



# CABINET

26 March 2018

A meeting of the CABINET will be held on Thursday, 5th April, 2018, 6.00 pm in Committee Room 1, Marmion House, Lichfield Street, Tamworth, B79 7BZ

---

## A G E N D A

### NON CONFIDENTIAL

**1 Apologies for Absence**

**2 Minutes of Previous Meeting (Pages 1 - 2)**

**3 Declarations of Interest**

*To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.*

*When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.*

**4 Question Time:**

To answer questions from members of the public pursuant to Executive Procedure Rule No. 13

**5 Matters Referred to the Cabinet in Accordance with the Overview and Scrutiny Procedure Rules**

None

**6 CIL and Planning Obligations (Pages 3 - 104)**

(Report of the Portfolio Holder for Regeneration)

**7 Purchase of New Build Properties under the Councils Acquisitions Policy**

(Pages 105 - 110)

(Report of the Portfolio Holder for Housing Services & Portfolio Holder for Regeneration)

**8 Exclusion of the Press and Public**

To consider excluding the Press and Public from the meeting by passing the following resolution:-

*“That in accordance with the provisions of the Local Authorities (Executive Arrangements) (Meeting and Access to Information) (England) Regulations 2012, and Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of the following business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public”*

At the time this agenda is published no representations have been received that this part of the meeting should be open to the public.

**9 Tinkers Green and Kerria Regeneration (Pages 111 - 122)**

(Report of the Portfolio Holder for Regeneration)

**10 Pilot Scheme for Eringden 6-Storey Block (Pages 123 - 160)**

(Report of the Portfolio Holder for Housing Services)

Yours faithfully



**Chief Operating Officer**

*People who have a disability and who would like to attend the meeting should contact Democratic Services on 01827 709264 or e-mail [committees@tamworth.gov.uk](mailto:committees@tamworth.gov.uk) preferably 24 hours prior to the meeting. We can then endeavour to ensure that any particular requirements you may have are catered for.*

To Councillors: D Cook, R Pritchard, S Claymore, S Doyle and M Thurgood.



## **MINUTES OF A MEETING OF THE CABINET HELD ON 15th MARCH 2018**

**PRESENT:** Councillor D Cook (Chair), Councillors R Pritchard (Vice-Chair), S Claymore, S Doyle and M Thurgood

The following officers were present: Andrew Barratt (Chief Operating Officer), Anica Goodwin (Head of Paid Service) and John Day (Corporate Performance Officer)

### **119 APOLOGIES FOR ABSENCE**

None

### **120 MINUTES OF PREVIOUS MEETING**

The Minutes of the previous Cabinet meeting held on the 22 February 2018 were approved and signed as a correct record.

*(Moved by Councillor R Pritchard and seconded by Councillor D Cook)*

### **121 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

### **122 QUESTION TIME:**

None

### **123 MATTERS REFERRED TO THE CABINET IN ACCORDANCE WITH THE OVERVIEW AND SCRUTINY PROCEDURE RULES**

None

**124 CORPORATE PLAN 2017 - 2020 (2018 UPDATE)**

Provided Cabinet Members with an update of the Council's Corporate Plan for the period to 2020.

**RESOLVED:** That members of the Cabinet:-

1. Approved the Corporate Plan update.

*(Moved by Councillor D Cook and seconded by Councillor R Pritchard)*

**125 FEES AND CHARGES - DEVELOPMENT MANAGEMENT**

Sought member approval to an increase in fees for High Hedge Complaints and Pre Application enquiries and the introduction of a fee for naming and numbering of new developments and planning applications where permitted development rights have been removed or an Article 4 Direction imposed.

**RESOLVED:** That members of the Cabinet approved:-

1. the revised fee of £350 for processing High Hedge Complaints to be charged from the 1st April 2018.
2. the revised fee for pre application enquiries of £1,000 for large scale major proposals, £750 for medium scale major proposals, £250 for small scale major proposals and £125 for minor proposals to be charged from the 1st April 2018.
3. the introduction of a charge for naming and numbering of new developments as set out in the report to be charged from the 1st April 2018.
4. the introduction of a charge for planning applications where permitted development rights have been removed or an Article 4 Direction imposed as set out in the report to be charged from the 1st April 2018.

*(Moved by Councillor S Claymore and seconded by Councillor R Pritchard)*

**Noted:** that there was a Typo on page 20 of the report and it should have read £3,000 not £300.

---

Leader

THURSDAY, 5 APRIL 2018

**REPORT OF THE PORTFOLIO HOLDER FOR REGENERATION****CIL AND PLANNING OBLIGATIONS****EXEMPT INFORMATION**

None

**PURPOSE**

To consider the Planning Inspectorate's report of the examination of the Tamworth Borough Council Community Infrastructure Levy Charging Schedule and make recommendations to Council to adopt the Charging Schedule. Further to consider a new Planning Obligations Supplementary Planning Document (SPD), a revised Infrastructure Delivery Plan (IDP) and a revised Regulation 123 list and authorise public consultation on them prior to consideration for adoption at Council.

**RECOMMENDATIONS**

1. Cabinet endorses the Planning Inspectorate's report of the examination in Appendix A of the Tamworth Borough Council Community Infrastructure Levy Charging Schedule, the proposed modifications and proposed Charging Schedule contained in Appendix B and is recommended that Cabinet refer the matter to Council for adoption of the Community Infrastructure Levy Charging Schedule with an appropriate commencement date in accordance with the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations (as amended) 2010;
2. Cabinet authorises public consultation on the revised Infrastructure Delivery Plan contained in Appendix C and requests Council to consider adoption alongside the consideration of the Community Infrastructure Levy Charging Schedule;
3. Cabinet authorises public consultation on the revised Regulation 123 list contained in Appendix D and requests Council to consider adoption alongside the consideration of the Community Infrastructure Levy Charging Schedule;
4. Cabinet authorises public consultation on the draft Planning Obligations Supplementary Planning Document (2018) contained in Appendix E and requests Council to consider adoption alongside the consideration of the Community Infrastructure Levy Charging Schedule
5. Cabinet delegates authority to the Head of Managed Growth, Regeneration and Development in consultation with the Portfolio Holder for Regeneration to make amendments to the draft Planning Obligations Supplementary Planning Document, revised Infrastructure Delivery Plan and revised Regulation 123 list following public consultation prior to their consideration by Council;
6. Cabinet refers to Council for approval the cancelling of the existing Planning Obligations Supplementary Planning Document (2007) and the Open Space for New Development Supplementary Planning Document (2007) and that they are no longer a material consideration when considering planning applications.

**EXECUTIVE SUMMARY**

Cabinet have previously authorised the submission of a Draft Charging Schedule for examination (Cabinet, September 2016). The Draft Charging Schedule was submitted for an independent examination on 25<sup>th</sup> August 2017. An independent examination took place on the 1st November 2017 and the report of the Inspector was received in February 2018 (see Appendix A). The Inspector recommended some modifications to supporting information. The charging rates remain the same as submitted. The Inspector concludes that the charging schedule is in accordance with the various Acts and Regulations and can be adopted. Therefore it is recommended that Cabinet ask Council to do

this. It is hoped that Council will consider this in July. The date of commencement is likely to be 1<sup>st</sup> August dependant on putting in place the necessary systems and processes to enable notification to developers and collection of monies.

There is likely to be a lead in time before any monies come in to the Authority. Only developments which receive planning permission post commencement of CIL will be liable. Furthermore, developers have to make the first payment within 60 days of commencement of the development. Given that planning applications have 3 years to be implemented it could be some time before monies are received. Experience from other Local Authorities is that this has been the case and monies take some time to accumulate. The Council will need to put in place arrangements for making decisions on what infrastructure gets funded and when. Local authorities must allocate at least 15% of levy receipts to spend on priorities that should be agreed with the local community in areas where development is taking place. These considerations will be subject to a future cabinet report.

To ensure that the levy is open and transparent, charging authorities must prepare short reports on the levy. The Council must publish a report on our website by 31 December each year, for the previous financial year. This can be a bespoke report or it could use an existing reporting mechanism, such as the annual monitoring report which reports on their development plan. At present the Council will also hold and spend the neighbourhood portion on behalf of the local community, and it should ensure that it reports this as a separate item. Regulation 62(4) (as amended by the 2013 Regulations to include the neighbourhood share and the 2014 Regulations) sets out what charging authorities must include in their reports.

The Regulation 123 list is a list of infrastructure that CIL monies can be spent on. Following the examination and comments made by the Inspector and reviewing the experience of other local authorities officers believe that the R123 list should be amended. The amendments seek to make it clearer what infrastructure the CIL monies will be spent on. Government advice is that if amending the list it should be subject to "appropriate consultation". Therefore it is proposed to consult on these changes.

The R123 list is based on the Infrastructure Delivery Plan which was considered as part of the Local Plan production and adoption process. The IDP should be kept under review and officers, following consultation with relevant infrastructure providers, have amended and updated the existing IDP. It is felt that by consulting on this at the same time as the IDP then all relevant infrastructure can be identified.

Following the consultation officers will consider the responses and make any amendments that are considered necessary and ask Council to consider the documents with any amendments.

The Council has two supplementary planning documents, planning obligations and open space, which have assisted the decision making on planning applications. The Planning Obligations SPD needs to be updated to reflect the new system for developer contributions and the CIL Charging Schedule. Cabinet are asked to approve consultation on a revised SPD and that Council consider any representations and amendments and adopt the SPD. The open space SPD has been used to calculate the requirement for open space resulting from new developments and the contributions to be made by developers toward maintenance of on-site open space and/or enhancement of off-site open space where appropriate. Given that the Council no longer takes on the maintenance of new on-site open space, and CIL will change how contributions are collected towards off-site open space, the SPD will no longer be required. A new design SPD will provide sufficient guidance on open space as part of new developments in future. Cabinet are asked to recommend to Council that the two existing documents are therefore cancelled upon implementation of CIL.

## **OPTIONS CONSIDERED**

The Charging Schedule could not be adopted and implemented, however this would impact on the ability of the Council to fund necessary infrastructure. Currently planning obligations are secured through Section 106 Agreements and should be directed to relevant projects and locations. The legislation restricts the pooling of contributions to 5 obligations for each piece of infrastructure.

## **RESOURCE IMPLICATIONS**

There will be ongoing revenue implications of administering the CIL (staff time, potential purchase of new system and maintenance of) however the Council can use funds from the levy to recover the costs of administering the levy. [Regulation 61](#), as amended by the [2014 Regulations](#) allows the Council to spend up to 5% cent of the total levy receipts on administrative expenses. This is to ensure that the overwhelming majority of revenue from the levy is directed towards infrastructure provision. Where an authority spends less than its permitted allowance on administrative expenses, it must transfer the remaining allowance for use on capital infrastructure projects.

## **LEGAL/RISK IMPLICATIONS BACKGROUND**

Legal considerations are contained elsewhere in this report.

## **SUSTAINABILITY IMPLICATIONS**

This Infrastructure Delivery Plan includes infrastructure which will make improvements for local communities across Tamworth. The CIL R123 list is informed by the IDP.

## **BACKGROUND INFORMATION**

Report to Cabinet 29<sup>th</sup> September 2016, "Community Infrastructure Levy".

## **REPORT AUTHOR**

Matt Bowers, x276  
Sushil Birdi, x279

## **LIST OF BACKGROUND PAPERS**

None

## **APPENDICES**

- A) CIL Inspector's report
- B) Draft Charging Schedule
- C) Proposed Infrastructure Delivery Plan
- D) Proposed Regulation 123
- E) Proposed Planning Obligations SPD (2018)

This page is intentionally left blank





---

## **Report to Tamworth Borough Council**

**by Yvonne Wright BSc (Hons) Dip TP MSc DMS MRTPI**

**an Examiner appointed by the Council**

**Date: 13 February 2018**

---

PLANNING ACT 2008 (AS AMENDED)

SECTION 212(2)

### **REPORT ON THE EXAMINATION OF THE TAMWORTH BOROUGH COUNCIL COMMUNITY INFRASTRUCTURE LEVY DRAFT CHARGING SCHEDULE FOR SUBMISSION**

Charging Schedule submitted for examination on 25 August 2017.

Examination hearing held on 1 November 2017.

File Ref: PINS/G4240/429/7

## Non Technical Summary

This report concludes that, subject to the modifications set out in Appendix A, the Tamworth Borough Council Community Infrastructure Levy Draft Charging Schedule For Submission provides an appropriate basis for the collection of the levy in the area. The Council has sufficient evidence to support the schedule and can show that the levy is set at a level that will not put the overall development of the area at risk.

### Introduction

1. This report contains my assessment of the Tamworth Borough Council Community Infrastructure Levy Draft Charging Schedule For Submission in terms of Section 212 of the Planning Act 2008. It considers whether the schedule is compliant in legal terms and whether it is economically viable as well as reasonable, realistic and consistent with national guidance.
2. To comply with the relevant legislation the local charging authority has to submit a charging schedule which sets an appropriate balance between helping to fund necessary new infrastructure and the potential effects on the economic viability of development across the District.
3. The basis for the examination, during which a single Hearing day was held on 1 November 2017, is the Tamworth Borough Council Community Infrastructure Levy Draft Charging Schedule For Submission (DCSS), submitted for examination on 25 August 2017 (CIL\_06). It replaced an earlier Draft Charging Schedule (DCS) which was subject to public consultation between 23 October 2015 and 4 December 2015. The DCSS has amended the latter document with five modifications published for consultation at the time of submission. These modifications are also set out separately in the *Statement of Modifications (Regulation 19(d))* published in August 2017 (CIL\_05).
4. Previous to this a Preliminary Draft Charging Schedule was published in 2014 and made available for public consultation between 30 October and 11 December 2014.
5. The Council proposes to include Borough-wide differential charging rates for residential development based on the scale of development and use of buildings. The proposed rates are: £68 per square metre (psm) for schemes of 3-10 units; £35 psm for schemes of 11 units or more and nil rates for developments of 1-2 units, retirement dwellings, extra care schemes and care homes.

6. The Council also proposes a £200 psm charge for all retail development outside of Tamworth town centre, local centres and neighbourhood centres. A zero rate would apply to all other development.
7. At the Hearing I received updated tables for infrastructure costs, secured funding levels and the estimated funding gap (CIL\_EX\_04 01/11/17 update).
8. I also requested at the Hearing that the Council provide the following additional information:
  - Maps clearly defining the areas/zones to which the different charging rates apply and a review of relevant wording within the schedule to refer to the charging zones maps;
  - Definitions for the terms '*retirement dwellings, extra care and care homes*' for reasons of clarity;
  - A review of wording to clarify the following:
    - i. the '*one or two unit residential scheme*' exemption;
    - ii. the reference to the draft Regulation 123 list;
    - iii. the charging rate for retail development that is '*In Centre*'; and
    - iv. how the charging schedule will be monitored and reviewed.
9. Whilst these matters were discussed at the Hearing the information was received after the Hearing in a document entitled *Tamworth Borough Council – Community Infrastructure Levy Statement of Modifications post examination hearing (Regulation 19(d)) November 2017* (CIL\_EX\_07), together with the following maps:
  - *Residential Charging Zones Map* (CIL\_EX\_08 APP\_A1);
  - *Retail Charging Zones Map* (CIL\_EX\_09 APP\_2);
  - *Town Centre Plan* (CIL\_EX\_10 APP\_3);
  - *Local Centre Plan* (CIL\_EX\_11 APP\_A4) and
  - *Neighbourhood Centre Plans* (CIL\_EX\_12 APP\_A5).
10. These proposed modifications were all consulted on between 22 November 2017 and 20 December 2017. Three representations were received during this period. In addition the Council produced a response to these representations which was received on 5 January 2017. In reaching my conclusions I have taken all relevant representations into account, including those relating to the proposed modifications.

**Is the charging schedule supported by background documents containing appropriate available evidence?**

*Infrastructure planning evidence*

11. The *Tamworth Borough Council Local Plan 2006-2031* (LP) (CIL\_12) was adopted in February 2016. This sets out the main elements of growth, including the provision for a minimum of 4,425 new homes; a minimum of 18 hectares of new employment land; 7,800 sqm of new comparison retail floorspace and 2,900 sqm of new convenience retail floorspace within the Borough. The growth strategy directs this development to within and around Tamworth town centre and within the network of local and neighbourhood centres, regeneration priority areas and employment areas. In addition the Council proposes that the Borough's remaining objectively assessed housing and economic needs of around 1,825 dwellings and a minimum 14 ha of employment land are met by neighbouring authorities.
12. The LP allocates three sustainable urban extensions at Anker Valley, Tamworth Golf Course and Dunstall Lane to include the delivery of around 535; 1,100 and 723 new homes respectively within the Plan period.
13. The Council recognises that new development will need to be supported by further infrastructure including transport, public realm enhancements, flood defences, green infrastructure, schools and community facilities. This is detailed within the Council's Infrastructure Delivery Plan (IDP) which forms Appendix B of the LP (CIL\_12). This was prepared in support of the LP which was found sound following its examination. As such and in accordance with the Planning Practice Guidance (PPG) I do not re-appraise the infrastructure planning work in this CIL examination.
14. I note that the IDP is currently under review but the Council provided updated tables on infrastructure schemes which were submitted at the Hearing. These give details of specific infrastructure requirements, progress on implementation, known costs, levels of secured funding and additional anticipated funding streams.
15. The updated estimate for total known infrastructure costs is around £76.7m. Taking account of the updated level of funding expected to be secured of around £51.5m (which includes S106 planning agreement funding of approximately £22.2m), the estimated funding gap is around £25.2m. However as some of the infrastructure has yet to be costed the Council accepts that this funding gap will be significantly higher than this estimate.
16. The Council indicates that the anticipated CIL income will be around £3.5m. This equates to nearly 5% of total known infrastructure costs and around 14% of the estimated funding gap. This would be collected mainly from residential development, as the Council indicates that retail needs for the Plan period will

generally be satisfied by the recently permitted Gungate scheme and additional development that comes forward within centres.

17. Overall therefore the CIL revenue would make a contribution, albeit minor, towards filling the infrastructure funding gap.
18. The Council has produced a draft Regulation 123 list which is set out in Appendix A of the DCSS. This provides a list of some specific projects together with broader categories that the Council intends to fund, partly or wholly, through CIL receipts. This includes local transport improvement projects and open space, leisure and public realm enhancements.
19. The Council's infrastructure planning documents were considered as part of the LP examination. As stated in paragraph 13 above I do not re-appraise the infrastructure planning work in this CIL examination. I am satisfied therefore that the Council's infrastructure planning evidence supports the DCSS.
20. Accordingly, I conclude that the infrastructure planning evidence provided is sufficient to confirm there is a significant funding gap and indicates how much funding is proposed to be received through CIL receipts. As such the need to levy a charge on future development has been demonstrated.

*Economic viability evidence and approach to rate setting*

21. The Council has produced viability evidence in the form of the following documents:
  - the *Tamworth Borough Council Whole Plan Viability, Affordable Housing and CIL Study Final Report (April 2014)* (CIL\_07) (referred to in this report as 'VA1');
  - the *Tamworth Borough Council Whole Plan Viability, Affordable Housing and CIL Study Further Advice Addendum Report (March 2015)* (CIL\_08) (referred to in this report as 'VA2');
  - the *Tamworth PDCS Responses – review and technical note (May 2016)* (CIL\_09) (referred to in this report as the 'Technical Note'); and
  - the *Tamworth CIL Viability Update Study Final Report (August 2017)* (CIL\_10) (referred to in this report as 'VA3').
22. The appraisals set out within the viability assessments are based on a residual valuation approach using assumptions for a range of factors including build costs and profit levels. In summary the appraisals generally seek to establish a residual value by subtracting all costs (except for land purchase) from the value of the completed development (the *gross development value*). The price at which a typical willing landowner would be prepared to sell the land (the

*threshold or benchmark land value*) is then subtracted from the residual value to arrive at the *overage* or '*theoretical maximum charge*'. This is the sum from which the CIL charge can be taken provided that there is a sufficient viability buffer or margin. I note that as affordable housing is not liable to a CIL charge, an allowance for this is made in the assessments.

23. The provision of a viability buffer is recommended by the PPG<sup>1</sup> so that the levy rate is not set at the margins of viability and is able to support development when economic circumstances adjust. This can also provide some degree of safeguard in the event that gross development values have been over-estimated or costs under-estimated and to allow for variations in costs and values between sites. In broad terms, I consider that appropriate buffers have been applied.

#### Residential development

24. Most of the assumptions used for the residential development appraisals have not been significantly questioned and no alternative evidence has been provided.
25. The appraisals have tested a range of residential development sites and typologies between 1 and 1,100 dwellings, which generally reflect the likely size of development sites proposed to come forward during the Plan period. They have also taken account of the Council's affordable housing policy cost which is appropriate.
26. The benchmark land values and sales values are based on a review of viability evidence including local market data, published data and discussions with developers, agents and other stakeholders and have been updated in VA3 to reflect land and house price increases. This is reasonable.
27. The build cost assumptions use reasonably up to date BCIS data that has been rebased to represent local values and allowances are applied for external works and contingencies. In addition the appraisals include increased costs relating to brownfield land sites to reflect associated abnormal costs and also include opening up costs for larger sites. The assumptions for other cost factors including developer profit, fees and finance costs generally follow industry standards. Development cost assumptions are therefore reasonable.
28. Estimated site specific S106 costs have been included for the strategic sites, in recognition of the additional infrastructure needed to develop such sites. Whilst no S106 cost assumptions are applied for the non-strategic residential typologies due to a lack of clear evidence, I consider the viability margins are sufficient to accommodate some additional costs without prejudicing the delivery of development. The approach is therefore reasonable.

---

<sup>1</sup> Planning Practice Guidance Paragraph 019 - Reference ID: 25-019-20140612

29. It has been suggested that the estimated costs for the development of the Dunstall Farm strategic site are actually higher than those used within the appraisals. Whilst I recognise that costs may change as the scheme progresses, I must base my assessment on the available evidence. No alternative costs are before me. Therefore as the viability evidence shows a significant viability buffer of 72% for this site I consider this would provide for some additional costs. Overall therefore I am satisfied that the Council's approach for the Dunstall Farm strategic site is reasonable.
30. Some specific assumptions have been used for retirement and extra care housing and care homes. These have been derived from market comparable information and evidence provided by developers of such schemes. These reflect that such developments are typically flats at higher densities than most other residential development and include such factors as communal floorspace requirements and additional marketing costs. The assumptions appear to be generally in accordance with industry standards for these forms of development and are therefore reasonable.
31. Overall, in the absence of evidence to the contrary, I have no reason to doubt the Council's approach to the viability assumptions used for residential development. The approach is appropriate and is therefore justified.

#### Retail development

32. For retail development the Council originally produced separate viability appraisals for supermarket, retail warehouse and town centre retail development, as set out in AV1. The typologies were extended in AV3 to include out of centre small local convenience stores and smaller supermarkets, to account for development changes in the retail sector. The Council has confirmed that these scenarios generally reflect the range of retail likely to come forward for development within the Borough during the Plan period.
33. Assumptions for land values, rental rates and yields are broadly based on local transactional data, where available and commercial property sources. The assumptions were re-assessed in AV3 based on more recent data.
34. It has been argued that in terms of the retail appraisals the market evidence is limited, incomplete or absent. At the Hearing I heard, amongst other things, that the 11% town centre retail yield assumption is too high and build costs are too low. The representor questioned the viability assumptions for the town centre Gungate retail scheme and the likelihood of it being implemented, a scheme proposed to deliver the majority of the Borough's retail floorspace requirements up to 2021 as set out in the LP.
35. Whilst the Council acknowledged that the viability of this scheme is a concern, the development has recently obtained outline planning consent and it would not be liable to pay a CIL charge.

36. In addition it is suggested that in the current market an incentive package including a 2 year rent free period is required to secure retailers, rather than the 6 month rent free period used in the appraisals. Whilst I recognise that some retail related incentive packages may be likely to be above the 6 month period used in the appraisals, it is also likely that some retailers do not require any incentive package.
37. Whilst I recognise that there will always be site specific exceptions, it would not be reasonable for the appraisals to take account of every variable, considering its purpose is to provide a broad assessment of economic viability for retail development across the Borough. I note that whilst build costs have increased since 2016, this is only one element within overall development costs. Furthermore it is appropriate for costs assumptions to be based on a single data point for consistency. I therefore find the Council's approach is appropriate.
38. Overall, based on the available evidence, I have no reason to doubt the Council's approach to the viability assumptions used for retail development. I therefore consider that the approach is reasonable.

#### Other development

39. There is no dispute about the assumptions used in the viability appraisals for other forms of development within the Borough (town centre office, business park, industrial, warehouse and hotel). These have been derived from market comparables, published data and industry standards and I have no reason to doubt their appropriateness. The Council's approach therefore appears reasonable.

#### *Conclusion*

40. The DCSS is supported by detailed evidence of community infrastructure needs and economic viability. The assumptions made by the Council generally reflect appropriate industry costs and are not set too low. The existence of contingency costs and the use of viability buffers reinforces the Council's approach and generally provides reasonable margins for additional costs. Overall I conclude that the Council's viability evidence is robust, proportionate and appropriate.

#### **Are the charging rates informed by and consistent with the evidence?**

##### *CIL rates for residential development*

##### 1-2 unit schemes

41. A CIL charge of £0 psm is proposed for small residential schemes of one or two units within the Borough. VA3 indicates that the maximum headroom available for this level of development is £47 psm. Taking into account that



the amount of development from this source would be rather modest and that if a CIL charge was applied the cost of collecting it may be larger than the actual sum, the Council's pragmatic approach to charge a nil rate is reasonable.

42. I note that the DCSS incorrectly refers to such development sites as being exempt from the CIL charge. As a £0 psm rate is proposed to be applied I recommend the charging schedule is modified in accordance with modification **EM2**.

### 3-10 unit schemes

43. The Council originally proposed a CIL charge of £35 psm for residential schemes of 3 or more units within the previous DCS. Following consultation and a review of some of the assumptions a differential was introduced in the DCSS between smaller and larger developments based on the number of units in the scheme. The DCSS sets out a CIL rate of £68 psm for schemes between 3 and 10 units, with developments of 11 dwellings or more staying at £35 psm.
44. The AV3 shows that for residential developments of 3 to 10 dwellings overages<sup>2</sup> range from £73 psm to £192 psm. Whilst the £68 psm charge rate is close to the lower £73 psm headroom highlighted, it still leaves a buffer of 7%, albeit that this is small. I also note that this buffer relates to one named site within the Borough and includes specific viability assumptions. At other sites the buffer would be larger. Indeed the higher headroom of £192 psm would leave a significant buffer of 65%.
45. Overall as sites of 3-10 units would be unlikely to incur major additional costs such as S106 costs and there would generally be reasonable buffers, the charge of £68 psm for this form of development is acceptable.

### 11 or more unit schemes

46. For residential developments of 11 dwellings or more, AV3 states that overages range from £39 psm to £214 psm. The proposed £35 psm CIL charging rate results in buffers ranging from 10% to 84%, whilst for the strategic sites the range is from 49% to 72%.
47. Whilst a representor (B & S Aucott) suggests that the Dunstall Farm strategic site should be exempt from CIL, the evidence before me shows that a charge of £35 psm would not put the development of this site at risk. No alternative costed evidence has been provided. Furthermore the CIL regulations do not permit S106 contributions and CIL income to pay for the same infrastructure item and therefore there would be no 'double-counting'. The Council in its

---

<sup>2</sup> The overage or headroom is the difference between the value of the completed development and the overall cost of the development, expressed in £ psm

Section 106 Statement (CIL\_11) sets out what will be funded by S106 contributions and CIL. The identified viability buffer of 72% for this site provides a substantial margin for any additional costs. Based on the evidence before me, the charge is therefore appropriate.

48. In conclusion I consider the margins for residential development, including some of the smaller ones, would overall provide sufficient flexibility so that this form of development would not be put at significant risk. I therefore consider the £35 psm charging rate is reasonable.

Specialist residential development – retirement dwellings, extra care and care homes

49. The £0 psm charges for specialist residential development consisting of retirement dwellings and extra care homes were reduced initially from £35 psm to £15 psm and then from £15 psm to zero in the previous versions of the draft charging schedules. The DCSS £0 psm rate reflects up to date viability evidence produced for this type of development (CIL\_09 and CIL\_10). These show that there is significant negative viability and accordingly the nil rate is appropriate. The evidence also shows that care home schemes generate negative viability values and as such the £0 psm rate proposed is justified.
50. Whilst the charging rates are acceptable, the charging schedule does not clearly define what is meant by specialist residential development. I therefore recommend, for reasons of clarity and to provide certainty, that the different uses are combined under one charging rate and definitions of the terms used are included (**EM3** and **EM4**).

Conclusion

51. Taking all the above into account, and subject to the modifications, I conclude that the residential CIL charging rates proposed are appropriate and are consistent with and justified by the evidence.

*CIL rates for retail development*

52. The viability assessments identify that in contrast to all other types of commercial development, retail development generates positive residual values, but only when located outside of centres.
53. On this basis the charging schedule proposes a rate of £200 psm for out of centre retail. The evidence indicates that the maximum overages for this are £316 psm for a retail warehouse, £442 psm for a supermarket, £539 psm for a smaller supermarket, and £757 psm for a small local convenience store. This provides considerable buffers of 37%, 55%, 63% and 74% respectively.
54. Whilst it has been put to me that the out of centre retail charge should be substantially reduced to be in line with charges set by neighbouring

authorities, and capped at a maximum £100,000 per scheme, no substantive alternative evidence has been provided to show that this would be necessary for reasons of viability. Furthermore rates within neighbouring authority areas will be based on specific evidence for those areas and not the charging area that is before me. The charge is consistent with the available evidence and provides considerable margins to take account of additional costs. It is therefore reasonable.

55. As regards retail development within centres, the viability assessment indicates that this would not be viable if a CIL charge was applied. The Council confirmed at the Hearing that a £0 psm charge was implied by the charging schedule but agreed that it was not explicitly set out in the DCSS. Based on the evidence, and as suggested by the Council, I agree that a £0 psm charge rate is appropriate for in centre retail and recommend that this be added to the schedule to provide clarity and certainty (**EM6**).
56. In conclusion, I am satisfied that the proposed zonal approach for retail development reflects the ability of those areas to support the CIL charges and is therefore justified.

*Residential and retail charging zones maps*

57. The CIL Regulations require that geographically defined charging zones must be identified on an Ordnance Survey based map which shows national grid lines and reference numbers. I note that the map in the charging schedule shows the former but not the latter.
58. In order to comply with the Regulations and to ensure that the zones for different charges are clearly defined, the Council has proposed to replace the map within the DCSS with separate residential and retail charging zone maps and inset plans for the town centre, local centres and neighbourhood centres (CIL\_EX\_08 APP\_A1, CIL\_EX\_09 APP\_2, CIL\_EX\_10 APP\_3, CIL\_EX\_11 APP\_A4 and CIL\_EX\_12 APP\_A5). I recommend that the charging schedule be modified accordingly (**EM7**). As a consequence, reference to these new charging zones maps also needs to be reflected within the charging rate table for out of centre retail as defined in modification **EM5**.
59. Whilst there are several charging zones within the charging schedule there is only one charging area (the Borough of Tamworth). As such I see no reason to amend this reference within the schedule, as suggested by the Council.

*Other development*

60. The evidence indicates that other forms of development have negative viability. The £0 CIL rate is therefore justified.

*Other matters*

61. Several representations have queried the contents of the draft Regulation 123 list. The PPG advises that it is for the charging authority to draw up the list and to ensure they are clear on what developers will be expected to pay, whether this is through section 106 agreements or via CIL. Whilst the draft Regulation 123 list is not before me for examination I consider that the Council has clearly defined what will be paid for by this funding route.
62. As the draft Regulation 123 list does not form part of the charging schedule, for reasons of clarity and to assist the Council should updates to the list be necessary, its removal from the schedule is recommended (**EM8**). I find that changes to the text of the schedule relating to the draft Regulation 123 list and as suggested by the Council, are also necessary (**EM1**).
63. The Council has produced policies relating to instalments, exceptional circumstances and payments in kind. These are discretionary and the viability evidence has been prepared having regard to them. As they do not form part of the charging schedule, for reasons of clarity and to assist the Council should a review of the policies be necessary, I would advise their removal from the charging schedule.

**Does the evidence demonstrate that the proposed charge rates would not put the overall development of the area at serious risk?**

64. The Council's decision to set the rates in the charging schedule is based on reasonable assumptions about development values and likely costs. In setting the rates the Council has had regard to detailed evidence on infrastructure planning and the economic viability evidence of the development market in the Borough of Tamworth. The evidence indicates that the overall development of the area, as set out in the development plan, will not be put at risk if the proposed charges are applied, subject to the recommended modifications.
65. However it would be prudent for the Council to keep the charging schedule monitored and under review to assess the operation and impact of the charging rates on development and to take account of planning policy changes. Indeed this is a requirement set out in the PPG. Monitoring will ensure that the overall approach taken by the Council towards CIL remains valid, that development remains viable and that an appropriate balance is being struck. In this instance, to aid clarity on this matter modification **EM9** is recommended.

**Conclusion**

66. Overall, and subject to the recommended modifications, an appropriate balance has been achieved between the desirability of funding the costs of new infrastructure and the potential effects on the economic viability of development across the charging area.

<b>LEGAL REQUIREMENTS</b>	
National Policy/Guidance	Subject to the recommended modifications the Charging Schedule complies with national policy/guidance.
2008 Planning Act and 2010 Regulations (as amended)	The Charging Schedule complies with the Act and the Regulations, including in respect of the statutory processes and public consultation, consistency with the adopted Core Strategy and Infrastructure Delivery Study and is supported by adequate financial appraisals.

67. I conclude that, subject to the modifications set out in Appendix A, the Tamworth Borough Council Community Infrastructure Levy Draft Charging Schedule for Submission satisfies the requirements of Section 212 of the 2008 Act and meets the criteria for viability in the 2010 Regulations (as amended). I therefore recommend that the Charging Schedule be approved.

*Y Wright*

Examiner

This report is accompanied by **Appendix A** (attached) – Modifications that the Examiner specifies so that the Charging Schedule may be approved.

## Appendix A

Modifications recommended by the Examiner so that the Charging Schedule may be approved. New text is in **bold and underlined**.

<b>Examiner Modification (EM) Number</b>	<b>Reference</b>	<b>Modification</b>
<b>EM1</b>	Paragraph 2.4	Delete "and the Regulation 123 list" in second sentence and entire third sentence.
<b>EM2</b>	CIL charging schedule table row 2, column 2 "1-2 unit schemes"	Delete "exempt from CIL charge"
<b>EM3</b>	CIL charging schedule table rows 4 and 5, "Specialist residential" and "Care homes"	Combine "Specialist residential" and "Care homes" £0 rates into one row labelled "Specialist Residential" and move "retirement dwellings", "extra care" and "care homes" to the criteria column
<b>EM4</b>	Directly after the charging schedule table	<p>Insert definitions:</p> <p><b><u>Retirement dwellings – Also known as sheltered housing, these are usually groups of dwellings, often flats and bungalows, which provide independent, self-contained homes often with some element of communal facilities, such as a lounge or warden.</u></b></p> <p><b><u>Extra care – Also known as assisted living, this is housing with care whereby people live independently in their own flats but have access to 24-hour care and support. These are usually defined as schemes designed for an elderly population that may require further assistance with certain aspects of day to day life.</u></b></p> <p><b><u>Care homes – Residential or nursing homes where 24-hour care is provided together with all meals. Residents usually occupy under a licence agreement.</u></b></p>

<b>EM5</b>	CIL charging schedule table row 7 "Out of Centre Retail"	Delete the text in the 'Criteria' column and replace with:  <b><u>Comparison and convenience retail development located outside the Town Centre, Local Centres and Neighbourhood Centres as defined in the accompanying Charging Zones Maps</u></b>
<b>EM6</b>	Insert a new row "In Centre Retail" after "Out of Centre Retail"	New row labelled <b><u>In Centre Retail</u></b>  'Criteria' column to read: <b><u>Comparison and convenience retail development located inside the Town Centre, Local Centres and Neighbourhood Centres as defined in the accompanying Charging Zones Maps</u></b>  'CIL rate per square metre' column to read: <b><u>£0</u></b>
<b>EM7</b>	Charging Zone Map	Delete the Charging Zone Map and replace with separate plans showing the residential charging zones (CIL Residential Charging Zones Map), retail charging zones (CIL Retail Zones Map), and more detailed plans for the boundaries of the in centre retail areas.
<b>EM8</b>	Appendix A Regulation 123 list	Delete Appendix A and Appendix B 'CIL Charging Zones Maps' becomes Appendix A.
<b>EM9</b>	Directly after paragraph 3.5	Insert new section:  <b><u>4 Monitoring and Review</u></b>  <b><u>4.1 As part of the Council's annual monitoring regime a report will be published which will set out how much CIL money has been received and the infrastructure to which that money will be applied.</u></b>  <b><u>4.2 The Council needs to ensure that the CIL rates remain appropriate over time. The Tamworth CIL Charging Schedule will be kept under review, taking into account changing economic circumstances and viability. In addition to taking account of changes in market conditions the Council will consider revising the charging schedule in conjunction with any substantive review of the Local Plan.</u></b>

This page is intentionally left blank





**Tamworth Borough Council**  
**Community Infrastructure Levy**

**Draft Charging Schedule and Local  
Policies**

**April 2018**

## CONTENTS

1.	Introduction	3
2.	Regulations and evidence base	3
3.	CIL Charging Schedule	4
4.	Monitoring and Review	6
5.	Local CIL Policies	6
	Instalments	6
	Exceptional circumstances	7
	Payment in kind	7
6.	How will CIL be spent?	8
7.	Other planning obligations	8

## **Appendix A – CIL Maps**

	Residential Charging Zones Map	10
	CIL Retail Zones Map	11
	Town Centre Boundary	12
	Local Centres Plans	13
	Neighbourhood Centres Plans	18

## **1. Introduction**

- 1.1 The Community Infrastructure Levy (CIL) is a tariff upon development which Local Authorities can charge in order to raise funds to contribute towards the delivery of new infrastructure which is needed to support the future development of the area. The Community Infrastructure Levy Regulations 2010 (subsequently amended) (the Regulations) provided the ability to charge a CIL on development.

## **2. Regulations and evidence base**

- 2.1 The Council adopted the Tamworth Local Plan 2006-2031 in February 2016. Two reports<sup>1</sup> were prepared to illustrate the impact of the Local Plan on development viability and demonstrate a range of potential CIL charges on different types of development. A third report<sup>2</sup> was commissioned to address issues raised during the Draft Charging Schedule consultation. All three reports were consolidated and updated in the Tamworth CIL Update Report 2017.
- 2.2 The Infrastructure Delivery Plan sets out a range of strategic and local infrastructure needs which support the Local Plan and forms the basis of the list of infrastructure projects or types of infrastructure which will be wholly or partly funded by CIL (referred to as the Regulation 123 list).
- 2.3 The Draft Charging Schedule document comprises the Draft Charging Schedule and accompanying plans within Appendix A. The Draft Charging Schedule and CIL Maps in Appendix A have been through examination.
- 2.4 The Local Policies within Section 5 are not part of the Charging Schedule but support the implementation of the schedule. The Local Policies provide clarity in circumstances that may require flexibility in order to assist development viability and deliverability. Local Policies will be updated as necessary within a revised document, however, the Draft Charging Schedule and CIL maps will only change following examination.
- 2.5 Together the Local Plan, the IDP and the Whole Plan Viability Assessment form the basis of the CIL evidence base. It is these documents which have shaped the Charging Schedule.

---

<sup>1</sup> Whole Plan Viability, Affordable Housing and CIL Study 2014; Whole Plan Viability Addendum 2015

<sup>2</sup> Tamworth Preliminary Draft Charging Schedule responses Review and Technical Note, 2016

### 3. **CIL Charging Schedule**

- 3.1 The Schedule has been issued, approved and published in accordance with Part 11 of the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended).
- 3.2 The CIL rates in the table below expressed as pounds per m<sup>2</sup> apply to eligible development within the charging areas shown in Appendix A.

**Date of approval:** To be inserted

**Date charging schedule takes effect:** To be inserted

<b>Land Use</b>	<b>Criteria</b>	<b>CIL Rate per square metre</b>
Residential	One or two unit residential schemes	£0
Residential	Residential schemes between 3 and 10 units	£68
Residential	Residential schemes of 11 or more units	£35
Specialist Residential	Retirement dwellings, extra care and care homes*	£0
Out of Centre Retail	Comparison and convenience retail development located outside the Town Centre, Local Centres and Neighbourhood Centres as defined in the accompanying Charging Zones Maps	£200
In Centre Retail	Comparison and convenience retail development located inside the Town Centre, Local Centres and Neighbourhood Centres as defined in the accompanying Charging Zones Maps	£0
All other development	None	£0

## Definitions:

\* Retirement dwellings – Also known as sheltered housing, these are usually groups of dwellings, often flats and bungalows, which provide independent, self-contained homes often with some element of communal facilities, such as a lounge or warden.

Extra care – Also known as assisted living, this is housing with care whereby people live independently in their own flats but have access to 24-hour care and support. These are usually defined as schemes designed for an elderly population that may require further assistance with certain aspects of day to day life.

Care homes – Residential or nursing homes where 24-hour care is provided together with all meals. Residents usually occupy under a licence agreement.

## **Exemptions and Relief**

3.2 Part 6 of the Regulations sets out a number of types of development which are eligible for exemption or relief from CIL. Further details can be found within the Regulations however the main types of relief from CIL are:

- Minor development – where the gross internal area of a new build would be less than 100 square metres;
- Charitable relief - where a charity has a material interest in the land and the development will be used wholly or mainly for charitable purposes;
- Social housing relief;
- Residential extensions and annexes;
- Self-build properties including communal self-build development.

## **Calculation of Chargeable Amount**

3.3 CIL liability is calculated in £s per square metre applied to the gross internal floorspace created by the development. Where more than one chargeable rate applies to the development, each of the appropriate rates will be applied to the relevant floorspace in accordance with Regulation 40 of the Regulations.

3.4 The chargeable rate is also subject to an annually updated index of inflation using the national All-In Tender Price Index of Construction Costs published by the Royal Institute of Chartered Surveyors.

3.5 Payment is due when development commences for which permission was granted after adoption of the Charging Schedule. Further details can

be found in the CIL guidance on the Tamworth Borough Council website: [www.tamworth.gov.uk/CIL](http://www.tamworth.gov.uk/CIL).

#### **4. Monitoring and Review**

- 4.1 As part of the Council's annual monitoring regime a report will be published which will set out how much CIL money has been received and the infrastructure to which that money will be applied.
- 4.2 The Council needs to ensure that the CIL rates remain appropriate over time. The Tamworth CIL Charging Schedule will be kept under review, taking into account changing economic circumstances and viability. In addition to taking account of changes in market conditions the Council will consider revising the charging schedule in conjunction with any substantive review of the Local Plan

#### **5. Local CIL Policies**

##### **Instalments**

- 5.1 The Regulations allow councils to set an instalments policy to assist with development cash flow, reducing up-front costs to ensure economic viability. The table below sets out the instalments policy that will be applied:

Total CIL Liability	Number of Instalments	Payment period and amount
Amount less than £25,000	Single payment	100% payable within 60 days of commencement date
Amounts between £25,001 and £100,000	2 instalments	1st instalment – 25% payable within 60 days of commencement date 2nd instalment – 75% payable within 240 days of commencement date
Amounts between £100,001 and £500,000	3 instalments	1st instalment – 25% payable within 60 days of commencement date 2nd instalment – 25% payable within 240 days of commencement date 3rd instalment – 50% payable within 540 days of commencement date But the full balance is payable on completion of the development if this occurs before any of the due instalment dates

Amounts between £500,001 and £1,000,000	4 instalments	1st instalment – 20% payable within 60 days of commencement date 2nd instalment – 20% payable within 240 days of commencement date 3rd instalment – 30% payable within 540 days of commencement date 4th instalment – 30% payable within 730 days of commencement date The full balance is payable on completion of the development if this occurs before any of the due instalment dates
Amounts over £1,000,000	4 instalments	Negotiated on a case by case basis

### ***Exceptional circumstances***

5.2 In exceptional circumstances, such as where a particular development proposal cannot afford to pay CIL, the Council offers a process for giving relief from CIL. This will avoid making sites which have very significant abnormal additional development costs unviable. Claims for relief will be considered on a case by case basis providing the following conditions are met:

- A S106 agreement relating to the permitted chargeable development must exist.
- Evidence must be submitted to the Council to show that paying the full CIL charge would make the development unviable. Any viability evidence must be prepared by a suitably qualified independent professional.
- Relief from CIL must not constitute notifiable state aid.

### ***Payment in kind***

5.3 There may be circumstances where it would be appropriate for the Council to receive land or items of infrastructure provided by the developer in lieu of CIL monies. The Regulations allow the Council to accept land transfers and/or construction of infrastructure as payment for the whole or part of the CIL liability, subject to appropriate valuation procedures. This will be considered on a site by site basis in accordance with the Regulations.

5.4 The types of infrastructure that the Council will consider accepting as payment will be the same as those set out in the Regulation 123 list and a land or infrastructure agreement must be entered into.

## **6. *How will CIL be spent?***

- 6.1 In accordance with Regulation 123 of the Regulations, the Council has produced, and will maintain and update, a list of infrastructure projects that it intends to fund in full or in part from CIL receipts. The contents of the list are informed by the IDP. Where items on the Regulation 123 list are to be delivered by other bodies, such as Staffordshire County Council, the Council will pass funds on to those bodies for the purposes of delivering the specific items of infrastructure.
- 6.2 The Regulations require that a proportion of CIL receipts are passed to Parish or Town Councils where development is taking place. Tamworth is unparished and therefore the Council will establish a separate process to define meaningful neighbourhood(s) across the Borough. The regulations set this amount at 15%, which then rises to 25% where a group has an adopted Neighbourhood Plan.

## **7. *Other planning obligations***

- 7.1 The CIL is intended to provide infrastructure to support the development of Tamworth, rather than to make individual planning applications acceptable in planning terms. As a result, dependent on the nature and scale of the proposed works, a developer may still be required to enter into other agreements to provide site specific impact mitigation even where the development is eligible to pay CIL. This could include agreements under S106 of the Town and Country Planning Act 1990 (as amended) and S278 of the Highways Act 1980 (as amended).
- 7.2 Planning obligations will only be required for specific items of infrastructure required to make a development acceptable in planning terms and cannot be applied to any item of infrastructure that is listed on the Council's up to date Regulation 123 list. This is intended to avoid developments paying for the same item of infrastructure twice.



# **Appendix A – CIL Charging Zones Maps**

# CIL Residential Charging Zones Map



Sterling Court  
Norton Road  
Stevenage  
Herts SG1 2JY  
UK

Tel: +44 (0)1438 747996  
Fax: +44 (0)1438 747997  
E-mail: info@cadcorp.com

## CIL Residential Charging Zones

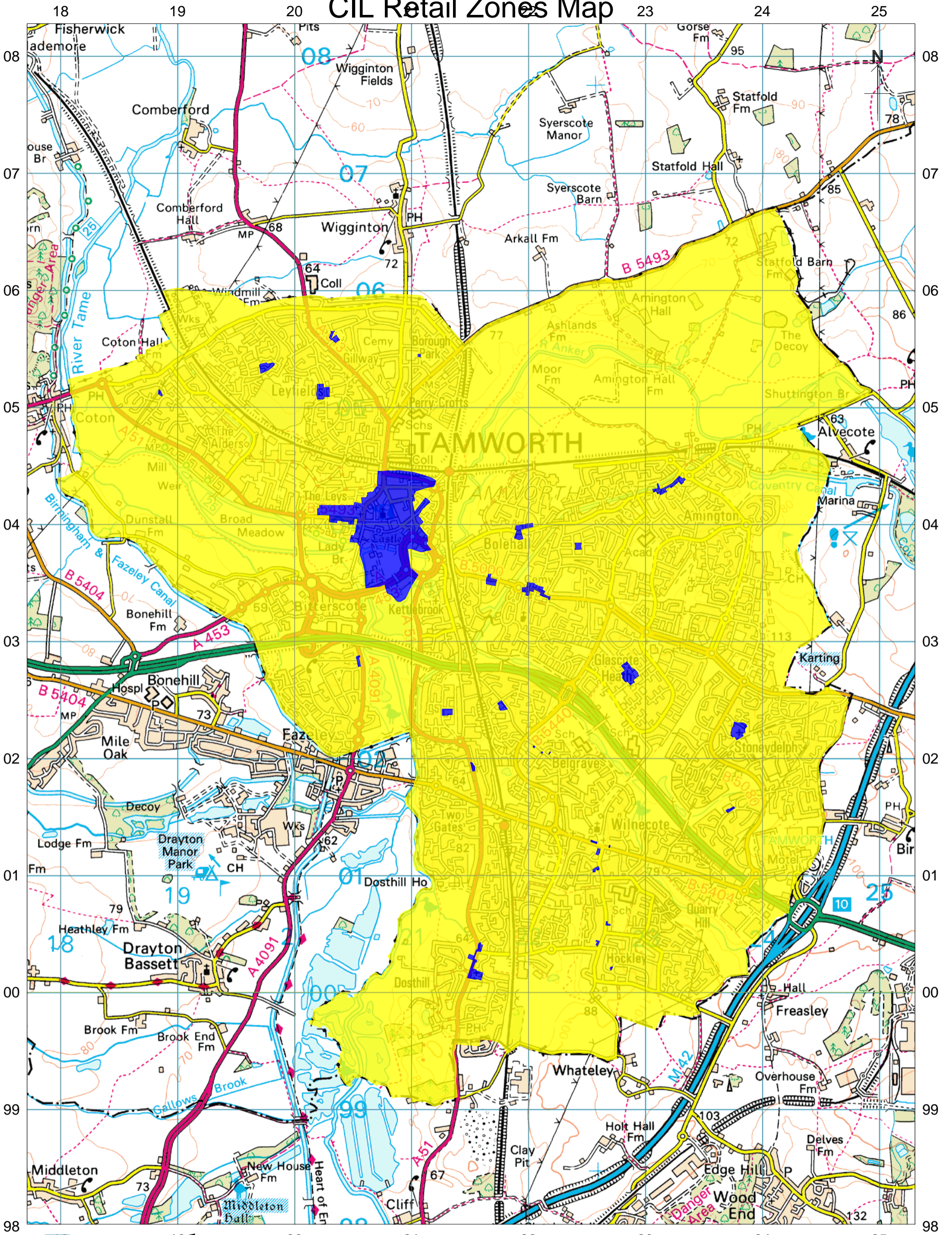
Residential charging zone

This material has been produced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office.  
© Crown copyright.  
Licence Number:



Operator:	
Department:	
Drawing No:	
Date: 16/11/2017	Scale: 1:30000

# CIL Retail Zones Map



Sterling Court  
Norton Road  
Stevenage  
Herts SG1 2JY  
UK

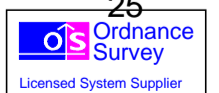
Tel: +44 (0)1438 747996  
Fax: +44 (0)1438 747997  
E-mail: info@cadcorp.com

## CIL Retail Charging Zones

- In centre retail zone
- Out of centre retail zone

Page 33

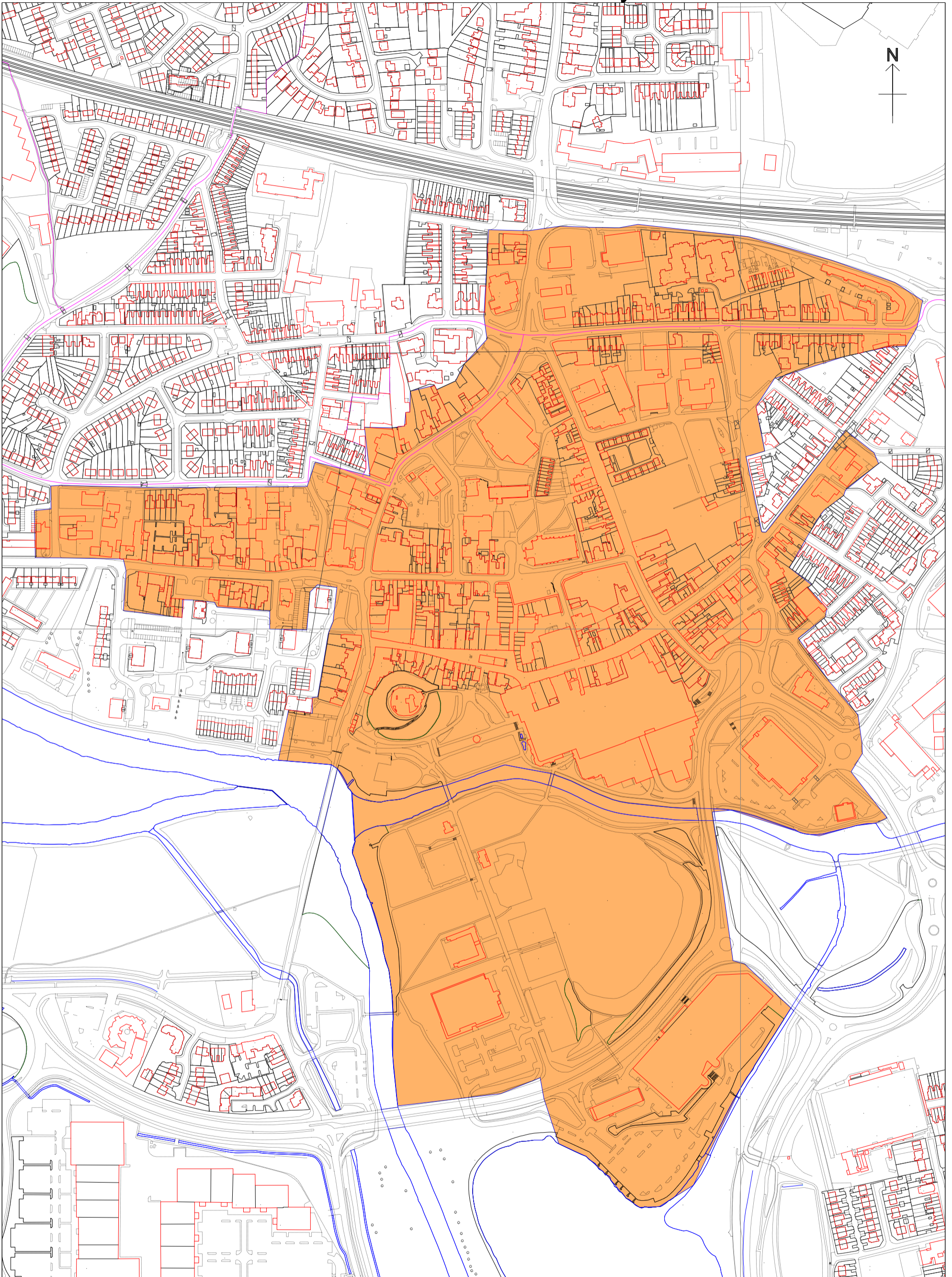
This material has been produced from Ordnance Survey digital map data with the permission of the Controller of Her Majesty's Stationery Office.  
© Crown copyright.  
Licence Number:



Operator:	
Department:	
Drawing No:	
Date: 16/11/2017	Scale: 1:30000

# Town Centre Boundary

21



Sterling Court  
Norton Road  
Stevenage  
Herts SG1 2JY  
UK

Tel : +44 (0)1438 747996  
Fax : +44 (0)1438 747997  
E-mail : info@cadcorp.com

21  
This material has been reproduced from  
Ordnance Survey digital map data with  
the permission of the Controller of  
Her Majesty's Stationery Office.  
© Crown copyright.



Licence Number:

Operator:	
Department:	
Drawing No:	
Date: 10/11/2017	Scale: 1:4250

# Local Centre - High Street, Dosthill



# Local Centre - Glascoate Road



Sterling Court  
 Norton Road  
 Stevenage  
 Herts SG1 2JY  
 UK  
 Tel : +44 (0)1438 747996  
 Fax : +44 (0)1438 747997  
 Email : info@cadcorp.com



This material has been reproduced from  
 Ordnance Survey data for use in accordance  
 with the permission of the Controller of  
 Her Majesty's Stationery Office.  
 © Crown copyright.  
 Licence number:



Sterling Court  
 Norton Road  
 Stevenage  
 Herts SG1 2JY  
 UK  
 Tel : +44 (0)1438 747996  
 Fax : +44 (0)1438 747997  
 Email : info@cadcorp.com



This material has been reproduced from  
 Ordnance Survey data for use in accordance  
 with the permission of the Controller of  
 Her Majesty's Stationery Office.  
 © Crown copyright.  
 Licence number:

# Local Centre - The Exley Centre, Field Farm Road



Page 36

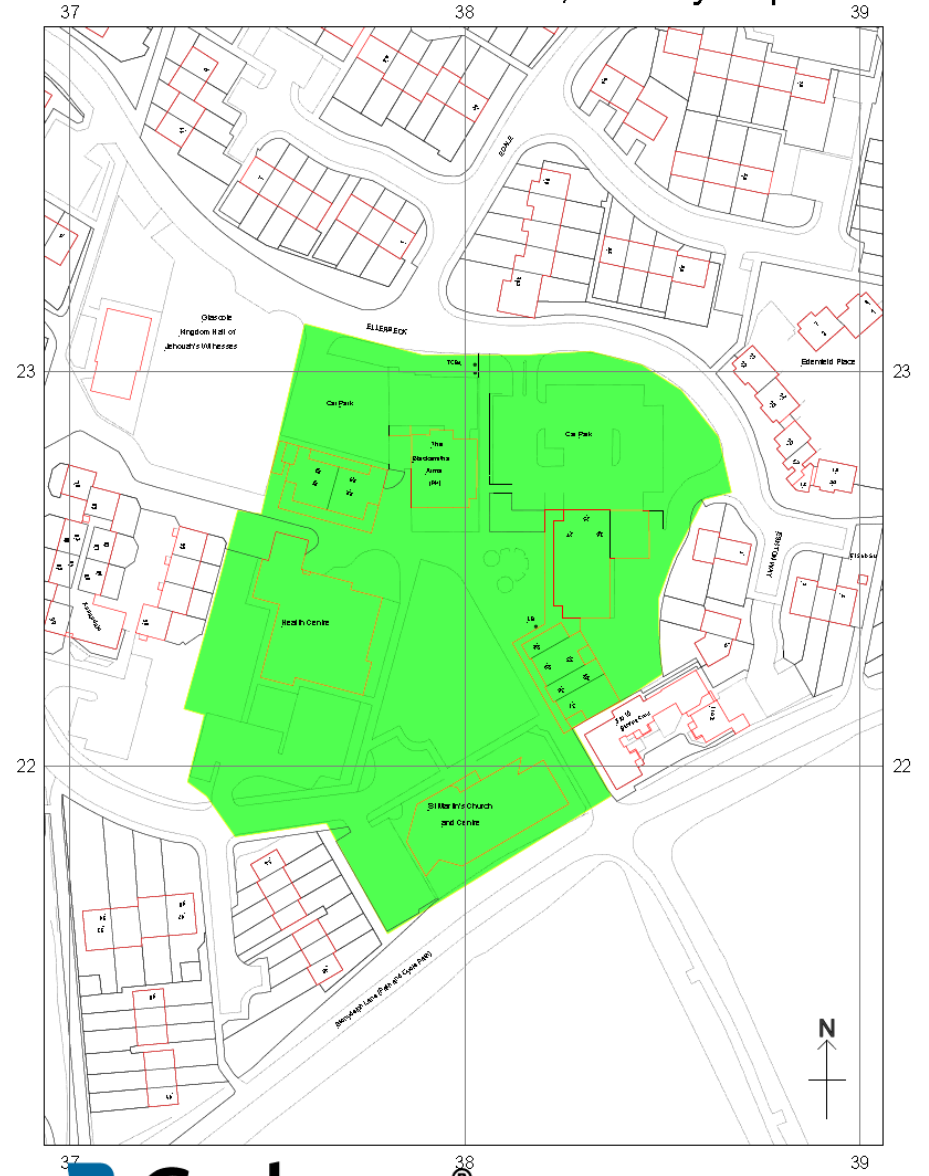


Sterling Court  
Norton Road  
Stenage  
Herts SG1 2JY  
UK  
Tel : +44 (0)1438 747998  
Fax : +44 (0)1438 747997  
Email: info@cadcorp.com



This material has been reproduced from Ordnance Survey data by permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Licence Number:

# Local Centre - Ellerbeck, Stoneydelph



Sterling Court  
Norton Road  
Stenage  
Herts SG1 2JY  
UK  
Tel : +44 (0)1438 747998  
Fax : +44 (0)1438 747997  
Email: info@cadcorp.com



This material has been reproduced from Ordnance Survey data by permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Licence Number:

## Local Centre - Fontenaye Road



**Cadcorp**<sup>®</sup>

Sterling Court  
Norton Road  
Stevenage  
Herts SG12JY  
UK

Tel: +44 (0)1438 747996  
Fax: +44 (0)1438 747997  
E-mail: info@cadcorp.com



This material has been reproduced from  
Ordnance Survey data by permission of  
the Controller of Her Majesty's Stationery Office.  
© Crown Copyright.  
License Number:

## Local Centre - Masfield Drive



**Cadcorp**<sup>®</sup>

Sterling Court  
Norton Road  
Stevenage  
Herts SG12JY  
UK

Tel: +44 (0)1438 747996  
Fax: +44 (0)1438 747997  
E-mail: info@cadcorp.com



This material has been reproduced from  
Ordnance Survey data by permission of  
the Controller of Her Majesty's Stationery Office.  
© Crown Copyright.  
License Number:

## Local Centre - Amington Road, Bolehall



**Cadcorp**<sup>®</sup>

Sterling Court  
Norton Road  
Stevenage  
Herts SG1 2JY  
UK  
Tel: +44 (0)1438 747996  
Fax: +44 (0)1438 747997  
E-mail: info@cadcorp.com



Ordnance Survey  
Licensed System Supplier

This material has been reproduced from Ordnance Survey data made available with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Licence Number:

## Local Centre - Caledonian Centre, Glasgote



**Cadcorp**<sup>®</sup>

Sterling Court  
Norton Road  
Stevenage  
Herts SG1 2JY  
UK  
Tel: +44 (0)1438 747996  
Fax: +44 (0)1438 747997  
E-mail: info@cadcorp.com



Ordnance Survey  
Licensed System Supplier

This material has been reproduced from Ordnance Survey data made available with the permission of the Controller of Her Majesty's Stationery Office. © Crown Copyright. Licence Number:



# Local Centre - Tamworth Road, Amington



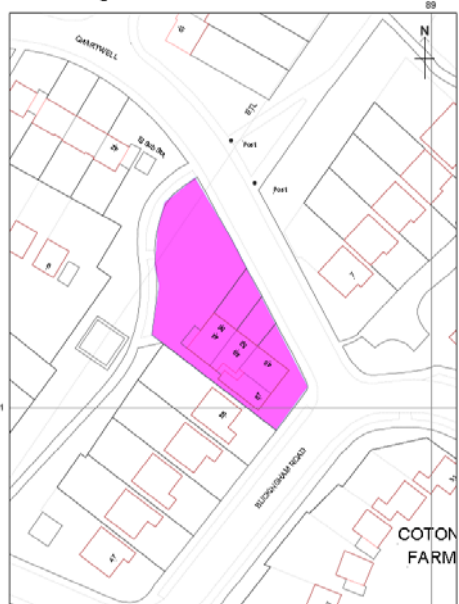
Sterling Court  
Norton Road  
Stevenage  
Herts SG1 2JY  
UK

Tel: +44 (0)1438 747996  
Fax: +44 (0)1438 747997  
E-mail: info@cadcorp.com



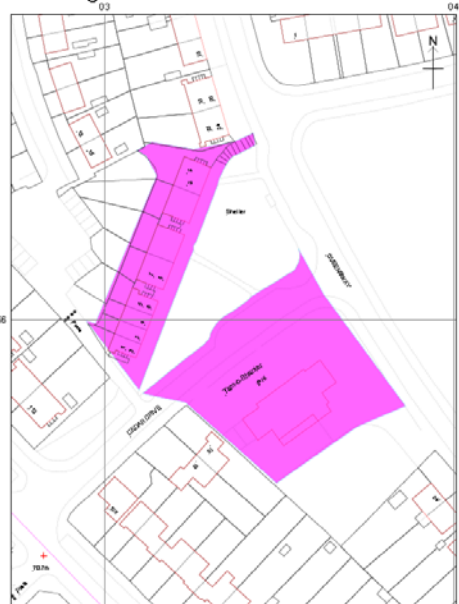
The information has been reproduced from  
Ordnance Survey digiGMAP data with  
the permission of the Controller of  
Her Majesty's Stationery Office.  
© Crown Copyright.  
License Number:

Neighbourhood Centre - Chartwell



Ordnance Survey  
Map data © Crown Copyright and/or the Ordnance Survey  
All rights reserved  
This map is for general information only  
It is not to be used for navigation  
For more information visit [www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)

Neighbourhood Centre - Cedar Drive



Ordnance Survey  
Map data © Crown Copyright and/or the Ordnance Survey  
All rights reserved  
This map is for general information only  
It is not to be used for navigation  
For more information visit [www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)

Neighbourhood Centre - Lakenheath



Ordnance Survey  
Map data © Crown Copyright and/or the Ordnance Survey  
All rights reserved  
This map is for general information only  
It is not to be used for navigation  
For more information visit [www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)

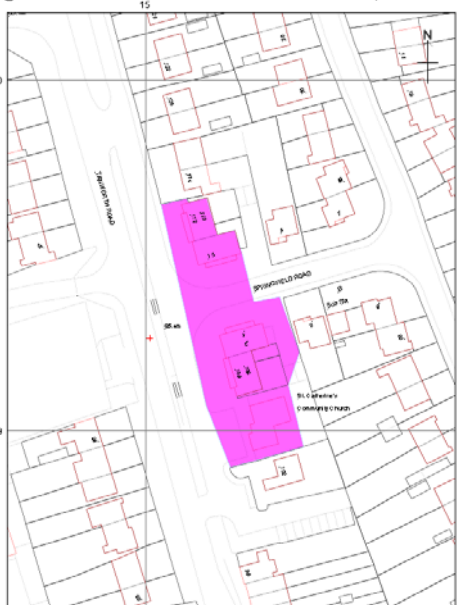
Neighbourhood Centre - Fazeley Road



Ordnance Survey  
Map data © Crown Copyright and/or the Ordnance Survey  
All rights reserved  
This map is for general information only  
It is not to be used for navigation  
For more information visit [www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)

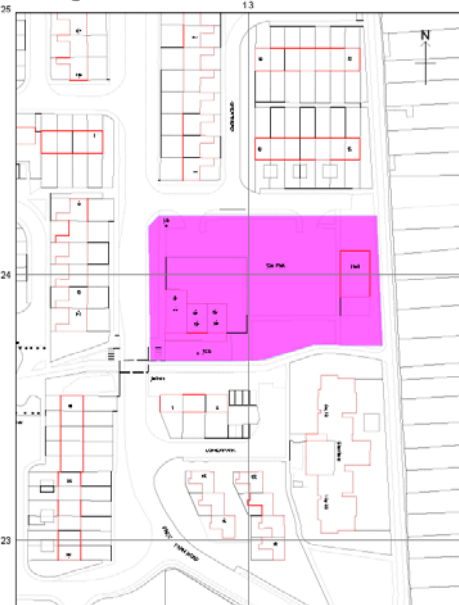
Page 40

Neighbourhood Centre - Tamworth Road, Two Gates



Ordnance Survey  
Map data © Crown Copyright and/or the Ordnance Survey  
All rights reserved  
This map is for general information only  
It is not to be used for navigation  
For more information visit [www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)

Neighbourhood Centre - Park Farm Road



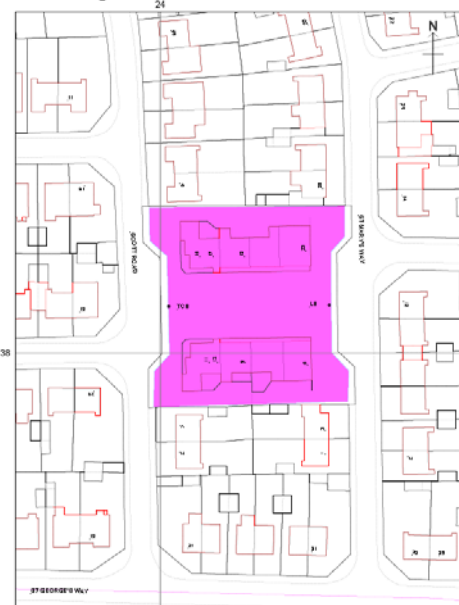
Ordnance Survey  
Map data © Crown Copyright and/or the Ordnance Survey  
All rights reserved  
This map is for general information only  
It is not to be used for navigation  
For more information visit [www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)

Neighbourhood Centre - Pennymoor Road

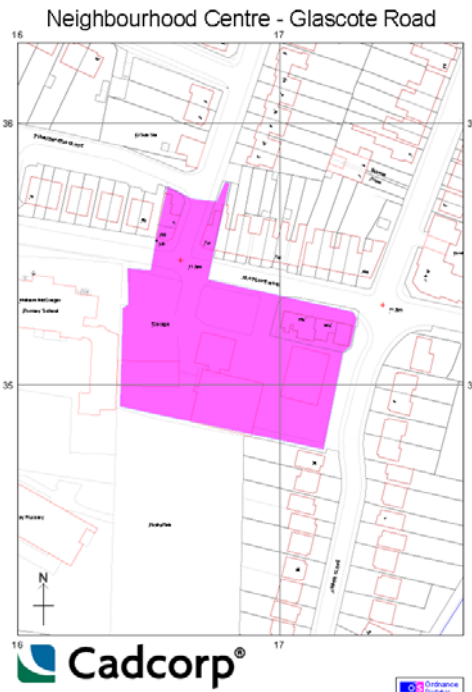


Ordnance Survey  
Map data © Crown Copyright and/or the Ordnance Survey  
All rights reserved  
This map is for general information only  
It is not to be used for navigation  
For more information visit [www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)

Neighbourhood Centre - Scott Road



Ordnance Survey  
Map data © Crown Copyright and/or the Ordnance Survey  
All rights reserved  
This map is for general information only  
It is not to be used for navigation  
For more information visit [www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)



**Cadcorp®**

Ordnance Survey  
Licensed under the  
Open Government Licence  
v3.0

© Crown Copyright and  
Geomatics Ltd 2014  
All rights reserved  
OS Licence No: 100019070  
OS Licence No: 100019070  
OS Licence No: 100019070



**Cadcorp®**

Ordnance Survey  
Licensed under the  
Open Government Licence  
v3.0

© Crown Copyright and  
Geomatics Ltd 2014  
All rights reserved  
OS Licence No: 100019070  
OS Licence No: 100019070  
OS Licence No: 100019070

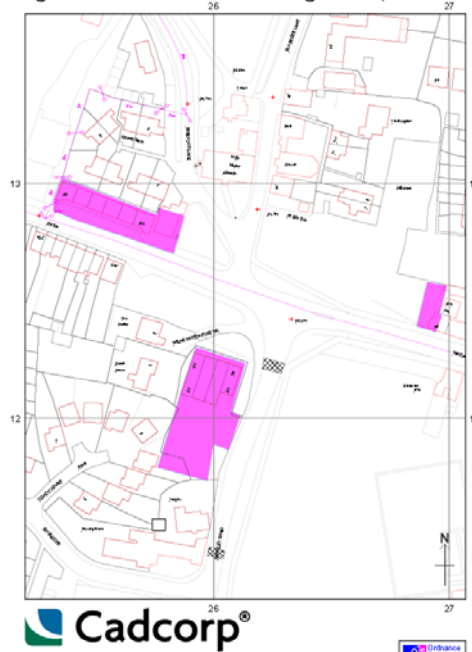


**Cadcorp®**

Ordnance Survey  
Licensed under the  
Open Government Licence  
v3.0

© Crown Copyright and  
Geomatics Ltd 2014  
All rights reserved  
OS Licence No: 100019070  
OS Licence No: 100019070  
OS Licence No: 100019070

Neighbourhood Centre - Watling Street, Wilnecote



**Cadcorp®**

Ordnance Survey  
Licensed under the  
Open Government Licence  
v3.0

© Crown Copyright and  
Geomatics Ltd 2014  
All rights reserved  
OS Licence No: 100019070  
OS Licence No: 100019070  
OS Licence No: 100019070

Neighbourhood Centre - Wilnecote Lane

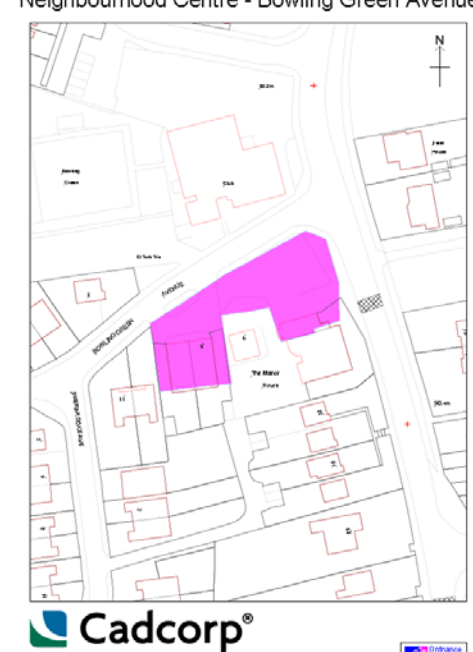


**Cadcorp®**

Ordnance Survey  
Licensed under the  
Open Government Licence  
v3.0

© Crown Copyright and  
Geomatics Ltd 2014  
All rights reserved  
OS Licence No: 100019070  
OS Licence No: 100019070  
OS Licence No: 100019070

Neighbourhood Centre - Bowling Green Avenue



**Cadcorp®**

Ordnance Survey  
Licensed under the  
Open Government Licence  
v3.0

© Crown Copyright and  
Geomatics Ltd 2014  
All rights reserved  
OS Licence No: 100019070  
OS Licence No: 100019070  
OS Licence No: 100019070

This page is intentionally left blank



**Tamworth Borough Council  
Infrastructure Delivery Plan  
DRAFT XXXX 2018**

## Contents

<b>Introduction .....</b>	<b>1</b>
<b>Background .....</b>	<b>1</b>
<b>Scope of the Infrastructure Delivery Plan .....</b>	<b>1</b>
<b>Policy context.....</b>	<b>1</b>
National policy .....	1
Local policy.....	2
<b>Wider context .....</b>	<b>4</b>
<b>Developer contributions.....</b>	<b>4</b>
<b>Infrastructure requirement categories.....</b>	<b>5</b>
1. Water and flooding .....	6
2. Waste .....	9
3. Transport.....	11
4. Energy .....	16
5. Communications .....	19
6. Sport and culture .....	20
7. Open space and recreation .....	23
8. Health and emergency services .....	25
9. Education .....	26
10. Environmental and strategic green infrastructure .....	31
11. Public realm .....	33
<b>Appendix A - Completed projects from the 2014 Infrastructure Delivery Plan.....</b>	<b>35</b>
Transport.....	35
Green Infrastructure .....	36
Open Space .....	37
Play.....	38

## **Introduction**

The Infrastructure Delivery Plan (IDP) is a key part of the Tamworth Local Plan 2006-2031. The IDP is an important document which details what infrastructure projects are required to deliver the growth outlined in the Local Plan. The IDP is a 'live' document and as such is monitored and updated periodically. During the process of writing this document, infrastructure partners updated progress on projects in the original IDP. Projects still ongoing or yet to start have been transferred to the 2018 IDP. New projects suggested by infrastructure partners were detailed and included in the new IDP. For information, completed projects from the previous IDP are set out in Appendix A.

## **Background**

The 2014 IDP was put together by the Infrastructure Delivery Board, which brought together partners from Tamworth Borough Council, Staffordshire County Council, neighbouring authorities and infrastructure delivery partners such as Highways England and the Environment Agency.

The 2014 IDP formed part of the Local Plan 2006-2031, which was adopted in February 2016. The IDP is an important part of the Local Plan, ensuring that it is robust and deliverable; setting out the transport, public realm, green infrastructure, sport, culture, education and employment infrastructure required to support the borough's growth to 2031.

## **Scope of the Infrastructure Delivery Plan**

The aim of the IDP is to establish what infrastructure needs to be delivered, when and by which provider, to support the development set out in the Local Plan. Where appropriate the sources of funding and possible cost of infrastructure are provided. The costs are based on best available information at the time of publication and may be subject to change.

This IDP focuses on meeting the infrastructure priorities for Tamworth and should be seen as a tool to ensure that the Local Plan is deliverable. Infrastructure requirements in this IDP have been compiled from Infrastructure still to be delivered from the 2014 IDP (Appendix B of the Local Plan) and further consultation with Infrastructure Providers.

## **Policy context**

### **National policy**

The National Planning Policy Framework (NPPF), paragraph 162, states in relation to infrastructure that:

*'Local planning authorities should work with other authorities and providers to:*

- *Assess the quality and capacity of infrastructure for transport, water supply, wastewater and its treatment, energy (including heat). Telecommunications, utilities, waste, health, social care, education, flood risk and coastal change management, and its ability to meet forecast demands: and*
- *Take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.'*

Of particular importance for the Tamworth IDP is Core Planning Principle 12 in paragraph 17 of the NPPF, that planning should:

*'take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.'*

The Council is aware that the Government is undertaking a review of the NPPF. At the time of writing there are draft proposals out to consultation. Whilst this has a potential to affect how the Council deals with infrastructure needs it is not anticipated that any changes will be so significant as to affect the contents of this document in the short term. This document will be kept under review and where any changes to national policy or guidance require it, the document will be updated accordingly.

### **Local policy**

The Local Plan was adopted by full Council in February 2016. It sets out the vision and spatial strategy for Tamworth up to 2031 and allocates parts of the town for new homes and employment required to meet local needs. It also sets out policies and guidance for new development in Tamworth including policies to ensure that appropriate supporting infrastructure is delivered and the area's built and natural environment is protected and enhanced. An overview of how the Local Plan is progressing can be found in the Tamworth Borough Council Monitoring Report 2016-17.

Providing Infrastructure to enable growth as set out in the Local Plan is outlined in:

**Strategic Spatial Priority 6 (SP6):** *To ensure that appropriate infrastructure is in place to support the delivery of development across the borough; and*

**Policy IM1** – Infrastructure and Developer Contributions, which aims to address SP6 and states that developer contributions will be sought towards the provision of appropriate infrastructure where needs arise as a result of new development.



<b>This policy aims to address Strategic Spatial Priority SP6</b>
<b>IM1 Infrastructure and developer contributions</b>
<p>Planning permission for new development will only be granted if it is supported by appropriate infrastructure at a timely stage. Developer contributions will be sought where needs arise as a result of new development, the infrastructure delivery plan specifies the infrastructure required, when and where it will be needed in the plan and how it could be funded.</p> <p>Key strategic infrastructure required to support development:</p> <ul style="list-style-type: none"><li>a) improving quality, access and links to; the town centre and local and neighbourhood centres; green and blue infrastructure and the open space network; and public realm in accordance with policies EC2, EC4, EC5, HG2, HG3, EN2, EN3, EN4 and EN6.</li><li>b) provision of appropriate sport and recreation facilities and new and improved open space in accordance with policy SU7.</li><li>c) improving accessibility and links by means of public transport, cycleway and pedestrian access to, community facilities and open space to deliver strategic urban extensions and housing allocations in accordance with policies HG1, HG2, EC5 and EC6.</li><li>d) cross-boundary infrastructure to help deliver and mitigate the effects of Tamworth related future development.</li><li>e) improvements to transport infrastructure, in accordance with policies EC6, HG1, HG2, SU1 and SU2.</li><li>f) climate change mitigation measures in accordance with policy SU3.</li><li>g) water management measures where required, in accordance with policy SU4.</li></ul> <p>Key service and site-specific infrastructure required to support development are:</p> <ul style="list-style-type: none"><li>h) affordable housing, as set out in policy HG4.</li><li>i) new and expanded community facilities, in accordance with policy SU6.</li><li>j) new and expanded school facilities, in accordance with policies HG2 and SU6.</li><li>k) emergency services related infrastructure, including police services, in accordance with SU6.</li><li>l) water supply and waste water drainage</li><li>m) supporting service infrastructure.</li></ul>

Delivery of policy IM1 is the basis for the IDP, which details infrastructure projects that will assist the delivery of the Local Plan. Projects set out in the IDP are intended to support delivery of the objectives set out in the Local Plan and may receive funding from a number of sources including being funded wholly or partly by developer contributions.

## **Wider context**

The administrative boundary of Tamworth Borough is tightly drawn around the urban form and it is widely acknowledged that it cannot provide all the housing and infrastructure required within the borough. To that end a Memorandum of Understanding was signed in 2014 with Lichfield District Council and North Warwickshire Borough Council to agree that part of Tamworth's unmet housing and employment needs will be provided by the two neighbouring authorities. This commitment to provide Tamworth's unmet need has been carried forward into the latest iterations of both the Lichfield and North Warwickshire Local Plans.

Cooperation and joint working on developments on the border of Tamworth, where populations will inevitably utilise Tamworth infrastructure, is key. Work is continuing with these partners to look at wider infrastructure requirements to deliver growth required in all three areas. Tamworth infrastructure requirements from developments outside the administrative boundary will be negotiated on a case by case basis, dependent on need.

## **Developer contributions**

Developers may be asked to provide contributions towards infrastructure in several ways such as by way of the Community Infrastructure Levy or planning obligations in the form of section 106 agreements and section 278 highway agreements. In some instances a combination of these methods may be required. Further details on the types of contributions that may be sought can be found in the Tamworth Borough Council Planning Obligations Supplementary Planning document, available on the Council's website.

## **Infrastructure requirement categories**

1. Water and flooding
2. Waste
3. Transport
4. Energy
5. Communications
6. Sport and culture
7. Open space and recreation
8. Health and emergency services
9. Education
10. Environmental and strategic green infrastructure
11. Public realm

## 1. Water and flooding

Water and flooding infrastructure	
Main providers/partners	Environment Agency, Staffordshire County Council, Tamworth Borough Council, Severn Trent Water, South Staffordshire Water
Existing capacity and recent provision	<p>Tamworth Borough has developed alongside the confluence of the Tame and the Anker rivers with 25% of the Borough within floodplain. The 2009 Humber Basin Management Plan States that the River Tame has a 'poor' ecological status and the River Anker 'moderate' ecological status, with both rivers being assigned protected status under the Freshwater Fish (2006), Nitrates (1991) and Urban Wastewater Treatment (1991) European Directives.</p> <p>Tamworth Borough Council is responsible for an extensive network of blue infrastructure, including Sustainable Urban Drainage Systems (SUDS), ponds and flood plains and ordinary watercourses.</p>
Specific provision initiatives	Tamworth Borough Council work in partnership with infrastructure providers to deliver projects that mitigate the increase in population. Severn Trent Water are investing in upgrades to the local sewerage network to cope with future additional flows from the developments in the north-east of the borough and across the border in Lichfield district.
Underlying demand trend	New development in Tamworth and on its borders will create increased demands. Sensitive areas will be used more and management will need to reflect this and mitigate any increased use.
Non-developer funding sources	Environment Agency, Tamworth Borough Council, Tame Valley Wetlands Partnership, Severn Trent Water, Staffordshire County Council.
Developers funding arrangements	Developer contributions via Community Infrastructure Levy. S106 contributions for site-specific mitigation.

Identified projects

Scheme	Strategic spatial priorities	Cost	Funding sources	Delivery agencies	Project progress	Status
Flood Defences	SP11	£75,000 yearly	Environment Agency (EA), developer contributions where in Area Benefiting from Defences	Environment Agency	Yearly cost of maintaining existing flood defences	Ongoing
Canoe Trail	SP8, SP11	£unknown	TBC, Tame Valley Wetlands Partnership(TVWP), EA	TBC, EA, TVWP	Work started on improving the ingress and egress at particular points along the river to assist canoeists taking a circular route in Tamworth.	Ongoing
A5 balancing ponds	SP8, SP11	£600k	TBC, developer contributions	TBC	20 year management plan for all balancing ponds owned by TBC. Additional funding will be required	Ongoing
Management of watercourses	SP8, SP11	£40,000	TBC, developer contributions	EA, TBC	Management of TBC owned and managed watercourses, to improve access and/or environmental protection.	Ongoing
Access improvements to blue infrastructure	SP8, SP11	£unknown	TBC, developer contributions, EA	TBC, EA	TBC own and maintain numerous watercourses and bodies of water and wetland areas. Increasing appropriate/sensitive access to these is a priority.	Ongoing
Sewerage improvements	SP11	£1million	Severn Trent Water	Severn Trent Water	Severn Trent Water are upgrading the local sewerage network to cope	Due to complete in 2019

					with future additional flows from the Anker Valley, Browns Lane and potentially Arkall Farm	
--	--	--	--	--	---	--

DRAFT

## 2. Waste

Waste infrastructure	
Main providers/partners	Staffordshire County Council (SCC) and Warwickshire County Council (WCC)
Existing capacity and recent provision	<p>In 2007, planning commenced to procure an “Energy from Waste” facility in South Staffordshire. This facility would treat waste from surrounding areas, like Warwickshire, but appropriate bulking facilities and infrastructure was required to maximise logistical efficiency for waste deliveries. During this time, it was also recognised that the residents of Tamworth and North Warwickshire required a Household Waste Recycling Centre (HWRC).</p> <p>The Lower House Farm HWRC and Waste Transfer Station (located at Baddesley Ensor) was therefore constructed as a combined facility between Staffordshire County Council and Warwickshire County Council, providing capacity for local district/borough councils to deliver kerbside collected waste, and providing a convenient location for residents to dispose of additional waste not collected through their kerbside collections.</p> <p>Both the HWRC and Transfer Station were designed with growth in mind, with sufficient capacity to accept additional waste created by additional housing development in the area, through both the kerbside collections and waste delivered to the HWRC.</p> <p>Recent work conducted by Warwickshire County Council indicates that current facility provision for the area is sufficient for existing and future housing stock in the area. Therefore, it is unlikely that additional waste facility capacity will be required as a result of the Local Plan proposals.</p>
Specific provision initiatives	<p>Would need to consider liaising with Lichfield and Tamworth Joint Waste Service (Lichfield DC and Tamworth BC waste team) to ensure developments take account of the waste collection service and vehicle access.</p> <p>Consideration of underground waste storage, different initiatives to encourage reuse/recycling, thus reducing residual waste where possible.</p>
Underlying demand trend	Additional houses will create additional waste, thus increasing demand on

	waste facilities, but as stipulated above, there is sufficient capacity.
Non-developer funding sources	Staffordshire County Council, Tamworth Borough Council.
Developers funding arrangements	Contributions towards kerbside collection infrastructure for additional houses (e.g. bins, storage facilities) via S106.

Identified projects

No specific projects identified as of March 2018.

DRAFT



### 3. Transport

Transport infrastructure	
Main providers/partners	Tamworth Borough Council, Staffordshire County Council, Highways England, Department for Transport, Network Rail, Train Operating Companies
Existing capacity and recent provision	<ul style="list-style-type: none"> <li>- Capacity improvements on Gungate/Aldergate Corridor delivered 2015</li> <li>- Junction improvements and additional car park exits at Ventura Park implemented</li> <li>- Bus service provided between Tamworth and Birch Coppice employment area</li> <li>- Improvements to Tamworth rail station through National Station Improvement Programme 2013 – lighting, CCTV, platform access, cycle parking, wash rooms and waiting areas</li> <li>- West Coast Mainline regular rail services between Crewe and London via Stoke, Stafford, Lichfield, Tamworth and Rugby introduced late 2008 and has since been streamlined offering shorter journey times to and from London. From December 2018 these services will run direct from Stafford to Crewe shortening journey times. Capacity on these services will also be increased and there will be later last services.</li> </ul>
Specific provision initiatives	A number of schemes are being proposed that support the Local Plan in delivering needed infrastructure and mitigating traffic congestion around Tamworth. Highways England has proposed improvements to A5(T) Stonydelph and Mile Oak junctions and M42 junction 10.
Underlying demand trend	<p>There is a general trend towards increased congestion on the key radial routes in Tamworth</p> <p>TBC are awaiting Department for Transport Traffic Master data analysis for further up to date information.</p>
Non-developer funding sources	Staffordshire County Council – Integrated Transport Capital Programme, Highways England

Developers funding arrangements	S106, S278, CIL
---------------------------------	-----------------

Identified projects

Scheme	Strategic spatial priorities	Cost	Funding sources	Delivery agencies	Project progress	Status
Footpath/cycleway Orkney Drive to Glascote Lane	SP2, SP4, SP5, SP6, SP7, SP12	£unknown	SCC, TBC, developer contributions	SCC, TBC	Opportunity to connect existing footpath network identified.	Not started
Footpath connection Tame village-Peel heights	SP2, SP4, SP5, SP6, SP7, SP12	£15,000	SCC, TBC, developer contributions	SCC, TBC	Temporary solution identified, long term solution currently being identified.	Ongoing
Midlands Rail Hub including Water Orton Rail Corridor Enhancement and New Local Train Service	SP2, SP12	Circa £1bn for Midlands Rail Hub	Unknown	Network Rail, Midlands Connect, WMR Ltd, Train Operating Companies and other partners	Midlands Rail Hub is a Midlands Connect priority scheme. It has also been identified within Network Rail's West Midlands and Chilterns Route Study This scheme is at a very early stage in development and does not have committed funding. The network along this corridor and in Birmingham is at capacity and this scheme is essential for creating the	Ongoing

					<p>extra capacity to enable new services to be operated.</p> <p>SCC is an active member of Midlands Connect and is working to shape the outcomes of the Midlands Rail Hub and rail corridor studies.</p> <p>This scheme is not expected to be delivered in full until 2032. In the meantime SCC is working with WMR Ltd on its Rail Investment Strategy to identify any early improvements that could enable a local service to be operated at an earlier date.</p>	
Platform Lengthening and Station Improvements at Wilnecote	SP2, SP12	unknown	TBC/SCC/developers, Network Rail, WMR Ltd, Train Operating Companies	TBC/SCC/developers Network Rail, WMR Ltd, Train Operating Companies	<p>Wilnecote regeneration corridor masterplan/SPD will look at station and will inform specific projects</p> <p>SCC has identified Wilnecote its rail strategy within its rail strategy and will with the rail industry to identify any improvements that can be reasonably delivered.</p> <p>The Tamworth Integrated Transport Strategy will reflect improvements</p>	Ongoing

					identified as part of the regeneration masterplan.	
Canal corridor and Towpath	SP8, SP9	cost unknown	developer contributions	canal and river trust	Getting an update from canal and river trust	Ongoing
Gateways project Phase 3 Corporation Street/Church Street – sustainable transport and public realm enhancements.	SP2, SP7, SP8, SP9, SP10, SP12	£400,000	SCC, TBC, developer contributions	SCC/TBC	£20,000 integrated transport funding from SCC spent in 2017/18 for option appraisal and design work. Further phases to be identified. Utilise remaining S106 funding in first instance. Project identified in the Tamworth Integrated Transport Strategy 2015 – 31.	Ongoing
Gateways project Phase 4 Tamworth Rail Station	SP2, SP7, SP8, SP9, SP10, SP12	£400,000	SCC, TBC, Network Rail, /Train Operating Companies, WMR Ltd, developer contributions	SCC/TBC/ Network Rail/Train Operating Companies, WMR Ltd	A number of art projects are currently being delivered at the station to improve its appearance including the station frontage to complement the Tamworth Gateway Project (Ventura Park to the Town to the Rail Station). Project identified in the Tamworth Integrated Transport Strategy 2015 – 31.  Network Rail are currently making improvements to	Ongoing

					<p>the station stairwells and the new Franchisee will be investing in additional car-parking together with community rail initiatives.</p> <p>During 2018/19 SCC will be working with partners to undertake feasibility and design works to deliver station forecourt improvements in order to facilitate a multi-modal interchange, provide enhanced information and wayfinding, expand pedestrian areas and provide improved footways, crossings and public realm within the vicinity of the station.</p>	
--	--	--	--	--	---	--

#### 4. Energy

Energy infrastructure	
Main providers/partners	Western Power and National Grid, Staffordshire County Council
Existing capacity and recent provision	<p>Tamworth's Climate Change Strategy 2011 quotes Government figures that show Tamworth has relatively low carbon emissions, with 5.4 tonnes of CO<sup>2</sup> per person compared with 9.1 tonnes of CO<sup>2</sup> per person for Staffordshire as a whole. This is partly due to the tight border around the borough and the absence of many major highways that pass through the area.</p> <p>Opportunities for renewable and low carbon energy generation will be supported through the Local Plan and the Climate Change Strategy 2011, but as Tamworth is a primarily built up borough the available space for large scale solar farm developments, for example, will be limited. Achieving zero carbon development through exploiting opportunities for energy from waste, combined heat and power and district heating schemes are seen as more achievable.</p> <p>WPD is working with the Electric Vehicle (EV) Market (<a href="http://www.electricnation.org.uk">www.electricnation.org.uk</a>) to understand the effects of charging various vehicle and battery types on the network and how vehicle usage affects charging behaviour.</p>
Specific provision initiatives	Western Power Distribution (WPD) is investing £7.1 billion in the electricity distribution network between 2015 and 2023 in the UK. In the Coventry and Warwickshire area, which Tamworth sits within, will see £23 million of investment in 2018.
Underlying demand trend	Growth in Tamworth as set out in the Local Plan will put greater pressure on existing services.
Non-developer funding sources	UK Government Sources, National Grid, Western Power Distribution, Staffordshire County Council, Tamworth Borough Council
Developers funding arrangements	Individual negotiations from planning applications via s106 and in some cases CIL.

DRAFT

Identified projects

Scheme	Strategic spatial priorities	Cost	Funding sources	Delivery agencies	Project progress	Status
Upgrading network to deal with increased demand	SP4, SP6, SP7	£2.3 million	Western Power Distribution (WPD)	WPD	Replacement of the 132kV Switchgear and 132/ 33kV transformers due to increased load in the area. This project will maintain the network within limits and allow future capacity in the network for planned growth. The project is due to complete Q3 2018.	Ongoing



## 5. Communications

Communications infrastructure	
Main providers/partners	British Telecom, Staffordshire County Council, Virgin Media, Tamworth Borough Council, Mobile telephone operators
Existing capacity and recent provision	The “Superfast Staffordshire” project led by the County Council aims to bring superfast broadband to 96% of premises in Staffordshire by 2018. Tamworth is well covered by superfast broadband, with the majority of properties already covered or in the process of being connected to the fibre network. This project has invested £32 million in Staffordshire, from Staffordshire County Council, the Government’s Broadband Delivery UK (BDUK) and British Telecom.
Specific provision initiatives	Superfast Staffordshire by Staffordshire County Council.
Underlying demand trend	Increasing demand for superfast broadband and mobile internet usage.
Non-developer funding sources	British Telecom, Staffordshire County Council, Virgin Media, Tamworth Borough Council, Mobile telephone operators
Developers funding arrangements	S106

### Identified projects

No specific projects identified as of March 2018.

## 6. Sport and culture

Sport and culture infrastructure	
Main providers/partners	Tamworth Borough Council, Staffordshire County Council, private (e.g. Tamworth Snow Dome)
Existing capacity and recent provision	Tamworth has 4 swimming pools as classed by Sport England's Facilities Planning Model (FPM), 3 of which are available for the public to use. TBC subsidise the pool at Wilnecote for free public swimming sessions. The borough has 8 sports halls, over 6 school sites; therefore they are not available to the general public during school opening hours. The borough council own and manage an activity centre in the castle grounds and owns the crazy golf and tennis courts. There are 11 health and fitness facilities, with a mixture of pay and play, registered membership and sports club run.
Specific provision initiatives	Feasibility study into the provision of a swimming pool through the development of community leisure centre. 2 <sup>nd</sup> stage feasibility study with the Football Association regarding a new 3G pitch at Belgrave School. Further recommendations from the 2014 Indoor and Outdoor Sports Strategy include provision of a new skate park and a new multi-use play area (MUPA) to the west of the borough.
Underlying demand trend	New development in Tamworth and on its borders will create increased demands. With decreasing revenue budgets future development may need to concentrate on differing models of improving health and wellbeing in the borough, including informal/outdoor health and fitness provision.
Non-developer funding sources	Sport England, Tamworth Borough Council, Heritage Lottery Fund, Football Association.
Developers funding arrangements	S106, CIL, external funding

### Identified projects

Scheme	Strategic	Cost	Funding	Delivery	Project progress	Status
--------	-----------	------	---------	----------	------------------	--------

	<b>spatial priorities</b>		<b>sources</b>	<b>agencies</b>		
Multi-Purpose Community Use Leisure Centre	SP4, SP6, SP7	£10million	TBC, SCC, Sport England, funding bids, developer contributions	TBC	Preparatory work being carried out. Next Stage: Detailed feasibility study	Ongoing
Multi use play area (MUPA), west of borough	SP4, SP6, SP7	£200,000	developer contributions, TBC	TBC	MUPA required in west of the borough, due to saturation of existing MUPAs. No progress as yet – medium to long term project	Ongoing
3G sports pitch	SP4, SP6, SP7	£520,000	developer contributions, TBC	TBC	Currently at feasibility study stage. Preferred site has been identified	Ongoing
New Skate Park	SP4, SP6, SP7	unknown	developer contributions, TBC	TBC	New floodlit skate park in the borough due to saturation of only skate park in Castle Grounds. No progress as yet – medium to long term project	Ongoing
Enhancement of existing TBC owned sports facilities	SP4, SP6, SP7	unknown	developer contributions, TBC	TBC	no progress as yet – medium to long term project	Ongoing
Assembly Rooms enhancement	SP2, SP4, SP9	£4,800,000	TBC, Heritage Lottery Fund, Local Growth Fund	TBC	Project has commenced. Funding: £1million TBC, £900,000 Heritage Lottery Fund, £2,900,000	Ongoing
Castle - Mercian Trail	SP2, SP4, SP9	£733,000	TBC/HLF/small grants	TBC	“Battle and Tributes” project has commenced. Funding secured.	Ongoing
Historic Townscape Improvements	SP9	unknown	developer contributions, TBC	TBC		Ongoing
Improvements to health and	SP7	Unknown	developer contributions,	TBC	Medium to long term project	Not started

wellbeing			TBC			
-----------	--	--	-----	--	--	--

DRAFT

## 7. Open space and recreation

Open space and play infrastructure	
Main providers/partners	Tamworth Borough Council, Staffordshire Wildlife Trust, Tame Valley Wetlands
Existing capacity and recent provision	<p>The borough is well served for open space and play with several main parks and numerous play areas. The main town recreation facilities are located in the Castle Grounds, well serviced by public transport and accessible via footpaths and adjacent car parks.</p> <p>The most recent Open Space Review in 2012 assessed all publicly accessible open space in terms of quantity, quality, value and accessibility. The review found that when applying a 400m buffer there was no overall shortage of open space in the borough, the issue was more one of low quality. The priority is therefore to improve access to good quality open space and improve the quality of strategic but low quality open spaces.</p> <p>The Borough has a BMX track, a skate park and 5 green gyms as well as the more traditional children’s play areas.</p>
Specific provision initiatives	Play area enhancements to strategic parks: Castle Grounds, Wiggington, Dosthill. Programme of park enhancement ongoing.
Underlying demand trend	<p>Large Sustainable Urban Extensions put pressure on existing strategic open spaces and play areas. Policy EN3 ensures that open space is provided on site on SUEs. Smaller new developments should either provide 2.43Ha of open space per 1000 population OR should contribute to the quality and accessibility of nearby off-site open spaces.</p> <p>In 2014 the Council made the decision to stop adopting and maintaining open space on new developments (apart from in special circumstances), mainly due to budgetary pressures.</p>
Non-developer funding sources	Tamworth Borough Council, Tame Valley Wetlands Partnership
Developers funding arrangements	S106, CIL

Identified projects

<b>Scheme</b>	<b>Strategic spatial priorities</b>	<b>cost</b>	<b>Funding sources</b>	<b>Delivery agencies</b>	<b>Project progress</b>	<b>Status</b>
Castle Grounds Play Area refurbishment	SP6, SP7	£500,000	developer contributions, TBC	TBC	Castle Grounds play area is the main town park in Tamworth, which is very popular. TBC will look to fully replace/refurbish the play area within 5 years.	Not started
Refurbishment and enhancements of strategic TBC owned recreation and play areas	SP6, SP7	Unknown	developer contributions, TBC	TBC	Programme of refurbishment of strategic parks in Tamworth, particularly Wigginton and Dosthill.	Ongoing
Refurbishment and enhancement of smaller TBC owned recreation and play areas	SP6, SP7	£39,000 annual budget	developer contributions, TBC	TBC	Programme of refurbishment of smaller neighbourhood recreation and play spaces.	Ongoing
Enhancements to TBC owned open spaces	SP6, SP7	£unknown	Developer contributions, TBC	TBC	Programme of improvements and enhancements to TBC owned open spaces in accordance with latest Open Space review.	Ongoing

## 8. Health and emergency services

Health and emergency services infrastructure	
Main providers/partners	NHS, West Midlands Ambulance Service NHS Trust
Existing capacity and recent provision	NHS South East Staffordshire and Seisdon Peninsula CCG covers Tamworth. Within the CCG there are nine surgeries, including a number of Health Centres. There are two fire stations covering Tamworth, one in the centre of Town and one in Belgrave to the south of the borough. Tamworth is covered by the West Midlands Ambulance Service NHS Trust.
Specific provision initiatives	No details of specific project at the time of publication, further information being sought via consultation with CCG.
Underlying demand trend	Increasingly ageing population, extra care a priority. Increased population in Tamworth and its borders will put pressure on existing services. Coordinated approach to provision required.
Non-developer funding sources	CCG, NHS
Developers funding arrangements	CIL, s106 for site specific mitigation.

### Identified projects

No specific projects identified as of March 2018.

## 9. Education

Education infrastructure	
Main providers/partners	Staffordshire County Council (SCC), Entrust, Department for Education, Regional Schools Commissioner (RSC), Tamworth Borough Council.
Existing capacity and recent provision	<p><b>Primary phase</b> - There are currently 31 primary-phase schools consisting of 26 primary schools, 3 infant schools and 2 junior schools in Tamworth. There are 11 primary phase schools which are Academies, and several other primary schools are in the process of converting to Academy status.</p> <p><b>Secondary phase</b> – There are currently 5 secondary schools in Tamworth, all of which are Academies.</p> <p><b>Post-16</b> - There is one Sixth Form Centre in Tamworth.</p>
Specific provision initiatives	<p>New primary schools are planned at Tamworth Golf Course SUE and Dunstall Farm SUE, to be fully funded through S106 contributions.</p> <p>Additional expansions to existing primary schools are planned, which are required to provide additional places for future population as a result of residential growth across Tamworth; these are also to be fully funded through S106 contributions.</p> <p>Expansions to two/three secondary schools are planned, which are required to provide additional places as a result of residential growth across Tamworth; these are to be fully funded through S106 contributions.</p> <p>It is likely that there will be increased demand at Tamworth secondary schools as a result of higher primary populations moving through to secondary schools over the coming years, as a result of Basic Need and growth from residential development. Historically, a small but significant cohort of Staffordshire pupils gained a place at secondary school in neighbouring North Warwickshire. As a result of proposed residential development in North Warwickshire we may experience increased demand from Staffordshire pupils at Tamworth secondary</p>



	schools if Warwickshire schools are unable to sustain demand from Staffordshire pupils and meet increased demand as a result of their own residential development.
Underlying demand trend	Population growth in Tamworth as a result in residential development, and proposed residential development along Tamworth's borders may increase demand on education infrastructure in the coming years.  As of March 2018 demand from housing development is currently under investigation through pupil projections and are subject to change.
Non-developer funding sources	Only Basic Need funding, but this is for Basic Need growth only and NOT growth as a result of residential development.
Developers funding arrangements	S106 Contributions only.

Identified projects

Scheme	Strategic spatial priorities	Cost	Funding sources	Delivery agencies	Project progress	Status
Primary - TP-03 New School at Anker Valley – 210 places	SP4, SP6	£4,704,000	Developer contributions	SCC, Entrust, RSC	New school to open September 2020. Project Board meets regularly, planning permission to be sought April 2018. S106 contributions have been secured from Anker Valley development and Browns Lane development and land for school site secured on Anker Valley development. Free School Presumption route to be followed Summer 2018 to identify sponsor of the new school. £4,704,000 secured	On track for September 2020 opening.
Primary - TP-04a Phase 1 of	SP4, SP6	£4,256,250	Developer contributions	SCC, Entrust,	Phase 1 of scheme to deliver 1 FE (210 places) of new school to open September 2020. Project	On track for September

new school at Tamworth Golf Course -210 places				RSC	Board meet regularly and planning permission has been granted. Free School Presumption route to be followed Summer 2018 to identify sponsor of the new school. S106 contributions have been secured from the Tamworth Golf Course development plus land for the school site. £3,681,630 secured. Possible shortfalls may require Basic Need funding	2020 opening.
Primary - TP-02 Enlargement to existing Tamworth South school – 105 places	SP4, SP6	£1,000,000	Developer contributions	SCC, Entrust, RSC, Academy Trusts	Required from 2023+ onwards. S106 contributions have been secured and pooled from two developments in this area. Three strategic sites are located within this Cluster Area, to be delivered 2023/24 – 2030/31 (as per agreed 5 Year Housing Land Supply, August 2017). No feasibility studies have been commissioned and no project identified at this stage. £88,954 secured. Shortfall to be funded through S106 and/or Basic Need funding	Ongoing
Primary - TP-05 New school at Dunstall Farm – 210 places	SP4, SP6	£4,454,238	Developer contributions	SCC, Entrust, RSC	Required from 2023+. New 1 FE school required as a result of strategic residential development at Dunstall Farm SUE. School is only required as a result of growth from housing and the REM has not been submitted yet. S106 contributions towards the new school have been secured, plus land for the school site. £4,454,238 secured through S106	Ongoing
Primary - TP-06 Enlargement to existing Tamworth East school – 105	SP4, SP6	£1,000,000	Developer contributions	SCC, Entrust, RSC, Academy	S106 contributions have been paid and pooled from one development in this area. Required from 2023+. Six strategic sites are located within this Cluster Area, to be delivered 2023/24 – 2030/31 (as per agreed 5 Year	Ongoing

places				Trusts	Housing Land Supply, August 2017). No feasibility studies have been commissioned and no project identified at this stage. £44,124 paid. Shortfall to be funded through S106.	
Primary - TP-07 Enlargements to existing Tamworth West Schools – possibly two projects – 210 places	SP4, SP6	£2,000,000	Developer contributions	SCC, Entrust, RSC, Academy Trusts	S106 contributions have been paid and pooled from two developments in this area. Required from 2023+, although 105 places may be required earlier depending on delivery of residential development at Windmill Farm and Coton Hall Farm. Eight strategic sites are located within this Cluster Area, many are to be delivered 2023/24 – 2030/31 (as per agreed 5 Year Housing Land Supply, August 2017). No feasibility studies have been commissioned at this time, although a possible project at Coton Green Primary School is currently being investigated. £1,149,741 secured. Shortfall to be funded through S106.	Ongoing
Primary - TP-08 Enlargement to existing Tamworth Rural Schools – possibly two projects – 210 places	SP4, SP6	£2,000,000	Developer contributions	SCC, Entrust, RSC, Academy Trusts	Previous projections indicated there may be a need for additional places in this cluster area, over and above the new schools being provided at Anker Valley and Dunstall Lane. Additional places may be required as a result of Basic Need and growth from Local Plan residential development. No project has been defined and no feasibility study has been commissioned. Potential additional places would only be required as a result of housing growth, and housing has not come forward yet. £2,000,000 to be funded through S106	Ongoing
Primary - TP-04b Phase 2 of new school on	SP4, SP6	£2,333,100	Developer contributions	SCC, Entrust, RSC,	Phase 2 of project - to provide 2nd 1FE of 2FE new school after 2023+. Project only required as a result of housing growth. New school is	Ongoing

Tamworth Golf Course – 210 places (total 420 places)				Academy Trust/ Sponsor	required as a result of strategic residential development at Tamworth Golf Course SUE. Phase 1 of the project is to provide 1 FE of a 2 FE new school, to open in September 2020. Project Board meets monthly. S106 secured contributions towards new school plus land for school site. £2,018,370 secured. Possible shortfalls may require Basic Need funding	
Secondary – TH-01 Expansion to The Rawlett School – up to 300 places	SP4, SP6	£3,000,000	Developer contributions	SCC, Entrust, RSC, Academy Trust	Projections indicate additional places are required in North of Tamworth from September 2020. Project required due to growth as a result of strategic housing developments in North of Tamworth. Any expansion is likely to be delivered across four distinct projects to provide additional capacity. School Org to monitor housing and demographic changes locally. Projects have not yet been identified or agreed, and School Org are looking at capacity at Landau Forte QEMS. £2,231,093 S106 secured. Shortfall to be funded through S106	Ongoing
Secondary – TH-02 Expansion to Landau Forte Amington – up to 150 places	SP4, SP6	£2,000,000	Developer contributions	SCC, Entrust, RSC, Academy Trust	Project required due to growth as a result of strategic housing developments in the area. Current projections indicate that 1FE expansion required September 2022 using current projects (this may change following projections 'deep dive' to be undertaken during February/ March 2018). £3,141,558 secured through S106	Ongoing

## 10. Environmental and strategic green infrastructure

Environmental infrastructure	
Main providers/partners	Tamworth Borough Council, Staffordshire Wildlife Trust, Tame Valley Wetlands Partnership
Existing capacity and recent provision	Tamworth has an extensive network of Green Infrastructure with 7 Local Nature Reserves.
Specific provision initiatives	Projects are ongoing to enhance and improve the Local Nature Reserves. LNRs are on the whole managed by volunteer groups with assistance from the 'Wild About Tamworth' Officer and Tamworth Borough Council. The Hodge Lane LNR will be extended into the new development to the East of Tamworth (Golf Course). A new TBC owned and maintained community woodland will also be created on the South West of the Golf course site.
Underlying demand trend	Existing Green Infrastructure will have to cope with increased use, as the population of Tamworth increases.
Non-developer funding sources	TBC, Staffordshire Wildlife Trust, Living Landscapes, Higher Level Stewardship (HLS), Tame Valley Wetlands Partnership, Heritage Lottery Fund, Environment Agency
Developers funding arrangements	CIL, s106 for specific mitigation

### Identified projects

Scheme	Strategic spatial priorities	Cost	Funding sources	Delivery agencies	Project progress	Status
Three circular walking routes through Tamworth	SP6, SP7, SP12	£unknown	Developer /TBC/TVWP	Developer /TBC/TVWP	Routes take in new GI from SUEs in plan.	Ongoing

Central Rivers Initiative	SP6, SP7, SP12	£3,000,000	Heritage Lottery Fund	CRI/TBC	CRI is currently bidding for a HLF living landscape grant of £3million +. They are compiling project in second phase of bidding, part of this involves a community consultation event in Tamworth in January 2018 to engage the residents of Tamworth in the project.	Ongoing
Community Woodland, Golf Course development site	SP6, SP7	£500,000	Developer contributions	TBC	Feasibility work in 2018. £500,000 secured through s106.	Ongoing
Broadmeadow footbridge	SP6, SP7	£1 million	Developer contributions, TBC, LEP, SCC	TBC and/or SCC	A raised pedestrian/footpath from the Sustainable Urban Extension at Dunstall Lane to existing properties off Lichfield Road, feasibility and costings to be established in 2018. £300k secured through s106 but more funding will be required.	Ongoing
Kettlebrook LNR woodland management	SP6, SP7	£200,000	TBC/SWT/developer contributions	TBC/SWT	Work to be planned and costed summer 2018	Not started
Improvements to Local Nature reserves	SP6, SP7	£unknown	TBC/SWT/developer contributions	TBC/SWT/local community groups	Management plans to be reviewed in summer 2018 and ongoing works planned	Ongoing

## 11. Public realm

Public realm infrastructure	
Main providers/partners	Tamworth Borough Council, Staffordshire County Council
Existing capacity and recent provision	TBC own and maintain a high proportion of the public realm and structures such as bridges, footpaths and car parks in the borough. The Gateways Project has been a partnership project between TBC and Staffordshire County Council, to improve the main gateways into Tamworth Town Centre, including the route from the station into the town and the route from the south of the town to the shopping centre. More information on the Gateways Project phases 3 and 4 can be found in the 'Transport' section.
Specific provision initiatives	Further phases of the Gateways Project, enhancement and diversification of the market offer in the town.
Underlying demand trend	The increased population in Tamworth will put pressure on existing structures, which will require more maintenance. It is a priority to make the retail and tourism offer in Tamworth Town Centre first class, to draw in visitors from the borough and further afield.
Non-developer funding sources	TBC, Staffordshire County Council
Developers funding arrangements	S106, CIL (when adopted)

### Identified projects

Scheme	Strategic spatial priorities	Cost	Funding sources	Delivery agencies	Project progress	Status
Enhance market	SP2, SP7, SP9, SP10, SP12	£unknown	TBC, developer contributions	External company	New contract for running Market in 2018. Looking at different locations and types of market to expand offer in Tamworth	Ongoing

Improvements to TBC owned highway-related assets	SP2, SP3, SP5, SP6	£unknown	TBC, developer contributions	TBC	Improvements to TBC owned assets such as footpaths and bridges	Ongoing
Environment and public realm improvements to Wilnecote Regeneration Corridor	SP6, SP7, SP12	Unknown	Developer contributions, SCC, TBC	Developer, TBC, SCC	TBC to draw up masterplan of Wilnecote Regeneration Corridor to promote high quality development including GI. Masterplan will inform projects and identify projects going forward.	Ongoing

DRAFT



## Appendix A - Completed projects from the 2014 Infrastructure Delivery Plan

### Transport

Scheme	Strategic spatial priorities	Cost	Funding sources	Delivery agencies	Scheme progress	Status
Borough Wide cycle and pedestrian network links (phase 1)	SP2, SP4, SP5, SP6, SP7, SP12	£60,000	SCC, developer contributions	SCC	£60,000 integrated transport funding from SCC spent in 2017/18 for improvement works to cycle network at Lichfield Road Industrial estate.	Complete
North Tamworth local transport package	SP2, SP4, SP5, SP6, SP7, SP12	£500,000	S106	SCC/developer	Pedestrian/cycle bridge installed by SCC and paid for via developer contributions Summer 2017.	Complete
The Ventura Park/Town Centre/Rail Station Corridor Local Transport Package: Bus	SP2, SP4, SP5, SP6, SP12	£200,000.00	Developer contributions	bus companies	Provided by developer and bus companies via developer contributions. This will be utilised in the gateways project in phases 3 and 4. See 'Public Realm' for details	Complete
Real-Time Passenger Information for Bus Stops	SP2, SP4, SP5, SP6, SP12	£100,000	Integrated transport (SCC) funding	SCC	Real time passenger information installed at bus stops on key routes.	Complete
North Tamworth Bus service (Anker Valley)	SP2, SP4, SP5, SP6, SP12	£360,000	S106/developer	developer/bus companies	New bus route secured through s106 agreement	Secured
Dunstall Lane Bus Service	SP2, SP4, SP5, SP6, SP12	£360,000	S106/developer	developer/bus companies	New bus route secured through s106 agreement	Secured

Golf Course Bus Service	SP2, SP4, SP5, SP6, SP12	£360,000	S106/developer	developer/bus companies	New bus route secured through s106 agreement	Secured
Coton Lane Bus Service	SP2, SP4, SP5, SP6, SP12	£360,000	s106/developer	developer/bus companies	New bus route secured through s106 agreement	Secured
Ventura Park/town centre road transport package	SP2, SP3, SP5, SP6	£220,000	s106/SCC	SCC	Pinch points work around Ventura Park completed including signalisation of roundabouts, second exit from Sainsburys and second exit from new Next.	Complete
North Tamworth Local Transport package - Road	SP2, SP3, SP5, SP6	£2,000,000	SCC/dept for transport Local Pinch Point funding	SCC	pinchpoint scheme completed. Identification of further improvements will be subject to further housing development north of Tamworth	Complete
<b>Transport Infrastructure costs</b>		<b>£4,460,000</b>				

### Green Infrastructure

Scheme	Strategic spatial priorities	Cost	Funding sources	Delivery agencies	Scheme progress	Status
Dunstall Farm	SP6 SP7 SP8 SP12	£360,000.00	developer	developer	GI secured through planning application and developer	complete

Anker Valley	SP6 SP7 SP8 SP12	£260,000.00	developer	developer	GI secured through planning application and developer	complete
Tamworth Golf course	SP6 SP7 SP8 SP12	£360,000.00	developer	developer/TBC	GI secured through planning application and developer	complete
<b>GI Infrastructure Costs</b>		<b>£980,000.00</b>				

### Open Space

Project	Strategic spatial priorities	Cost	Funding sources	Delivery agencies	Project progress	Status
Broadmeadow LNR	SP7 SP8	£200,000	s106/Derbyshire Env Trust/High level Stewardship	Staffs WT/TBC	2014 IDP projects complete including access improvements, interpretation, cattle grazing established.	complete
Tameside LNR	SP7 SP8	£36,818	s106/higher level stewardship	Wild About Tamworth/Staffs WT/TBC/TWVP	2014 IDP projects complete including re-profiling project to recreate backwater	complete
Kettlebrook LNR	SP7 SP8	£71,942	s106/higher level stewardship	Wild About Tamworth/Staffs WT/TBC/TWVP	2014 IDP projects complete including bins, benches, interpretation and lighting	complete

Dosthill Park LNR	SP7 SP8	£17,817	s106/higher level stewardship	Wild About Tamworth/Staffs WT/TBC/TVP	Improved access and interpretation	complete
Warwickshire Moor LNR	SP7 SP8	£25,228	s106	Wild About Tamworth/Staffs WT/TBC/TVP	2014 IDP projects complete including DDA compliant boardwalk.	Complete
Hodge Lane LNR	SP7 SP8	£10,337	s106/higher level stewardship	Wild About Tamworth/Staffs WT/TBC	2014 IDP projects complete including improved public access around the site.	Complete
Town Wall LNR	SP7 SP8	£8,000	higher level stewardship	Wild About Tamworth/Staffs WT/TBC	2014 IDP projects complete including improved public access around the site.	Complete
Open Space Infrastructure costs		<b>£370,142</b>				

### Play

Scheme	Strategic spatial priorities	Cost	Funding sources	Delivery agencies	Scheme progress	Status
Pennine Way	SP6, SP7	Unknown	S106	developer	Secured via s106	Complete
Tame Valley Alloys / Peel Heights	SP6, SP7	Unknown	S106	developer	Secured via s106	Complete
Former Doulton Works,	SP6, SP7	Unknown	S106	developer	Secured via s106	Complete

Marlborough Way						
Anker Valley Site	SP6, SP7	Unknown	S106	developer	Secured via s106	Secured via s106
Dunstall Lane Site	SP6, SP7	Unknown	S106	developer	Secured via s106	Secured via s106
Golf Course Site	SP6, SP7	Unknown	S106	TBC	Open space secured via s106.	Secured via s106
<b>Play Infrastructure costs</b>		<b>Unknown</b>				

This page is intentionally left blank



**Tamworth Borough Council  
Draft Regulation 123 List  
April 2018**

## Contents

Introduction.....	3
What is the Community Infrastructure Levy? .....	3
What is this document? .....	3
Regulation 123 List .....	4

DRAFT



## **Introduction**

### **What is the Community Infrastructure Levy?**

- 1.1 The Community Infrastructure Levy (CIL) is a charge on development, calculated on a £ per square metre (£/sqm) basis. CIL income is used to help fund infrastructure to support the development of an area rather than making an individual planning application acceptable in planning terms, which is the purpose of Section 106 Agreements.

### **What is this document?**

- 1.2 CIL income from new development can be spent on anything that constitutes “infrastructure” as defined by Regulation 216 of the 2008 Planning Act and the CIL Regulations 2010 (as amended). This includes infrastructure items such as (but not limited to): roads and other forms of transport, flood defences, open spaces and green infrastructure, medical facilities, sporting and recreational facilities and schools. Regulation 123 of the CIL Regulations (as amended) sets out the need for the charging authority (local authority) to produce a list of “relevant infrastructure” which will be funded in whole or part by CIL.
- 1.3 The Regulation 123 list in Tamworth Borough had been compiled from the latest Infrastructure Delivery Plan, which is a document that infrastructure delivery partners in the Borough have contributed to, based on development outlined in the Tamworth Local Plan 2006-2031. The IDP provides further details about the overall infrastructure requirements including other sources of funding such as Section 106, external grant funding etc.
- 1.4 CIL regulations 2010 (as amended) restricts the use of planning obligations secured through Section 106 Agreements for infrastructure that will be funded in whole or part by CIL. This is to ensure that there is no duplication or “double dipping” between CIL and planning obligations in funding the same infrastructure projects. More information can be found on the Tamworth Borough Council website ([www.tamworth.gov.uk/CIL](http://www.tamworth.gov.uk/CIL)) and in our Draft Planning Obligations Supplementary Planning Document ([www.tamworth.gov.uk/planningpolicy](http://www.tamworth.gov.uk/planningpolicy)).
- 1.5 The list below sets out those infrastructure projects that Tamworth Borough Council currently intends may be wholly or partly funded by CIL together with explanatory notes. The order in the table does not imply any order of preference for spend. The list will be updated on a regular basis, taking into account the Council’s Infrastructure Delivery Plan (IDP) and any changes to the CIL regulations.

## ***Regulation 123 List***

Canoe Trail
Access improvements to blue infrastructure
Footpath/cycleway Orkney Drive to Glascote Lane
Footpath connection Tame village-Peel heights
Corporation Street/Church Street – sustainable transport and public realm enhancements - Gateways project phase 3
Tamworth Rail Station – Gateways project phase 4
Multi-Purpose Community Use Leisure Centre
Multi use play area, west analysis area
New skate park
Enhancement of TBC owned existing sports facilities
Castle Grounds Play Area refurbishment
Refurbishment and enhancement of strategic TBC owned recreation and play areas
Three circular walking routes through Tamworth
Broadmeadow cycleway/footbridge
Environment and public realm improvements to Wilnecote Regeneration Corridor
Enhancements to TBC owned open spaces



**Tamworth Borough Council  
Planning Obligations  
Supplementary Planning Document  
DRAFT XXXX 2018**

## Contents

Introduction.....	1
Status of the document .....	1
Purpose .....	1
Policy context .....	2
National policy .....	2
Local policy.....	2
Developer contributions.....	3
Planning obligations .....	3
Community Infrastructure Levy .....	3
Section 278 agreements .....	4
Pooling .....	4
Other agencies .....	5
Viability .....	5
Planning obligations process.....	6
Types of infrastructure.....	7
Affordable housing .....	7
Open space .....	8
Education .....	9
Highways.....	10
Other infrastructure .....	10
Neighbouring authorities .....	11
Monitoring.....	11
Enforcement .....	12
List terms and abbreviations .....	12
Terms used .....	12
Abbreviations used.....	13

## Introduction

The purpose of the planning system is to contribute to the achievement of sustainable development, which the National Planning Policy Framework states has three dimensions; economic, social and environmental. One of the key elements of sustainable development is the identification and provision of appropriate infrastructure to support development.

Local planning authorities can use planning obligations to assist in mitigating the impact of development which benefits local communities and supports the provision of local infrastructure.

Where planning permission is sought for new development within Tamworth, it will be expected to be supported by appropriate infrastructure and, where new or improved infrastructure is required, developers will be expected to contribute towards its provision.

This document sets out how the Council will seek to ensure that developers can make appropriate contributions towards infrastructure to support sustainable development.

## Status of the document

This document is a Supplementary Planning Document that forms part of the development plan for Tamworth and is, where relevant, a material consideration in the determination of planning applications.

The document was adopted on **XXXX 2018** and supersedes the previous Planning Obligations Supplementary Planning Document dated July 2007.

## Purpose

The purpose of this document is to build upon and provide more detailed advice and guidance on the policies in the adopted Local Plan, in particular policy IM1 (Infrastructure and Developer Contributions) which states:

*'Planning permission for new development will only be granted if it is supported by appropriate infrastructure at a timely stage. Developer contributions will be sought where needs arise as a result of new development, the infrastructure delivery plan specifies the infrastructure required, when and where it will be needed in the plan and how it could be funded.'*

It is intended that this document will provide greater clarity and certainty to developers, landowners, the community and the Council by setting out how the Council will seek to collect contributions from developers to support the funding of appropriate infrastructure in Tamworth. It is not a standalone document and should be read in conjunction with the adopted Local Plan and

other supporting documents including the Infrastructure Delivery Plan and the Community Infrastructure Levy Charging Schedule and local policies.

## **Policy context**

### **National policy**

Section 106 of the Town and Country Planning Act 1990 provides the framework for allowing any person interested in land in the area of a local planning authority to enter into a planning obligation for certain purposes. Further information on what obligations can be used for is set out later in this document. In relation to the Community Infrastructure Levy (CIL), the relevant legislation is contained within the Community Infrastructure Levy Regulations 2010 (as amended).

Paragraphs 203 - 205 of the National Planning Policy Framework (NPPF) states that planning obligations should only be sought where they meet the tests of being necessary, directly related to the development, and fairly and reasonably related in scale and kind. The NPPF goes on to say that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

Further guidance on the use of planning obligations and CIL is set out in the National Planning Practice Guidance (NPPG).

The Council is aware that the Government is undertaking a review of the NPPF and the use of developer contributions to support housing delivery. At the time of writing, there are draft proposals out to consultation. Whilst this has the potential to affect how the Council collects and/or spends developer contributions, it is not anticipated that any changes will be so significant as to affect the contents of this document in the short-term. This document will be kept under review and, where any changes to national policy or guidance require it, the document will be updated accordingly.

### **Local policy**

The Tamworth Borough Council Local Plan 2006 – 2031 was adopted in February 2016 and the policies within it aim to protect the environment of the town whilst enabling sustainable development to take place to meet identified needs. In order to ensure that development is delivered sustainably, the plan seeks to ensure that the necessary social and environmental infrastructure is delivered at the appropriate time.

In conjunction with the Local Plan, the Infrastructure Delivery Plan (IDP) sets out a list of infrastructure projects that the Council will seek to deliver in support of the objectives of the Local Plan. The IDP forms the basis of the list of infrastructure projects to be funded by CIL.

## **Developer contributions**

Developers may be asked to provide contributions towards infrastructure in several ways such as by way of the Community Infrastructure Levy or planning obligations in the form of section 106 agreements and section 278 highway agreements. In some instances a combination of these methods may be required. Further details on the types of contributions that may be sought are set out below.

## **Planning obligations**

Planning obligations are one of the tools that can be used by a local planning authority to help make a proposed development acceptable in planning terms. They are used where it is not possible to address unacceptable impacts through a planning condition and must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Planning obligations take the form of an agreement entered into by the applicant (and any other interested party) under section 106 of the Town and Country Planning Act 1990 (as amended) and are often referred to as s106 agreements. These agreements can be used for:

- restricting the development or use of the land in any specified way;
- requiring specified operations or activities to be carried out in, on, under or over the land;
- requiring the land to be used in any specified way; or
- requiring a sum or sums to be paid to the authority on a specified date or dates or periodically.

The Council will use planning obligations, where appropriate, to make proposed developments acceptable in planning terms where it would otherwise not be possible to do so. This often takes the form of requiring a financial contribution towards infrastructure

## **Community Infrastructure Levy**

The Community Infrastructure Levy (CIL) is a tool for local authorities in England and Wales to help deliver infrastructure to support the development of the area. The levy is a charge on certain types of development at a rate set by the charging authority and set out in the CIL Charging Schedule. Levy rates are expressed as pounds per square metre and are applied to the gross internal floorspace of the net additional development liable for the levy.

Further information on what developments are liable for CIL and calculating the levy rate can be found on the CIL pages of the Council's website.

The levy can be used to fund a wide range of infrastructure, including transport, flood defences, schools, health and social care facilities, play areas, parks and green spaces, cultural and sports facilities. The Council has published a list of infrastructure projects that it intends to fund wholly or partly through CIL and this can be found along with the CIL charging schedule on the website. This list (the regulation 123 list) will be regularly reviewed in order to ensure that it is effective in helping to deliver the infrastructure required to support development during the plan period.

### **Section 278 agreements**

Section 278 of the Highways Act 1980 (as amended) allows for a highway authority to enter into an agreement with any person for the carrying out of works to the highway, including modifications or additions, where that person will pay the whole or part of the costs associated with the works (a S278 agreement).

S278 agreements are made between the highway authority (in the case of Tamworth, Staffordshire County Council) and the applicant or developer, and so the Council is not normally party to negotiations or a signatory to any agreement.

### **Pooling**

The current CIL regulations restrict the use of pooled contributions towards items that may be funded via CIL. The restrictions mean that no more contributions may be collected in respect of a specific infrastructure project or a type of infrastructure through a S106 agreement, if five or more obligations for that project or type of infrastructure have already been entered into since 6 April 2010, and it is a type of infrastructure that is capable of being funded by the levy.

The pooling restrictions relate only to developments granted planning permission within the area of the charging authority (in this case within the Tamworth borough boundary) and, where a S106 agreement makes provision for a number of staged payments as part of a planning obligation, these payments will collectively count as a single obligation in relation to the pooling restriction.

For provision that is not capable of being funded by the levy, such as affordable housing, there is no restriction in terms of the numbers of obligations that may be pooled.

As part of the Government's current review into the use of developer contributions, it is proposed to lift the restrictions on pooling contributions



collected through S106 agreements in a number of circumstances including where the local authority has an adopted CIL in place. Therefore, if the Government introduce the proposed changes to the pooling restrictions during the lifetime of this document, the restrictions as set out above, and any further reference in this document to pooling restrictions, will no longer be apply.

### **Other agencies**

Tamworth Borough Council is the local authority responsible for deciding the level of contribution and how it should be secured for Borough Council functions together with enforcing any on-site or off-site measures within the applicant's control. If infrastructure requirements relate to County Council functions, the County Council will be party to negotiations and obligations and will be responsible for the enforcement of any on-site measures and obligations for County Council functions.

In instances where any other third party has a significant interest in the land or the proposed development they may be party to any agreement. In these situations, responsibility for negotiating and monitoring any obligations will be determined with regard to the particular set of circumstances involved.

### **Viability**

Most developments will be expected to satisfy all of the infrastructure requirements identified. Applicants who cite non-viability as a reason for not meeting all infrastructure requirements will be required to support their case with financial evidence, which should be submitted as part of the planning application. This evidence will be open to public scrutiny and, where necessary, will be audited by experts. Where the Council is required to engage the services of an expert to assess viability evidence, it is expected that the associated costs will be met by the applicant.

When applicants submit evidence of non-viability, the Council will expect to see calculations for the important factors set out in enough detail for the viability to be clearly assessed. Any assumptions made must be clearly explained and justified. The Council will consider the evidence and make an assessment as to whether the submitted information sufficiently demonstrates that the proposed development would be unviable if it was required to meet all planning obligation requirements.

The Council expects developers to have considered the total cost of all relevant policy requirements including contributions towards affordable housing and infrastructure, CIL and any other relevant policies or standards when buying land for development or taking an option to buy the land. The Council are aware that developers will often try to maximise the land value for landowners, however the guidance is clear that relevant policy requirements should be taken into account when defining land value. Land cost will

therefore not normally be accepted as an argument for reducing the value of required contributions including the proportion of affordable housing to be provided.

### **Planning obligations process**

Where an agreement is required to secure a financial contribution, it may take the form of either a unilateral undertaking or a planning agreement. Applicants and their agents are encouraged to enter into pre-application discussions to help highlight the likely impacts of a proposed development and the most appropriate means of mitigation.

Where any contribution is required solely towards infrastructure for Tamworth Borough Council, developers will be encouraged to use a unilateral undertaking. Unilateral undertakings should ideally be submitted with the planning application, or as soon as practicable after any required contributions have been identified, and must be accompanied by proof of title. Payments required under a unilateral undertaking will usually be required to be paid in full on commencement of development unless otherwise agreed by the Council.

Planning agreements will be used when a contribution is required towards infrastructure which is the responsibility of the County Council or any other relevant third party. Where a legal agreement is required, applicants will be expected to meet the reasonable costs of the Council in negotiating, and producing the obligation. These costs will depend on the scale and complexity of the development, and applicants are advised to seek an estimate of the amount at the earliest opportunity.

The Council will seek to ensure that any agreement has been negotiated and signed by the relevant parties within the statutory timeframe for determination of the application to which it relates. Where an unavoidable delay in completing the agreement would lead to the application process extending beyond the statutory timeframe for a decision, the Council will seek to agree with the applicant an extension of time for the determination of the application.

Where the delay is caused by the applicant without good reason, and no extension of time has been agreed, the Council may seek to take the application forward for determination with a recommendation for refusal.

Where a proposed development is liable for CIL, the Council will follow the relevant CIL procedures set out in legislation or, where appropriate, set out in the Council's own CIL guidance. Further information on CIL processes and procedures can be viewed on the Council's website.

In instances where a developer considers that a S106 Agreement requires amendment, the developer is advised to contact the Council. The Council may

wish to enter into a renegotiation voluntarily or may require the developer to make an application under Section 106A of the Town and Country Planning Act 1990 to modify an obligation where it no longer serves a useful purpose or would continue to serve a useful purpose in a modified way. Such an application can only be made where there is no agreement to voluntarily renegotiate, and the planning obligation predates April 2010 or is over 5 years old. Further information can be found in NPPG.

## **Types of infrastructure**

### **Affordable housing**

Income collected through CIL can't be used to fund the provision of affordable housing, instead the Council expects affordable housing, where appropriate, to be delivered on site. Local Plan policy HG4 Affordable Housing sets out the minimum expected level of affordable housing to be provided on each development which, in most cases, is a minimum 20% for all sites meeting the threshold. The exception to this is the small number of allocated sites that can viably provide a minimum of 25%.

Whilst this level of affordable housing is considered to be deliverable, the Local Plan recognises that there may still be factors which make a site unviable and the Council will need to be flexible on a site by site basis whilst still seeking to deliver an appropriate proportion of affordable housing.

The Council will seek to secure affordable dwellings on appropriate sites through negotiating a S106 agreement to provide an appropriate number and mix of units on the site. The precise nature of the affordable housing to be provided shall be determined by negotiation between the Council, acting as planning and housing authority, and the applicant.

Previously the Council has sought financial contributions towards affordable housing on developments of between 3 and 9 dwellings. Following the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the written ministerial statement of 28 November 2014, the Council determined (by way of a Cabinet decision dated 29 September 2016) not to seek affordable housing contributions on residential developments of 10 dwellings or fewer. The exception to this is where the maximum combined gross floorspace would be greater than 1,000 square metres (gross internal area).

On developments comprising 11 or more dwellings, or where the maximum combined gross floorspace would be more than 1,000 square metres, the Council will continue to seek on-site provision of affordable housing in line with the requirements set out in Local Plan policy HG4.

In exceptional circumstances the Council may, as an alternative, consider off-site affordable housing where the required amount of affordable housing is provided on a site other than the one being developed. The provision of such housing will be subject to a planning obligation secured through a S106 agreement. Such housing would be required to be in addition to the amount of affordable housing that would otherwise be required on the alternative site.

If neither the on-site nor off-site provision of affordable housing is possible then, as an alternative, the Council will consider a commuted sum towards alternative affordable housing provision. As part of any settlement the Council will consider accepting suitable land in lieu of all or part of any payment.

In order to calculate off-site contributions, the Council will monitor and update changes to the Land Registry average market values for a range of housing types. Contributions will be calculated using the following formula:

Contribution Amount = Net Number of Units Proposed x Average Market Value X Affordable Requirement (20%) x Transfer Cost (35%)

The transfer cost is based on the equivalent transfer value for an intermediate or shared ownership unit built on site as assumed in the Whole Plan Viability Study that supports the Local Plan.

The Council will monitor development activity, land values and market signals to ensure it adopts a flexible approach to negotiations to achieve the above targets. This monitoring will inform discussions over viability, local needs and where appropriate lead to a review of targets.

### **Open space**

The Council may use a combination of CIL and S106 agreements to contribute towards the enhancement of existing open spaces. Collected CIL funds will be used to enhance existing open space where it would benefit the whole of the borough, for example for the enhancement of the urban parks which would attract visitors from a wider area than local open space.

The Council will expect that, where appropriate, developments will provide on-site open space in accordance with the policies of the Local Plan. Where it is not possible or appropriate to provide on-site open space, residential developments may be required to make a contribution towards the enhancement of existing local open space through a S106 agreement. These obligations will be sought towards local open space projects where they:

- are set out in the IDP;
- relate directly to the proposed development;
- are not included on the regulation 123 list; and

- would not contravene the pooling restrictions.

Where financial contributions are sought for the enhancement of existing open space, the contribution will be based on the size of the proposed dwelling(s) in accordance with the following<sup>1</sup>:

- 1 or 2 bed dwelling - £660 per dwelling
- 3 bed dwelling - £990 per dwelling
- 4 bed dwelling - £1,320 per dwelling

These criteria will apply to changes of use from non-residential properties to residential use and conversion of existing dwellings to flats/apartments. In the case of conversion, the contribution will be based on the net increase in the number of bedrooms.

### **Education**

Education infrastructure is an integral part of new residential development and is important in achieving sustainable communities. Staffordshire County Council is the local authority responsible for education provision across the eight borough/districts of Staffordshire, and has a statutory responsibility to ensure that every child living in the county is able to access a mainstream school place in Staffordshire if they want one. The County Council will therefore be responsible for identifying the potential impact of proposed development on education infrastructure and will seek to secure appropriate contributions from developers where necessary to mitigate those impacts.

Where housing developments are likely to generate demand for additional school places, developers will reasonably be expected to contribute towards education facilities and infrastructure to mitigate the impact of housing development and the likely associated costs. This may include financial contributions towards providing additional school places and, where an appropriate project has been identified, the cost of delivering the project will be met relative to the size of the development. Where applicable, contributions may also include the necessary additional land, access and relevant services to enable schools to be extended or completely new schools to be constructed.

In line with national policy, the threshold beneath which contributions will not usually be sought is for housing developments of ten dwellings or fewer (and which have a maximum combined floor space of no more than 1,000 square metres). Where a proposed development would exceed the threshold, the Council will consult the County Council who will determine if a contribution is required to mitigate against the impact of the development.

---

<sup>1</sup> The rates set are based on those set out in the previous Planning Obligations Supplementary Planning Document with inflation applied from 2007 to 2017 based on an average of 2.8% per year.

On receipt of a planning application consultation, the School Organisation Team will consider how many additional pupil places the proposed development would add and will undertake a detailed review of local school places and pupil projections. The detailed analysis is undertaken in line with the latest Staffordshire Education Planning Obligations Policy which is available on the County Council's website.

Any planning obligations required in respect of education infrastructure, whether financial or otherwise, will be secured through a S106 agreement between the applicant or developer, the Borough Council and the County Council.

The School Organisation Team welcomes and encourages discussions before a developer submits a planning application to the Borough Council. All information provided in the pre-application advice will cover the relevant level of detail and supporting information necessary to provide a valid assessment of school place planning issues and whether an education contribution is likely to be required. This advice can be obtained via the Developer Online Advice Form (available on the County Council's website) and there will be an appropriate fee charged determined by the type of enquiry.

### **Highways**

Staffordshire County Council is the local authority responsible for the strategic highway network within Tamworth, with the exception of major trunk roads, which are the responsibility of Highways England. The County Council will therefore be responsible for identifying the potential impact of proposed development on the majority of roads within Tamworth.

As a statutory consultee, the County Council will be consulted on planning applications where the development would be likely to result in a material increase in the volume or material change in the character of traffic entering or leaving a classified road or proposed highway. The County Council will be responsible for identifying measures required to mitigate against the impact of a proposed development and, where a planning obligation is required, will be party to any negotiation and agreement.

As any required mitigation measures would be site and development specific, highways planning obligations will be secured by legal agreement. This could be in the form of a S106 agreement, but will often be secured by an agreement under section 278 of the Highways Act 1980 (as amended) which will be made directly with the County Council as highways authority.

### **Other infrastructure**

The list of types of infrastructure set out above should not be considered exhaustive as there may be situations where other contributions will be sought towards mitigating the impact of a specific proposed development. In these

instances, specific obligations will be negotiated on a case by case basis between the applicant, the Council and any other relevant third party.

### **Neighbouring authorities**

The Council will seek contributions from developments in neighbouring authority areas where those developments would impact on infrastructure within Tamworth.

The Council will also work with its neighbours to ensure that, where development within Tamworth would impact on their infrastructure, suitable contributions are secured towards infrastructure in neighbouring authority areas.

On the basis that development outside of Tamworth's administrative boundary would not fall within the charging zone for Tamworth's CIL, all contributions sought from development in neighbouring authority areas will be through S106 agreements which will be negotiated in collaboration with the relevant neighbouring authority. This includes where the neighbouring authority has CIL in place but development in Tamworth is not included on their list of infrastructure projects on which CIL is to be spent (regulation 123 list).

In any instances where Tamworth infrastructure is included on a neighbouring authority's regulation 123 list, the Council will seek, through the relevant processes and procedures, to secure proportionate contributions towards infrastructure in the borough.

Similarly, where development in Tamworth would require a contribution to infrastructure in a neighbouring authority area, and there is no specific project for that infrastructure on Tamworth's regulation 123 list, contributions will be sought through a S106 agreement which will be negotiated in conjunction with the relevant neighbouring authority.

In the event that an appropriate infrastructure project or specific item of infrastructure in a neighbouring authority area is included on the Council's regulation 123 list, the relevant neighbouring authority will be expected to seek a contribution through the appropriate allocations process.

### **Monitoring**

The Council will undertake monitoring of planning obligations to ensure that all obligations are complied with, both by the developer and by the Council. The Council will track compliance with each provision contained within each legal agreement as developments proceed to ensure that all developers are paying obligations and delivering on-site obligations in accordance with the legal agreement.

Where an obligation is required by the County Council or another interested party who is a signatory to the agreement, the relevant party will be responsible for monitoring compliance with those provisions of the agreement. The Council will work with the County Council and any other relevant party to ensure that the monitoring process is as comprehensive and efficient as possible.

The Council undertakes monitoring to ensure that Council services are spending the financial obligations in accordance with the terms of the Agreement.

## **Enforcement**

Once Planning Obligations have been agreed it is important that they are implemented or enforced in an efficient and transparent way, in order to ensure that infrastructure is provided in accordance with the terms of the legal agreement, and to ensure that the associated development contributes to the sustainability of the area.

Planning Obligations are enforceable by the Council under Section 106(5), (6), (7) and (8) of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.

If it is evident that the Planning Obligations requirements are not being complied with, the Council may instigate the relevant legal or enforcement action.

## **List terms and abbreviations**

For ease of reference, below is a list of terms and abbreviations used in this document and their meaning.

### **Terms used**

Unless the context implies otherwise, the following terms used above have the stated meaning.

The Council – Tamworth Borough Council

The County Council – Staffordshire County Council

The highways authority – Staffordshire County Council highways

Regulation 123 list – The list of those projects or types of infrastructure that the Council intends to fund, or may fund, through CIL

School Organisation Team – Staffordshire County Council School

Organisation Team



S106 agreement – An agreement under section 106 of the Town and Country Planning Act 1990 (as amended)

S278 agreement – An agreement under section 278 of the Highways Act 1980 (as amended)

**Abbreviations used**

CIL – Community Infrastructure Levy

IDP – Infrastructure Delivery Plan

NPPF – National Planning Policy Framework

NPPG – National Planning Policy Guidance

DRAFT

This page is intentionally left blank

THURSDAY, 5 APRIL 2018

**REPORT OF THE PORTFOLIO HOLDER FOR HOUSING SERVICES, PORTFOLIO  
HOLDER FOR REGENERATION****PURCHASE OF NEW BUILD PROPERTIES UNDER THE COUNCILS ACQUISITIONS  
POLICY****EXEMPT INFORMATION**

N/A

**PURPOSE**

To update Cabinet on the progress of new affordable housing delivery in Tamworth. To agree appropriate financial arrangements are in place to enable the purchase of 6 units of new build housing from (Adam) Cooper Homes Limited for use as Council owned and managed accommodation. To agree additional resources are made available to enable the purchase of a further 8 units of new build housing from Waterloo Housing Group as agreed at Cabinet in November 2017.

**RECOMMENDATIONS**

**It is recommended that £746,500 (inclusive of legal costs) be transferred from available budget intended for regeneration and new build activity to the acquisitions budget. This is to enable the purchase of 6 residential units for housing from (Adam) Cooper Homes Limited in line with the Council's Acquisitions Policy.**

**Furthermore, it is recommended that the Chief Operating Officer and Solicitor to the Council are delegated authority to enter into a contract with (Adam) Cooper Homes Limited for the purchase of the 6 No dwellings as proposed above.**

**Additionally, it is recommended that, further to Cabinet agreement in November 2017, a further £201,056.89 is made available to secure the purchase of 8 units of new build housing from Waterloo Housing Group. The additional costs were identified by Waterloo in January 2018 resulting in a revised total purchase price of 961,056.89 (inclusive of legal costs). It is recommended that a further £201,060 be transferred from the available budget intended for regeneration and new build activity to the acquisitions budget.**

**EXECUTIVE SUMMARY**

Tamworth Borough Council has for a number of years been committed to increasing the number of affordable rented homes available for the use of residents. This programme has included the re-development of some garage sites, creating 19 new Council homes and the acquisition of 14 affordable dwellings on two sites from developers. This approach to date has represented value for money and provided an additional option to increase the supply of new affordable housing directly owned and managed by the Council.

A further opportunity has now been identified to purchase an additional 6 dwellings from

(Adam) Cooper Homes Limited at their new build site on Coton Lane. In order for this transaction to be successfully completed, it will be necessary to agree the virement of £746,500 from the garage re-development programme budget into the acquisitions programme.

Additionally, following Cabinet in November 2017 approval to purchase 8 new build units from Waterloo Housing Group at Dosthill, a re-assessment of this site by Waterloo has identified additional costs of £201,056.89 associated with the 8 units the Council had agreed to purchase. However, despite the revised total purchase price of £944,056.89 (£961,056.89 including legal fees), the proposed purchase has been re-assessed and was found to still represent good value for money for the Council and would add a further 8 units of new build housing to the Council's stock. In order to complete this purchase a further virement of £201,060 from the garage re-development programme budget into the acquisitions programme will also be required.

Both the above purchases of new build, affordable accommodation represent excellent value for money and will enable the continuation of the supply of new build Council accommodation going forward. This is especially important whilst the Council reviews the potential for additional garage sites to be re-developed.

The Council is also currently reviewing further opportunities on sites in Tamworth where it may be viable for the Council to acquire additional new build residential units directly from developers. If these opportunities become a realistic proposition then further reports to Cabinet will be forthcoming to agree the appropriate use of resources for these purposes.

#### OPTIONS CONSIDERED

The options below have been considered and have gone to inform the recommendations made in this report:

Options Considered	Benefits	Risks
<p><b>Option 1 Coton Lane:</b> The Council does not proceed with the purchase of the 6 units at Coton Lane</p>	<p>Resources conserved for re-development of garage sites / other defined uses</p> <p>Enhanced opportunities for owner occupation</p>	<p>Affordable housing units lost as revert to low cost home ownership under terms of the s106</p> <p>Opportunity to strengthen TBC asset base with new units of accommodation lost</p> <p>Limited opportunities to purchase new build and potential competition from RPs on larger sites</p> <p>Rental income lost over lifetime of the units</p>
<p><b>Option 2 Coton Lane:</b> Council proceed with the purchase of the 6 units</p>	<p>Effective use of resources to ensure timely outcome whilst garage site review on-going</p> <p>Units available within short time frame to meet local need</p> <p>TBC property portfolio enhanced with new build</p>	<p>New properties may be lost under Right To Buy (a cost floor protection applies as to the discounts available on these properties)</p> <p>Diverting resources away from garage site re-development decreases opportunities to build to meet specific need not</p>

	<p>units</p> <p>TBC full management control of new properties</p> <p>Rental income contributes to HRA / TBC financial stability</p>	<p>delivered by the market (e.g. fully adapted bungalows)</p>
<p><b>Option 1 Dosthill:</b> Council aborts proposed purchase given additional cost</p>	<p>Resources conserved for re-development of garage sites / other defined uses</p> <p>Council retain nomination rights to affordable homes on the site</p>	<p>Partnership working with Waterloo weakened</p> <p>Opportunity to strengthen TBC asset base with new units of accommodation lost</p> <p>Limited opportunities to purchase new build and potential competition from RPs on larger sites</p> <p>Rental income lost over lifetime of the units</p>
<p><b>Option 2 Dosthill:</b> Council agrees to meet additional costs of purchase</p>	<p>VFM achieved and effective use of resources to ensure timely outcome whilst garage site review on-going</p> <p>Units available within short time frame to meet local need</p> <p>TBC property portfolio enhanced with new build units</p> <p>TBC full management control of new properties</p> <p>Rental income contributes to HRA / TBC financial stability</p> <p>Partnership working with Waterloo strengthened</p>	<p>New properties may be lost under Right To Buy (a cost floor protection applies as to the discounts available on these properties)</p> <p>Diverting resources away from garage site re-development decreases opportunities to build to meet specific need not delivered by the market (e.g. fully adapted bungalows)</p>

## RESOURCE IMPLICATIONS

The total capital costs (land, works and on costs) of the 6 residential units at Coton Lane is £739,500 (£746,500 inclusive of legal costs).

At an average cost (excluding legal fees) of £123,250 per unit this makes the purchase of the 6 houses in this first class location good value for money and adds new build homes to the Council's stock with all of the financial benefits this brings over the lifetime of the property.

This is especially beneficial over the first 10 years as it is assumed that there will be minimal repairs and investment requirements given these properties are new build units.

Resources required to complete the purchase can be released from the existing garage re-development budget into the acquisitions budget. There is currently £2.225m available within the re-development budget. As the garage re-development programme is currently under review, no further funds for that purpose will be required in the current financial year. Furthermore, as the purchase of these units does not involve any Grant from Homes England the Council will be able to utilise 1-4-1 Right to Buy receipts to finance the purchase, reducing the risk that the Council will be required to repay these funds back to the Government.

Subsequently, it is further proposed (following the agreement of the November 2017 report) that the resources required to complete the purchase should be released from the existing garage re-development budget into the acquisitions budget. Assuming the proposals outlined in this report regarding the purchase of the 6 units at Coton Lane is approved then there is still an amount of £1.478m available within the re-development budget.

Given this position, utilising the required £961,056.89 (£750,000 as per the November report inclusive of legal costs plus £201,056.89 additional funds required) to purchase these units in Dosthill, in excess of £1.277m remains in the budget for the most appropriate use, be that garage site redevelopment or the acquisition of further s106 units.

Again, even at the increased purchase price, the 8 units at Dosthill continue to represent excellent value for money at an average cost of £118k per unit.

### **LEGAL/RISK IMPLICATIONS BACKGROUND**

The Council has previously completed the acquisition of new build, affordable accommodation from developers on 2 sites in Tamworth. To achieve this, the Council has utilised the services of local solicitors who specialise in property transactions. Learning from those previous acquisitions will be taken into account and the services of fully qualified legal support should help to ensure all legal risks are minimised.

Additionally, the Council has a good working relationship with both Cooper Homes and Waterloo Housing Group. The Council and Waterloo have worked successfully together over a number of years to deliver both new homes and bring back empty properties into use as affordable accommodation. Internal legal colleagues from both organisations and the use of external support have previously minimised risk to both parties.

Waterloo Housing Group are also subject to the Homes England's regulatory frameworks and this relationship and the utilisation of grant on this scheme will necessitate reporting back and seeking to minimise risk where HE grant has been applied.

### **SUSTAINABILITY IMPLICATIONS**

There are significant beneficial implications of proceeding with the purchase of the 14 units as follows:

1. The excellent quality, new affordable housing acquired will contribute to healthier outcomes and quality lives.
2. The new homes will contribute to a sustainable community environment.
3. The acquisitions will provide suitable housing for households in need and assist in preventing homelessness in line with new legislative requirements.
4. The new homes will support the delivery of Corporate objectives especially "Living a quality life in Tamworth."

The provision of additional new affordable homes will also support strategic housing priorities as set out in the "Strategic Approach to Housing and Wellbeing" and the delivery of housing plans and strategies that will support that approach. A further report to members detailing

the strategic approach to housing in Tamworth will be forthcoming later in the year.

## **BACKGROUND INFORMATION**

Prior to the commencement of the development of 19 new units of Council accommodation on former garage sites, a successful programme of re-development was undertaken with partner Registered Providers (RPs) delivering 54 units of affordable housing between 2011 and 2015 across 14 Council owned garage sites.

In November 2015 Cabinet approved the development of a further tranche of garage sites for new Council owned affordable housing. To date, the re-development programme has been successfully delivered within budget and to agreed timescales. 19 new Council homes, partly funded through the Homes and Communities Agency (HCA) grant programme, are now at completion stage and are in the process of being handed over to the Council. The 19 new Council homes and the 54 Housing Association properties have contributed not only to meeting housing need and preventing homelessness but have also improved the wider environment, made good use of Council owned land / under-used assets, assisted in tackling ASB and eliminating locations previously blighted by such activity and delivered property types to meet specific housing requirements (e.g. fully adapted bungalows) that are not usually provided by the market.

The delivery of the new Housing Association and Council owned homes has gone to meet the need locally for affordable accommodation and is consistent with emerging national policy initiatives that recognise the failings of the housing market and the need to increase the supply of genuinely affordable homes to meet the needs of those who cannot access the private rented sector or owner occupation.

In addition to the aforementioned new build homes on former garage sites; the Council has recently acquired 14 units of affordable housing on two sites from developers where there was no interest from RPs to purchase these properties. This is largely as a result of RPs changing their business models resulting in them concentrating their activities on larger sites.

This has subsequently provided an opportunity for the Council to assume the role of an RP in negotiations with developers to secure affordable s106 units on smaller sites. This is a new area of business for the Council but learning from the first 2 transactions has resulted in a wider appreciation of the workings of the local housing market and built internal capacity to deal with all aspects of this process from formulating an offer (based on methods deployed by RPs) to agreeing specifications and handover arrangements with developers.

This has represented a value for money, additional option to increase the supply of new affordable housing directly owned and managed by the Council and has complemented the increased in supply via the garage site re-development programme.

The two further opportunities highlighted above would deliver a further 14 units of affordable housing consisting of:

5X 2 bed 4 person house for Affordable Rented Housing  
3X 3 bed 5 person house for Affordable Rented Housing

from Waterloo Housing Group at their site in Dosthill and:

6X 2 bed 4 person house for Affordable Rented Housing from Cooper Homes.

These unit types are consistent with those required to meet housing need in Tamworth. The units at Coton Lane are situated in an excellent location and are being constructed to a high standard by an experienced, local developer.

At Dosthill, Waterloo Housing Group will retain the 5 units of new Shared Ownership accommodation being developed on the site. The build at Dosthill has been undertaken by

the same developer who has constructed the 19 Council homes on the former garage sites. As on the garage sites units, the properties at Dosthill have been constructed to a high standard and in reality can be viewed as an addendum to the garage site re-development programme, increasing the number of new, high quality Council homes delivered from 19 to 27 (33 when the Coton Lane units are added to that total).

In order for both transactions to be successfully completed, it will be necessary to agree a virement totalling £947,560 from the garage re-development programme budget into the acquisitions programme. This again represents excellent value for money and given that the garage site re-development programme is currently under review, will enable the continuation of the supply of new build Council accommodation whilst the review is completed.

Additionally, further opportunities are being pursued on sites in Tamworth where it may be viable for the Council to acquire additional units of new build accommodation directly from developers.

If further identified opportunities become a realistic proposition, then further reports to Cabinet will be forthcoming to agree the appropriate use of resources for these purposes.

#### **REPORT AUTHOR**

Steve Pointon  
Head of Strategic Housing

#### **LIST OF BACKGROUND PAPERS**

#### **APPENDICES**



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank