilst each Council may set out role descriptions for Councillors, the Panel accepts that each councillor will carry out that role differently, reflecting personal circumstances and local requirements.

However, we consider the Basic Allowance to include Councillors' roles in Overview and Scrutiny, as any non-Executive member of the Council is able to contribute to this aspect of the Council's work. It is for this reason that we do not recommend any Special Responsibility Allowance for members of the Overview and Scrutiny Committee. We also consider that ICT could be included in the Basic Allowance as it is generally more readily available to individuals than in previous years. However, we are comfortable that specific local decisions may be made about how ICT support is provided.

During the round of meetings held with Leaders during autumn 2019, all raised the issue of the SRA recommended for the Chair of Overview and Scrutiny. The Panel's position had always been that the Chair of Overview and Scrutiny has a very important and independent statutory role to scrutinise and, where appropriate, to challenge or question decisions taken or planned to be taken by the Council, as set out in the Local Government Act 2000. The Panel considered that this should be reflected in the award of an SRA equivalent to that of a Cabinet Portfolio Holder (i.e. a multiplier of 1.5.). As a result of concerns raised, the Panel has reviewed its position on the SRA for Chair of Overview and Scrutiny in this reporting cycle but it is not persuaded that this SRA should be reviewed downwards as suggested by some Councils. In reaching this decision the Panel has taken account of the "Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities" published in May 2019, which reinforces the significance and importance of the role of Overview and Scrutiny in holding an authority's decision makers to account on behalf of their electorate.

As mentioned earlier, in 2015 Worcester City Councillors recorded the time spent per week on Council business for a number of weeks during the early autumn. This was considered to reflect an appropriate "average" period of time for meetings and other commitments. The results from this survey showed that the average input

was 10 hours and 50 minutes per week. This figure matches the one used for a number of years by the Panel, based on previous research with constituent councils, to calculate the basic allowance.

We reviewed the levels of wage rates for Worcestershire as set out in the ASHE data (details in appendix 2) and the benchmark information available to us from the Chartered Institute of Public Finance and Accountancy (CIPFA) "nearest neighbours" authorities as part of our research into the level of basic allowance recommended. We are also aware that the majority of local government employees received an average of 2% increase in pay in April 2019 (dependent on scale).

The research information used in considering the level of the Basic allowance is set out at appendix 2.

Special Responsibility Allowances (SRA) 2020-21

General Calculation of SRAs

The basis for the calculation of SRAs is a multiplier of the Basic Allowance as advocated in the published Guidance.

The Panel has reviewed the responsibilities of each post, the multipliers and allowances paid by similar authorities. As in previous years, the Panel has benchmarked the allowances against those paid by authorities listed as "Nearest Neighbours" by CIPFA.

The Panel has been asked on occasions to consider recommending SRAs for Vice-Chairs of Committees. Having considered the evidence presented to us and the nature of the roles, as a principle the Panel does not recommend SRAs for Vice-Chair roles.

Appendix 1 to this report sets out the allowances recommended for 2020-21.

Mileage and Expenses 2020-21

The Panel notes that the Council has used the HMRC flat rate for payment of mileage for Councillors and recommends that this continues. The Panel was asked to make a recommendation in relation to mileage rates for privately owned electric vehicles. The Panel notes that councils generally apply the HMRC Approved Mileage Allowance Payment (AMAP) rates for employees and council members using their own privately owned vehicles for official business. The Panel notes that whilst HMRC introduced an Advisory Electric Rate (AER) for electric vehicles in September 2018, this rate does not apply to privately owned electric vehicles and the AMAP rate should, therefore, continue to be used where the AMAP rates are applied by Councils.

The Panel is satisfied that the current levels of subsistence allowances are set at an appropriate level and recommends that these continue.

The Panel notes that the Council's Scheme of Members' Allowances provides that Dependant Carer Allowances are payable to cover reasonable and legitimate costs incurred in attending approved duties and recommends that this provision continues.

Allowances to Parish Councils 2020-21

The Independent Remuneration Panel for Worcestershire District Councils acts as the Remuneration Panel for the Parish Councils in each District.

This year the Panel has not been asked to make recommendations on any matters by any Parish in Bromsgrove/Malvern Hills/Redditch/Worcester City/ Wychavon.

The Independent Remuneration Panel

The Members' Allowances Regulations require Local Authorities to establish and maintain an Independent Remuneration Panel. The purpose of the Panel is to make recommendations to the authority about allowances to be paid to Elected Members and Local Authorities must have regard to this advice. This Council's Independent Remuneration Panel is set up on a joint basis with 4 of the other 5 District Councils in Worcestershire. Separate Annual Reports have been prepared for each Council.

The members of the Panel are:

Terry Cotton, Interim Chair of the Panel - Terry spent 34 years working in central and local Government, mostly managing regeneration programmes across the West Midlands. Until May 2011 he worked at The Government Office for The West Midlands where he was a Relationship Manager between central and local Government and a lead negotiator for local performance targets. Following voluntary early severance in May 2011, he worked part-time in Birmingham's Jewellery Quarter, setting up a new business led community development trust and currently works part-time for Worcestershire County Council's Road Safety Team. He is also a trustee of a small charitable trust providing grants to grassroots community initiatives in deprived communities.

Caroline Murphy – Caroline has 20 years' experience of working in public and voluntary sector organisations, including three West Midlands Local Authorities and the Civil Service. She was a senior Education Manager at Wolverhampton City Council until 2011 developing and delivering a large part of the 14-19 Pathfinder, during which time her department was recognised as achieving Beacon Council Status. She has a wealth of experience at building partnerships. Caroline now works as freelance Education, Skills and Development Adviser supporting individuals and organisations with strategic management, quality assurance and improvement, safeguarding, regulation compliance, research and evaluation, data protection and developing policies and procedures. She has worked in a consultancy capacity for a number of organisations, specialising in those who support vulnerable young people. She also spent 14 years as the Vice Chair of Governors of a primary school in Birmingham.

Jonathan Glover – Jonathan has over 30 years' experience working in central and local government. He has worked mostly in central government, in a range of departments and disciplines. These include: regional finance and accounts; building management; personnel management; contract management. At a local level he specialised in employment support for people with disabilities. Returning to a regional role, he ensured projects throughout the West Midlands region, which were receiving European Commission grants, complied with EC financial and regulatory compliance. Since leaving the civil service he has worked in both the public and private sector. Jonathan

was a governor at his local junior school for eight years. He was vice chair of the full governing body, representing the school at Ofsted inspection and appeal panels; chair of its curriculum sub committee; and a member of personal and finance sub committees. He was a member of several recruitment and interview panels, including for a new headteacher.

Reuben Bergman – Reuben is a Fellow of the CIPD with significant senior HR leadership experience across a range of public sector organisations in both England and Wales. He currently runs a HR Consultancy Business in Worcestershire providing advice and support on managing change, employment law, HR policy development, mediation, management coaching and employee relations. Reuben has led successful equal pay reviews in three separate local authorities and is known for his successful work in managing change and developing effective employee relations. He is a qualified coach, mediator and a Shared Service architect. He has won national awards for his work on employee engagement and the development of an innovative Café style leadership development programme.

Matthew Davies – Matthew qualified as a Social Worker in 2008, and subsequently worked in Worcestershire and Jersey in the Channel Islands with children, their families and carers. On returning to Worcestershire in 2013 he worked with children in the care of the local authority before he was appointed as a Safeguarding Manager in Worcestershire in 2014, a role he continued in Manchester City until 2017. Currently he's employed as an Independent Reviewing Officer in Worcestershire. Independent Reviewing Officers are Social Workers, who are also experienced social work managers whose duty is to ensure the care plans for children in care are legally compliant and in the child's best interest. Passionate about learning and development Matthew is a guest speaker who contributes toward the West Midlands Step Up To Social Work Programme for the West Midlands, contributing toward the learning of social workers in training. He is also an Independent Panel Member of an Independent Fostering Agency, contributing toward the approval of prospective and established foster parents for children in care.

The Panel has been advised and assisted by:

- Claire Chaplin and Margaret Johnson from Worcester City Council;
- Darren Whitney, Amanda Scarce and Jess Bayley from Bromsgrove and Redditch Councils;
- Mel Harris from Wychavon District Council;
- Lisa Perks from Malvern Hills District Council.

The Panel wishes to acknowledge its gratitude to these officers who have provided advice and guidance in a professional and dedicated manner.

Terry Cotton, Interim Chair of Independent Remuneration Panel

Appendix 1

Independent Remuneration Panel for District Councils in Worcestershire Recommendations for 2020-21

Bromsgrove District Council

Role	Recommended Multiplier	Current Multiplier *	Recommended Allowance £	Current Allowance (paid) £
Basic Allowance – all Councillors	1	1	4,526	4,437
Special Responsibility Allowances:				
Leader	3	3	13,578	13,237
Deputy Leader	1.75	2	7,920.50	8,874
Executive Members (Cabinet Portfolio Holders)	1.5	1.3	6,789	5,768
Chair of Overview and Scrutiny Board	1.5	1.3	6,789	5,768
Chair of Overview and Scrutiny Task Groups	0.25	0.3	1,131.50	1,331, Paid pro-rata for length of task group
Chair of Audit, Standards and Governance Committee	0.25	0.3	1,131.50	1,331
Chair of Planning Committee	1	1.3	4,526	5,768
Chair of Licensing Committee	0.3	0.3	1,357.80	1,331
Political Group Leaders	0.25	0.25	1,131.50	1,109

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Chair of Appointments Committee (BDC only)	0.03	0.03	135.78 per meeting	133 per meeting
Chair of Electoral Matters Committee (BDC only)	0.03	0.03	135.78 per meeting	133 per meeting
Chair of Appeals Panel (BDC only)	0.03	0.03	135.78 per meeting	133 per meeting

*Council agreed to keep these multipliers (minute 75/18)

Appendix 2

Summary of Research

Chartered Institute of Public Finance and Accountancy (CIPFA) "Nearest Neighbour" authorities tool.

No two Councils or sets of Councillors are the same. Developed to aid local authorities in comparative and benchmarking exercises, the CIPFA "Nearest Neighbours" Model adopts a scientific approach to measuring the similarity between authorities. Using the data, Bromsgrove District Council's "nearest neighbours" are:

- Stroud
- Lichfield
- Maldon
- South Staffordshire
- Harborough
- Tewkesbury

Information on the level of Basic and Special Responsibility Allowances was obtained to benchmark the levels of allowances recommended to the Council.

Annual Survey of Hours and Earnings (ASHE) Data on Pay

<https://www.nomisweb.co.uk/reports/lmp/la/contents.aspx>

<https://www.nomisweb.co.uk/query/construct/summary.asp?reset=yes&mode=construct&dataset=30&version=0&anal=1&initset=>

Published by the Office for National Statistics, the Annual Survey of Hours and Earnings (ASHE) shows detailed information at District level about rates of pay. For benchmarking purposes the Panel uses the levels for hourly rates of pay excluding overtime. This is multiplied by 11 to give a weekly rate, which is then multiplied by 44.4 weeks to allow for holidays. This was the number of hours spent on Council business by frontline Councillors which had been reported in previous surveys and substantiated by a survey with Worcester City Councillors in the autumn of 2015. The rate is then discounted by 40% to reflect the element of volunteering that each Councillor undertakes in the role. Applying this formula would produce a figure of £4,360 per annum.

CPI (Consumer Price Inflation)

In arriving at its recommendations the Panel has taken into account the latest reported CPI figure available to it, published by the Office for National Statistics. This was 1.5% for November 2019.

Local Government Pay Award

The Panel was particularly mindful of the latest Local Government pay award implemented from 1 April 2019. For the majority of Local Government employees this resulted in a pay increase of 2% on 1st April 2019.

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BROMSGROVE DISTRICT COUNCIL

MEETING OF THE CABINET

9TH SEPTEMBER 2020, AT 6.00 P.M.

PRESENT: Councillors K.J. May (Leader), G. N. Denaro (Deputy Leader), A. D. Kent, M. A. Sherrey, P.L. Thomas and S. A. Webb

Officers: Mrs. S. Hanley, Ms. J. Pickering, Ms. C. Flanagan, Mr D Riley and Ms. A. Scarce

23/2020 **TO RECEIVE APOLOGIES FOR ABSENCE**

There were no apologies for absence.

24/2020 **DECLARATIONS OF INTEREST**

There were no declarations of interest on this occasion.

25/2020 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE CABINET HELD ON 6TH AUGUST 2020**

The minutes of the meeting of Cabinet held on 6th August 2020 were submitted.

RESOLVED that the minutes of the meeting of Cabinet held on 6th August 2020 be approved as a true and correct record and signed by the Chairman.

26/2020 **MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 6TH AUGUST 2020**

Officers confirmed that the recommendation within the Overview and Scrutiny Board minutes from the meeting held on 6th August, had been discussed at the Cabinet meeting on the same day. It did not therefore need consideration at this meeting.

RESOLVED that the minutes of the meeting of the Overview and Scrutiny Board held on 6th August 2020 be noted.

27/2020 **DRAFT COUNCIL TAX SUPPORT SCHEME**

The Executive Director, Finance and Resources introduced the report and advised that the Council needed to produce this each year and had done so for a number of years. This year's scheme contained a number

of fundamental changes from the previous scheme which had provided a blanket 85% support.

The Revenue Services Manager provided further detail in respect of the changes, together with the rationale behind them. The report asked for authority to go out to consultation for the scheme and this was in two stages, the first with the major precepting authorities, and then the people with interest in the operation of the scheme, the residents of Bromsgrove. The key questions that would be included within the consultation were included within the appendices of the report. The key areas to note were:

- The administration of the scheme - currently it was based on Council Tax Benefit and was reactive to customer changes, such as an increase in income. It was heavy in administration and was difficult to recover the Council Tax as it became due.
- The new scheme was based on Council Tax discount and was designed to give clear percentages of discount linked to household income which made the scheme less responsive to change and gave customers a clear idea of how much support they would receive and the impact of any changes.
- It prevented the Council from continually having to assess claims and was more static and allowed the Council to be able to better budget for it. It also allowed the Council to be more responsible in the recovery of unpaid Council Tax.
- It would also be aligned with Universal Credit which would provide the appropriate information and would allow the Council to assess and determine any Council Tax support needed at an earlier stage. This would also help to increase take-up of Council Tax support, which had decreased.
- The current scheme was capped at 85%, the proposed new scheme would provide the poorest household with 100% discount.
- The housing element of Universal Credit would also be discounted, which was important for those low income households in rented accommodation.

There was a financial impact to the changes to the scheme, which would increase the cost of Council Tax support by approximately £350k which was shared between the major preceptors, approximately 12.5% by the Council and 71% by Worcestershire County Council. It was noted that whilst there was an increase in Council Tax support at present the Council Tax demanded from recipients was not always paid and there was currently around £400k outstanding; that non-collection brought an increased cost in bad debt collection and was ultimately written off. It was anticipated that the increase in support would improve the collection rates and balance out by reducing that bad debt that would be written off. It should be noted that following consultation there may be some adjustment to the final scheme.

The Portfolio Holder for Finance and Resources commented that at the Finance and Budget Working Group it had been noted that the amount of savings allowed had been reduced from £16k to £6k, which had raised some concerns. He appreciated that the report would come back again for a more detailed discussion once the consultation had been completed. Although it was noted that Universal Credit used £16k as the amount of savings and it was therefore questioned why the Council had decided to use £6k.

It was important that the Council looked after the most vulnerable in the district, who needed this support, particularly as at the current time there was over 92k people furloughed in the County and concerns were raised around the long term effect of this.

Members discussed a number of areas following presentation of the report, including:

- Difficulties around the savings perspective as the aim of benefits were hopefully to get the majority of people through a relatively short term situation.
- How easy was it to access the scheme for someone who was perhaps applying for Universal Credit for the first time. The Revenue Services Manager explained that within the existing scheme when someone applied for Universal Credit, the Council was advised by the DWP and this was treated as the claim for Council Tax Support, but currently additional information needed to be requested from the household. The proposed changes would enable the Council to assess entitlement from that initial notification.
- Members were pleased to see that the Council was relatively proactive but questioned the signposting process to ensure that anyone claiming in the future would be able to access any benefits they were entitled to – again Members were mindful that the future months held a lot of uncertainty for many residents. The Revenue Services Manager provided details of how the scheme was publicised through the Council's website, the main trigger for people was through the Council Tax recovery process. The scheme was publicised with any documents that were sent out to people and over the phone. One of the benefits for the new scheme would be that it was clearer for our own officers to identify what support was available.
- When there are changes, such as the current furloughing of people, the Council made sure that it promoted the support available through social media and other channels. The Council was quite proactive, and had liaisons with the main housing associations in Bromsgrove and a team within the Welfare Support Team who looked after the most vulnerable.
- It was suggested that a short email to all Councillors signposting what was available and where to find it would be useful. It was agreed that the Communications Team would also be contacted and asked to promote this in the coming months.

Members were reminded that the proposed scheme would not come into place until April 2021 should it be agreed. However, it was noted that whilst the existing scheme was capped at 85% within the Council's own scheme there were additional funds available through its Hardship Fund (and additional funding had also been provided through Central Government following Covid-19), which could be used to top up the support. This was an additional £150 for this year with a reduction in the amount that needed to be paid, on average £65.

RESOLVED that the Council will consult with the public and major precepting authorities on the introduction of a new income banded council tax support scheme for working age applicants to be implemented from 1st April 2021.

28/2020

BUDGET FRAMEWORK - PRESENTATION

The Executive Director, Finance and Resources took Members through a presentation in respect of the Budget Framework (included in the supplementary agenda). In so doing she highlighted the following:

- A general update in respect of the outturn position.
- A £231k underspend and its allocation across all areas of the Council in line with the strategic purposes.
- £1m in reserves for Economic Regeneration particularly in respect of Covid-19. Schemes to be funded from this were currently being worked on and it was hoped would come forward shortly.
- Just under £400k had been allocated to balances to bring these up to around 34.4m.
- There had been significant underspends and a more detailed summary position on these had been discussed at the Overview and Scrutiny Board's Finance and Budget Working Group the previous evening, which could be circulated to Cabinet Members.
- Balances position and detail around this – the minimal level of balances had been agreed by Members at around £1.1m. Whilst the Council was above that, in light of Covid-19 and the uncertainty its impact on Council services it was felt prudent to keep the levels at the maximum it could.
- Reserves – an amount had been set aside for Economic Development and £300k had been not been used and was used to balance the budget. There was also a significant Business Rates reserve, again it was important to mitigate against any loss of Business Rates following the impact of Covid-19. The Government may also re-set the Business Rates and it may also change if there are any amendments to the appeals system for this. There were also reserves for Services Reviews and IT Systems.
- Covid-19 Financial Impact – the Return to Central Government had been set for July and this showed the grants which had been

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paid out on behalf of Central Government. There was a drop in Business Rates and it was projected that there would be a loss of £2m., which would be shared with Central Government and Worcestershire County Council. There was also likely to be an impact on Council Tax, Leisure Provision and Car Parking, some of which could be claimed back from Central Government. Currently £1.2m of Grant Funding had been received and a further claim would be completed at the end of September.

- Medium Term Budget Gap for 2021/22 moving forward for the next three years from £495k to £797k which was largely due to the loss of New Homes Bonus. The concern was the potential impact of Covid-19 going forward and areas that the Council could see a reduction in funding for – Members were reminded that previously the Council was looking at paying Central Government £750k a year, which had been taken out of the budget, but there was always the possibility that this would come back in again.
- Review of the Medium Term Financial Plan – assessing impact of Covid-19, Fees and Charges would come forward in December. Five service areas which have been subject to significant savings or overspends would be looked at in more detail, to ensure that this was reflected in 2020/21 and future years.
- Capital Programme - £300k underspend around borrowing, which was a concern as Members were making decisions on the back of Capital Programmes which then did not get spent.
- Central Government had advised that due to Covid-19 the Council would only receive a one year settlement and the Fair Funding review which was being looked at and the potential devolution and re-organisation which the Council did not currently know what this would look like, needed to be considered.

The Leader questioned whether the Council had a full understanding of the income streams which came in to it at present, the Executive Director, Finance and Resources commented that the income streams that it was getting were being updated weekly through the Corporate Management Team, this included car parking and planning applications, as there had been particular concerns around these areas. In respect of additional income for 2019/20 it was not as much as had been hoped, but was £70k above what had been expected. Income and Capital and Salaries were areas which were being looked at as there were some salary budgets which had been rolled forward, which needed to be addressed for the future.

The Portfolio Holder for Finance and Resources said this provided a comprehensive view of where the Council could be and luckily it had sufficient monies in balances to cover the gap if it had to, but he hoped that there would be other ways of doing this in order to retain the balances at the current position, which felt more comfortable in the current circumstances.

Members discussed the following in more detail:

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- The Council had given around £23m in grants to local businesses – it was believed that this was around 1,800 businesses (it was 1,688 at the end of August).
- The money for Economic Recovery – concerns were raised around the future of many businesses and it was hoped that this would go towards supporting them. Colleagues were working with Portfolio Holders in this respect and once the £1m to this scheme was agreed at full Council on 16th September these would begin to come forward. This had not come up as an issue with the Finance and Budget Working Group when discussions had been held. It was accepted that it was important to get the local economy back up and running as soon as possible.
- Thanks were given to the Executive Director, Finance and Resources and her team for all their hard work in ensuring that the grants from Central Government went to those that needed them and the speed at which the Council had delivered these had been exceptional.
- The Executive Director, Finance and Resources commented that one of the things which there had been concern about was the interpretation of the Government Grants, the Council and the Team had been very clear around this and the Council had written to BIS advising that there were still a number of businesses that it had not been able to help due to the interpretation and advised that this really needed to be looked at again. The Council did not want to give out the grant and then for it to be re-claimed further down the line because it had been incorrectly allocated.
- There was a list of all the businesses which the Council had helped and this would be made available to any Members who wished to see it.
- Capital Programme – needed to be looked at with the economy in mind, hopefully some projects would come forward in order to help this. The Executive Director Finance and Resources advised that the wider Economic Development opportunity fund that remained available for investment opportunities, had been widened to allow for social gains as well as financial gains. In terms of the Capital programme we have just rolled it forward and now was the opportunity to do a more robust review of this and perhaps realign some of the funding already available.
- It was an excellent opportunity to invest in the District and stimulate growth and help people get back in to work.

The Leader took the opportunity to give a sincere thank you to the Executive Director, Finance and Resources for her work over the last 17 years at the Council and wished her well in her new venture.

RESOLVED that the presentation be noted.

29/2020

REVENUE MONITORING QUARTER 1 REPORT

The Executive Director, Finance and Resources introduced the report which set out the Revenue Monitoring for the first quarter using the new Strategic Purposes, which had been agreed by Council. Unfortunately, these showed a significant overspend, the Team had not allocated the Covid-19 grant as she had wanted Members to see a “clean” position that the Council is facing. This did not include Council Tax or Business Rates, which would not normally be included, but what was included was the losses from car parking. The position was not in fact as bad as it looked but it was important for Members to see the wider picture in respect of Covid-19. There were a number of explanations around some of the underspends and projects which had not been undertaken. She explained the position in respect of the Leisure Centre and the how this had to be shown for accounting purposes. The Government grant of £1.2m was much needed, together with the compensation fund. The position would be much clearer when Quarter 2 was produced as this would reflect the whole position.

The Executive Director, Finance and Resources advised Members that Human Resources had requested a shared allocation of the training budget, which would mean a reduction in it for Bromsgrove. This could be allocated back to the Councils savings target, which was important in the current circumstances. In respect of Capital, a budget of £4.371m and underspend of £200k against Living Independently and this was mainly on Disabled Facilities Grants. This was largely due to being unable to access Occupational Therapists into people’s homes from April through to June 2020.

The Portfolio Holder for Finance and Resources commented that, as had previously been discussed, the availability of Occupational Therapists and whether there was anything the Council could do to bypass this by employing them itself, as this had been an ongoing problem prior to Covid-19. The Executive Director, Finance and Resources confirmed that she would speak to the Head of Community Services in order to explore this option further.

In respect of car parking, the overspend of £240k was discussed and the proportion of this that would be refunded by Central Government. It was confirmed that this would not cover the period that the shops re-opened, but the Council chose to continue to allow free parking until the payment app was in place.

RESOLVED that the current financial position in relation to revenue and capital budgets for the financial period April 2020 – June 2020 as detailed in the report be noted.

RECOMMENDED:

- a) that a change in the 2020/21 Capital Programme of the S106 scheme already approved for Barnt Green Millennium Park –

Toilet £62k be reallocated to a new scheme at Bittell Road Recreation Ground in relation to infrastructure/fitness route improvements due the requirements of the original project no longer needed. (See 6.1 of the report) be approved;

- b) that the training budget held within the Human Resources service, is allocated to a shared service budget meaning that any training provided to our staff is beneficial to both Councils as we upskill our workforce be approved; and
- c) that the inclusion of the £1.154m of Government Grant in relation to Covid pressures and losses of income into the 2020/21 revenue budgets (see 3.6 of the report) be approved.

30/2020

NEW HOMES BONUS COMMUNITY GRANTS SCHEME

The Executive Director, Finance and Resources introduced the report and reminded Members of the New Homes Bonus Scheme that was in place. For 2020/21 there had been £144k funds to be allocated, as detailed in the appendix this had been allocated in full. There had been virtual meetings of the Panel with applicants attending. Where there was a reduction in the funding it was felt that either funding should be attracted from other sources or where it was felt two or three schemes were important and warranted the full amount and therefore other schemes had their contribution reduced. It was further confirmed that, as detailed within the scheme, for those that were allocated funding and they were unable to meet the requirements and conditions placed on them then the offer would be withdrawn.

The Leader thanked officers and Panel Members for all their hard work and commented that it was a good which had been well utilised.

RESOLVED:

- a) that the grants, as detailed in the Summary of NHB Grants Panel Recommendations attached at appendix 1 be approved; and
- b) that should the scheme continue into 2021/22 a full review of the process be carried out prior to the commencement of the grants allocation for that year.

The meeting closed at 7.00 p.m.

Chairman

Bromsgrove District Council – 21st October 2020
Item 10 - Member Questions

1. From Councillor R Hunter
Question to the Leader

“When will it be possible to make cashless payments at all of the car parks maintained by Bromsgrove District Council?”

2. From Councillor P McDonald
Question to the Leader

"Would the Leader please inform me of the cost of travelling expenses so far this year compared to this time last year?"

3. From Councillor S Colella
Question for the Leader

Can the Leader confirm that the previously agreed Council position whereby appointees to Outside Bodies submit regular updates on the meetings attended for collation by Democratic Services takes place and that these are available for Members to view.

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NOTICE OF MOTION

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor P McDonald.

“We call upon the Cabinet to write to the government to make funding available to low-income households to prevent more families from spiralling into fuel poverty. Many people are expected to stay indoors more often this winter due to the Covid-19 pandemic. Therefore, getting support to everyone who needs it must be a priority this winter.”

NOTICE OF MOTION

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor H Rone-Clarke.

‘Among economists, there is broad consensus that during times of economic downturn, allowing for capital to continue to flow through the economy can assist with the recovery.

Therefore, this council will, using it’s own means as well as lobbying relevant partners, facilitate the creation of a ‘Bromsgrove Cash Card’ a gift card that can be purchased from participating businesses who choose to opt in.’

NOTICE OF MOTION

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor R Hunter.

“Council notes that Bromsgrove is yet to implement legal powers that allow us to charge additional council tax premiums on empty homes and is in fact still providing discounts.

Council therefore resolves to explore the following:

1. Stop providing council tax reductions on empty properties as soon as possible
2. Implement the current maximum legal council tax premium of 100% on homes that have been empty for more than 2 years as soon possible
3. Take advantage of new legal powers due to be introduced in 2021 to further increase council tax premiums to a maximum of 300% for homes that have been empty for more than 10 years.”

NOTICE OF MOTION

The following Notice of Motion has been submitted in accordance with Procedure Rule 10 by Councillor S. Colella.

Following the Government's White Paper on planning reform The Bromsgrove Alliance calls upon Council to suspend the Greenbelt review until after the White Paper has become planning Law and we know what our Housing allocation will be.

This will demonstrate that members of this council hold the district's Greenbelt in the highest esteem and demonstrates that the council will not sacrifice the Greenbelt from unnecessary and undue development until the exact details are known.

Planning for the Future White Paper and Changes to the Planning System – BDC responses

Relevant Portfolio Holder	Councillor Adam Kent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Wards Affected	All Wards
Ward Councillor Consulted	Yes
Non-Key Decision	Yes

1. SUMMARY OF PROPOSALS

- 1.1 The appendices to this report contain the Council’s responses to the Ministry of Housing Communities and Local Government (MHCLG), Planning for the Future White Paper, and Changes to the Planning System consultation.
- 1.2 As result of the reforms being proposed it is likely that the intended progress and content of the Bromsgrove District Plan review (BDPR) may have to alter.

2. RECOMMENDATION

- 2.1 **That Appendix A is submitted to MHCLG as the Councils Response to the Planning for the Future White Paper**
- 2.2 **That Appendix B is confirmed as the Councils response to the Changes to the planning System consultation**

3. KEY ISSUES

Financial Implications

- 3.1 There are no direct financial implications associated with this report.

Legal Implications

- 3.2 There are no direct Legal implications although should some of these reforms be implemented it likely there would be new legislation for the Council to consider.

Service / Operational Implications

- 3.4 Planning for the Future White paper

The planning for the future White Paper was published on 6th August 2020 it is split up into the pillars which in turn contain 24 proposals.

The Pillars and topics within them are

Pillar One - Planning for development (Proposals 1 -10)

- A new approach to plan-making
- Development Management Process
- New interactive, web-based map standard for planning documents
- Streamlined, more engaging plan-making process
- Speeding up the delivery of development

Pillar Two - Planning for beautiful and sustainable places (Proposals 11-22)

- Creating frameworks for quality
- A fast-track for beauty
- Effective stewardship and enhancement of our natural and historic environment

Pillar Three - Planning for infrastructure and connected places (Proposals 23-24)

- Consolidated Infrastructure Levy
- How we move into the new system

3.5 Members have been briefed in detail via the Strategic Planning Steering Group on the above, but it is worth remembering the aims of these reforms are to speed up the planning system and in particular the rate at which the planning system delivers new homes. The significant reforms which are contained within the white paper are.

- Simplified Land use plans containing only three types of allocation, **Growth Areas, Renewal Areas and Protected Areas.**
- Development Management policies set nationally.
- Simplified sustainability / environmental assessment processes.
- Abolition of the Duty to Cooperate.
- New binding standard method for establishing housing requirements.
- Areas allocated as growth areas will automatically have outline planning consent.
- More modern technology used in both plan making and decision taking.
- The requirement of Local Plans to be produced in 30 months.
- Nationally set mandatory levy to replace section 106 agreements.

The response to the white paper can be seen at appendix 1.

3.6 Changes to the Planning System consultation

Alongside the White Paper MHCLG have also proposed some shorter term changes to the planning system, some of which are in a direct response to the CV19 pandemic. Again Members have also been briefed on these proposals

via the Strategic Planning Steering Group. The significant implications of the changes to the planning system are.

- Changes to the Standard method of establishing housing needs, the new approach would see Bromsgrove's annual requirement rise from 368 as per the local plan, or 379 as per the current standard method to 694 under the new standard method.
- New policies on delivering first homes to encourage and facilitate home ownership for those currently priced out of the market.
- Support for small and medium sized developers which would raise the threshold for affordable housing contributions from sites of 11+ dwellings to sites of 40 or 50 dwellings.
- Extension of the Permission in Principle (PiP) consent regime

An officer's response has been submitted to this technical consultation to meet the deadline of 1st October, this can be seen at appendix 2, any additional responses as a result of discussion at formal meetings can be added to the initial response.

Implications for the Bromsgrove District Plan review

3.7 At this stage the full implications for the BDP review are unpredictable, that said the work undertaken to date is not wasted. It is the view of officers that however the reforms are implemented, much, if not all of the work which has been done on the review will be able to be used to inform a plan prepared under a revised planning system.

3.8 The most significant issue which will affect how the plan progresses in the future, will be the amount of housing a revised standard housing method allocates to Bromsgrove, and what if anything will replace the duty to cooperate, and any subsequent additional housing as a result.

3.9 Work on the evidence base collection and the site assessment will continue, at this stage it is not suggested that any plan review public consultation documents are prepared or published, and the website updated to acknowledge that fact.

3.10 If implemented a revised 30 month timeline for plan production will also have an impact and the current plan review. Understanding when the period for plan production begins will be important, it will be essential that the Council uses the plan production time afforded to it wisely, hence the work outlined above continuing. Currently the Council gets lots of requests for updates on the plan process. As well making it clear that the Council will not be publishing any consultation documents, its also important that when in a position to do so the Council publishes what it intends to do. Therefore a new local development scheme will need to be produced as soon as possible once the outcomes of the white paper reforms are known.

Customer / Equalities and Diversity Implications

3.11 There are no Customer / Equalities and Diversity Implications associated with this report. Although it should be noted that the white paper contains reforms to plan making which would change the way public consultation is carried out in future.

4. RISK MANAGEMENT

4.1 There are no immediate risk associated with this report, as the reforms are implemented a more thorough assessment of risk can be carried out.

5. APPENDICES

Appendix A - BDC response to Planning for the Future white paper.
Appendix B - BDC response changes to the planning system

6. BACKGROUND PAPERS

- Planning for the Future - white paper
- Changes to the planning System - consultation document

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Government White Paper - Planning for the Future

Bromsgrove District Council welcomes the publication of the White paper and supports the main theme of simplifying and speeding up the UK planning system. Below we have commented in turn on the 24 proposals, and hope this response assists MHCLG in progressing these reform over the coming months.

Pillar One – Planning for Development

1. The role of land use plans should be simplified. We propose that Local Plans should identify three types of land – Growth areas suitable for substantial development, Renewal areas suitable for development, and areas that are Protected.

1.1 We note with interest, the proposal for Local Plans to identify just three types of land, but understandably as this is only a white paper, the finer details which will follow in due course will be also of significant interest to the Council.

1.2 For Growth areas – the definition of substantial will be important. Whilst we understand that this will be defined in policy through the revised NPPF, the local view of substantial development can vary greatly dependent on the context and location in the country. Will size thresholds be set to define the difference between acceptable levels of development in growth areas versus renewal areas, or will there be a difference between greenfield and brownfield areas? Alongside the intention that growth areas will be for substantial development, there will inevitably be smaller scale and more routine development taking place. Therefore will further thresholds be set within growth areas as to what scale of development does or does not require further environmental assessment or reserved matters applications?

1.3 For Renewal areas, it is stated that these “could include... ..development in rural areas that is not annotated as Growth or Protected areas, such as small sites within or on the edge of villages”. For a district such as Bromsgrove which is almost 90% Green Belt, does this mean that all small villages currently washed over by the Green Belt would need to be removed from it to allow any development at these locations? Removing such small villages from the Green Belt to allow some infill development may have unintended consequences. The specific suggestion that authorities can consider the case for resisting

inappropriate development of residential gardens seems at odds with the intention for renewal areas to include “gentle densification and infill of residential areas”. In many of our rural settlements, existing homes stand in large plots where additional development can be accommodated without overdeveloping the site. This is an area where a local policy approach is needed to determine where precisely garden or back-land development should be restricted.

1.4 For Protected areas – further detail will be needed as to what types of development will be restricted. Consultation on the draft revised NPPF will be essential so that we can respond to the specific types of development which are proposed to be restricted and those which will be permissible. We would suggest that the title of this area gives the public an incorrect impression that no development can take place because the area is ‘protected’ and we suggest that an alternative name, such as ‘Restricted area’ is considered. A wider point is whether authorities will still be able to review their Green Belt boundaries through their Local Plans. It is difficult to see how housing need can be met locally without this, but clarity on this is needed. Furthermore, if Green Belt boundaries are still to endure beyond the plan period, we need further guidance on the approach to safeguarded land, particularly given that Local Plans will now be subject to more frequent reviews.

1.5 We note the specific proposal to allow sub-areas to be created within Growth areas which are specifically for self and custom-build homes, and the related requirement for local authorities to identify enough land to meet the requirements identified on their registers. If these sub-areas for self build homes are only appropriate in Growth areas, what does this mean for areas that could feasibly have no Growth areas, because of the existence of land constraints designating them as areas to be Protected? How will the demand for self-build homes be met in such areas? Also, from our experience, those who wish to build their own homes often envisage doing this in a rural or semi-rural setting. Can these aspirations be met within Growth areas? Additionally, if only certain land within a Growth area is to be designated for self-build homes, how will land value and transactional issues play out if other parcels of land are designated for higher value land uses such as open market residential?

1.6 Regarding the alternative options – if Renewal areas are deemed ‘suitable for development’ it may be appropriate to extend the grant of outline planning permission for the principle of development for certain uses in these areas.

2. Development management policies established at national scale and an altered role for Local Plans.

2.1 We recognise that there can currently be unnecessary repetition of national policies in Local Plans, however, often policies within the NPPF are open to wide ranging interpretation and sparse in detail, and need expansion to be useable at the local level. To limit development management policies to site or area-specific requirements in the proposed Growth and Renewal areas is concerning to Green Belt authorities such as Bromsgrove, where there is limited scope for such areas. The suggestion here is that there would be no locally specific development management policies to guide limited appropriate development within the Green Belt.

2.2 Under this proposal policy wording in the NPPF needs to be detailed and clear. The Government is no doubt aware of the number of planning appeals, High Court and Court of Appeal cases where the wording of the NPPF is dissected and analysed in great deal given the numerous ways it can be interpreted. If national policies are to be solely relied upon to determine the majority of 'routine' planning applications outside of specific sites or areas, then further detail will need to be added to current policies to avoid excessive amounts of appeals.

2.3 We are supportive of the move to a more design focused role for Local Planning Authorities although additional training and support will be needed to retrain local government planning professionals to enable them to perform their new function. We do have some concerns about the suggestion that the production of design guides and codes be twin-tracked alongside the Local Plan production process. With new Local Plans to be light on detail, the benefits of having design guides in place at or close to Local Plan adoption are apparent. However, this will place additional demands on the limited resources of local planning authorities and may not be achievable in practice. The situation can be foreseen where the Local Plan is adopted and design guides/codes follow some months afterwards when their production can be properly resourced, leaving a vacuum on the detailed requirements for allocated sites. We support the intention that neighbourhoods will play a crucial role in producing design codes and guides for their communities, although this will require assistance from and liaison with the local authority, which will need to be resourced. We also support the suggestion to make plans more visual and engaging, which is something we endeavoured to do with our High Quality Design SPD.

2.4 The proposals to make development management policies and code requirements machine readable is an interesting concept. The prospect of using digital services to automatically screen developments should not be done, at the expense of a planning officer

using professional knowledge and experience from the planning process to make the final decision on an application. The aim of “enabling automation of more binary considerations” would appear to remove application of planning judgement in the planning process. Even the smallest and seemingly least controversial planning application can require negotiations and the need for revised plans. There is rarely a straightforward yes or no, or ‘binary’ answer. With the proposed introduction of national development management policies and local design codes, it may be possible for planning professionals to process planning applications more efficiently, but we would not support and advise against a system where the human and professional input and oversight is removed from the decision making process on planning applications.

2.5 We are supportive of the alternative options suggested under this Proposal. Allowing local authorities to continue to have local development management policies but removing any duplication of the NPPF would be a sensible change to the current system.

3. Local Plans should be subject to a single statutory “sustainable development” test, replacing the existing tests of soundness.

3.1 We welcome the proposal to streamline the existing tests of soundness. Given that it is proposed that an assessment of Local Plan deliverability would be just one element to be incorporated into the single test, it is envisaged that the ‘single’ test would in fact be multifaceted. If Local Plans are to be devoid of development management policies setting local standards, the viability of the Local Plan would hinge on the proposals in Growth and Renewal areas, which could be diverse and varied. Therefore viability assessments could be more complex, having to take account of differing proposals and standards across these growth and renewal areas. However, until further detail of this single test is known, it is difficult to draw a full conclusion.

3.2 The specific proposal to remove the Duty to Cooperate is welcomed. Our experience has found the duty in some instances to be a totally ineffective mechanism in planning across local authority borders, particularly where there are multiple authorities involved. Recent well documented cases across the country (examples include St Albans, Wealdon, Sevenoaks) serve to highlight that the duty to cooperate is failing and is in need of wholesale changes. However, we are concerned about the lack of detail on what would replace the Duty to Cooperate. What would enable local authorities to plan effectively across administrative boundaries and to collaborate to provide local infrastructure? Reference is made to digital Local Plans helping LPAs to engage with cross-boundary issues but it is

unclear how having Local Plans on websites will help difficult issues to be resolved. Ultimately, dialogue between authorities will be required and without a framework or forum to work within to structure this dialogue, it is difficult to see how progress and agreements will be made. The proposal for housing requirements to be determined centrally, taking into account known constraints and for them to be binding on local authorities may remove the situation where there is unmet need from neighbouring areas to be apportioned and accommodated. However, until further details on which land constraints are to be factored in, and how this will impact on the local housing need derived from the standard methodology it is impossible to conclude that this will be the case. It is hard to envisage a scenario where all housing needs can be met locally and there is no need to export requirements to other areas which may be better placed to assist. Therefore an alternative mechanism for dealing with cross-boundary issues needs to be considered and included in the planning reforms.

3.3 The specific proposal to abolish the Sustainability Appraisal system is welcomed, given that the current process is cumbersome, repetitive and inaccessible to a lay-person. However once again, until more detail is known about the replacement simplified process for assessing the environmental impact of plans, it is impossible to comment much further. As highlighted below in response to Proposal 16, this simplified replacement still needs to robustly examine the social, environmental and economic impacts of the Local Plan and associated documentation.

3.4 The alternative proposal of using reserve sites to ensure delivery takes place is an possible welcomed addition to allow for a added flexibility in the process where site have stalled. It allows for a short terms solution rather than waiting for a plan review and will help delivery of housing continue.

4. A standard method for establishing housing requirement figures which ensures enough land is released in the areas where affordability is worst, to stop land supply being a barrier to enough homes being built. The housing requirement would factor in land constraints and opportunities to more effectively use land, including through densification where appropriate, to ensure that the land is identified in the most appropriate areas and housing targets are met.

4.1 We remain supportive of the move to the standard method to determining housing need as it has removed the ambiguity, expense and time involved in preparing the local authority led objectively assessed housing need under the previous arrangement. We are cautiously supportive of the move to a standard housing requirement which would be binding

on local authorities, as this would further remove an area of challenge which causes delays to plan production. However, the biggest unknown is how land constraints will be factored into the binding requirement. For areas such as Bromsgrove with large amounts of Green Belt, this could alter the local housing need figure substantially, but until the precise weighting of the various land constraints is known, it is impossible to plan confidently for the future. There is also concern as to how affordability issues can be addressed locally if supply is to be restricted from fully addressing local housing need through the imposition of a land constraint factor.

4.2 We are concerned about the lack of guidance on planning for other development needs, most notably economic growth and question when further advice will be given on this area. There is a close relationship between economic growth and housing need and therefore it is important that there is a link between the standard method and resultant housing requirement and the amount of land to be provided for economic development.

4.3 We note the standard method is proposed to be a means of distributing the national housebuilding target of 300,000 homes annually. Given revised population and household projections projection have been released since the announcement of this target, it should be revisited to properly reflect latest figures and hence be linked to the most up to date evidence. The link between housing need and other development needs, should not be overlooked and needs similar clarity, specifically employment needs. An essential part of addressing affordability is providing the right jobs in the right locations and not forcing people to work long distances away from home to find well paid jobs. During the Covid19 pandemic we have seen changes to working patterns, the reforms to the planning system needs take this into account and give clear guidance on the future provision of employment land.

4.4 Much more detail is needed on the proposal that joint planning arrangements could be used to agree an alternative distribution of housing requirements. Although reference is made to the role of Mayors in combined authority areas, there is no further detail on the process of distributing and agreeing a reassignment of housing in non-Mayoral or combined authority areas. This follows on from the comments made above regarding the void in guidance the proposed removal of the duty to cooperate will create.

4.5 We do not support the proposal to retain the Housing Delivery Test as this would seem unnecessary if the local authority has already had to prove that the sites included within the Local Plan are deliverable. Government should instead be looking to the housebuilders and the development industry for assurances that sites will come forward in a

timely manner, with the ability to penalise them where these assurances are not met. Our authority has ongoing issues with the current Housing Delivery Test which we have taken up with the MHCLG and we are still awaiting a satisfactory solution.

5. Areas identified as Growth areas (suitable for substantial development) would automatically be granted outline planning permission for the principle of development, while automatic approvals would also be available for pre-established development types in other areas suitable for building.

5.1 The proposal to remove the need to apply for outline planning permission if any area was already identified for development would be welcomed especially if the principle had already been established. Often, if a site is already allocated for development, an outline planning application can attract significant public comment relating to the principle of the development and therefore give the public a false sense that they can influence whether the development goes ahead or not.

5.2 Under these reforms the council is concerned that the detail that would have been submitted to support an outline planning permission will now be submitted to promote a site for inclusion in the local plan process, as developers will be keen to demonstrate as fully as possible the credentials of their site. This is potentially a huge amount of evidence for planning authorities to consider when allocating sites, albeit with a much-reduced timescale by which to operate i.e. with in the 30 months. Similarly, this information may then have to be distilled into an allocation policy for the growth area to ensure that when the final permission is granted there is enough detail to ensure the development proceeds as planned. If this process is repeated for all growth areas, local plans could end up being reduced to a list of very detailed allocations policies, and not the short succinct easy to read documents the white paper is striving to achieve

5.3 By the time a site is allocated for development the focus needs to be on the detailed technical matters. Therefore the council would be keen to ensure that whatever method is chosen, the ability to shape the design and deal with site specific matters such as ecology/land contamination/highways etc should not be diminished.

5.4 With respect to renewal areas any move towards using a 'prior approval' type of process would be met with caution. Whilst under current legislation this has been intended to be a 'light touch' process it has, in many cases, caused a number of issues. High Court challenges have been required in order to provide clarity on the wording of such legislation,

amendments to the legislation have been required in order to make development meet basic amenity standards. The submission of an application, and the subsequent consultation procedure has given the public the impression that they are able to influence the outcome of the application with respect to the principle of the development, when this is not the case. It would therefore be necessary to give some serious consideration as to how a prior approval process for renewal areas would operate.

5.5 The use of a faster planning application process for renewal areas, whilst not necessarily an issue in principle, requires some further details as it is not clear how a proposal could be determined based on the context of the Local Plan description and the National Planning Policy Framework alone.

6. Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology.

6.1 With respect to the firm deadlines of 8/13 weeks it is a concern that the White Paper implies that the extension of time provisions will be removed from legislation. Prior to extensions of time existing it could often be the case that an applicant was forced to withdraw their application late in the day or face a refusal of permission in order to make a decision within the 8/13 weeks. A resubmitted application would then be made to resolve the outstanding matters which results in wasted time and expense for the applicant and local authority as well as ultimately delaying development. The extension of time provisions allow what are often modest extensions to the 8/13 weeks in order to resolve technical matters and largely lead to approval of planning permission. Removing this provision would almost certainly mean decisions are made more quickly but not necessarily with a positive outcome which would seem counterproductive, the extension of time should remain albeit limits imposed on how many times it can be used.

6.2 Any mechanism to front load the system to ensure accurate and adequate information is supplied at the submission of a planning application would be welcomed. The current requirement to only submit sufficient information to describe the development proposed is often sufficient for simple applications, however in the case of more complex proposals or those which fall within the Green Belt it is often the case that further discussion/information is required from the applicant in order to inform the decision making process which can extend the time taken to make a decision on applications.

6.3 The proposals for clearer planning conditions, streamlined approach to developer contributions and the delegation of detailed matters for consideration to officers is welcomed.

7. Local Plans should be visual and map-based, standardised, based on the latest digital technology, and supported by a new template.

7.1 The Council agrees with the above statement that there should be a requirement for Local Plans to be visual and map based. Many Local Authorities already have a digital map-based system in place which works well and doesn't require any extra training or resources. There should also be an alternative option for people to be involved in the Local Plan and consultation process. We need to be inclusive to all groups of society and ensure that for those that struggle to use the technology there are other options to engage in the planning process

7.2 Going interactive with planning applications such as architect's drawings could be a move in the right direction for development management, but there is still a need for actual documents to be able to be in order to ensure decision making is clear and accountable.

7.3 Planning for beautiful and sustainable places (Pillar Two of the White Paper) requires human judgement, so cautious use of technology to aid the human process of decision making is one which the council supports.

8. Local authorities and the Planning Inspectorate will be required through legislation to meet a statutory timetable for key stages of the process, and we will consider what sanctions there would be for those who fail to do so.

8.1 We have considered the proposals to reform the Local Plan production process and to meet a statutory timetable for key stages of the process. Whilst we welcome the intention to simplify and shorten the plan-making process, we have a number of concerns about the proposed reforms.

8.2 Stage 1 - it will be key for the initial 6 months of plan preparation to ensure that not all engagement happens and the end of the period. We know through experience that the majority of developer-led sites are submitted to us late in the call for sites process, leaving very limited time in this short 6 month stage to 'shape' the plan with public involvement. Requirements for the engagement to be continual and ongoing from both the local authority

and other stakeholders in the plan must be made clear to ensure that the meaningful engagement does not happen too late in the plan making stage.

8.3 Stage 2 - for the 12 month period to be a suitable time period, clear guidance on what evidence is required would help all concerned in the plan making process. Local authorities would be able to program the collection of evidence early on in the process, and other stakeholders would know what to expect when plans are published. Rather than the current situation where objections can be based on a perceived lack of evidence, whereas it often a point of debate as to whether the evidence even needs to be provided.

8.4 Stage 3 – We are concerned that the level of public engagement at this critical stage seems restricted, especially given as this ‘transparent and engaging’ process will limit consultation at the decision-taking stage. This would be the first time the public will see a full plan on which to comment, its likely that as much as there undoubtedly would be objections to the proposals in the plan, there will also simply be many questions about the plan which aren’t necessarily objections. A key element of the preferred option process we currently undergo is that it allows the Council to answer these questions and where possible positively address objections. Would it now be solely the role of the planning inspectorate to resolve those issues? Reference is also made to ‘best in class’ public involvement but we are uncertain this can be achieved if the public are limited to the number of words they can submit. This stage also seems to overlook the complexity of public engagement at this important stage in plan production, plus there is no time allocation given to processing, summarising and responding to the large volumes of responses that are envisaged.

8.5 Stage 4 – We would question why the examination period is within the statutory 30 month time period for production of the Local Plan, when this is outside of the control of the Local Authority. Resourcing at the Planning Inspectorate could delay the examination process and we would not want to see local authorities penalised for missing deadlines for something beyond their control. Instead, we would propose a timetable for Local Plan production which culminates in the Submission of the Local Plan.

8.6 We do not support the alternative option removing the ‘right to be heard’ at examination as this would stymie public involvement even further and be directly opposed to the ‘best in class’ public involvement which is being promoted for the other plan making stages.

8.7 We would emphasise the need for local planning departments to be properly resourced if they are to meet this extremely ambitious Local Plan production timetable. The additional demands on Local Plan production, coupled with the reforms to funding under Proposal 23 do not tally, particularly when considered alongside the need for Local Plans to be reviewed at least every 5 years. Local authorities need certainty of funding so that they are fully resourced to positively and proactively plan for the future of the area they represent.

9. Neighbourhood Plans should be retained as an important means of community input, and we will support communities to make better use of digital tools

9.1 We agree that Neighbourhood plans should be retained. Engagement with Neighbourhood Planning groups is something that is already done. Most authorities will have a good relationship with Neighbourhood planning groups which should be continued, and if possible strengthened by using modern technology to help produce neighbourhood plans as well.

10. A stronger emphasis on build out through planning.

10.1 Proposal 10 responds to the need to speed up the delivery of development, particularly within the proposed Growth Areas. We concur that there is a need to improve the build out rates of development, particularly on large sites and highlight the wealth of research in this area (for example, [LGA – Speeding up delivery, 2018](#)). This research emphasises that planning is not a barrier to building, but there are issues of unimplemented planning permissions, land banking and slow build out rates.

10.2 Whilst the proposal to include a variety of development types by different builders on a site to allow multiple phases to come forward together has good intentions, we struggle to see how it will work in practice. How will this be controlled through the planning process? If a large site is under a single ownership and one developer has an option on that site, what is the mechanism to get multiple developers on site? We are also aware that housebuilders would not want to flood the market with new homes in a single area. More often, their approach is to limit supply, thereby increasing demand and helping them to achieve the sales values they have planned for.

10.3 The suggestion that masterplans and design codes will be the mechanism to deliver the requirement for multiple developers on a single site needs further consideration, particularly if the design code is to follow the allocation of the site in the Local Plan. Under

Proposal 2 it is stated that design codes could be prepared as supplementary planning documents. Under this scenario it is difficult to see how the number of developers on a site could be specified and enforced by the Local Planning Authority.

10.4 The White Paper makes no reference to the other tools that could be used to speed up delivery. The LGA's 2018 research refers to compulsory purchase powers as one option available to local authorities in extreme cases to get stalled sites moving. It should be made easier for Councils to use CPO powers to get development started on difficult sites, including the ability to cap land values and use the uplift to forward-fund infrastructure. This ties in with one of the key recommendations from the 2018 Letwin Review.

Pillar Two - Planning for beautiful and sustainable places

11. To make design expectations more visual and predictable, we will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.

11.1 Page 48 states "*Prepare local design codes based on community input and empirical evidence of what is popular and characteristic in the local area*". The Council would be keen to understand how data will inform this. It appears this evidence will be informed by community input. This raises questions regarding how and at what point in the process to get the community involved effectively; especially given the importance of ensuring designs only have weight in the planning process if they can demonstrate that community input has been secured.

11.2 It is accepted that there have been many years of housebuilders building the same style houses, which are not necessarily representative of the local area however the Council raises concerns that this level of uncharacteristic building could inform the 'new character'.

11.3 The Council wishes to raise concern regarding how firmly the National Design Guide and upcoming National Model Design Code will feature in decision making, particularly when 'viability' features so heavily with regard to the obligations and requirements placed on developers.

11.4 With regard to responsibility for implementation, historically too much emphasis is placed at the door of planners for the failure to build and build beautiful. There needs to be

some responsibility placed on developers, and measures should be put in place to ensure they deliver what the government envisions in this Paper in their design proposals, ahead of seeking advice from Planners or submitting Planning Applications, particularly if proposals are to be in line with Design Codes.

11.5 The suggestion that Applicants could bring forward design guides themselves for significant areas of new development is an interesting addition. The Council would be keen to understand how the Local Authority could control how the area looks if applicants can do this. Given that it should be accepted that some developers tend to follow a similar style and that this is one of the elements this White Paper is seeking to change, how can the Local Authority restrict Developers proposing their existing styles in Design Codes if they permitted to prepare these documents? The Council also questions how these Codes prepared by Developers would become binding and what the status the design guidance and codes may have. What would be their process for production and how would they gain endorsement? They need to have an appropriate status to ensure they are binding in decisions which would make their production a lengthy process given the need to consult, revise and potentially examined however if their status is more akin to an SPD their influence may be limited.

12. To support the transition to a planning system which is more visual and rooted in local preferences and character, we will set up a body to support the delivery of provably locally-popular design codes, and propose that each authority should have a chief officer for design and place-making.

12.1 The Council considers that each Local Authority Planning Department is made up quite differently and it may be best for resources for each Local Authority to consider how best to prepare Design Codes it maybe simply that some expert input from Urban Designers is required rather than a Chief Officer role.

12.2 With respect to the expert body alluded to in the proposal. The Council suggests it is likely this will need to be heavily resourced, if given the proposals all Local Authorities are required to progress their Design Codes within the 30 month deadline alongside plan production. In addition it is queried how locally specific the advice will be, due to the varying nature and character of areas how is locally specific advice likely to be achieved. Will the advice come from a regional level body that can develop expertise and knowledge in the local towns and cities? Will there be a link or extension to the existing Design Review Panels or something similar to the West Midlands Combined Authority Design Review Charter.

13. To further embed national leadership on delivering better places, we will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places.

13.1 The Council considers this is a useful point, but as Homes England will have varying levels of interest in different areas of the Country its not necessarily relevant to all authorities, the council has worked successfully with Homes England and will continue to work in future with them.

14. We intend to introduce a fast-track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.

14.1 Page 52 states that masterplans and site-specific codes could be prepared by the LPA through the Local Plan. Although the principle of considering design early on in the process is to be encouraged, as expressed above Council has reservations about undertaking this work in conjunction with Plan preparation. If these codes are unable to be prepared alongside the Plan due to time restrictions or other factors, there will either be a delay in building or the housebuilders will likely submit plans that have no locally contextual design. There will then be no local evidence to reinforce changes to the design of the development suggested by the LPA.

14.2 The White Paper proposes a change regarding local orders being used to modify how the standard types of design apply in the local area, based on local evidence according to popular designs in the public opinion. The Council considers that further detail on how this evidence would be carried out in a comprehensive way should be given. If this evidence isn't carried out, there is a risk that many new developments across England would become indistinguishable. Additionally, whilst the public should have a say in the design of new development in their local area, traditionally this is not how the design of the built form has been decided. Instead, the local materials readily available, the style of the surrounding built environment and also the demands and character of the surrounding natural environment have all had a part in shaping design historically. Evidence relating to this would ideally need to be produced alongside evidence concerning public opinion, in order to produce beautiful developments that integrate successfully with the surrounding context.

14.3 The White Paper states that updates to the NPPF will “*make clear that schemes which comply with local design guides and codes have a positive advantage and greater certainty about their prospects of swift approval.*” If an increased importance is placed on local design, surely compliance with local design guides should be a necessity to attaining permission?

14.4 In regards to the use of permitted development rights to pre-approve ‘popular and replicable designs’, the Council questions if this will foster innovation, as the White Paper suggests. Instead it seems like this would stymie innovation. If identical designs are the quickest and easiest way to develop, it would stand that housebuilders will submit these plans rather than putting thought into alternative designs, as this would not be time or cost-effective. Whilst fast-tracking beauty in development could be an effective way to incentivise developers to incorporate better design in their sites, in other ways it seems counter-productive to this goal as it has the possibility to lead to cutting corners and making identical places.

14.5 The use of modern methods of construction should be encouraged through the planning system as a solution to building high quality developments at speed. Perhaps this should be stated in National Policy/ Local Plans explicitly rather than expecting expansion of PD rights and pre-approved designs to automatically encourage their use?

14.6 Paragraph 3.20 states “*we intend to develop a limited set of form-based development types that allow the redevelopment of existing residential buildings... in a range of common development settings (such as semi-detached suburban development)*”. The Council wish for clarity on exactly what the ‘*limited set of form-based development types*’ would be and whether this is Permitted Development aimed at the development of garden land and gentle density or increasing height of buildings? Either way the Council would either have limited or no control, or would need to be specific about what could be achieved and where through pattern books and LDOs this would again increase workloads for the Local Authority. It is unclear from the proposals what timeframe this would need to be achieved by.

15. We intend to amend the National Planning Policy Framework to ensure that it targets those areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.

15.1 It is considered that further detail will be needed regarding marrying the changes proposed regarding the opportunities to strengthen the way environmental issues are considered with a simpler approach to assessing environmental impacts. The Council considers that protection of environmental assets should be paramount.

15.2 The Council queries how Government will decide which area are those areas “*where a reformed planning system can most effectively play a role in mitigating and adapting to climate change*” etc. will this be based on some form of evidence? What will the NPPF say regarding those areas which are not deemed to fit this criterion?

16. We intend to design a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England.

16.1 Further detail on how the environmental impact assessment will be sped up will be welcomed. It is accepted that the current SEA, SA and EIA processes are cumbersome and lack transparency, however it is imperative that in the interest of faster, the processes of assessment are still robust and habitats and species are protected.

16.2 The Council wishes to question what status the European Natura 2000 sites (SPAs, SACs) will have, post-Brexit?

16.3 The Council acknowledges and welcomes there will be further consultation in the autumn on these proposals.

17. Conserving and enhancing our historic buildings and areas in the 21st century.

17.1 The White Paper recognises the importance of heritage assets including listed buildings and conservation areas, and highlights that assets have continued to be protected as part of the Government’s planning reforms since 2010 (Pg 16). The main proposal in the White Paper is for local plans to identify three types of land; Growth areas, suitable for substantial development; Renewal areas, suitable for development; and areas that are protected (pg 28). Conservation areas would fall into this latter category.

17.2 It is noted that the existing planning system including statutory protection and the NPPF has worked well in terms of protecting heritage assets including listed buildings and conservation areas. The aim is to build on this.

17.3 It is proposed that local planning authorities will identify the location of all heritage assets including listed buildings, conservation areas and locally designated heritage assets, in addition to protected views in their local plans.

17.5 Bromsgrove has published criteria and a process for compiling a local heritage list but compilation of this list is a work in progress and has yet to be completed. If more weight is to be attached to assets that have been identified in the Local Plan then this work needs to be expedited.

17.6 Where they exist, conservation area appraisals identify important views, but more work across both districts will be required to identify important views particularly in respect of listed buildings. The setting of heritage assets, where it contributes to the significance of that asset, currently has a high degree of protection as a result of the 1990 Act (listed buildings) and the NPPF. It is assumed at this stage that this protection will continue when the planning framework is updated. Setting of heritage assets will have to be taken into account when 'Growth' and 'Renewal' areas are identified.

17.7 The proposed change towards enabling historical buildings to install energy efficiency measures by ensuring the planning consent framework is "sufficiently responsive to sympathetic changes" is welcomed by the Council, as long as there are acceptable control measures in place to protect the buildings from adverse effects. The Council acknowledges that there is a necessity for existing housing stock to be made more energy efficient. There are some concerns, however, regarding the structure and fabric of Listed Buildings: can it be adapted to house insulation and other energy efficient measures without harming the integrity and uniqueness of the asset? It is in cases like this where a 'catch all' policy would not be appropriate; each building should still be assessed individually in terms of suitability for changes such as these.

17.8 The suggestion on page 59 regarding exploring if experienced architectural specialists have earned enough autonomy from routine listed building consents to bypass the conservation officer is potentially worrying, as taking control away from LAs and giving it to architects seems contradictory to the purpose of planning and conservation departments. Additionally, it is considered that there is no such thing as "routine" listed building consent, and to suggest otherwise would be to stop considering listed buildings as the individual assets that they are.

17.9 Finally it is suggested in the White Paper that to assist local planning authorities in concentrating on conserving and enhancing the more important historic buildings, architectural specialists may be given more autonomy in respect of routine consents. This has been suggested in the past but the concern is how objective these 'architectural specialists' might be when it is their client paying their bill. The gradual loss of small details on historic buildings can in the long run have a major cumulative impact on the significance of the asset.

18. To complement our planning reforms, we will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world-leading commitment to net-zero by 2050.

18.1 The Council believes that strong commitments in the Future Homes Standard are required if targets are to be met and real improvements towards slowing the impacts of climate change are to be made.

18.2 For a matter of the importance of the role that LPAs can play in setting energy efficiency standards, new standards should be imposed at a national level in the new National Design Guide. Currently local standards require justification and plan viability testing, and in some cases financial viability stands in the way of locally imposed standards being implemented. If other matters are being taken out of the Local Planning Authority's control, it would be productive at the same time for a standard of this importance to be implemented nationally also.

Pillar Three: Planning for infrastructure and connected places

19. The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally-set rate or rates and the current system of planning obligations abolished.

19.1 The Council support the need for a streamlined mechanism for securing developer contributions, and in particular the need to capture uplifts in land value, in order to help fund vital infrastructure required to support new development.

19.2 Within the proposal for a new Infrastructure Levy (IL), we do however have concerns with the idea of a national rate, or indeed area specific rates set nationally. This proposal would appear to be too simplistic to cater for the differences in land and development values across the country, or even within regions such as the West Midlands. Therefore there is the prospect of extremely low rates being set in areas of marginal development viability, which consequently generate little levy income for the funding of essential infrastructure. It would seem prudent in such an example that the system of S106 developer contributions was retained although subjected to a specific viability test , in order that any large development sites with a need for significant infrastructure delivery to mitigate the impact of the development could provide specific S106 contributions to top up the likely low level of infrastructure levy receipts. This twin track approach would be akin to that proposed through the Local Infrastructure Tariff (LIT) in the 2017 CIL Review.

19.3 The proposal further states that the IL would be charged on the final value of a development and payable on occupation of development. There is concern that if a local authority is to borrow against future IL revenue, then the uncertainty of final development values or any unforeseen delays to payment of the levy would leave local authorities in a compromised position with regards to the funding and thus timely delivery of infrastructure to support new development as soon as it is completed. There is also some concern over the practical considerations of collecting payment of the levy if payable on completion of development, rather than at the point of securing planning permission as is the case with the current system.

20. The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights

20.1 As PD rights have expanded in recent years to allow for more significant conversion from one land use to another, in particular to allow more residential development, it would seem sensible that the potential impacts of such developments in the future can be mitigated through levy receipts, which offer an opportunity for investment in essential infrastructure. We would therefore support the proposal that the IL is extended to include change of use through PD rights.

20.2 However this will require submission of a sufficient level of detail on the development proposal from the developer or applicant to the local authority, to enable the correct levy to be calculated based on the relevant amount of floorspace being converted or developed.

21. The reformed Infrastructure Levy should deliver affordable housing provision

21.1 We note the comment under this proposal that the reformed approach should continue to deliver on-site affordable housing in perpetuity to at least the present levels and we would strongly agree with this. However where there is an affordable housing need demonstrated for a local authority, it is important that provision of affordable housing as an in kind delivery or right to purchase does not detract from the IL funding available for other infrastructure provision to support the delivery of new housing development. It is also important that any in kind delivery is built to the same standards of traditional affordable housing provision.

22. More freedom could be given to local authorities over how they spend the Infrastructure Levy

22.1 The proposed retention of the 'neighbourhood share' applies to parished areas where a neighbourhood plan is in place ('made'), rather than all local communities or parishes regardless. It will be important that local planning authorities have the resource to potentially manage a higher level of neighbourhood planning in their local authority, if local communities now see neighbourhood planning as a more attractive option to secure funding from the new IL. Furthermore, division of IL receipts between a local authority and parish / NP areas presents a risk of more disparate, smaller infrastructure projects being sought rather than investment in larger, more costly schemes.

22.2 Whilst the principle of local authorities being able to fund service provision through IL receipts is welcomed, in areas of high development needs it is unlikely that there would be sufficient receipts to invest in service provision once the high cost of certain infrastructure provision, for example costly transport infrastructure to mitigate the impact of a substantial new residential development, is taken into consideration.

23. As we develop our final proposals for this new planning system, we will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of our reforms.

23.1 Implementing a new planning system requires resources. Local Planning Authorities need to be properly funded and resources available. External training has reduced significantly due to budgets being cut for LA's.

24. We will seek to strengthen enforcement powers and sanctions.

Proposals are particularly weak with little substance and unfortunately the opportunity has not been taken to make enforcement powers more robust. Although the recognition that enforcement is an overlooked part of the service was welcomed.

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Government consultation – Changes to the current planning system

This response, as submitted represents an Officer view for Bromsgrove District Council. Due to the closing date for consultation responses and it has not been possible to ratify this response through the Committee cycle. The response will be considered by Council Members on 21st October, should the need arise we will update the consultation response if any amendments are requested by Members. The Council will send notification on 22nd October to advise if this is the case and to provide an anticipated date for forwarding an updated response.

The standard method for assessing housing numbers in strategic plans

Step 1: Setting the baseline – providing stability and certainty by incorporating a blend of household projections and stock:

Q1: Do you agree that planning practice guidance should be amended to specify that the appropriate baseline for the standard method is whichever is the higher of the level of 0.5% of housing stock in each local authority area OR the latest household projections averaged over a 10-year period?

Paragraph 13 of the consultation document states that “household projections have attracted criticism for their volatility and the way in which they can result in artificially low projections in some places... Crucially, they cannot in isolation forecast housing need – they project past trends forward.”

Paragraph 20 of the consultation document goes on to say that housing stock figures “should also offer the stability and predictability which has been absent when solely relying on household projections.”

The Council is mindful of the volatility of the household projections, which was highlighted when the 2016 projections were released and dismissed for the purpose of calculating LHN figures.

The Council’s only preference is for clarity and certainty that an adopted methodology is substantially robust and can endure over time.

Q2: In the stock element of the baseline, do you agree that 0.5% of existing stock for the standard method is appropriate? If not, please explain why.

As above The Council’s only preference is for clarity and certainty that an adopted methodology is substantially robust and can endure over time.

Step 2: Adjusting for market signals – maintaining price signals using the current affordability ratio and the change in affordability over the last 10 years:

Q3: Do you agree that using the workplace-based median house price to median earnings ratio from the most recent year for which data is available to adjust the standard method's baseline is appropriate? If not, please explain why.

The Council agrees with the use of workplace-based data as this is more representative in terms of potential affordability issues within a local authority area.

Q4: Do you agree that incorporating an adjustment for the change of affordability over 10 years is a positive way to look at whether affordability has improved? If not, please explain why.

The introduction of the two part affordability adjustment is considered to better reflect market conditions and affordability in a pragmatic and positive manner.

Q5: Do you agree that affordability is given an appropriate weighting within the standard method? If not, please explain why.

No comment

Transition

Do you agree that authorities should be planning having regard to their revised standard method need figure, from the publication date of the revised guidance, with the exception of:

Q6: Authorities which are already at the second stage of the strategic plan consultation process (Regulation 19), which should be given 6 months to submit their plan to the Planning Inspectorate for examination?

Q7: Authorities close to publishing their second stage consultation (Regulation 19), which should be given 3 months from the publication date of the revised guidance to publish their Regulation 19 plan, and a further 6 months to submit their plan to the Planning Inspectorate?

If not, please explain why. Are there particular circumstances which need to be catered for?

No comment, the transition arrangement will not apply to Bromsgrove.

Delivering First Homes

Q8: The Government is proposing policy compliant planning applications will deliver a minimum of 25% of onsite affordable housing as First Homes, and a minimum of 25% of offsite contributions towards First Homes where appropriate. Which do you think is the most appropriate option for the remaining 75% of affordable housing secured through developer contributions? Please provide reasons and / or evidence for your views (if possible):

i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy.

ii) Negotiation between a local authority and developer.

iii) Other (please specify)

Option i) Prioritising the replacement of affordable home ownership tenures, and delivering rental tenures in the ratio set out in the local plan policy. Focus should remain on the delivery of rental tenures which has already been set through the local plan process. Our current requirement provides for 60% of affordable housing to be social rented therefore this proposed change will not have a negative impact on the provision of this tenure. This will also ensure mixed and balanced communities are being delivered on developments.

With regards to current exemptions from delivery of affordable home ownership products:

Q9: Should the existing exemptions from the requirement for affordable home ownership products (e.g. for build to rent) also apply to this First Homes requirement?

Yes – The private rented sector provides an important provision of housing which should not be diluted with the need for the provision of home ownership products.

Q10: Are any existing exemptions not required? If not, please set out which exemptions and why.

Small sites and those benefiting from vacant building credit should not be exempt from the provision of First Homes on site. The provision will not have such an impact on the viability of a development.

Q11: Are any other exemptions needed? If so, please provide reasons and /or evidence for your views.

No comment

Q12: Do you agree with the proposed approach to transitional arrangements set out above?

Yes

Q13: Do you agree with the proposed approach to different levels of discount?

Yes, providing the valuation is a RICS red book valuation.

Q14: Do you agree with the approach of allowing a small proportion of market housing on First Homes exception sites, in order to ensure site viability?

Yes, providing developers are required to fully evidence the need for market housing to make the scheme viable.

Q15: Do you agree with the removal of the site size threshold set out in the National Planning Policy Framework?

No comment

Q16: Do you agree that the First Homes exception sites policy should not apply in designated rural areas?

Yes - A rural exception site is designed to meet need and the affordable housing provision provided should be purely to meet that need.

Supporting small and medium-sized developers

For each of these questions, please provide reasons and / or evidence for your views (if possible):

Q17: Do you agree with the proposed approach to raise the small sites threshold for a time-limited period? (see question 18 for comments on level of threshold)

The Council disagrees with the proposal to raise the site size threshold for affordable housing contributions. Paragraph 57 of the NPPF already offers the flexibility to negotiate expected contributions from development if there are justifiable circumstances which affect the viability of a site. Furthermore, NPPF, paragraph 68, directs LPAs to identifying a range of smaller site allocations through the Plan-making process. During this process, LPAs are balancing the delivery of the overall requirement with meeting the housing needs of different groups in the community (NPPF paragraph 61). Raising the site size threshold has the potential to compromise much needed affordable housing provision.

With respect to the time limited period for the proposed approach, there is no certainty that this initiative wouldn't be extended beyond the initial 18 month period, given the reoccurring nature of Covid-related restrictions throughout the country. This is a time where the need for affordable homes is possibly at its most prevalent.

The office to residential prior notification initiative was originally time restricted, and then extended. There have since been many lost opportunities to secure affordable housing provision due to this initiative

Q18: What is the appropriate level of small sites threshold?

- i) Up to 40 homes**
- ii) Up to 50 homes**
- iii) Other (please specify)**

The Council considers that the threshold should remain at 11+.

Q19: Do you agree with the proposed approach to the site size threshold?

No

Q20: Do you agree with linking the time-limited period to economic recovery and raising the threshold for an initial period of 18 months?

See response to Q17

Q21: Do you agree with the proposed approach to minimising threshold effects?

If the threshold does have to be increased, then the Council welcomes measures to ensure that larger scale developments are not brought forward on a piecemeal basis to avoid exceeding the threshold.

Q22: Do you agree with the Government's proposed approach to setting thresholds in rural areas?

The Council welcomes this approach.

Q23: Are there any other ways in which the Government can support SME builders to deliver new homes during the economic recovery period?

No comment

Extension of the Permission in Principle consent regime

Q24: Do you agree that the new Permission in Principle should remove the restriction on major development?

The Council welcomes this change. For sites that have been allocated through the Local Plan process, this initiative could shorten the route to full planning approval and secure earlier housing delivery on site.

Mixed use sites allocated through Local Plans that exceed to 150 dwelling threshold for PiP would also benefit from this initiative, which would again secure earlier housing delivery on sites without compromising other uses/ needs that have been identified as part of the Plan-making process

Q25: Should the new Permission in Principle for major development set any limit on the amount of commercial development (providing housing still occupies the majority of the floorspace of the overall scheme)? Please provide any comments in support of your views.

The Council agrees with the approach identified in paragraphs 98 and 99 of the consultation document.

Q26: Do you agree with our proposal that information requirements for Permission in Principle by application for major development should broadly remain unchanged? If you disagree, what changes would you suggest and why?

The Council agrees with the proposed approach.

Q27: Should there be an additional height parameter for Permission in Principle? Please provide comments in support of your views.

Following PiP consent, any development would need to meet the rigours of adopted planning policy, both nationally and locally. The height of development should be considered by locally distinctive policies in adopted local plans rather than the imposition of a national parameter.

Q28: Do you agree that publicity arrangements for Permission in Principle by application should be extended for large developments? If so, should local planning authorities be:

- i) required to publish a notice in a local newspaper?**
- ii) subject to a general requirement to publicise the application or**
- iii) both?**
- iv) disagree**

If you disagree, please state your reasons.

No comment

Q29: Do you agree with our proposal for a banded fee structure based on a flat fee per hectare, with a maximum fee cap?

No comment

Q30: What level of flat fee do you consider appropriate, and why?

No comment

Q31: Do you agree that any brownfield site that is granted Permission in Principle through the application process should be included in Part 2 of the Brownfield Land Register? If you disagree, please state why.

No comment

Q32: What guidance would help support applicants and local planning authorities to make decisions about Permission in Principle? Where possible, please set out any areas of guidance you consider are currently lacking and would assist stakeholders.

No comment

Q33: What costs and benefits do you envisage the proposed scheme would cause? Where you have identified drawbacks, how might these be overcome?

No comment

Q34: To what extent do you consider landowners and developers are likely to use the proposed measure? Please provide evidence where possible.

No comment

Q35: In light of the proposals set out in this consultation, are there any direct or indirect impacts in terms of eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations on people who share characteristics protected under the Public Sector Equality Duty?

If so, please specify the proposal and explain the impact. If there is an impact – are there any actions which the department could take to mitigate that impact?

No comment

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