



CABINET

14 October 2020

A meeting of the CABINET will be held on Thursday, 22nd October, 2020, 6.00 pm
in Online Meeting

A G E N D A

NON CONFIDENTIAL

1 Apologies for Absence

2 Minutes of Previous Meeting (Pages 3 - 6)

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 Executive (Overview and Scrutiny Committee or by the Council)

6 The Councils Recovery & Reset Plan arising from COVID-19 (Pages 7 - 38)
(Report of the Leader of the Council)

7 Tamworth Borough Council response to White Paper: Planning for the Future (Pages 39 - 74)
(Report of the Portfolio Holder for Regulatory and Community Safety)

Yours faithfully



Chief Executive

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

The Protocol requires that no members of the public are to be deliberately filmed. Where possible, an area in the meeting room will be set aside for videoing, this is normally from the front of the public gallery. This aims to allow filming to be carried out whilst minimising the risk of the public being accidentally filmed.

If a member of the public is particularly concerned about accidental filming, please consider the location of any cameras when selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: D Cook, R Pritchard, J Chesworth, M Cook, S Doyle and J Oates.
Councillor Dr S Peale is also invited to sit and speak at this meeting.



**MINUTES OF A MEETING OF THE
CABINET
HELD ON 10th SEPTEMBER 2020**

PRESENT: Councillor D Cook (Chair), Councillors R Pritchard (Vice-Chair), J Chesworth, M Cook, S Doyle and J Oates

The following officers were present: Andrew Barratt (Chief Executive), Anica Goodwin (Executive Director Organisation), Lynne Pugh (Assistant Director Finance), Gareth Youlden, Jo Hutchison (Democratic Services, Scrutiny and Elections Officer) and Jodie Small (Legal, Democratic and Corporate Support Assistant)

No Apologies received

Guest Councillor: Dr S Peaple

29 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 20th August 2020 were approved and signed as a correct record.

(Moved by Councillor R Pritchard and seconded by Councillor J Chesworth)

30 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

31 QUESTION TIME:

None

32 MATTERS REFERRED TO THE EXECUTIVE (OVERVIEW AND SCRUTINY COMMITTEE OR BY THE COUNCIL)

Councillor Dr S Peaple member of Corporate Scrutiny Committee updated Cabinet and made a recommendation following consideration of matters by the Scrutiny Committee in relation to the Initial Impact of the Pandemic on the Council's Business Aims

RESOLVED That Cabinet;

Agreed to look at the longer term financial finances of the Heritage assets for Tamworth.

(Moved by Councillor J Oates and seconded by Councillor D Cook)

33 QUARTER ONE 2020/21 PERFORMANCE REPORT

The Leader of the Council provided Cabinet with a performance update and financial health check

RESOLVED That Cabinet

- Approved that the General Fund budgets be revised to reflect the forecast overspend at Quarter 1 of £134k, net of the savings identified of £1.2m, to be financed from a contribution from the transformation reserve
- Endorsed the contents of this report

(Moved by Councillor D Cook and seconded by Councillor M Cook)

34 LOCAL COUNCIL TAX REDUCTION SCHEME 2021/22

The Report of the Portfolio Holder for Assets and Finance considers proposals for the Local Council Tax Reduction Scheme for working age customers for 2021/22

RESOLVED Cabinet agreed that;

The planned review for the introduction of a banding scheme for Council Tax Reduction be deferred until 2021 and that the current scheme for working age customers continues to be aligned to Applicable Amounts with those of Housing Benefit for 2021/22.

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

35 RELEASE OF MOBILE PHONE CAPITAL CONTINGENCY FUNDING

The Report of the Portfolio Holder for Assets and Finance requested members approve the release of £20,000 from capital contingency as per capital bid already requested for financial year 18/19 to cover costs associated with a new mobile phone contract

RESOLVED That Cabinet;

Approved the release of £20,000 capital contingency from the capital bid to cover costs associated with a new organisation wide mobile phone contract already approved as part of 18/19 budget process.

Specifically, the funds will cover a refresh of obsolete handsets and any associated costs of setting up the new contract.

(Moved by Councillor R Prutchard and seconded by Councillor D Cook)

Leader

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CABINET

Thursday, 22nd October 2020

REPORT OF THE LEADER OF THE COUNCIL

THE COUNCILS RECOVERY & RESET PLAN ARISING FROM COVID-19

Non-Confidential

1. PURPOSE

1.1. The purpose of the report is to: -

- Reflect on the Council's emergency response to the pandemic, noting the continuation of key front-line services
- Outline the Council's proposed approach to recovery and reset in response to the pandemic
- Share the Programme structure, including governance and scrutiny arrangements as well as describing the approach, methodology and resourcing
- Detail the programme structure and headline key projects with initial scoping of key work-streams

2. RECOMMENDATIONS

Cabinet are asked to: -

- 2.1. Approve the proposed **Recovery and Reset framework** detailed in the report and presented in annex one and four.
- 2.2. **Acknowledge the Council's continuation of critical services**, arising from the pandemic, noting the detail captured in section 7.1 & 7.2 and further illustrated at annex three.
- 2.3. Establish with the Leader, members of Cabinet and Scrutiny Chairs, a **Recovery and Reset meeting** to monitor, scrutinise and support the delivery of the programme with formal recommendations back to Cabinet on progress. Draft terms of reference are set out at annex two.
- 2.4. Note that the Recovery and Reset Programme has been **shared with the Council's Trade Union Liaison Group (TULG)** and this will now be a standing agenda item to ensure transparency with the service review process and projects identified.

3. EXECUTIVE SUMMARY

- 3.1. The Pandemic remains a significant challenge to Councils and the Prime Minister, following an impromptu attendance at a Council Leaders & Chief Executives briefing, praised Local Authorities for their [continued efforts](#). Whilst the National Lockdown, imposed on the 23rd March has been eased, local lock downs and significant national restrictions continue, with the [Prime Minister warning](#) of a further sanctions if infections continue to rise.
- 3.2. Continuing to support vulnerable people, deliver critical front line services and ensure our ability to scale-up our response to COVID19 should the Staffordshire Resilience Forum escalate to emergency levels; our Recovery and Reset plans need to be adaptable and flexible so we can manage expectations and pressures on the organisation.
- 3.3. This report has been informed by a range of research (see section 7) and sets out a Recovery and Reset Strategic Framework. It is proposed that within the programme there will be 8 projects¹, each with work-stream leads, which will report into a Programme Delivery Group, accountable to the Executive Leadership Team and ultimately Cabinet. Reflecting comprehensive stakeholder and enhanced scrutiny arrangements.
- 3.4. Each of the projects (summarised at Annex Four in the report) details the scope, objectives, and key activities - clearly key drivers will be to deliver
 - financial sustainability, contributing to reducing the Councils deficit on its general fund
 - accelerated digital and e-enabled services
 - support cohesive and resilient communities through the third sector and ‘anchor organisations’
 - & role model transparent democratic structures that drive community leadership, connectivity and help navigate complex structures
- 3.5. One of the 8 projects is around service re-design, seeking to develop and implement an approach across the organisation to identify cost savings as well as income generation opportunities. This Service review methodology has been developed using quality management techniques’ and the service review template appended to the report will check and challenge all the functions to ensure a “one council approach” and identify opportunities and impacts to improve financial and service efficiency.
- 3.6. The Programme and Projects within it will have regard for effective change/cultural management techniques to ensure the **Stakeholder engagement Strategy** is developed to incorporate an interactive communication plan, citizen engagement strategy and regard to relevant employment consultation where applicable.
- 3.7. Equally the Leader and Portfolio Holders within Cabinet together with the Executive are committed to **detailed community & equality impact assessments** as all project options

¹ 1. **Financial management & Commerciality** 2. SMART working 3. **Building Requirements**; 4. Front Reception modelling and tailored customer service offer 5. **Organisational Wide Service Re-design Programme** 6. Third Sector & Vulnerability Strategy 7. **Economy, Business and Regeneration** 8. Heritage

and appraisals are considered to ensure this is part of the decision making; and is standard practice for Tamworth Borough Council in any event.

4. RESOURCE IMPLICATIONS

- 4.1. The Council continues to scrutinise and approve its 3-year Medium Term Financial Strategy, this reflects the detailed assumptions and implications arising from COVID19. Even before the Pandemic, future arrangements for Local Government Financing were uncertain due to reforms being deferred (including a move to 75% Business rates retention and the Fairer Funding Review). On the 24/09/20 the Chancellor set out the [winter economy plan](#) as part of the emergency budget arrangements in response to the Pandemic.
- 4.2. The extra-ordinary events surrounding the Pandemic follows a decade of austerity as well as considerable financial strain and pressures already on Councils. The financial context for Recovery and Reset will mean continued financial uncertainty, rising citizen expectations and an inevitable pressure on services designed to support vulnerable people and households. It is therefore vital that there is clarity and transparency around the levels of services likely to be affordable.
- 4.3. Government has allocated Tamworth additional COVID funding of £0.93m, like others Tamworth continues to lobby for additional support in relation to its income and expenditure pressures. No-one can know, at this stage, the full extent of the financial impact of COVID; especially as *local lock downs* and *interventions* continue to be a significant threat. The latest financial projections identify a **shortfall in the General Fund** of £6.9m over 5 years, forecast to increase to **£8m** (based on the central worst case scenario around COVID) and therefore savings are required of **c£2m p.a. commencing immediately**. The Recovery and Reset programme is designed to accelerate and maximise income and savings to the Council to ensure it remains ***fit for the future***.
- 4.4. **At this stage it is difficult to predict overall savings from the Recovery and Reset Programme, however the programme has been informed by an exercise designed to look at where there is an opportunity for efficiency. Inevitably the service design options, and decisions around them, will determine the level of savings. The drivers will be on balancing financial sustainability with clarity and management of the Council's service offer.**

5. LEGAL/RISK IMPLICATIONS

- 5.1. Section 1 of the Localism Act affords the council flexibilities and freedoms to deliver services for the benefit of its citizens. The Coronavirus Act 2020 and associated regulations are also extremely relevant, and has (and will continue to) inform plans outlined in this report.
- 5.2. Each of the projects detailed in the Recovery Programme will have their own legal and risk map detailed and this will be reported as part of the usual decision making process. Specific to the programme itself, the following risks have been considered and it is anticipated that this will be kept under review.

Risk	Mitigation	Risk Level
A second wave of Coronavirus &/or spike in infections in Tamworth leading to restrictions and interventions. This would set back recovery and delay the programme	SCC are the lead authority for monitoring infection rates and cases per 100,000. Our local Environmental Health team support this process and the Council is pro-active in its management of Covid-secure arrangements. Latest statistics can be seen by clicking on the link	High
Limited capacity to deliver the programme	<p>The Assistant Director of Neighbourhoods has been given additional duties to lead the delivery of the Councils COVID19 transformation agenda as detailed in this report</p> <p>A programme resourcing plan has been considered by the Executive Leadership Team and proportionate resources agreed which will remain under review. This has included the procurement of external and specialist programme management resources to map the interdependencies and requirements on support functions as the plan is progressed</p> <p>Where individual projects require further resourcing, this will be part of the PID and funding identified. Tamworth was allocated £0.93m in COVID19 funding from Government and this can be used where appropriate along with funding streams such as the Transformation Reserve</p>	Medium
Significant resistance to change as the transformation agenda is progressed	The management of change will be integral to the Programme management with a clear communication plan, transparency of outcome and consultation and engagement in service review processes	High
Continued pressures on the Councils finances seeing a greater deficit on the MTFP	This is subject to rigorous stress testing and is the subject of detailed and separate reporting to members	High
Citizen challenge, disappointment, and differing expectations in relation to the councils' service offer going forward	The financial challenges are well documented, and the Council will seek to balance this with its wider corporate social responsibility vis service delivery. It is inevitable that front line service will be impacted. Where this is the case there will be project specific consultation and engagement, along with a detailed community impact assessment to inform political scrutiny and decision making.	High
Accelerated Government agenda around Devolution and	The Council's Executive and Cabinet are following the agenda closely and await the	Low

progressing of Unitary Authorities	Governments imminent white paper. At this stage there is no proposal and Tamworth, will collaborate with other Staffordshire districts CEXs to respond to the proposals as they emerge	
Changing landscape which demands a programme change	This is inevitable and with a robust programme framework it is capable of being adapted to suit changing and demanding circumstances	High

6. EQUALITY & HUMAN RESOURCE IMPLICATIONS

- 6.1. Tailoring services to ensure equality of service access is fundamental to the Councils policy in this area. As each project is progressed it is accepted practice that a full community and equality impact assessment will be completed.
- 6.2. There are no direct human resource implications arising from the report. However, the Programme, if approved, will result in the need for a Change Management Strategy reflecting on the comprehensive service review timetable for each of the councils' core services. The report has therefore been presented to the Trade Union Liaison Group, and the Head of Paid Service has confirmed to them that Recovery and Reset planning will be a standing agenda item and staff will be properly consulted where service options are being considered

7. MATTERS FOR CONSIDERATION

Reflect on the Councils emergency response to the pandemic, noting the continuation of critical front-line services

- 7.1. Importantly, the COVID-19 emergency, tested the Council's ability to move at pace, prioritise its service delivery and demonstrate its core values & purpose. Successfully the Council was able to: -
- Continued the **delivery of all critical front line services**. Specifically bin management, cleaning and grounds maintenance were continued and Street Scene are commended for their uninterrupted service delivery to Tamworth and its residents'
 - **Increase residents' resilience** and access to information through empowering and working with 'anchor' and third sector organisations to support our most vulnerable
 - **Utilise Council resources effectively**, with a significant shift to digital working solutions as well as the proactive and dynamic management of demand through deployment and combinations of home and agile working

- Re-enforce **Tamworth Communities offer** through securing an **intelligence led** and positive data sharing platform with major stakeholders to support those extremely &/or clinically vulnerable
- Continue to **improve front line service delivery** by delivering on previously agreed corporate projects such as CCTV shared service with the WMCA; de-mobilisation and mobilisation of multi-million pound repairs contract(s); implement significant policy changes, including the Councils allocation policy.
- Support our most **vulnerable** through **preventing homelessness and helping people access suitable housing** amidst major Government initiatives including the “every-one” in campaign, whilst also pausing non-essential moves

7.2. When the Government initiated the lock-down in March 2020, the Council’s response has been significant and the diagram at annex three evidences the continuation of services, in summary achieving: -

<p>People</p>	<p>Established COVID19 emergency response(s) via Staffordshire Resilience Forum with CMT holding daily &/or weekly virtual meetings with partners (SRF,SCC, SCG, VCSE)</p> <p>Conducted external assessment and review of vulnerability to support recovery planning going forward</p> <p>Established COVID19 emergency response CMT with daily &/or weekly virtual meetings with partners (SRF,SCC, SCG, VCSE)</p> <p>Established a 'vulnerability' task and finish group supporting those extremely and clinically vulnerable deploying a range of resources for wellbeing checks</p> <p>2922 identified as ECV, supported through the Councils Partnership arrangements with anchor organisations</p> <p>Council investment in anchor organisations to support community resilience and local volunteering</p> <p>Weekly calls to over 3000 households, identified with support requirements - via VCSE and the council’s own teams</p> <p>Partnership support and bid for c£100k of lottery funding to tackle social isolation & support befriending</p> <p>>£220k of small, local grants continued to be administered to businesses in line with councils commissioning framework</p> <p>Improved customer service through moving the repairs call centre in-house</p> <p>Managed all Council social media and internet traffic with up-to-date COVID information achieving over 330,000 page views in the first quarter of the year</p>
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	<p>Accelerated digital agenda by moving to virtual viewings, contactless signup and accelerated availability on online e-application forms for housing solutions</p>
Place	<p>Instigated a small cross-party working group to ‘champion’ and shape the future offer of heritage within Tamworth</p> <p>Payment of c£11.5m in local business grants</p> <p>Uninterrupted service continuation at Street Scene for bins collection, litter removal, tree services & grounds maintenance</p> <p>Our shared waste collection service has been maintained throughout the pandemic</p> <p>Increased capacity within burial services</p> <p>Full compliance with public open space guidance to ensure COVID Secure practices around social distancing</p> <p>Re-opened town centre effectively with stringent Covid-secure arrangements</p> <p>Between April-August processed 1300 new benefit claims compared to 500 typically received in the same period</p> <p>Processed 18000 change of benefit circumstances forms compared to 5000 typically received for the same period</p> <p>£387k hardship payments allocated to 2600 cases in the community with £180k in the process of being awarded</p> <p>Council Tax & rental (HRA) income exceeds benchmarking estimates for under recovery despite a doubling of those households in receipt of Universal credit from 4000 to over 8000</p> <p>Submission of a compliant and ambitious Future High Street Bid on time</p>
Organisation	<p>Continued with excellent governance arrangements through member investment in laptops, training on virtual platforms and adopted informal and formal decision-making structures without delay</p> <p>Continue to hold informal twice weekly Cabinet briefings & remote Council Meetings introduced at pace to ensure effective political decision making</p> <p>Continued to deliver all front-line services with minimal interruption</p> <p>Deployed all employees in an agile way to maximise service delivery around clean and green priorities</p> <p>Moved over 70% (>200 based in Marmion) employees to work from home within hours of lock down being announced</p>

	<p>Flexible, dynamic and excellent ICT team worked effectively and hard to put in place infrastructure and support multiple connectivity arrangements including launch of TEAMS as the Council's Virtual platform</p> <p>Sickness & absence levels below usual levels as well as delivering 100% payroll electronically</p> <p>Street Scene, cleaning, repairs and investment arrangements continued</p> <p>Staff Survey conducted July - 92% either satisfied or very satisfied with WFH environment and 94% either satisfied or very satisfied with CMT communications</p> <p>Statement of Accounts produced on time and external sign off being progressed in line with previously agreed timescales.</p> <p>Budget Management continuing uninterrupted in line with budget setting processes and in line with Qtr1 monitoring</p> <p>Corporate Projects continued to be delivered including CCTV shared service with the WMCA; de-mobilisation and mobilisation of multi-million-pound contracts, timely submission of the Future High Street Fund bid as well as key policy developments such as Allocations Policy</p> <p>Exceptional support from the shared Health and Safety service which provided immediate advice, guidance and interpretation so that all services and staff remained fully Covid compliant</p>
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7.3. The Covid-19 outbreak has required a rapid response to an unprecedented situation, and this has been significant and challenging. In conjunction with the Staffordshire Resilience Forum (SRF), and supported by the Civil Contingencies Unit (CCU), a desk-top exercise is currently underway to understand what went well and what learning, if any, can be used to improve future emergency and incident responses. Details of this will be shared with Cabinet at a later date and will feed into recovery plans as they develop and evolve given the dynamic nature of the Pandemic and continued uncertainty and risks.

Outline the Councils proposed approach to recovery and reset in response to the pandemic

7.4. As we build on Tamworth's achievements and start to look to horizons and opportunities beyond the immediate crisis it is important to reflect on the challenges. A strategic analysis has informed the development of a single and coherent recovery plan that seeks to define organisational thread, synergy and how all work-streams fit together to ensure a 'strategic fit' with Tamworth own ambitions.

Challenges	
Political	<ul style="list-style-type: none"> ▪ Brexit 2020/Transition arrangements ▪ Devolution White Paper (Autumn 2020 – now anticipated 2021) ▪ Digital Democracy ▪ Fluid and Continued COVID19 risks and restrictions

Economical	<ul style="list-style-type: none"> ▪ Comprehensive Spending Review October which is likely to impact on public sector spending ▪ Delays to the Fairer Funding Review (2021); retention of business rates (2023) and changes to the financing of New Homes Bonus means there is continued uncertainty around councils subsidy and financing arrangements ▪ Tamworth MTFs reported position with general fund - deficit increasing from £6.9m to £9m over 5 years – reduced to c£8m based on moratorium on non-essential spending, review expenditure and £0.93m COVID LA allocation ▪ Tamworth central case scenario is £1.1m, could rise to more than £7m under worst case assumptions ▪ Savings of c£2m required annually ▪ Furlough Scheme currently set to end October 2020 potentially leading to financial hardship
Social	<ul style="list-style-type: none"> ▪ Risk of a Second Wave &/or local interventions and lock downs as restrictions are updated in response to infection rates ▪ Support for Vulnerable, particularly those extremely &/or clinically shielding ▪ Managing citizen and stakeholder expectations as resources are stretched ▪ Compliance with Government restrictions around social distancing, shielding, hygiene and testing
Technical	<ul style="list-style-type: none"> ▪ COVID19 guidance on numerous policy areas is game changing – income recovery (ban on evictions); homelessness regulations and burials
Legal	<ul style="list-style-type: none"> ▪ Coronavirus Act 2020 and associated regulations remain in force with a range of commencement arrangements ▪ Employment legislation as organisational development and review is initiated
Environmental	<ul style="list-style-type: none"> ▪ Accelerated climate change opportunities around carbon deals and greener spaces

7.5. The plan has three SMARTER² sections as below, the latter two detailed in full at Annex four:-

- **Restart** – getting services disrupted by COVID19 back up and running where it is safe and efficient to do so
- **Recovery** – re-alignment of corporate projects to focus on an intelligent led and sustainable programme
- **Re-Set** – cross cutting and integral themes to the delivery, improvement, and socio-economic wellbeing of our communities

7.6. The plan draws on research and comparative reports from others which includes evidence and feedback from national reports, surveys and government guidance. Reference has been made to

- Governments [Next Chapter Recovery Strategy](#)
- LGA guidance documents covering a range of [Recovery & Reset](#) areas
- [District Council Network](#) briefings
- LGA's range of documents including *The long reach of COVID* and Councillor and [Opposition guidance](#)

- LEPs (GBSLEP and [SoT & Staffordshire LEP](#)) – Getting Building Funding and devolution opportunities
- SCC [recovery and reset agenda](#) and core principles
- Other local council reports on COVID response' and preparations'
- Reference to feedback during the Pandemic captured through the usual customer engagement channels

7.7. The Programme seeks to align existing corporate projects to the new Recovery and Reset Plan, avoiding duplication and also ensuring our “**one council approach**” so all the Councils resources are focused on its core aims, notably striving for

- Transparent democratic structures that support engagement and enables members to act as **community navigators** and leaders
- Financial **sustainability**
- **Place based** and intelligence led in line with the Tamworth Community Offer
- **Digital by default** with acceleration of agile and dynamic working
- Supports community **cohesion, resilience, and independence**

Share the Programme structure, including member governance and scrutiny arrangements as well as describing the approach, methodology and timescales

7.8. Part of the resourcing plan includes for the procurement of external programme management. It is anticipated that suitably qualified specialist(s) will be engaged following Cabinets consideration of the proposals on 22nd October. By mid-December it is anticipated a full programme including Gantt chart (detailed route map), resource interdependencies and detail in annex four will be mapped; with service reviews identified for year one having commenced.

7.9. Programme Management Support is being commissioned on the basis of commonly accepted PRINCE2 concepts and will include

- PID(s) and individual resourcing documentation for each project
- Scoped and agreed work streams with clear work packages
- Check point reports with documented decision making to ELT
- Highlight reports with standard BRAG status for scrutiny and cabinet reporting
- PIR and continual learning; including upskilling of in-house teams
- Cross fertilisation with communication planning & citizen engagement strategy

7.10. The Programme structure is illustrated at annex one. Essentially Work-Stream Leads will be supported by internal and external programme and project resources and progress will be overseen by the Programme Delivery Group who will provide highlight and decision reports for Executive leadership team. Where necessary ELT will then determine, using feedback from Scrutiny and relevant stakeholder engagement items to be referred to Cabinet for formal decision and adoption.

7.11. The delivery of the Restart, Recovery and Reset Programme for **Year One** is summarised below, further details are shown at annex four. Progress will be monitored via the Programme Delivery Group and regular highlight reports shared with Scrutiny and Cabinet as part of the Councils performance management framework.

<p>Restart <i>getting services disrupted by COVID19 back up and running where is safe and efficient to do so</i></p>	<ul style="list-style-type: none"> ✓ To support SCC COVID-19 Local outbreak planning including TBCs arrangements for local Test and Trace Arrangements ✓ Re-start services safely and efficiently seeking to keep people safe, this includes:- <ul style="list-style-type: none"> ○ Community Wardens ○ Sheltered ○ Castle Toilets ○ Supported Housing ○ Court possession and recovery sanctions for non-payment of council debt ○ Car Parking Arrangements ○ PSL schemes ✓ Work with all partners to continue to open up the Town centre – responding to latest government restrictions and arrangements ✓ Review emergency and incident response arising from COVID19 to inform future recovery planning
<p>Recovery <i>re-alignment of existing corporate projects to focus on a demand led and sustainable programme</i></p> <p><i>Existing Corporate projects will now be incorporated into these areas</i></p> <p><i>See Annex Four for more details</i></p>	<ol style="list-style-type: none"> 1. Financial Management & Commerciality - Accelerated financial review including exploration of HRA cross subsidy and ban on non-essential spending 2. Building Requirements - Assessment of utilisation of Marmion House & the Councils other asset and building requirements 3. Review of Front Reception service including the customer service offer 4. Develop the Councils Organisational Strategy including exploration of SMART working for designated roles 5. An organisational wide Service Redesign and review programme seeking to identify short, medium term efficiencies, savings and income generation opportunities 6. Review of Third Sector Support and Vulnerability Strategy maximising opportunities for ‘anchor organisations’ 7. Economy, Business and Regeneration - supporting the development of Tamworth now and in the future 8. Heritage Assets – reviewing the onward service offer following decisions taken 2020 in relation to the Assembly rooms & Castle - specifically to scope what is meant by the term heritage asset, to undertake a review of the current heritage offer within Tamworth to establish a base line/inventory of all heritage assets (including buildings, land and collection) and then propose an effective economical business (operational, commercial and financial) model which will protect Tamworth’s heritage for future generations.
<p>Reset <i>cross cutting and integral</i></p>	<ul style="list-style-type: none"> ✓ Digital by Default acceleration ✓ Climate Change and delivering on Carbon targets

<i>themes to the delivery, improvement, and socio-economic wellbeing of our communities</i>	<ul style="list-style-type: none"> ✓ Affordable Housing Development – Build Back Better ✓ Devolution Planning & response to white paper
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7.12. In relation to the **proposed service reviews** – the methodology proposed combines a hybrid of quality management techniques such as six sigma, vanguard and best value. The proposed template seeks to capture service data (shown at Annex five). Applying VFM principles the review will:-

- Challenge what is provided on the basis of whether it is statutory or not,
- Detail how the service is currently delivered and how performance compares
- Describe whether there are alternative options that save &/or generate income to the Council
- Explain and detail community impact of service re-engineering and transformation if being proposed

7.13. During the Pandemic, the LGA have produced a range of papers on the role of elected members, including [Councillor guidance](#) on recovery & Reset, [a Leadership work-book](#), as well as a [work-book on the role of the opposition](#) in supporting effective democracy. They reference best practice in relation to how democracy can be being strengthened as a result of improved scrutiny and opposition arrangements.

The LGA point to case studies such as Plymouth, Dorset, Chichester, and Lichfield that have all attempted to use the Pandemic as an opportunity to reflect on the COVID19 related impact on democracy, and strengthen its response.

The LGA suggest Councils consider different mechanisms for the opposition to hold the Executive to account, whilst also ensuring a focus on influencing policy and recovery. Embracing the role of opposition members will strengthen democracy and enable all members to act as community leaders and navigators when managing critical messages. Whilst the opposition is fundamentally around challenging the controlling group and propounding alternative policy considerations’, the Pandemic demands cross party collaboration on overriding principles fundamental to the future of the Council.

It is not necessary to amend the Councils constitution as the existing overview and scrutiny arrangements are already in place and will consider recovery and reset work appropriate to their remit, rather arrange informal minimum quarterly meetings of the Scrutiny Chairs and one other appointed from each scrutiny committee with the Leader, Cabinet, Executive Leadership Team and Programme Director to review, support, scrutinise the programme delivery, feeding observations back to Cabinet as is the current convention. Proposed terms of reference for this group are set out at annex two and it is suggested the arrangements for this are overseen by the Council’s Monitoring Officer to ensure this does not fall outside current constitutional arrangements.

Detail the programme structure, headline key projects with initial scoping of key work-stream

- 7.14. Corporate Management Team undertook a detailed exercise over June and July identifying financial opportunities to maximise income to the Council. The areas identified have informed the work-streams proposed.
- 7.15. The plan, which is shown in full at Annex four, will be the subject of detailed scoping and development of associated PID(s) including individual resourcing plans. Proposed aims, objectives and key activities are detailed in annex four and will be the basis for the projects listed.
- 7.16. Where cross cutting themes have been identified, whilst lead officers have been identified, it is entirely possible that business cases will be brought forward to Cabinet outside of the Recovery and Reset framework. Some of this is captured within the recovery and Reset programme to avoid duplication, but the programme is designed to enhance and support the overall approach not act as impediment to routine service and ‘usual’ directorate business improvement.

8.0. NEXT STEPS

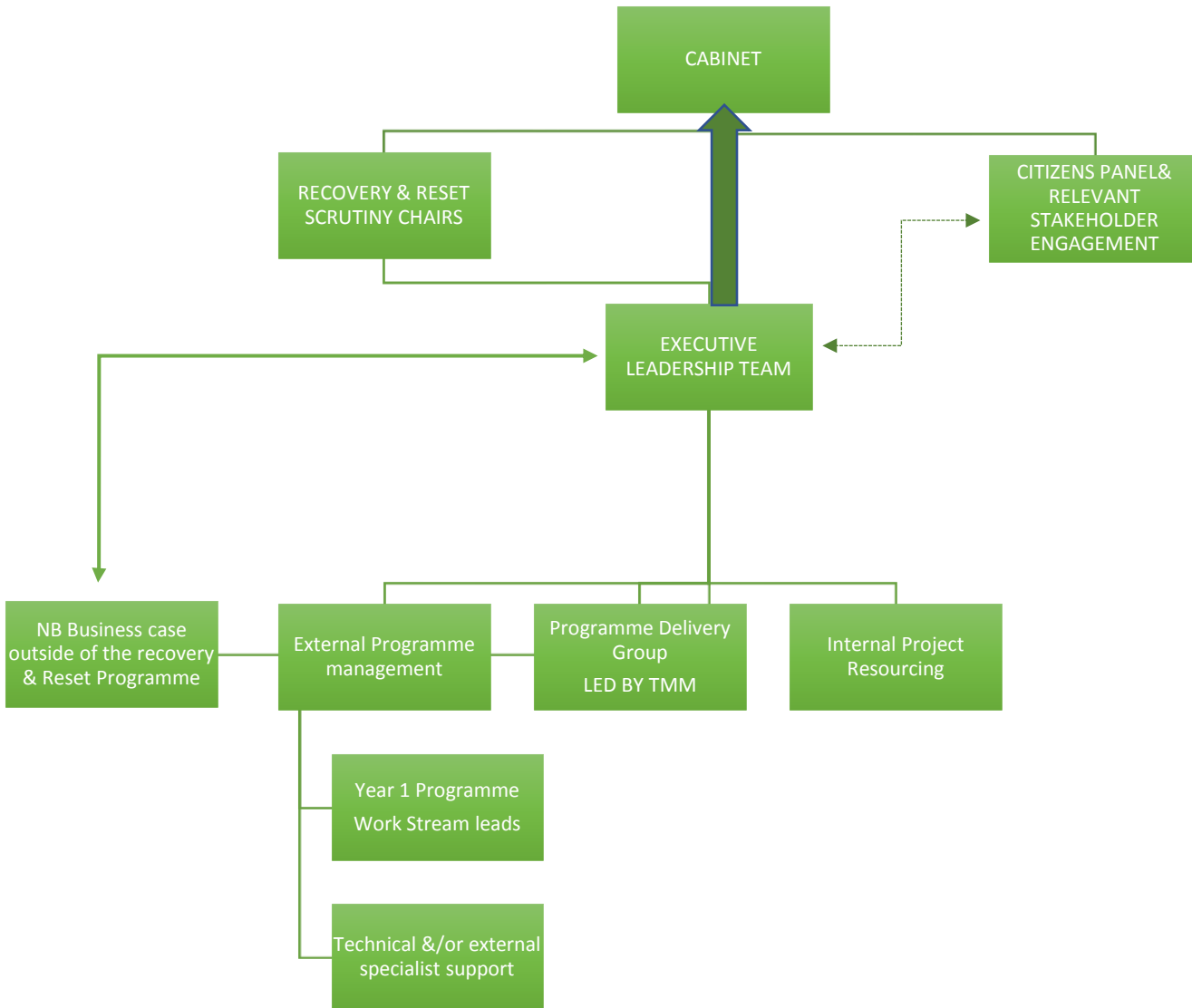
8.1. If approved the following timetable is anticipated: -

Event	Timescale
TULG update with Recovery & Reset Programme	By 22 nd October 2020
Cabinet Proposals for the Councils Recovery & Reset Plan 2020-2023	22 nd October 2020
Recovery & Reset Plan launched virtually with AD briefings to HoS’	End of October 2020
Engagement of external Programme Management	Mid November 2020
Adoption of Change Management Techniques informing scoping of Stakeholder Engagement Strategy	November 2020
Fully scoped Programme as the report mapped and shared with Stakeholders	Mid December 2020
Arrangements for Scrutiny and Cabinet meetings agreed and timetabled thereafter in the municipal calendar to scrutinise performance	Mid December 2020
Cabinet receive further proposals on year 1 of the programme as they are developed	2020/2021

REPORT AUTHOR

Tina Mustafa - Recovery & Reset Programme Director ext. 467

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The Councils constitution provides a democratic mandate to ensure transparent and effective decisions making. Tamworth already provides, through its Scrutiny Committee's, opportunity to influence, shape and scrutinise policy and strategic arrangements, ultimately holding the Executive to account.

During the Councils Recovery & Reset Programme this Meeting will:-

- Comprise the Chair and one other nominated member from each of the Councils Scrutiny Committees
- Hold quarterly meetings with the Councils Cabinet, Executive Leadership Team and Programme Director as part of an informal and co-ordinated arrangement
- Existing Scrutiny Committees will continue to operate as per the constitution and this meeting will simply be to discuss matters to ensure a focus on Recovery and Reset
- Receive quarterly Programme reports on progress of the projects within the plan
- Seek to collaborate, challenge and act as ambassadors for the Recovery and Reset Programme
- Attempt cross-party support around citizen engagement and act with public interest
- Will be monitored by the Council's Monitoring Officer to ensure, as across all areas, the Nolan principles underpinning the seven principles of Public Life are observed and that this meeting remains within the existing parameters of the constitution

The Opposition in supporting this meeting will

- Seek to provide clarity on their policy aims and priorities
- Have a coherent opposition policy around recovery and reset
- Seek to continually refresh and review ideas based on national, regional and local context
- Maintain a positive and progressive approach supporting Tamworth's Borough Councils Vision and strategic aims
- Be a constructive, cohesive and effective team

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PEOPLE



Established COVID19 emergency response(s) via Staffordshire Resilience Forum

MT with daily &/or weekly virtual meetings with partners (SRF, SCC, SCG, VCSE)

Established a 'vulnerability' task and finish group supporting those extremely clinically vulnerable (ECV)

2922 identified as ECV supported through the Councils Partnership arrangements with anchor organisations

Council investment in 'anchor organisations' to support community resilience and local volunteering

Weekly calls to over 3000 households identified with support requirements - via VCSE and the councils own teams

Partnership support and bid for c£100k of lottery funding to tackle social isolation & support befriending

>£220k of small, local grants continued to be administered to businesses in line with councils commissioning framework

Improved customer service through moving the repairs call centre in-house

Managed all the Councils social media and internet traffic with upto date COVID information achieving over 330,000 page views in the first quarter of the year

PLACE



Established a cross party working group to champion and shape the future Heritage Offer in Tamworth

Payment of £11.5m in local business grants

Uninterrupted service continuation at Street Scene for bins collection, litter removal, tree services & grounds maintenance

Increased capacity within Burial services

Full Compliance with *public open space guidance* to ensure COVID Secure practices around social distancing

Re-opened our Town centre effectively with stringent Covid-secure arrangements

Between April-August processed 1300 new benefit claims compared to 500 typically received in the same period

Processed 18000 change of benefit circumstances forms compared to 5000 typically received for the same period

£387k hardship payments allocated to 2600 cases in the community with £180k in the process of being awarded

Council Tax & rental (HRA) income exceeds benchmarking estimates for under recovery despite a doubling of those households in receipt of Universal credit from 4000 to over 8000

Submission of Future High Street Bid on time

ORGANISATION



Continued to hold informal twice weekly Cabinet briefings

Remote Councils Meetings introduced at pace

Continued to deliver all front line services by adapting processes

Deployed all employees in an agile way to maximise service delivery

Over 70% (based in Marmion) WFH within hours of lockdown being announced - with ICT infrastructure

Sickness & absence levels largely below usual levels as well as delivering 100% payroll electronically

Street Scene, Cleaning, Repairs and Investment arrangements continued

Staff Survey conducted July - 92% either satisfied or very satisfied with WFH environment and 94% either satisfied or very satisfied with CMT communications

Statement of Accounts produced on time and external sign off being progressed in line with previously agreed timescales.

Budget Management continuing uninterrupted in line with budget setting processes and in line with Qtr1 monitoring
Corporate Projects continued to be delivered including CCTV (shared service with the WMCA); de-mobilisation and mobilisation of multi-million pound contracts as well as key policy developments, i.e. Allocations from Housing Register

Annex Four – Recovery and Reset Plan

“Putting Tamworth, its people and the local economy at the heart of everything we do”

Recovery and Resets: Work-streams will all include a Community & Equality Impact Assessment

Work-stream	Financial Management and Commerciality	SMART Working	Building Requirements	Front Reception and Customer Service Offer	Service Redesign	Third sector Support & Vulnerability Strategy	Economy Business, Regeneration	Heritage
Work-stream Lead	LP	ZW	PW	ZW	TM	JS	AM	AM
Objectives	Deliver savings and increased income via processes that include an assessment of the impact on delivery of corporate objectives and organisational aims	Develop a costed business case to consider the potential for mandatory SMART working including assessment of benefits and risks	Develop a costed plan for potential disinvestment in MH including options for alternatives	Develop a costed business case to assess the potential for re-design of the transformation of customer services offer Support the digital transformation agenda by mapping transactions in line with benchmarked best practice Establish and define customer service offer	Develop and implement an approach for service redesign across the organisation including service reviews of every service area over the life of the Programme Establish a base line review of each service in order to prioritise income generation, savings opportunities in the short	Develop an approach to third sector commissioning linked closely to achievement of the Council’s business aims Share the Vulnerability base line assessment with relevant stakeholders’. Develop a Vulnerability Strategy exploring all the recommendati	Develop a strategic approach to supporting business and regeneration of the town Link Future High Street funding outcomes to wider place based service delivery	To scope what is meant by the term heritage asset Undertake a review of the current heritage offer within Tamworth to establish a base line/inventory of all heritage assets (including buildings, land and collection) Propose an effective economical business (operational, commercial and financial) model which

				based on universal, targeted and specialist support	and medium term	ons detailed		will protect Tamworth's heritage for future generations Secure the future safety and accessibility of the heritage collection and archives to ensure compliance with Arts Council requirements
Key Activities	<p>Implement commerciality strategy</p> <p>Provide proactive input to service redesign process to identify and support opportunities for commercial approaches</p> <p>Develop approaches for identification of budgetary</p>	<p>Assess Training and requirements</p> <p>Assess HR implications/Cultural change issues</p> <p>Assess the potential risks and costs</p> <p>Plan for T@C changes</p> <p>Assess</p>	<p>Assess in consultation with relevant stakeholders requirements for buildings</p> <p>Assess costs/benefits of disinvestment</p> <p>Assess opportunities within current corporate buildings/</p> <p>Assess/cost other options including redevelopment opportunities if</p>	<p>Identify the current provision and assess effectiveness against business aims</p> <p>Identify mitigation strategy for vulnerable customers</p> <p>Plan for consultation with residents</p>	<p>Identification of early opportunities for cost savings/increased income</p> <p>Revised Corporate review policy based on TCO principals</p> <p>Programme and plan including engagement and</p>	<p>Assessment of vulnerability issues including those relating to changed environment post Covid19</p> <p>Review effectiveness of current approach against business aims</p> <p>Assessment of capacity of 3rd</p>	<p>Complete baseline assessment</p>	<p>Ensure access to Tamworth's heritage is protected</p> <p>Identify and designate all area of land and buildings that fall within the scope of this project</p> <p>Evidence the 'true' cost v value of Tamworth's heritage offer</p> <p>Proactively explore a range of</p>

	<p>savings relating to budgetary process</p> <p>Provide overview of financial impact, issues and risks relating to other work-streams</p> <p>Collate and provide financial analysis relating to pandemic impact to inform organisational decisions</p>	<p>ICT/Equipment requirements</p> <p>Assess potential impact in relation to productivity and service quality and contribute to the development of quality measurement</p>	<p>disinvestment is considered further</p> <p>Assess impact of wider contractual/leasing issues for each option connected to the building including ICT issues</p>		<p>consultation approach</p> <p>Principles of Tamworth Communities Offer to be applied to the service review process ensuring clear service standards</p>	<p>Sector to support commissioned services</p>		<p>funding opportunities</p> <p>Identify a realistic, achievable and sustainable financial model after exploring a full range of other funding schemes/models</p> <p>Preserve the Council's collection and archive</p> <p>Guarantee public access to Tamworth's heritage</p> <p>Inform a heritage strategy that is both sustainable and achievable</p>
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Cross cutting Work-streams

Work-stream	HR	ICT and Digitisation	Communications	Consultation and Engagement	Supporting Vulnerable People	
Lead	JN	GY	LR	TM (Programme Lead) & Relevant AD where project specific	JS	
Objectives and Scope	<p>Ensure employee relations are properly managed- staff engagement consultation</p> <p>Workforce development</p> <p>Support change including cultural transformation</p> <p>Develop Change Management Strategy supporting the Programme</p>	<p>Update ICT strategy</p> <p>Facilitate development of e-enabled service solutions wherever possible</p> <p>Assess ICT infrastructure needs</p>	<p>Develop Communications plan including media strategy</p> <p>Promote positive messages as part of a media strategy</p> <p>Manage and respond proactively to public and stakeholder concerns</p>	<p>Facilitate public consultation as required to ensure wider awareness</p> <p>Complete Statutory consultation as necessary</p> <p>Engagement with stakeholders to ensure service design is informed by community requirements</p>	<p>Intelligence led approach to supporting and tailoring services to vulnerable people's needs</p> <p>Supporting the assessment of impact of changes to service delivery on vulnerable groups</p>	

Corporate Service Review/Redesign

Background/Baseline information

Service Name	
Scope of the review	
Resources included (staff, budgets, buildings , vehicles etc	
What are the purposes of the service?	
Describe the links to Corporate Objectives	
Who receives this service and what information is available about these customers? Please describe any consultation undertaken with customers regarding this service in the past 3 years.	
List current performance standards and including PI's and service standards and provide comparators where available to assess the performance, cost and income of the service against others	
Is delivery of the service a statutory duty for the local authority- please identify the relevant legislation	YES/NO
Is any part of the service delivered by 3 rd parties including contractors, partners, 3 rd sector organisations or via a shared service arrangement	
Summary of minimum service required to fulfil statutory responsibilities	
Summary of any external assessment, quality assurance undertaken relating to the service in the last 3 years	

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Review: Consideration must be given to each of the following options.

One- Service Cessation/Reduction

Could any part of the service be ceased or reduced?

No	Identify the reasons why service cessation/reduction is not possible for any aspect of the service.
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Yes	What aspects of the service could be ceased/reduced?
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What is the potential impact of ceasing/reducing any aspect of the service? Please describe the impacts identifying in summary any risks or benefits against the following

<i>Financial</i>	
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<i>Staffing/organisation</i>	
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<i>Statutory/Regulatory</i>	
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<i>Community/Vulnerability</i>	
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<i>Environment/economy</i>	
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<i>Reputational</i>	
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<i>Other</i>	
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What would be required to implement a change including approximate timescale and resources needed	
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Describe the evidence used to support the above conclusions	
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Two- Externalisation	
Could any part of the service be delivered via a third party (excluding the third sector)?	
No	Identify the reasons why it is not feasible for any part of the service to not be provided by a third party
Yes	What aspects of the service could be provided by a third party? Who could deliver this on behalf of the Council?
What is the potential impact of externalisation of any aspect of the service? Please describe the impacts identifying in summary any risks or benefits against the following	
<i>Financial</i>	
<i>Staffing/organisation</i>	
<i>Reputational</i>	
<i>Statutory/Regulatory</i>	
<i>Community/Vulnerability</i>	
<i>Environment/economy</i>	
<i>Other</i>	
What would be required to implement a change including approximate timescale and resources needed	
Describe the evidence used to support the above conclusions	

Three- Income Generation	
Could any aspect of the service be delivered in a manner which generates income for the Council?	
No	Identify the reasons why there is no part of the service which could be delivered in a manner which generates income for the Council
Yes	What aspects of the service could be provided in a way which generates income?
What is the potential impact of delivering the service in a manner which generates income? Please describe the impacts identifying in summary any risks or benefits against the following	
<i>Financial</i>	
<i>Staffing/organisation (incl. recharges)</i>	
<i>Reputational</i>	
<i>Statutory/Regulatory</i>	
<i>Community/Vulnerability</i>	
<i>Environment/economy</i>	
<i>Facilities, land and equipment</i>	
<i>Other</i>	
What would be required to implement a change including approximate timescale and resources needed	
Describe the evidence used to support the above conclusions	

Four- Digitisation

Could any aspect of the service be delivered via digital means?

No	Identify the reasons why there is no part of the service which could be delivered via digital means
Yes	What aspects of the service could be provided digitally?
What is the potential impact of delivering the service digitally? Please describe the impacts identifying in summary any risks or benefits against the following	
<i>Financial</i>	
<i>Staffing/organisation</i>	
<i>Reputational</i>	
<i>Statutory/Regulatory</i>	
<i>Community/Vulnerability</i>	
<i>Environment/economy</i>	
<i>Other</i>	
What would be required to implement a change including approximate timescale and resources needed	
Describe the evidence used to support the above conclusions	

Five- Structural Change to reduce costs

Could the service be delivered via a different organisational structure to reduce costs?

No	Identify the reasons why the service could not be delivered via a different organisational structure to reduce costs
Yes	How could the service be delivered via a different organisational structure to reduce costs?

What is the potential impact of delivering the service via a different organisational structure? Please describe the impacts identifying in summary any risks or benefits against the following

<i>Financial</i>	
<i>Staffing/organisation</i>	
<i>Reputational</i>	
<i>Statutory/Regulatory</i>	
<i>Community/Vulnerability</i>	
<i>Environment/economy</i>	
<i>Other</i>	

What would be required to implement a change including approximate timescale and resources needed

Describe the evidence used to support the above conclusions

Six- other changes to reduce costs

Are there other changes that could be made to the service to reduce costs?

Yes

What other changes could be made to the service reduce costs?

What is the potential impact of making these changes? Please describe the impacts identifying in summary any risks or benefits against the following

Financial

Staffing/organisation

Reputational

Statutory/Regulatory

Community/Vulnerability

Environment/economy

Other

What would be required to implement a change including approximate timescale and resources needed

Describe the evidence used to support the above conclusions

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THURSDAY, 22 OCTOBER 2020

REPORT OF THE PORTFOLIO HOLDER FOR REGULATORY & COMMUNITY SAFETY**TAMWORTH BOROUGH COUNCIL RESPONSE TO WHITE PAPER: PLANNING FOR THE FUTURE****EXEMPT INFORMATION**

None.

PURPOSE

To seek Cabinet approval to submit the draft consultation response to the Government consultation on Planning white paper: planning for the future as the response of Tamworth Borough Council and acknowledge that the White Paper creates uncertainty in setting out the timescale for the delivery of a new local plan. To further seek a Cabinet resolution to submit evidence to the Housing, Communities and Local Government Committee inquiry with responsibility for the final wording to be delegated to the Assistant Director – Growth and Regeneration.

RECOMMENDATIONS

It is recommended that Cabinet:

1. Approve the submission of the consultation response set out in Appendix A as the response of Tamworth Borough Council
2. Acknowledge that the proposals within the White Paper will delay the delivery of a new local plan and also the preparation of a Local Development Scheme which sets out the timetable.
3. Resolve to submit evidence to the Housing, Communities and Local Government Committee inquiry and delegate responsibility for the wording of that response to the Assistant Director – Growth and Regeneration

EXECUTIVE SUMMARY

The White Paper: Planning for the Future was published by Government on 06 August and seeks views on a wide range of reforms to the planning system covering five main areas.

- Streamlining the system
- Modernising through a digital first approach
- Focussing on design and sustainability
- Improving infrastructure delivery
- Making sure land is available for development

Officers have drafted responses to the 26 questions posed in the consultation document in consultation with members and those responses are included in Appendix A. Approval is sought to submit the responses set out in Appendix A as the response of Tamworth Borough Council to the consultation. The consultation closes on 29 October 2020.

At the Cabinet meeting on 19 March 2020 members considered the Local Plan Review document and approved the commencement of work to produce a new local plan. A further report was to be brought to Cabinet setting out a timeframe for the development of the new plan. Work on this has been ongoing, however the white paper includes proposals for large scale changes to the local plan making process which, if implemented, would significantly alter the way in which local plans are produced. It is considered that starting the development of a new local plan in the current circumstances would not be appropriate when the process and form the plan is required to take may change substantially in the near future.

On 08 October the Housing, Communities and Local Government Committee launched a new inquiry to investigate the Government proposals to reform the planning system as set out in the white paper. As part of the inquiry the Committee is inviting the submission of views on a number of issues by 30 October. It is considered important to submit a response to the call for evidence to ensure that the Council's views are fully considered by the inquiry, however it has not been possible for a full response to be drafted in time for consideration by Cabinet prior to the Cabinet report submission deadline. Therefore a framework for the response to the eight questions posed is included at Appendix B and it is recommended that Cabinet delegate responsibility for drafting and submitting a full response to the Assistant Director – Growth and Regeneration.

OPTIONS CONSIDERED

The alternative options in relation to the consultation are to not respond at all or to provide a different response to that proposed in Appendix A. Whilst Tamworth's response is likely to be only one of many received by Government, not responding to the consultation would mean the Council's views are not taken into account and so this option was not considered appropriate. The proposed response set out in Appendix A is considered to be the most appropriate response and has been drawn up by officers in consultation with members.

A similar consideration applies to the response to the Housing, Communities and Local Government Committee inquiry. The alternative option would be to not respond, which would mean the Council's views are not taken into account. There is also not sufficient time for a full response to be considered by Cabinet prior to the Cabinet report submission deadline. It is therefore considered that the most appropriate option is for Cabinet to approve the framework for a response and delegate responsibility for the final wording to the Assistant Director – Growth and Regeneration.

The alternative option considered in relation to the delivery of the local plan is to continue with the current approach of developing a new local plan under the existing Government policy and guidance. The consultation proposes wide ranging and significant changes to the planning system including to the local plan process. As no significant progress has been made on a new local plan for Tamworth at this stage, it would be unlikely to meet the criteria for any transitional arrangements were the

proposals in the white paper to be brought forward. To progress the new plan in the current circumstances is not considered appropriate when there is a significant risk that the associated work and expense would be rendered redundant by the proposed changes to the planning system. It is therefore considered that the most appropriate course of action is to pause production of a new plan until there is some indication from Government on whether the proposed changes will be implemented.

RESOURCE IMPLICATIONS

There are no resource implications directly as a result of responding to either the Government consultation or the Housing, Communities and Local Government Committee inquiry call for evidence. There are likely to be resource implications at a later date if Government decide to take forward any or all of the proposed changes set out in the white paper consultation and these will need to be considered at a later date once more details are known.

The current budget for local plan production for 2020/21 is £115k with a committed spend of £10,655 at the end of September 2020. The budget for financial year 2021/22 onwards is currently £10k and there is a retained fund of £147,624 as a result of previous underspend. It is not anticipated that there will be any additional resource requirements at this time as a result of delaying production of a new local plan. It is considered that any underspend from 2020/21 should be retained to support relevant plan making activities.

LEGAL/RISK IMPLICATIONS BACKGROUND

There are no legal or risk implications associated with responding to the either the Government consultation or the Housing, Communities and Local Government Committee inquiry call for evidence. Not responding to the consultation risks not having the Council's views considered as part of the consultation process.

The current local plan was adopted in 2016 and is now nearly five years old. There is therefore a risk that elements of the plan may be considered 'out of date' in the near future and any delay in developing a new plan could extend this issue in the longer term. However, as the average time for producing a new plan is four to seven years it is considered that this risk will not be significantly increased by the delay caused by waiting for the outcome of the white paper consultation. There is a risk that continuing with the current approach could lead to a significant amount of abortive work and associated cost if the Council is required to abandon the current approach further down the line. On balance it is therefore considered that the limited risk is acceptable when considered against the other possible implications.

EQUALITIES IMPLICATIONS

No equalities impacts have been identified as a result of the proposals set out in this report.

SUSTAINABILITY IMPLICATIONS

There are no direct sustainability implications resulting from the proposals set out in this report. Any new local plan would be required to be in accordance with the policies contained within the National Planning Policy Framework which has sustainability at its core. Any new plan would also be accompanied by a sustainability appraisal that would consider the potential sustainability implications at an appropriate stage.

BACKGROUND INFORMATION

Whilst it acknowledges the importance of planning in tackling important national challenges, the current Government is of the view that the existing planning system is out of date and does not produce the outcomes that it should. With this in mind, the Government has published the White Paper: Planning for the Future which sets out proposals for a wide range of changes to the current planning system covering five main areas.

Streamlining the system by:

- Simplifying the role of Local Plans
- Setting clear rules for development
- Re-inventing the ambition, depth and breadth of community engagement
- Subjecting plans to a single statutory “sustainable development” test
- Making sure plans are visual and map-based
- Requiring plans to take no longer than 30 months to produce
- Making decision making faster and more certain
- Strengthening enforcement powers
- Developing a comprehensive resources and skills strategy for the planning sector

Modernising the system through a digital first approach by:

- Supporting councils to use digital tools for engagement, plan making and decision taking
- Insisting plans are built on standardised, digitally consumable rules and data
- Standardising and making digitally available critical datasets
- Working with tech companies and councils to modernise the software used
- Engaging with the PropTech sector

Focussing on design and sustainability by:

- Ensuring the system supports efforts to combat climate change
- Facilitating ambitions improvement in energy efficiency standards
- Expecting new development to be ‘beautiful’ with a greater focus on ‘placemaking’
- Introducing a ‘fast-track for beauty’
- Introducing a quicker, simpler framework for assessing environmental impacts and enhancement opportunities
- Introducing design guidance and codes to set rules for the design of new development
- Establishing a new body to support the delivery of design codes
- Ensuring councils have a chief officer for design and placemaking
- Updating Homes England’s strategic objectives to give greater emphasis to delivering beautiful places
- Protecting historic buildings and areas

Improving infrastructure delivery by:

- Reforming the Community Infrastructure Levy and planning obligations into one nationally set, flat-rate charge
- Being more ambitious for affordable housing provision
- Giving councils more flexibility on how developer contributions are used

- Including changes of use through permitted development rights in the new infrastructure levy regime

Ensuring more land is available for development by:

- Introducing a new nationally-determined, binding housing requirement that councils would have to deliver through their local plans
- Speeding up construction where development has been permitted
- Providing better information to local communities
- Promoting competition amongst developers
- Assisting SMEs and new entrants to the sector
- Making sure publicly-owned land and public investment supports thriving places

Government is currently consulting on these proposed changes until 29 October and have posed a series of questions for interested parties to respond to. Officers of the council, in consultation with members, have drawn up a draft response to the 26 questions and those responses are included in Appendix A.

At the Cabinet meeting on 19 March 2020 members considered the Local Plan Review document and approved the commencement of work to produce a new local plan. The report stated that a further report was to be brought to Cabinet setting out a timeframe for the development of the new plan, although no specific timescale for this was given at the time. Work on this has been ongoing, however the white paper includes proposals for large scale changes to the local plan making process which, if implemented, would significantly alter the way in which local plans are produced.

It is unclear at this time which of the proposals set out in the white paper will be implemented and when this might occur given that many will require changes to both primary and secondary legislation. It is therefore considered appropriate to delay the development of a timeline for the production of a new plan until there is some indication from Government as to which of the proposals will be taken forward and what the timeframe for their implementation may be. The reasons for this are covered under Options Considered above. However, this approach does not mean that all plan making activities will cease as there are elements, such as evidence collection, that would be relevant to a new local plan under both the existing and proposed approach.

On 08 October the Housing, Communities and Local Government Committee launched a new inquiry to investigate the Government proposals to reform the planning system as set out in the white paper. The inquiry will examine how well the proposed reforms would support the Government's wider building strategy, including its target to build 300,000 new homes a year, as well as ensuring high quality construction that is fit for purpose. It will also examine how well the new proposals protect existing buildings or localities, and provide mechanisms for local engagement in the planning system.

As part of the inquiry the Committee is inviting the submission of views on the following issues by 30 October:

1. Is the current planning system working as it should do? What changes might need to be made? Are the Government's proposals the right approach?
2. In seeking to build 300,000 homes a year, is the greatest obstacle the planning system or the subsequent build-out of properties with permission?

3. How can the planning system ensure that buildings are beautiful and fit for purpose?
4. What approach should be used to determine the housing need and requirement of a local authority?
5. What is the best approach to ensure public engagement in the planning system? What role should modern technology and data play in this?
6. How can the planning system ensure adequate and reasonable protection for areas and buildings of environmental, historical, and architectural importance?
7. What changes, if any, are needed to the green belt?
8. What progress has been made since the Committee's 2018 report on capturing land value and how might the proposals improve outcomes? What further steps might also be needed?

It is considered important to submit a response to the call for evidence to ensure that the Council's views are fully considered by the inquiry. However, as the inquiry was only launched on 08 October, it has not been possible for a full response to be drafted in time for consideration by Cabinet prior to the submission deadline. Therefore a framework for the response to the eight questions posed is included at Appendix B and it is recommended that Cabinet delegate responsibility for drafting and submitting a full response to the Assistant Director – Growth and Regeneration.

REPORT AUTHOR

Corinne O'Hare - Planning Policy and Delivery Officer
Richard Powell - Planning Policy and Delivery Officer

LIST OF BACKGROUND PAPERS

White paper: Planning for the future – available at:

<https://www.gov.uk/government/consultations/planning-for-the-future>

Report of the Portfolio Holder for Regulatory and Community Safety – 19 March 2020
Cabinet – Local Plan Review

APPENDICES

Appendix A – Draft response to Planning White Paper: Planning for the Future Consultation

Appendix B – Framework for responding to the Housing, Communities and Local Government Committee inquiry into proposed planning reforms

White Paper: Planning for the Future

Q1. What three words do you associate most with the planning system in England?

1. Necessary
2. Democratic
3. Multifaceted

Q2. Do you get involved with planning decisions in your local area?

Yes, as a local planning authority (LPA), Tamworth Borough Council engages at national, County and district level together with cross-border working.

Q2(a). If no, why not?

N/A

Q3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? *[Social media / Online news / Newspaper / By post / Other – please specify]*

Any access to plans and proposals would have to take into account changes to the Data Protection Act through the GDPR in May 2018 and people's access to different technology, along with the skills necessary to use it. Projected population changes in Tamworth show that there is a significant increase in all age ranges over 60 up to 2036, most notably in the 80plus age range. The ageing population and the projected decrease in the population under 35 will require a package of measures to ensure all parts of the community in Tamworth have equal access to plans and planning decisions.

Q4. What are your top three priorities for planning in your local area? *[Building homes for young people / building homes for the homeless / Protection of green*

spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

Tamworth's priorities are set out in our current corporate plan with a vision "to put Tamworth, its people and the local economy at the heart of everything we do." With respect to planning our three main priorities are:

- 1 – To create a new and developing vision for the continued evolution of Tamworth, including a Town Centre fit for 21st century
- 2 – Meeting housing need through a variety of approaches and intervention
- 3 – Facilitate sustainable growth and economic prosperity

Q5. Do you agree that Local Plans should be simplified in line with our proposals?

On the face of it having each piece of land categorised as one of three area types could be considered a simplification of a local plan. How these three area types, in particular Growth and Renewal areas, will work in practice is, to a large extent, yet to be determined and is not without complexity. There will be the need for a much finer grain, with sub-areas within each category such as creating areas for self and custom build homes and establishing differing permitted densities. Identifying distinct areas around high streets and town centres and introducing design codes will inevitably result in 'policy layers'. This complexity is unavoidable within a meaningful planning system; to imply that every area of land can neatly fall into one of three categories is misleading. The detail of the accompanying text needed for the Growth and Renewal areas is of particular concern given the proposed 12-month plan production window.

There are many unknowns remaining within the proposals with terms and parameters yet to be defined, such as 'substantial development' and 'important

constraints'. What is substantial for one area will not be substantial for another. The definition will need to be set out in national policy.

The 'important constraints' that would be excluded from Growth areas unless the risk can be fully mitigated, have not been specified. Regarding mitigation, would the need for mitigation need to be proven at the point of submitting the site within the first six months of the plan process and if so, would this case for mitigation then need to be determined within the 12-month plan production period? Demonstrating successful mitigation requires substantial up-front financial resources, however, at that early stage of the plan process, with no certainty of an allocation, a landowner/developer might not be able to afford to take the risk. Similarly, it is not clear when masterplans and design codes will be prepared in the plan process. If there is to be any significant level of detail to support an allocation of a Growth area, this is not compatible with a 12-month plan production timeframe.

The proposals as they stand would result in the local plan policies map looking very choppy, with Protected areas to include gardens and the dwellings themselves within the curtilage likely to fall into a Renewal area. The plotting of the interactive map would simply not be achievable if gardens and dwellings are to fall within different areas. As such, there needs to be a recognition that protected areas will 'wash over' existing properties which might otherwise be seen as previously developed land, normally suitable for 'renewal'.

The introduction of a wholly interactive local plan policies map is supported, however, detailed guidance would be required to ensure that a set standard applied across the country. This extends to a clear set of criteria for whether policies are defined by polygons and/or icons or shading. For LPAs to prepare for the changes proposed, the new NPPF would need to be published well in advance of new legislation. Transitional arrangements will need to be considered in detail – perhaps

to the extent that any new NPPF only applies once a new-style Local Plan has been adopted.

It would be advisable that pioneer LPA's would be given longer than 30 months to produce these new style Local Plans as they will need more resources (time, money and expertise/training) to produce. Also it is unclear where the gap in fee income would come from, as most of the cost of securing outline planning would be at plan making stage, instead of the traditional (and income generating) application process.

Q6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.]

Seeking to reduce the duplication of national policy within Local Plans is understandable and many policies are adequately covered by the NPPF e.g. Heritage, and Green Belt. However, general development management policies only being set nationally, does not allow local authorities to respond to local issues/priorities in ways which they think are appropriate and reflect the distinctiveness of an area. Authorities will instead be constrained by National Policy requirements. The new system needs to reflect the fact that there are always going to be certain local issues that will not be covered by the NPPF. It would be preferable if the NPPF sets out what is covered nationally and does not require further policy to be set, although effective consultation on the wording of these policies will be required - particularly with practitioners who are expected to apply them. Local authorities could pick up on topics which the NPPF cannot cover.

It is likely that by removing general development management policies from the Local Plan, Local authorities will add many requirements within the design guide and codes, to ensure that local priorities will be taken into account. Therefore, instead of

the information being contained within the Local Plan as separate policies, the information will be contained within the design guides and codes, with this route being time consuming and expensive to achieve, without the same level of scrutiny.

The premise of development management policies and code requirements being written in a machine-readable format, is understandable. However, funding and software training will need to be provided to local authorities to enable the implementation of this. In addition, can LPAs compete with the private sector to attract skilled individuals into a quasi-planning/software developer role?

In terms of the alternative options proposed, limiting the scope of the policies local authorities can write, could again stymie local authorities ability to respond to local issues/properties and again does not sit well alongside the premise of the Localism Act, nor the concept of the White Paper enabling better engagement. The idea that local authorities can set their own development management policies (without duplication of the NPPF) is supported. This should reduce the number of policies within Local Plans and ensure that local authorities have the opportunities include policies which are locally distinctive, if they so choose.

The status of the NPPF would alter to being part of the Development Plan. We believe it is important that provisions will be made to ensure that future revisions of the Framework would undergo a rigorous and transparent testing through a similar examination process.

Q7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact?

In the main yes, but with some qualifications.

The environmental assessment process is complex and unwieldy. It has become so partly because of the requirements included in legislation and partly due to the fear of Councils or their consultants that a failure to address the specific requirements of the Strategic Environment Assessment (SEA)/Sustainability Appraisal SA processes will be used to challenge the validity of the Plan by aggrieved third parties either during examination or following its adoption.

However, there is much that is positive about the environmental assessment process and there can be no doubt that having an understanding of the likely environmental, and other effects of delivering the Plan leads to better Plan-making. It also assists with and ratifies the selection of sites when there are numerous competing opportunities. There are a number of key elements of the SEA/SA process that should be retained.

1. A brief appraisal of the spatial approach identified by the authorities explaining the options for spatially distributing growth and why the chosen approach has been selected.
2. A brief appraisal of the housing delivery target options (only if deviating from the standard method)
3. A concise assessment of sites put forward for growth (preferably against a specified and limited number of mainly environmental constraints which could be set by central government) to allow potential environmental effects to be identified and to stop the future sprawl of the scope of the SA into other matters
4. The identification of mitigation measures to help reduce the adverse effects/improve the beneficial effects of bringing the reviewed sites forward
5. An explanation of why the chosen sites have been selected.

Trying to restrict the assessment to these key issues and the controlling the scope and complexity of the environmental appraisal will reset the assessment process towards one which is easier to understand and undertake. This could increase the

number of assessments done internally by planning authorities (and reduce the need to engage more expensive consultants) and in doing so strengthen the link between plan-making, environmental protection and accountability. If the scope and content of appraisals were carefully controlled and optimised by those with expertise in this sector, many of the benefits of the current SA process could be retained, whilst many of its failings related to its complexity, its resource intensive nature and in particular its use as a vehicle to slow down or frustrate the plan-making process can be addressed.

In addition to the points raised above it would be beneficial for the Government to clearly define what 'sustainable development' is, if this is the test that plans have to meet. The phrase 'sustainable development' has a multitude of different meanings to different audiences. Due to its interpretation - if not clearly set out, this has the potential to be the main arguing point and will be the catalyst for plan making delays.

Q7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

Tamworth has used the Duty to Cooperate process successfully for some time, using it to help deliver our housing need in the current Local Plan, with our nearest neighbours. As a small and constrained authority going forwards we will need some form of cooperation with neighbours to deliver the ambitious housing targets the Government have set out for England.

In the absence of regional planning, one mechanism to deliver strategic infrastructure and address other cross boundary issues could be to mandate joint working between Housing Market Area (HMA) or other authorities to prepare a Sub-Regional Infrastructure and Cooperation Strategy. This could be akin to proposals in the Environment Bill which requires groups of authorities to prepare a Local Nature Recovery Strategy. Asking authorities to collaborate to identify cross boundary infrastructure needs and requiring that this evidence feeds into planning making and

decision taking of individual authorities could allow cross boundary issues to be adequately incorporated into individual plans. This could become complex, however, if authorities are part of multiple housing market areas. Tamworth would prefer the Duty to Cooperate mechanism to be retained and strengthened, so that housing, employment and associated infrastructure need can be delivered and not just identified.

As mentioned above Tamworth have used the DtC process to ensure that our unmet need is delivered by neighbouring authorities. What we cannot control, however, is significant development on our border that goes above and beyond our unmet need. For example our unmet need for the current plan period is 1825 dwellings whereas nearly 3000 dwellings are planned or permitted next to our administrative border. Tamworth have very little influence over these allocations which in effect are extensions of the town, with little or no improvement in health, leisure, education, transport or highway infrastructure. Any replacement for DtC should mandate authorities to agree where infrastructure is needed (whether cross-boundary or not) and provide it through developer contributions or central government funding.

Q8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced?

Tamworth is a small, constrained district which is committed to delivering significant housing growth and is performing well in achieving substantial housing completions over several years. It is right to simplify the way in which housing needs are determined to provide certainty to Council's, communities and developers regarding new local provision. However, the proposed standard method appears to have no regard to the capacity of districts or indeed local communities to accommodate ever increasing growth. Tamworth borough consists of one large town with a very limited amount of surrounding countryside it. Most of the undeveloped land remaining in the borough is either protected open space, functional flood plain or Green Belt.

Tamworth simply will not be able to sustain the same level of growth it is currently delivering, as very soon there will be no available space remaining. If constraints are not considered at a sub-regional or local level, the majority of Tamworth's growth over the coming years will be delivered in neighbouring authorities, meaning that Tamworth will have no control over delivery timelines or infrastructure. Constraints should reflect the physical amount of undeveloped land left in a Borough/District, as well as the potential regeneration of areas and gentle densification (yet to be defined). This should be done at a district level.

In addition, constraints should not only reflect the environmental capacity of local areas but also the social capacity of an area. Exceptionally high levels of growth can undermine community cohesion particularly where this growth is not supported by the necessary infrastructure which is costly and time consuming to provide. The more significant the growth, the more significant are the time and costs associated with providing the necessary infrastructure. Where high very levels of growth are required over long periods the government should do more to support existing communities to adapt to growth or help facilitate the creation of new settlements, for example through funding the creation of new infrastructure including social and green infrastructure.

Looking only at regional or sub-regional constraints will inevitably drive more greenfield development on the border of Tamworth, with the associated lack of community cohesion, no control over infrastructure, increased pressure on existing services and a lack of re-development of the centre of the town (as brownfield sites are not as attractive to the private sector).

Q8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated?

These are relevant considerations, but it is unclear how the standard methodology proposed effectively achieves this in respect of Tamworth. Tamworth is a large town of just under 77,000 people but the borough is very small at less than 12 square miles, with very little developable space left. Affordability is very poor in the town, with the median house price being 8.3 times more than the median workplace-based gross annual earnings for full-time workers. We agree that truly affordable homes are required in the borough and ensuring homes are more affordable is a key aim.

With regards to the extent of existing urban areas; this may work well in areas where household projections are similar to, or exceed the 0.5% growth scenario, but in areas such as Tamworth, where household projections are significantly below 0.5% growth it has the effect of artificially inflating need before any adjustment factor is applied.

Whilst we understand the purpose of and assumptions behind the 0.5% of housing stock baseline, for areas like Tamworth that are tightly constrained and predominantly urban, this proposal would be unsustainable in the long term. At just under 12 square miles, Tamworth is one of the smallest boroughs in the UK and currently has approximately 33,256 dwellings. 0.5% growth would therefore equate to 166 dwellings per annum against a household projection 72 per annum, an increase of 130%.

Whilst Tamworth is currently delivering around 1% growth in housing stock, this is as a result of three sustainable urban extensions (SUEs) coming forward at around the same time. These SUEs represent the majority of the developable land remaining in the borough and once they are completed it will become increasingly difficult to deliver 0.5% growth per annum even before an adjustment factor is applied.

There is a danger that using just two factors to look at housing need simplifies what is a complex process which includes many more factors including demographics, community capacity, economic growth and constraints, to name a few.

Q9(a). Do you agree that there should be automatic outline permission for areas for substantial development (areas) with faster routes for detailed consent?

No. The body of work which would need to be undertaken at the local plan stage to underpin an automatic outline permission cannot be assembled within the current resource limitations of the planning system. The due diligence necessary to gain the certainty that sites can be delivered and map out the general approach to development does have to happen at some point but to suggest that small planning teams can undertake the depth and breadth of necessary evidence gathering across many sites within the time frames set out is totally unrealistic.

The work that underpins an outline permission does have to happen at some point if it were to form part of the plan making process it will not be possible within 30 months. Moreover, the very significant costs currently met by developers will be transferred to Council's (and hence local communities). It is unclear how this additional resource burden could be clawed back given the general approach muted in the white paper that the costs of planning should be borne by the beneficiaries, not by existing communities.

It would be better to have a permission in principle fall out of the back of the Local Plans process this will provide increased certainty for the developer to progress the site design and work up development proposals (informed by a design code if these are required) and will give communities an understanding of the scope and likely timing of development. In short there needs to be the right detail at the right time. There has to be an acknowledgement that there is a significant role for the developer to come up with the detail after they have the comfort of having the allocation/permission in principle in place.

It should be noted that, should the government want LPAs to produce local design codes, or Local Development Orders to speed up decision taking later on in the process, at the same time as reducing plan preparation time, and increasing the due diligence necessary to underpin permission in principle being given through the plan making process there will need to be a very substantial increase the resources available to Council's.

There is also a contention in using developer/promoter material in evidencing allocations and in turn a permission. Public trust is needed through the process, and it cannot be seen that an allocation is 'bought' through solely developer/promoter led and funded evidence.

Q9(b). Do you agree with our proposals above for the consent arrangements for and areas?

Up to a point, however it will be necessary to have the flexibility to deal with proposals for all types of uses as and when they arise. When you factor in the applications that come forward in renewal areas will often be small scale and whilst a presumption in favour of sustainable development should apply, it is not likely to be possible to create a framework for prior approval requirements which can provide the level of certainty the government is striving for. Moreover, much of this approach seems to ape the governments approach to permitted development which is regarded by many stakeholders as leading to poor quality and inappropriate development, and increasingly inaccessible to the general public as the legislation becomes more complex. There is a contradiction between asking for plans that are short and asking for detail to be included about the renewal areas.

There needs to be a realisation that development coming forward in renewal areas is more likely to suffer from existing constraints across a broad range of topics, many of

which will need conscious assessment on a case by case basis to ensure impacts arising are well balanced.

Q9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? [Yes / No / Not sure. Please provide supporting statement.]

No. Whilst the creation of new settlements may be large-scale developments they are not nationally significant infrastructure and they are typically proposed to meet local housing needs. Furthermore, it is unclear how taking decisions on the appropriateness and location of new settlements from existing communities is either desirable, or possible given the resource constraints faced by the Planning Inspectorate.

The local community should be properly involved in decision taking. It is crucial that the delivery of such communities be informed by local views on design, layout, housing mix, open space, public private realm etc. New settlements should not be entirely focussed on infrastructure and delivery. The Nationally Significant Infrastructure Projects (NSIP) would basically be determining a reserved matters application for a new settlement, however this should be determined locally where schemes are of local importance only and will not have clear and significant cross boundary effects. In addition having new settlements would not only lead to the loss of control of decision making by a democratically accountable body but would also deprive councils of the opportunity to shape the scheme as well as the fees that follow applications of this nature.

Q10. Do you agree with our proposals to make decision-making faster and more certain?

No. Rigid deadlines with no possibility to extend will result in Council's having to refuse applications simply because all the information has not been provided in a

timely fashion. This will leave applicants having to re-submit or an increase in appeals. The key point is an **agreed** extension of time as it actually benefits all parties. This will not speed up the process, it will slow it down.

The principle of faster decision taking is supported and the integration of technology into decision-taking can help achieve quicker processing and determination of applications. However, it is not possible to provide certainty in every case, or speed up all proposals. Nor is it possible to create a piece of software that exercises planning judgement – these things cannot be distilled down to an algorithm. Constraints do not capture everything, and different scenarios and issues come into play of each application.

The White Paper includes proposals for the delegation of detailed planning decisions to planning officers where the principle of development has been established [at the plan making stage] as detailed matters for consideration should be principally a matter for professional planning judgment. In the view of officers and members this is wrong. The real goal should not be to disenfranchise local communities and remove the right of elected Councillors who are democratically accountable to the communities they represent to influence decisions. Instead the government should seek to establish a system which manages the uncertainty and the delays that can arise when complicated and often controversial decisions need taking. Local people should have a voice in shaping their communities and this should be heard, even if it is not possible to reflect the views of all. Moreover, it is not for the government to interfere with individual Council's delegation arrangements.

Q11. Do you agree with our proposals for accessible, web-based Local Plans?

In principle yes, as interactive, map based Local Plans are long overdue.

It is important that a web-based approach is genuinely accessible for all as per the requirements under the Equality Act 2010. The White Paper indicates that to support open access to planning documents and improvements to public engagement in the plan-making process, plans should be fully digitised and web-based following agreed web standards rather than document based. This is a major shift from the current approach to consultation and will need to be supported by significant training, investment in software and possibly investment in staff with the appropriate level of IT expertise. At present most local authorities do not necessarily have the resources or knowledge to create something using the current design and technology level that is required within individual Planning Departments and attracting appropriately qualified IT staff to such a niche and newly evolving sector could prove to be difficult.

It will be a benefit for most members of the public to be able to view Local Plans easily at a time and place of their choosing by clicking on a web-based map to see what proposals will have a direct effect on their local area. However, this eliminates the possibility of the opportunity for the Planning Officer to be able to take the time to explain the reasoning and evidence for the decisions to the member of the public as they would during a consultation event. As not everyone can be engaged through Social Media and other digital platforms, which are proposed. There are still aspects of the consultation process where provision will still need to be made for and guidance given for how these hard to reach groups, whose view must be heard, and matter can be engaged.

Having policies accurately and clearly with set boundaries for each element on interactive layers it will provide clarity for all (developers, LPAs and members of the public) when it comes to applications and appeals. This might even reduce the amount of wasted applications appeals that are faced through a misunderstanding of the policy position relating to developments.

Q12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans?

No. The proposed 30-month timescale for the preparation of a Local Plan is unlikely to be realistic for LPAs to achieve, especially in the short-term whilst local authorities are skilling-up. The proposals require that local authorities draw up a Local Plan within 18 months and assemble the evidence to grant outline permission for Growth areas, when many local authorities already have limited/stretched resources including staffing and funding. The proposed timeframe significantly underestimates the scale of the challenge for local authorities – especially where collaboration and agreement between multiple authorities and stakeholders is required.

Although Local Plans will no longer contain generic development management policies, Planning Authorities will still need to collect a substantial amount of evidence to help determine and justify the identification of land into the three categories. 18 months to collect robust evidence, make decisions on the three land categories based on the evidence collected and resolve any technical issues is unrealistic within the constraints of current resources. Particularly as the level of detailed required to effectively granted outline planning permission for Growth Areas, is likely to be substantially more than that currently required for Local Plan Allocations.

Given the level of detail required to effectively grant outline planning permission for Growth Areas within the timeframe suggested, clarification on how local authorities will be supported would be welcomed. Is a substantial amount of information and master planning expected to be provided by developers from the ‘call for sites’ submissions (with Local Authority inputting once sites are submitted), or are local authorities expected to prepare this work, with the cost transferred from the developer to the Local Authority? Either way existing Local Authority resources will be stretched and are unlikely to be adequate to meet the increased workload in the

timeframe proposed. More advice should be given by Government on what the development industry should be expected to provide when promoting a site, to enable the Local Authority to assess the site in enough detail to for the Local Plan. A fee may be applicable at this point so that Local Authorities are not missing out on an important source of income.

Local authorities' success in being able to meet the 18-month timescale for plan production, is influenced by outside agencies providing information and helping to resolve technical issues in a timely manner. Furthermore, there is a risk due to the tight timescale, potentially incomplete responses from consultees could be provided, meaning infrastructure planning may not be considered and addressed as fully as it should.

The White Paper states that sanctions will be imposed on those local authorities who do not meet the statutory deadline. Clarification is sought on what the sanctions would be. As mentioned above the proposed timeframe is very challenging and it would be ludicrous if local authorities could be sanctioned if the delay was down to statutory consultees not providing timely information.

Furthermore, financial sanctions would hit already resource stretched planning departments and could potentially affect the production of a Local Plan.

Q13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system?

The principle of retaining NDPs should be supported but there is a lot which could be improved in terms of how the plans are prepared. Tamworth is not parished and has thus far not had any forums designated. The rules on the designation of neighbourhood forums should be looked at to incentivise communities to come together to produce NDPs. Currently the process is skewed in favour of parish

councils, who have the set up and often the funds and time to undertake the preparation of a neighbourhood plan.

There is also needs to be a mechanism whereby the policies and proposals of NDPs can be spatially displayed and available to members of the public and other stakeholders both during their preparation (and consultation) and once adopted (as proposed in Q11), given their status as part of the development plan. Moreover, should the Government move towards having nationally prescribed policies there will be a need for NDPs to restrict policies included in their plans to those of only local relevance or towards the inclusion of specific allocations or designations.

The more centralised 'top down' approach to housing need will result in far less NDPs coming forward as the high level of development will be prescribed. This approach plus the inclusion of most DM policies in an updated NPPF will give communities hoping to write NDPs little chance to influence planning and their area. This is an about turn on the Localism agenda brought in 10 years ago and will disenfranchise many local communities.

Q13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

Any reform regarding digital tools and local plans should be replicated for NDPs. However again resources and training regarding implementation of this needs to be considered.

Q14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support?

Yes, there should be a stronger emphasis on the build out of developments once permission is in place. Research has shown that there are between 800,000 and 1

million homes that are permitted but not built out in England. The housebuilding model is inefficient and the 10 or so volume house builders, operating over land and housing markets, limit the number of homes built each year to keep prices high, 'land-banking'. In the year to June 2019 377,000 full residential planning consents were granted across England but only 241,000 were built last year¹. This disparity is not the fault of LPAs, but the development industry.

The legal definition for commencement of development; "*development is taken to be begun on the earliest date on which a material operation is carried out*" is a problem. Limited development needs to occur to meet this requirement. Consequently, there is no incentive for developers to build out sites quickly, as once a material operation has commenced (however small), planning permission does not lapse. Changing the definition of what implements a permission could encourage faster build out rates. Developers for example could have to spend money in order to implement a permission, e.g. land value tax from the date of permission. Once developers are ready to build, it needs to be in their financial interest to build out without undue delay or break sites up to facilitate delivery by multiple housebuilders. Unless there are sanctions for developers sitting on permissions, there is nothing the Local Authority or regulatory bodies can do to speed up delivery.

With the focus of work now being at plan preparation stage policy and primary legislation should be introduced to force developers to build out sites at an agreed rate. Currently there are no sanctions enforceable to ensure developments are built out at an agreed rate.

Planning teams also need to be properly resourced to handle the discharge of conditions and obligations. Whilst councils can charge for the latter, the current fee for a conditions discharge is negligible when there is scope to seek approval of

¹ <https://www.tcpa.org.uk/Handlers/Download.ashx?IDMF=f53db0a4-b78d-4898-80e4-647080dad84b>

multiple conditions at once on a large site. It would be prudent to set a higher charge 'per condition applied for', justifying councils resourcing speedier approvals and subsequent monitoring of implementation.

Q15. What do you think about the design of new development that has happened recently in your area?

It generally does not reflect local character or vernacular. Most new homes are built by large developers who have value engineered housing types which they seek roll out across the Country.

The same broad layouts, materials and house types built in Tamworth are built out elsewhere. This is clearly beneficial to developers as they know the costs and delivery rates of sites but it harmful to local character. There is a general reluctance to design for local site characteristics or conditions using local materials because this increases development costs and uncertainty for the developer. This is especially true in areas with lower land values.

However, design is more than just materials and house types. Too often development fails to adequately respond to the opportunities and constraints offered by sites. There has been some improvement in the quality of the design in some larger developments (though not all) and improving accessibility, delivering sustainable drainage, providing on site habitat creation and on site tree planting or providing open space and creating local centres and social infrastructure can all help to improve the design quality and liveability of new development.

However, the quality of many sites is often undermined by developers failing to build out as consented, rowing back on commitments to deliver some components of development for viability reasons or failing to ensure that infrastructure and open space is appropriately managed post construction.

There needs to be recognition that good design increases developer uncertainty, costs and will add a degree of bureaucracy and red tape to the planning system which could affect the speed of delivery of new development. Some of these things can be partially mitigated through the creation of design codes and clear policies. However, in the end there needs to be recognition that red tape is not a bad thing if the things it secures provide greater value than costs it imposes.

There also needs to be recognition that carbon reduction should be embodied in good design principles, with developers forced to adopt the Building Regulations standards in force at the time of commencing that particular dwelling – not allowing an entire site of 1,000 to be built at standards from 10+ years ago due to that being the commencement date.

Q16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area?

Tamworth's priorities for sustainability are far reaching in that all new development should be as sustainable as possible, which includes providing housing specifically for the needs of future generations, less reliance on cars, more green and open spaces, mitigating the impacts of climate change and increasing biodiversity.

Q17. Do you agree with our proposals for improving the production and use of design guides and codes?

Yes, but with adequate resourcing. The production and use of design guides and codes will likely be complex and put additional pressure on resources in Local Authorities. This would likely result in delays and uncertainty that the Government are trying to avoid with these proposed changes. More detail is required on who would be responsible to produce these design guides and codes, with a mechanism for private sector/developer involvement if necessary, to speed up any delays.

Q18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making?

Yes to both but as above with resourcing. If this resourcing is not in place, then these proposals will be counter-productive (particularly the Chief Design Officer) as they will raise public expectations regarding an increase in design quality of schemes without the means to achieve it. With no additional funding there is a real risk that Council's will add the title of 'Chief Design Officer', to an existing post, without that post holder having the specific design expertise or the team to deliver on it.

Q19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England?

Yes

Q20. Do you agree with our proposals for implementing a fast-track for beauty?

No. Effective planning for great places requires collaboration, genuine input from a wide range of local interest groups, potential use of design review or similar tools, and refining schemes until the necessary quality is in place. This takes time. In addition, whereas it is possible to gain broad consensus on good functional design, whether a place or building is 'beautiful' will always be a subjective matter and open to interpretation. It will not be possible to come up with an effective measure of this on a national scale.

Q21. When new development happens in your area, what is your priority for what comes with it?

Our priority is to provide sustainable new developments for our residents, which includes more affordable housing, infrastructure and services, open space better design, retail provision, employment space, schools and community facilities. There

needs to be sufficient flexibility to allow Council's to come to a view and potentially change their mind as circumstances change.

Local councils, which are democratically accountable should have a significant role in decision making to establish what is important in the locality. No one element could be prioritised over another on paper but in *practice it is a balance which requires negotiation on a case by case basis.*

Q22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold?

No. While a system that proposes to increase the revenue levels nationally, takes into account contributions across all use classes, and is more effective at capturing increases in land values and more reactive to economic downturns is welcomed, a continuation of Section 106 is preferred in the District in order to maximise the delivery of local priorities. A move away from a S106 approach would dilute this and our preference would be to seek changes to the existing S106 system that incorporate the Government's policy aims.

The proposal would mean assessing a schemes viability at the outset, based on the cost of the build and a fixed rate for land costs. To ascertain what, if any, contribution the scheme should make towards the local community. Assessing viability at any stage other than detailed design is inherently flawed and is not likely to capture site specific barriers to development that will, if uncovered, impact on the level of the levy received. As such, this gives local communities no greater assurance than the current system on the level of contribution to be expected. Thought also needs to be given as to who should complete this work, the ability of staff on both capability and capacity grounds.

Where there is negative site viability but a great demand for local infrastructure, there should be a mechanism for central funding but the consultation has no details about this. Also, with the funds being payable to District/Borough councils, how would strategic infrastructure be secured? Tamworth's infrastructure pressures will increasingly come from development adjacent to our border; what would the mechanism be for adjacent LPA's such as TBC to access some of the money to cater for additional pressures caused in the area as a result of development on the boundary? All this requires additional clarification.

The proposal gives no indication of the financial threshold to be used, it is therefore impossible to judge the impact of this on different councils. However, it should be noted that despite Government claims to the counter, it is hard to see how affordable housing delivery won't be negatively impacted upon with the move to apply the contribution to only the proportion that is assessed as being over the threshold and not, as previously, the whole site once this threshold is reached.

The removal of section 106 also raises concern over how councils can ensure the long-term management of public areas and drainage features, noting that most developers now rely on a transfer of ownership to a management company rather than the local authority. S106 agreements are often not just about financial obligations, they often include phasing and delivery obligations that can't always be conditioned. There is no detail in the consultation as to how obligations such as these will be dealt with in the absence of s106's.

Q22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally?

Locally.

Q22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? As much as is locally viable, based on local land values and property prices to maximise the amount available to spend on local priorities, but not hinder development.

Q22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area?

As a Borough Council, borrowing against the Infrastructure Levy to support the delivery of large infrastructure projects would create large levels of uncertainty as to when, or even if the Levy would be received. Therefore if the development doesn't actually take place, or it take a lot longer than expected to reach the trigger point for collecting the Levy then the interest that is built up from the borrowing can amount to a substantial amount of money that many borough/district councils or smaller Authorities will not want to bear the added cost of.

Q23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights?

Yes. If the reformed Infrastructure Levy is to be imposed, then the Levy should capture change of uses through permitted development rights. This is to ensure that change of uses contribute to infrastructure delivery and help reduce their impact on the community. Without this local authorities are missing out on opportunities to collect funding for infrastructure projects, despite the fact that these changes of use will use the surrounding infrastructure and could potentially exacerbate any existing infrastructure provision problems, such as overcapacity of schools.

It could also be seen as unfair if a new built development of the same final value as a change of use (through permitted development) was charged a Levy, however the change of use was not charged.

As Permitted Development rights are being extended further within England, through the changes made through 'The Town and County Planning (General Permitted Development) (England) (Amendment) (No.2) & (No.3) Order 2020'. It means there are new ways of residential accommodation to be delivered without planning permission needing to be sought (only prior approval). Either through the addition of new storeys on a dwelling house or a replacement dwelling. All of these could have a larger floor space than the original development therefore the charge should be applied to offset the extra impact the new development could have. Whether that be residential or commercial floorspace as then the funding goes towards helping the Local Authority deliver the infrastructure that is needed to support the growth within the area.

Q24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present?

Yes, there is already an overwhelming need for genuinely affordable homes, particularly at social rent levels, and homes that meet a diverse range of differing needs. Demand for this type of housing will only be exacerbated by the economic downturn. Provision of truly affordable housing can assist in the economic recovery of the nation if adequate investment is made in its provision.

Q24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities?

No. Whilst we acknowledge that affordable housing is a significant issue both nationally and locally, it would not be right to consider affordable homes as part of the infrastructure levy to the extent that they are prioritised over all other forms of infrastructure that are required to make development within the borough

sustainable. We therefore consider that affordable homes should be secured via an alternative mechanism that does not prejudice the delivery of other essential infrastructure by using a significant proportion of the levy to provide affordable housing.

With the exception of a small number of recent developments by the Council on its own land, almost all affordable housing within Tamworth is provided on-site by developers through s106 agreements. The Council currently only acquires a very small proportion of these dwellings with the majority being acquired by a variety of registered providers (RPs) for affordable rent. Under the current proposals, the price paid by an RP to a developer has a direct impact on the amount of levy the Council would receive and any additional discount received by an RP would effectively be paid for by the Council. The level of uncertainty this creates would be unacceptable.

Q24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk?

We are unclear as to who this question is aimed at, whether public, local authority or developers therefore more clarification would be needed before we can make a comprehensive answer.

Q24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality?

Yes, there should be additional controls as quality is not the only aspect of affordable housing provision that needs to be in legislation or policy. The specific local needs within the borough would need to be set out and adhered to in terms of tenure, size, mix, design, layout etc, to ensure that any 'in-kind' delivery approach provided either a product or funds equating to the local need. This would need to be included given the considerable variation between 'affordable housing' products. This could be in

the form of an 'affordable housing scheme' that would need to be approved by the LPA as part of the application process if a payment in kind delivery approach was to be adopted.

Q25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy?

Yes. Currently there is already a wide range of infrastructure that the levy can be spent on to help mitigate the impacts of the development by meeting the tests as set out in the CIL Regulations 2010 (as amended). This already has a large flexibility in place to support the infrastructure needs of the Local Authority.

Up to 25% of this gets passed to the local neighbourhood for spending on priorities within the area where the development occurred. However, if more flexibility is allowed it will be up to the authority to choose if they take up that flexibility for items proposed.

Q25(a). If yes, should an affordable housing 'ring-fence' be developed?

No, we firmly believe that affordable housing provision should be outside the Infrastructure Levy legislation, please see our answer to Q24b.

Q26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

Through the introduction of a more digitalised planning system it would need to be ensured that all members of the community could access the system, this would necessitate careful consideration surrounding potential impacts on persons with protected characteristics including age and disability.

1. Is the current planning system working as it should do? What changes might need to be made? Are the Government's proposals the right approach?

No. The system is intended to be 'plan led' but the local plan process is too long and plans are often out of date before they are even adopted. The recent increases in the use of permitted development rights has also undermined the plan led approach.

The principle of changes that make it quicker and easier to update local plans should be supported, however the current proposals are significantly lacking in detail to the extent that it is not possible to know whether the approach is appropriate or not.

The focus of changes should be on the plan making process, to enable a return to a plan led system, rather than undermining the system through repeated changes to the decision taking part of the system.

2. In seeking to build 300,000 homes a year, is the greatest obstacle the planning system or the subsequent build-out of properties with permission?

Studies have shown that enough residential permissions are being granted to enable the Government's target of 300,000 homes per year to be achieved. This suggests that the planning system is not an obstacle and that build-out rates are having a significant impact on the delivery of these permitted dwellings.

3. How can the planning system ensure that buildings are beautiful and fit for purpose?

Stricter requirements through legislation or policy are required to ensure that what is needed is built where this is different to what developers want to build. Sanctions should be introduced for instances where the final built development is not constructed to the same design quality as was originally proposed and granted permission.

4. What approach should be used to determine the housing need and requirement of a local authority?

A top down approach cannot work because of significant differences in land values and viability across the country and in some cases across individual districts. A local approach is required to ensure that local circumstances are taken into account. The upcoming national census will provide a good opportunity to establish housing need across the country particularly in groups where it is often difficult to establish need, such as the hidden homeless and adult children still living with parents.

5. What is the best approach to ensure public engagement in the planning system? What role should modern technology and data play in this?

There is no one single approach that would facilitate adequate public engagement across all age groups. A move towards a more technology focussed approach may encourage younger age groups to participate more, but this could be at the expense of older groups and others without appropriate access to technology. It appears to be the case that people often do not take an active interest in development until development is on their doorstep. Encouraging people to take more of an interest in the built environment in general would likely have a positive impact on public earlier public engagement.

6. How can the planning system ensure adequate and reasonable protection for areas and buildings of environmental, historical, and architectural importance?

The system already does a good job at achieving this. It is important that any changes to the system designed to speed up development do not undermine existing protection of these assets.

7. What changes, if any, are needed to the green belt?

In general the green belt serves a purpose and there are appropriate mechanisms in place for the release of green belt land where it is required. However, there appears to be widespread misunderstanding about what the purpose and function of the green belt and this often leads to confusion over the status of potential development land. If the Government intends to make such wide ranging changes to the planning system, green belt should be considered a big part of it and should not be excluded from the review.

8. What progress has been made since the Committee's 2018 report on capturing land value and how might the proposals improve outcomes? What further steps might also be needed?

We have no comments to make on this point.