

# NON-CONFIDENTIAL



**Borough of Tamworth**

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## **INFRASTRUCTURE, SAFETY AND GROWTH SCRUTINY COMMITTEE**

9 February 2024

Dear Councillor

A Meeting of the Infrastructure, Safety and Growth Scrutiny Committee will be held in **Town Hall, Market Street, Tamworth on Monday, 19th February, 2024 at 6.00 pm.** Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, consisting of stylized initials and a long horizontal line extending to the right.

**Chief Executive**

### **A G E N D A**

#### **NON CONFIDENTIAL**

- 1 Apologies for Absence**
- 2 Minutes of the Previous Meeting (Pages 5 - 10)**
- 3 Declarations of Interest**

*To receive any declarations of Members' interests (personal and/or personal and prejudicial) in any matters which are to be considered at this meeting.*

*When Members are declaring a personal interest or personal and prejudicial 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 personal and prejudicial interest in respect of which they do not have a dispensation.*

**4 Update from the Chair**

**5 Responses to Reports of the Infrastructure Safety & Growth Committee**

*Update on responses received to Reports of the Infrastructure Safety & Growth Committee:*

**6 Consideration of Matters referred to the Infrastructure Safety & Growth Committee from Cabinet or Council**

*(Discussion item)*

**7 Update on Fire Safety across Council Assets (Pages 11 - 14)**

*(Report of the Assistant Director Assets – Written update)*

**8 Local Plan Progression Options (Pages 15 - 46)**

*(Report of the Portfolio Holder for Housing and Planning)*

**9 Forward Plan**

*(Discussion item – link to Forward Plan is attached)*

[Browse plans - Cabinet, 2022 :: Tamworth Borough Council](#)

**10 Working Group Updates**

*To receive updates from any Working Groups*

**11 Infrastructure Safety & Growth Scrutiny Committee Work Plan (Pages 47 - 50)**

*(Update and discussion on the Infrastructure Safety & Growth Scrutiny Work Plan)*

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**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](mailto: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.*

*If a member of the public is particularly concerned about accidental filming, please contact a member of Democratic Services before selecting a seat*

### ***FAQs***

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

To Councillors: C Dean, B Clarke, R Claymore, J Harper, J Jones, B Price, R Pritchard, L Smith and P Turner

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**MINUTES OF A MEETING OF THE  
INFRASTRUCTURE, SAFETY AND  
GROWTH SCRUTINY COMMITTEE  
HELD ON 17th JANUARY 2024**

PRESENT: Councillor C Dean (Chair), Councillors B Clarke, R Pritchard and L Smith

CABINET: Councillor Jeremy Oates

The following officers were present: Andrew Barratt (Chief Executive), Steve Gee (Operations Manager, Joint Waste Service), Victoria Woodhouse (Customer Relations and Performance Manager, Joint Waste Service), Hannah Peate (Assistant Director Environment, Culture and Wellbeing), Mark Greaves (Operations Manager), Anna Miller (Assistant Director – Growth & Regeneration), Alice Poulton (Future High Streets Fund Project Officer), Leanne Costello (Senior Scrutiny and Democratic Services Officer) and Tracey Smith (Democratic Services Assistant)

**61 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors R Claymore, B Price and J Jones.

**62 MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meetings held on *13<sup>th</sup> September 2023, 10<sup>th</sup> October 2023 and the 21<sup>st</sup> November 2023* were approved and signed as a correct record.

*(Moved by Councillor L Smith and seconded by Councillor B Clarke)*

**63 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

**64 UPDATE FROM THE CHAIR**

There was no update.

**65 RESPONSES TO REPORTS OF THE INFRASTRUCTURE SAFETY & GROWTH COMMITTEE**

There were none.

**66 CONSIDERATION OF MATTERS REFERRED TO THE INFRASTRUCTURE  
SAFETY & GROWTH COMMITTEE FROM CABINET OR COUNCIL**

There were none.

**67 DUAL STREAM (RECYCLING SERVICE) QUARTERLY UPDATE**

The Chair introduced the Report of the Operations Manager to provide the Committee with an update on Joint Waste Service Operations.

The Operation Manager highlighted the following information from the report –

- The services has just been through the busiest 3 weeks of the year and whilst the figures aren't out for the period yet the service did deliver.
- Missed bins were down on average compared to the same period last year.
- Complaints were down on average compared to the same period last year.
- Sign ups to the garden waste service were down however this may be due to a late launch date due to the introduction of a direct debit option for users.
- The number of contaminated bins was lower than the same period last year.
- Quality - there has been one rejected load since the service went live.
- Contamination rate has increased.
- Residual Waste tonnage not including garden waste has increased slightly.
- Dry recycling rates have dropped, this could be due to several factors, people have become used to the scheme/lack of care/disengaged/cost of living crisis. A campaign is being launch in the spring which will be fully funded, and the team will be looking for Councillor support to take this to residents and members will be invited to a briefing in the future.
- The services is anticipating a 40k overspend (16k attributed to Tamworth) which is an improvement on the previous year's overspend of 195k.
- Flats and HMO's are now on the dual recycling scheme and there continues to be work needed in this area.
- Government have announced that food waste collections will be mandatory from 2026 and the service has been awarded £1.7 million for the infrastructure.
- Fleet replacement is still being explored and a briefing will be bought to committee at a later date.

The Chair thanked the officers for a comprehensive report and acknowledged that from personal experience the service had delivered over Christmas.

The Committee made the following comments/observations and asked the following questions:

1. Whether missed collections were coming down due to a more staffed team?

The Officer confirmed that this was monitored daily. The team were asked why collections were missed and responses reported included locked gates on assisted collections, human error.

2. Were schools being targeted in the proposed campaign as it was felt that children could be key to engaging families with re-cycling?

It was confirmed that engaging with schools is key in encouraging parents to engage in recycling.

3. Were there any ideas in place yet as to how the food waste service would be introduced and can we fail?

The Officer confirmed that this would be challenging but that the law required it. It would be a smaller, simpler operation and there were already contracts in place for disposal. Challenges were around extra staff (approx. 23), extra vehicles (approx. 11/12) and engaging service users to participate. In terms of failure the service would aim to deliver this as it does all of its services. It was highlighted that whilst tonnage will be important, the aim is to change behaviour to reduce household food waste. It was highlighted that national adverts suggest the average family wastes £60 per month in food.

The Chief Executive added that this was mandated from March 2026 and that whilst the Council had received provision capital figures to pay for infrastructure, they were missing the detail on the ongoing revenue to support the service which is expected to be at no cost to the Council.

4. Whether there was an update around the fleet replacement and looking at alternative vehicles?

The Officer confirmed that there was no update at present but that moving to an alternative fuelled fleet in the upgrade in 2025 would not be possible.

**RESOLVED** That Committee:

Noted the update on the performance of the Operational Service for Joint Waste.

*(Moved by Councillor B Clarke and seconded by Councillor L Smith)*

## 68 ENDING PLASTIC POLLUTION

The Chair introduced the item to consider the petition which was referred to the Committee from Full Council around ending plastic pollution. This was added to the workplan in September. The Chair highlighted that the Council made four resolutions, three of which had been addressed by the joint waste service with the report in September and this was again attached to the agenda, and that Hannah Peate, Assistant Director for Environment, Culture and Wellbeing and the Operations Manager, Mark Greaves were at the meeting to provide a verbal update on the second resolution for which the Council is responsible.

The Operations Manager highlighted the following information to the committee –

- The Council do ensure that public spaces are clear and litter free however all of this litter is dealt with in the same way.
- Plastic waste is not dealt with separately, there is no separation in public bins and litter pickers do not separate plastics when collecting litter.
- All of the waste is disposed of via incineration at Lower House Farm rather than at Landfill.
- Plastic waste is an issue.
- The Committee could consider whether they want the public to consider recycling waste whilst they are out and about by offering different types of litter bins however there can be issues with contamination.

The Assistant Director added that communication and messages that are put out around using this issue including more use of reusable water bottles are important and the Council could look at supporting and extending campaigns as mentioned by Steve Gee to get those messages out including to sports clubs and community groups. A pilot scheme could be considered to look at multi-use bins.

The Committee considered whether they could consider some dual use bins, in targeted places where they might be most used?

This was supported by the Chief Executive who highlighted the importance of ongoing communications to get resident engagement.

The Committee acknowledged the work done by Street Scene and thanked the Council for supporting the litter pickers in the town.

Resolved by the committee to recommend that Cabinet:

Look at the feasibility of strategically siting some dual use bins around the town with ongoing communications to explain and encourage the correct use.

*(Moved by Councillor C Dean and seconded by Councillor B Clarke)*

## **69 FORWARD PLAN**

There were no new items identified from the Forward Plan.

## **70 WORKING GROUP UPDATES**

There were no updates.

## **71 INFRASTRUCTURE SAFETY & GROWTH SCRUTINY COMMITTEE WORK PLAN**

The Chair highlighted that the Local Plan Progressions is ready to come to Committee.

The Committee agreed to add this item in at an extra meeting on the 19<sup>th</sup> February 2024.



The Chair highlighted that a scoping document would be circulated to the Committee for input in respect of the Bulky Waste item that the Committee had requested.

## **72 EXCLUSION OF THE PRESS AND PUBLIC**

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

*(Moved by Councillor B Clarke and seconded by Councillor L Smith)*

## **73 FHSF UPDATE**

The Report of the Portfolio for High Street Fund Delivery to provide the Committee with a quarterly update of the Future High Street Fund projects.

The Committee endorsed the report and moved three additional recommendations to be considered by Cabinet.

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Chair

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**Monday, 19 February 2024**

**Report of the Assistant Director, Assets**

**Update on Fire Safety across Council Assets**

**Exempt Information**

Not exempt

**Purpose**

This report provides an update on the Council's approach to fire safety across its assets.

**Recommendations**

It is recommended that:

1. Committee notes and endorses the contents of this report.

**Executive Summary**

The Council in its capacity as an employer, an operator of buildings and as a Social Housing Landlord has a variety of statutory obligations in relation to Fire Safety. The Council has always taken these obligations seriously and has processes, procedures and measures in place to assess and address fire safety across its assets.

The key areas of Fire Safety considered are: -

**Fire Risk Assessments [FRA]** – there is a requirement to complete a FRA for all operational buildings occupied and/or managed by the Council. In addition there is an obligation to complete a FRA for flatted blocks across the Social Housing property portfolio. The Council engages the services of a third party compliance contractor, Graham, to complete FRAs across the various assets and report back on any findings, remedial works and improvements. The Compliance Team within Assets review these reports and make arrangements for any works identified to be completed by one of our approved contractors. In addition to the FRA that is completed by Graham, Premises Managers will also undertake general checks around the buildings for which they have responsibility. FRAs are reviewed and renewed on an annual basis.

**Sprinklers** – as has been previously reported to Members all of the high-rise blocks including the block at Eringden have the benefit of sprinklers having been installed. The sprinklers are serviced on an annual basis by a specialist contractor to ensure that they remain in good working order should they ever be needed.

**Fire doors** – a programme of renewing all fire doors in the six high-rise blocks in the Town Centre has been completed, this programme included the renewal of all main flat entrance doors along with doors in the communal parts of the block. All doors have been manufactured and installed to comply with the latest regulations. Further upgrades across other flatted blocks are planned. A programme of inspections is in place to ensure that fire doors across the blocks remain compliant, this inspection programme allows for early identification and rectification of defects.

**Fire Detection** – The Council’s larger operational buildings will have a full fire detection and alarm system that is maintained and tested regularly by specialist contractors. It is not commonplace to install integrated detection and alarm systems across the Social Housing assets, however there has been a programme of upgrades to detection systems across housing assets to ensure that homes are fitted with hard wired detection systems that comply to the current regulations. Detectors are also checked as part of the annual gas servicing programme.

**Fire Fighting Equipment** – where fire fighting equipment is installed (fire extinguishers and the like) a contract is in place with a third party specialist to service and where necessary renew equipment. The location and use of such equipment forms part of the staff induction process and falls under general building Health & Safety management.

**Emergency Lighting** – whilst not solely installed for the benefit of fire safety, emergency lighting can prove useful during an evacuation in the event of a fire. Contracts are in place with third party contractor to undertake the necessary checks, servicing and renewal of emergency light fittings. Where there is a Premises Manager responsible for a building they will also undertake tests on the emergency lighting.

**Electrical Inspections** – whilst not specifically related to fire safety it is recognised that electrical faults are a significant cause of fires. There is a programme of inspections in place across all buildings including individual domestic dwellings to ensure that an electrical inspection is carried out at least once every five years with an inspection certificate being issued upon completion of the inspection. Where defects or improvements are identified through the inspection process arrangements are made for the repairs contractor to carry out remedial works. An electrical inspection is also completed for every void housing property before it is re-let.

**Building Safety Act** – The Building Safety Act came into effect fully in October 2023 and applies to the six high-rise blocks in the Town Centre. All six blocks have been registered with the Building Safety Regulator; it is anticipated that the blocks will be subject to an inspection by the Regulator at some point in the future but the timing of any inspection is not known at this point. The installation of sprinklers and upgraded fire doors should place the blocks in a lower-risk category however standards will still need to be maintained and the relevant processes and procedures to manage the blocks needs to be reviewed and enforced.

**Social Housing Act** – building safety is a key component of the Social Housing Act which in some aspects goes above and beyond the requirements of the Building Safety Act. In addition to the six high-rise blocks in the Town Centre the Council has also had to report on the fire safety aspects of the block at Eringden and it is expected that the Regulator for Social Housing will want to see that appropriate measures (as set out in above) are in place across the wider property portfolio

**Building Safety Manager** – the legislative requirements on the role of Building Safety Manager (Building Safety Act) and Health & Safety Lead (Social Housing Act) have now been clarified. For both Acts it is acceptable for the Council to nominate the Executive Lead (Chief Executive) as the Accountable Person. However there is still a need under both Acts to have an operational lead. There has been a provision within the structure and budget for a Building Safety Manager role, this role has not been filled to date as clarifications were being sought as to the level of responsibility and accountability that this role would have. Now that there is clarity about the nature of the role the process of recruitment has begun.

### **Options Considered**

This report provides an update only and no other options have been considered in the production of the report.

**Resource Implications**

No additional resources have been identified as a result of this report. The role of Building Safety Manager has been clarified and the recruitment process has begun. This role is already part of the establishment with funding in place.

**Legal/Risk Implications Background**

The need for the Council to comply with specific regulations relating to fire safety remains a key and significant risk for the Council and is one which needs processes in place to properly manage.

The ability to recruit into key roles remains a risk; there is a known shortage of suitable candidates made more difficult by the fact that there are a large number of building owners trying to draw on the small pool of resource.

The interaction with and management of Leaseholders may pose a risk going forward as some elements that will be essential to ensuring building safety are the responsibility of Leaseholders. It will important to highlight issues and engage with Leaseholders to ensure that they maintain compliance at all times.

**Equalities Implications**

None arising from this report

**Environment and Sustainability Implications (including climate change)**

None arising from this report

**Background Information**

None

**Report Author**

Paul Weston – Assistant Director Assets

**List of Background Papers**

None

**Appendices**

None

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**Monday, 19 February 2024**

**Report of the Portfolio Holder for Housing and Planning**

**Local Plan Progression Options**

**Exempt Information**

None

**Purpose**

To seek Committee endorsement of the recommendations to be made to Cabinet for approval for the revised approach to the delivery of a new local plan for Tamworth resulting from Government's proposed changes to the planning system, and for the publication of associated documents.

**Recommendations**

It is recommended Committee approve the following recommendations to Cabinet:

1. Approve the revised approach to the development of the new local plan for Tamworth; and
2. Approve the publication of the updated Local Development Scheme and Statement of Community Involvement.

**Executive Summary**

The current local plan was adopted in 2016 and covers the period up to March 2031. In March 2020 a review of the plan was carried out which determined that a number of elements of the plan would benefit from being updated as a result of changes to national policy and Council objectives. Work has commenced on a new local plan for Tamworth, with an issues and options consultation being undertaken in September/October 2022. The published Local Development Scheme ('LDS') sets out a timetable for the delivery of the new local plan. This timetable states that a draft plan is due to be submitted for examination in late 2025.

Since work began on the new plan, the Government have proposed to make a number of changes to the plan-making system, but the full details of those changes have not been set out yet. It is however anticipated that the proposed changes will be introduced in late 2024. Transitional arrangements are also proposed that would mean that local planning authorities currently in the process of writing a new local plan can submit that plan for examination under the current arrangement until 30 June 2025. Beyond that date, new plans will need to be produced and examined in line with the new arrangements.

Based on the current timetable, the new local plan will not be ready for submission before the transitional arrangements proposed by Government have expired. Therefore, based on the information currently available, a plan based on the current timetable would not be able to be submitted for examination or would not be found sound by an inspector at that point. This report considers the potential alternative approaches available to the Council at this point and recommends that the most appropriate course of action at this point would be to omit the non-statutory 'preferred options' consultation in order to condense the timetable and allow the plan to be submitted for examination before the June 2025 deadline.

## Options Considered

### 1. Continue with the current approach

The first alternative is to continue with the current approach and seek to put a preferred options consultation out early in 2024. This is the approach currently set out in the published Local Development Scheme ('LDS') and approved by Cabinet prior to the proposed changes to the planning system. It is therefore the default position that will need to happen if no other decision is made.

If the suggested changes to the planning system are brought in within the published timeframe, then this approach would result in the Council arriving at the examination stage with a plan that is potentially not in line with the requirements to be considered 'sound' by a planning inspector. This would result in a significant amount of resources (both time and money) having been spent on a new plan that would be unable to be adopted.

### 2. Stop until further notice

The second alternative option is to resolve not to progress the local plan any further at this point. A number of other councils in the region have previously taken this approach as a result of the uncertainty created by the limited information provided by Government on the introduction of the new system. However, a number of those councils have since made the decision to continue development of their plans.

The benefit of such an approach would be that it could avoid abortive work being carried out if work is paused until further guidance is provided by the Government. There are issues with this approach however, as the current plan is now over 5 years old and is in need of changes as the 2020 review noted. There is a risk that the older the plan becomes, the more policies in it will become out of date and development will be allowed to occur in a less controlled way as a result. Alternatively, Government may choose to intervene in some circumstances and impose policies on the council.

There is also a risk that the proposed new plan-making system may not be introduced as planned, in which case the delay caused by pausing development of a new plan will have been unnecessary. A new plan would still be required but would take longer to deliver.

For these reasons, this option is not considered the most appropriate.

### 3. Push back the current timetable by 6 months

The third option considered is to push back the existing timetable by 6 months. This would mean that no preferred options consultation is carried out in early 2024 but would instead allow more time for further information on the proposed new system to be provided by Government.

This option is very similar to the previous option considered, but would have a set timeframe for the pause, after which time a further decision would be required about how to progress a new plan from that point. The key difference between this option and the previous option is that, rather than a complete pause in plan-making activities, this option would just delay any further consultations, but background work, such as evidence gathering, could continue.

This option would have a similar effect as the previous option and would therefore suffer from the same issue of delaying the delivery of a new plan and risking uncontrolled development within the borough until such time as a new plan is in place. It would however allow for some development work to continue, such as evidence gathering and policy development, where it would be of benefit to a plan made under the current system or the proposed new system.

This option is more appropriate than the previous option considered, due to the potential to continue working on plan development, which may reduce the potential delay in adopting a new plan. However, this approach would likely result in the draft new plan being assessed against the objectives of the proposed new plan-making system, not the new system. In that



case, while it is still unclear what the proposed new system will look like, there is still the risk that any work carried out may end up not being relevant, and that would not be an efficient use of resources. For this reason, this potential option is also not considered to be the most appropriate.

#### 4. Update the current plan now, then do a new plan later

The 2020 review of the adopted local plan established that the plan was performing well in general but would benefit from changes to a few policies because of changes to national policy and guidance, as well as changes to local priorities. Since that review was undertaken, further changes have taken place at a national level, meaning that more of the policies within the adopted plan would benefit from changes.

This option considers the possibility of doing an update of the existing plan, to fix some of the more significant issues with it now, and to then start work on a whole new plan once the new plan-making system is introduced. The benefits of this approach are that it should result in an updated version of the plan being adopted earlier than if any of the first three options are chosen.

This approach would require a similar amount of work to producing a whole new plan and would require an examination in public, with a draft plan still needing to be submitted before the 30 June 2025 deadline. It would also require the collection of evidence to support the plan which would be subject to similar issues to those outlined in option 5 below. Also, due to the length of time between collecting evidence for a plan update and developing a new plan under the new system, it is possible that evidence will need to be refreshed or updated for a new plan which would result in additional cost.

If for any reason the new system is not introduced as proposed, a further update of the plan would still likely be required soon after the initial update is completed. However, if this were to happen, the Council should expect to be aware of this before the submission deadline and the opportunity should then exist to change to a different approach and develop a whole new plan if considered appropriate at the time.

One significant potential issue with this approach is that the current adopted plan runs until 2031. New plans are expected to run for at least 15 years from the date of adoption and, with an anticipated adoption date of late 2025 at the earliest, this would leave less than six years of the plan period to run at the point of adoption. This is a policy issue, not a legal issue, and so it is possible that an argument could be made that it should be acceptable, but there is a significant risk that an inspector would not find the plan sound as a result. The end date of the plan could be extended to overcome this issue, however that would affect all aspects of the plan and require further evidence to be collected. This would mean there would be no benefit to this approach over the development of a whole new plan.

This option is preferable to options 1, 2, and 3 as set out above and was the preferred option of the Local Plan Working Group. However, following further consideration by officers, this approach is not deemed to be the most appropriate option because of the risks subsequently identified.

#### 5. Omit the non-statutory ('preferred options') consultation stage to condense the timetable

This option would see the 'preferred options' consultation stage (currently due to be carried out in early 2024) being dropped to allow the existing timetable to be condensed so that a draft plan can be submitted for examination by the June 2025 deadline. The published timetable in the current LDS has the date of submission of a draft plan for examination as late 2025. Dropping a formal 'preferred options' consultation stage should allow for resources to be focussed on the development of a draft plan, allowing the next stage of consultation to be brought forward, and allowing a draft plan to be submitted for examination before the 30 June 2025 deadline.

The benefits of this approach are that it would allow for a new plan to be written and examined under the current system and would therefore avoid the uncertainty of waiting for

the new system to be introduced. It would also likely get a new plan in place faster than waiting for the new system, which would reduce the risks associated with the aging current plan.

This approach does however rely on the ability to commission experts to help prepare the evidence base required to support the plan in a timely fashion. There are likely to be a few councils around the country working to get draft plans completed before the deadline and this could potentially impact on the availability of experts to help develop the evidence base. There is also the possibility that a delay to the process could cause the June 2025 deadline to be missed resulting in similar issues to the other options considered around not having an up-to-date plan in place and efficient use of resources.

Whilst there is the possibility that the published deadline of 30 June 2025 could be moved by Government; in the absence of any further information, it should be assumed at this point that the deadline is definitive. Therefore, any option that would result in a new plan being submitted for examination prior to that point should be considered more appropriate than an option that would not be able to comply with that deadline. If the June 2025 deadline were to be extended by Government, it may still be possible having chosen this option to insert a 'preferred options' consultation back into the timetable if it would be beneficial to the development of the new plan.

It is therefore considered that this is the most appropriate option open currently. This option was the Local Plan Working Group's second favourite.

## **Resource Implications**

The Royal Town Planning Institute ('RTPI') estimates that the cost of developing a local plan is between £300,000 and £400,000. The estimated total cost of a new plan for Tamworth, based on market research and the costs associated with the current adopted plan, is approximately £375,000. This estimate covers the costs of collecting evidence to support the plan, along with the costs associated with an examination in public. Approximately £100,000 of this has already been spent on evidence collection.

The local plan has an annual budget of £10,000 for 2024/25 and £10,000 for 2025/26. There is also £215,759 held in reserve from underspend in previous years where plan production was delayed. A policy change may be forthcoming for the 2025/26 financial year following progression of the new local plan this year.

The resource implications of the proposed approach (Option 5) are similar to the existing approach, as the overall project is the same, just with a condensed timetable. There will still be the requirement to collect the same evidence, and there will still be a cost associated with examination. It is proposed to extend the contract length of one existing temporary post to provide additional staff resources to help deliver the new plan in the timeframe. Again, this would have been required under the existing approach and it is intended to fund this using existing budgets.

If an alternative approach were to be chosen, there may be additional resource implications. These potential implications have been referenced in the 'Options Considered' section of this report.

## **Legal/Risk Implications Background**

### Implications associated with preferred approach (Option 5)

The relevant legislation governing the production of a local plan are the Planning and Compulsory Purchase Act 2004 (as amended) ('the PCPA') and the Town and Country Planning (Local Planning) (England) Regulations 2012 ('the Regulations'). Regulations 18 and 19 of the Regulations between them require two stages of consultation. Regulation 18 is

essentially the 'issues and options' stage, which was carried out in September/October 2022, and Regulation 19 is a consultation required before submission of a draft plan for examination and is predominantly focussed on the legal compliance and soundness of the draft plan.

It is common practice for an additional stage of consultation (the 'preferred options' consultation) to be carried out between the Regulation 18 and Regulation 19 consultations. This additional consultation stage is currently included within the Council's Local Development Scheme ('LDS') and Statement of Community Involvement ('SCI'). This is the stage of consultation that it is proposed to remove in order to allow the Council to meet the deadlines set by Government in relation to the transition to the proposed new plan-making system.

Legal advice has been sought on this proposal to omit the 'preferred options' consultation stage. Unlike the other stages of consultation, the 'preferred options' stage is not a statutory stage in that it is not required by the Regulations. To omit the 'preferred options' stage would therefore not be unlawful, and this is the view reached by the Council's legal advisor on the matter.

However, section 19 of the PCPA states that development plan documents (documents that form part of the local plan) *"must be prepared in accordance with the local development scheme"*. Section 19 also states that *"in preparing the local development documents (other than their statement of community involvement) the [council] must also comply with their statement of community involvement"*.

As stated above, the Council's current LDS and SCI include a 'preferred options' consultation stage prior to the Regulation 19 pre-submission consultation. This means that to omit the 'preferred options' consultation stage without updating the LDS and SCI to reflect that approach would not be legally compliant and would result in the plan being found unsound at examination. This view has been confirmed by advice received from the Planning Inspectorate ('PINS'), who would be responsible for undertaking the examination in public.

However, if updated versions of the LDS and SCI are published which reflect the revised approach, then the risk of the plan being found unsound because of not complying with section 19 of the PCPA would be removed. This has been confirmed by advice received from PINS which made clear that no part of the assessment of legal compliance and soundness requires the Council to undertake public consultation exercises over and above those required by legislation.

The Planning Practice Guidance published by Government also states:  
*"There is considerable flexibility open to local planning authorities in how they carry out the initial stages of local plan production, provided they comply with the specific requirements in regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, ('the Local Plan Regulations') on consultation, and with the commitments in their Statement of Community Involvement. It is important to make clear how any consultation fits within the wider local plan process."*

A recommendation is therefore included in this report to publish a revised copy of both the LDS and SCI, which should be sufficient to address this issue.

Whilst the plan making process is controlled by the Regulations (i.e. legal process) the wider process is made up of a series of planning judgements, on such matters as the sufficiency of evidence or the range of options considered. As referred to above, before any draft plan can be adopted by the Council, it must go through an examination in public, during which an independent inspector will consider whether the plan is 'sound'.

In order for a plan to be found 'sound' it must be:

- i. positively prepared,
- ii. justified,

- iii. effective, and
- iv. consistent with national policy.

The legal advice received raised the question, is the process the Council intends to pursue sufficiently robust that an examining inspector (PINS) would consider it achieved a 'sound' plan? As set out above, PINS have confirmed that the proposed approach would not directly influence the test of soundness. However, the legal advice received raises one further point that is worth considering. Whilst the proposed approach would not be unlawful, it is possible that it would generate criticism from residents and other respondents that could lead to dissatisfied parties making an argument that the omission of a preferred options stage meant any local plan was not 'positively prepared'. Based on the advice received from PINS, this is not considered to be a significant risk. This risk can also be further mitigated by encouraging engagement from the public outside of the two formal consultation stages.

#### Implications associated with potential alternatives

There are a number of risks associated with the potential alternative approaches; however, where appropriate, these have been set out in the options considered section of the report.

#### **Equalities Implications**

The decision to be made here relates solely to the Council's approach to preparing a new local plan for Tamworth. The new local plan itself will have a significant impact on the borough and, as part of the plan-making process, full consideration will be given to the impact of new policies on the community including such things as health and wellbeing, and protected characteristics. The proposed approach of omitting the preferred options consultation could impact on the ability of residents to get involved in the plan-making process, however this impact would not disproportionately affect any groups, particularly those with protected characteristics.

#### **Environment and Sustainability Implications (including climate change)**

The proposals set out relate to the development of a new local plan which will be focussed on the sustainable development of Tamworth in the future. There are no additional sustainability implications as a result of the proposals set out in this report.

#### **Background Information**

The current local plan was adopted in 2016 and covers the period up to March 2031. Legislation introduced in 2018 requires that local plans are reviewed at least every five years, and in March 2020 a review of the plan was carried out. The review determined that a number of elements of the plan would benefit from being updated as a result of changes to national policy and Council objectives, and work has since begun on a new local plan for Tamworth.

A Local Development Scheme ('LDS') was published in September 2022 setting out a timetable for work on the development of a new local plan up to the end of 2025. This timetable included an Issues & Options consultation in September 2022; Preferred Option consultation early in 2024; Pre-submission Consultation early in 2025; and submission of a draft plan for examination in late 2025. An Issues & Options consultation was carried out in September/October 2022, and the next phase of plan development according to the LDS timetable would be a Preferred Option consultation.

#### Potential legislative changes

As part of the Levelling Up and Regeneration Bill (now enacted), Government proposed to make a number of changes to the plan-making process, but the full details of those changes have not been set out yet. According to the 2022 consultation published by the Department for Levelling Up, Housing & Communities (DLUHC), the proposed changes are intended to be introduced in late 2024.

Transitional arrangements are proposed that would mean that local planning authorities ('LPAs') currently in the process of writing a new local plan can submit that plan for examination under the current arrangement until 30 June 2025. Those LPAs will then have until 31 December 2026 for the examination to be concluded and the plan to be adopted. LPAs that do not meet the 30 June 2025 submission deadline for 'old-style' plans will be expected to prepare a plan under the new plan-making system.

#### Impact of the legislative changes on work on the new local plan

The published LDS sets out the timeframe for development of the new local plan up to the end of 2025. The LDS currently sets a timeframe for submission of the new plan for examination late in 2025. This is likely to be some time after the transitional arrangements proposed by Government have expired. The implications of this, based on the information currently available, is that a plan based on the current timetable would not be able to be submitted for examination or would not be found sound by an inspector at that point.

#### **Report Author**

Richard Powell – Planning Policy and Delivery Team Leader  
Laura Massey - Planning, Policy & Delivery Officer

#### **List of Background Papers**

None.

#### **Appendices**

Appendix A – Draft Local Development Scheme  
Appendix B – Draft Statement of Community Involvement

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**Tamworth Borough Council**  
**Local Development Scheme 2024-2027**  
Published XXXX 2024

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## 1. Introduction

This Local Development Scheme (LDS) forms part of the Development Plan for Tamworth and sets out our programme for the preparation of Local Development Documents (LDDs) between 2024 and 2027. The purpose of this document is to let you know about our progress with the plan-making process and upcoming opportunities to get involved.

Producing an LDS is currently a requirement under the Planning & Compulsory Purchase Act 2004 (as amended). Guidance on their preparation states that the LDS should specify the development plan documents, and other documents, which will be part of the development plan for the area. The LDS should be kept up to date, so that local communities and interested parties can keep track of progress, and should be published on the Council's website.

## 2. Summary of current Local Development Documents

### ***Development Plan Documents***

The following documents are considered to be Development Plan Documents.

#### **Tamworth Borough Council Local Plan 2006-2031**

The local plan was adopted in February 2016 and, along with the proposals map, is the main document of Tamworth's development plan. It sets out the policies and guidance that help to shape new development in Tamworth up to 2031 and allocates parts of the town for new homes and employment land required to meet local needs.

#### **Saved Policies of the Tamworth Local Plan 2001-2011**

The majority of the policies in the old local plan (Local Plan 2001-2011) have been superseded by the policies contained within the current local plan (2006-2031) with the exception of policy EMP7 Working from Home which remains in effect.

The Local Plan and saved policy apply to the whole of the borough.

A review of the local plan was undertaken in 2020 and it was determined that, although the plan is generally still in accordance with national policy and is performing relatively well, some changes would be needed to make sure it continues to comply with national policy and to reflect changes in local priorities. It was therefore determined that the level of changes required were significant enough to warrant producing a new plan rather than a partial update to the existing Plan.

Work has begun on a new local plan and an indicative timetable for work on that plan up to 2027 is set out later in this document.

### ***Other Local Development Documents and Supplementary Planning Documents***

The following documents are not considered to be Development Plan Documents but are still an important part of the development plan for Tamworth.

#### **Statement of Community Involvement (SCI)**

The SCI sets out our approach to involving the community and other stakeholders in producing Local Development Documents and assessing planning applications.

The SCI must be reviewed at least every five years. The previous version was published in September 2022. Although it has been less than five years since the previous version was published, we have recently reviewed and updated the document to reflect a revised approach to developing a new local plan. The latest version was published in February 2024.

The SCI applies to the whole of the borough.

The SCI will be kept under review to ensure it remains relevant and up to date.

#### **Planning Obligations Supplementary Planning Document**

The latest Planning Obligations Supplementary Planning Document (SPD) was adopted on 01 August 2018.

The document is intended to provide greater clarity and certainty to developers, landowners, the community and the Council by setting out how we will seek to collect contributions from developers to support the delivery of appropriate infrastructure in Tamworth.

The document applies to the whole of the borough.

An updated version of the document will be included as part of the work to develop the new local plan, but the document will be kept under review in case an earlier update is needed.

#### **Design Supplementary Planning Document**

The production of the Design SPD was included in the 2018 – 2021 LDS and the document was adopted in July 2019.

The document sets out key guidelines to be followed when developing in Tamworth and seeks to raise the quality of the built environment (including the

historic environment) by ensuring that high standards of design are achieved. It also provides guidance to assist applicants in complying with the requirements of historic environment policies set out in the local plan and provides guidance on how the Council expects the historic environment to be taken into account in the development management process.

The document applies to the whole of the borough.

An updated version of the document will be included as part of the work to develop the new local plan to ensure that it is in line with up to date guidance.

### **Community Infrastructure Levy (CIL)**

The CIL Charging Schedule came into effect on 01 August 2018 and sets out the various chargeable rates for development on which the levy is collected. Money collected through the levy will contribute to the costs of infrastructure projects to support the development of Tamworth. The CIL is closely linked to the Planning Obligations SPD and the Infrastructure Delivery Plan and applies to the whole of the borough with geographical exceptions applying to certain forms of development.

The CIL Charging Schedule should be subject to periodic review and this will take place as part of the wider process of delivering the new local plan. A period of consultation and an examination in public will be required before changes can be made to the rates set out in the CIL Charging Schedule, and this is likely to happen at a similar time to the examination of the new local plan.

## **3. New Local Development Documents**

### ***Development Plan Documents***

During the timeframe covered by this LDS, it is intended to produce a new local plan for Tamworth to replace the current adopted plan with a new development strategy, site allocations and development management policies.

The indicative timetable in Appendix A is based on the best information available at this time and will be updated at a later date if more up to date information becomes available.

### ***Other Local Development Documents and Supplementary Planning Documents***

It is intended to review the existing SPDs and the CIL Charging Schedule as part of the development of the new local plan for Tamworth. A timetable for their review/update is included in appendix A.

#### 4. Joint working/duty to cooperate

It is the Councils intention to continue to engage with both Lichfield and North Warwickshire councils to address any issues that can't be dealt with within the borough. The three local authorities have already committed to co-operate on strategic planning issues to deliver the unmet housing and employment needs identified in the adopted local plan through a statement of common ground.

Where there are opportunities to work with the neighbouring councils (or other relevant bodies, such as Staffordshire County Council and Warwickshire County Council) to collect evidence to support the new local plan, we'll look to take them, especially where it would save money.

The Council is also a non-constituent member of the West Midlands Combined Authority and so will be required to work with other members of the Combined Authority on issues which could affect the wider Combined Authority area.

#### 5. Resources

The main resource required to deliver the work programme is officer time. The following table sets out the proportion of their time that the existing officers will contribute towards delivering the programme.

<b>Officer Role</b>	<b>% of officer time</b>
Assistant Director Growth and Regeneration	5%
Planning Policy and Delivery Team Leader	80%
Planning Policy and Delivery Officer	90%
Planning Assistant (temporary)	90%
Monitoring and Information Officer	70%
Development management Service team	Input as required

Due to the small size of the existing Planning Policy and Delivery team, there is limited capacity within the team to carry out the local plan development work alongside other commitments and there is no capacity to deal with any unexpected absences. The size of the team has therefore been temporarily increased to help meet demand and be more resilient.

Consultants will also need to be engaged on specific projects where there is a requirement for specialist skills or knowledge.

There is a budget identified for the development of a new local plan of £10,000 per year for the period covered by this LDS. Due to the work commencing later

than expected, there remains approximately £215,000 held in a retained fund from previous years that will be used to supplement the existing budget.

The budget setting process for 2025/26 and beyond will need to include appropriate consideration of resources required to deliver the later stages of the local plan, including the examination in public. The costs associated with an examination are not easy to estimate at this point because they will depend on the complexity of the issues raised during the process.

## **8. Programme Management and Responsibilities**

Management responsibilities for all areas of work are:

Assistant Director Growth and Regeneration (programme overview)

Planning Policy and Delivery Team Leader (day to day programme, staff & resource management).

The LDS and preparation of LDDs is reported to the Corporate Management Team meetings as appropriate.

Regular meetings are held between the Assistant Director Growth and Regeneration and the Planning Policy and Delivery Team Leader to ensure lines of communication are working and to review progress. E-mail and shared work directories are used to facilitate joint working and link all officers engaged on the project and a project team meeting is held on a regular basis.

## **9. Council Procedures and Reporting Protocols**

The Council's procedures and reporting protocols are set out in the Tamworth Borough Council Constitution which is updated periodically and is available to view [online](https://democracy.tamworth.gov.uk/ecCatDisplayClassic.aspx?sch=doc&cat=13229&path=0) at <https://democracy.tamworth.gov.uk/ecCatDisplayClassic.aspx?sch=doc&cat=13229&path=0>.

## **10. Risk Assessment**

In preparing the Local Development Scheme, it is considered that the main areas of risk relate to:

### Staff resources

Having regard to the current staff levels there is a risk to the delivery of the work programme set out in the LDS should existing staff leave or there is a prolonged absence and the Council is unable to recruit appropriately qualified/experienced staff for cover or replacement. The Council has established good working relationships over the years with specialist consultants who have an understanding of the town but their support is subject to available budget allocations and procurement processes.

### Political conflicts

Following the 2023 local elections, the Council is currently under no overall control. In an effort to reduce any potential conflict a cross-party working group has been established to seek early input from members and to guide the development of Development Plan Documents including the new local plan.

### Capacity of PINS and other agencies to cope with demand nation-wide

Lack of availability of the Planning Inspectorate (PINS) or any other outside agency required to have input into the delivery of any aspects of the work programme has the potential to cause delays. This is not something which the Council can influence, however early warning will be given to PINS of any part of the work programme which is required to go through an examination.

### Legal challenge

The risk of legal challenge will be minimised by ensuring that DPDs are “sound” and founded on a robust evidence base and well-audited stakeholder & community engagement systems.

### Programme slippage

This will be affected if resources are not secured or they are reduced. Slippage of any planned part of the programme could have a knock-on effect on later parts of the programme. The programme attempts to ensure that the key milestones are not affected should there be a need to put contingency arrangements in place.

The impact of local elections and the associated pre-election period has already caused delays in the programme up to this point. In order to meet the Government deadline of 30 June 2025, it will be necessary to do as much as possible to prevent further delays. Careful planning of the timetable should help to mitigate this issue by avoiding key decisions or public consultations being required during pre-election and election periods.

### Changes to relevant legislation and guidance

The Government has announced a number of proposed changes to the plan-making system and the transitional arrangements related to them. This has resulted in the revised timetable in Appendix A in order for the Council to be able to meet the 30 June 2025 deadline for submission of a draft plan for examination.

There is still a significant amount of uncertainty around the proposed changes and the timeframe for their introduction. It is unlikely however that the June 2025 deadline will be moved forward and so, provided that progress is made in line with the timetable in Appendix A, the impact of the proposed changes is likely to be minimal.

### Changes to national Government

With a general election likely to take place during 2024, there is a significant possibility of changes to national Government and their associated priorities. The potential impacts of this are unknown at this time and so are difficult to mitigate. Any potential changes will need to be considered and a decision made once more information is known.

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## Appendix A – Indicative Timetable

Document	Preparation Stage	LDS Target Date
	Pre-Submission (Regulation 19) consultation	Early 2025
	Submission to PINS	June 2025
	Adoption	By 31 December 2026
Obligations Supplementary Planning Document	Review and update as appropriate	As required, by June 2025 at the latest
Design Supplementary Planning Document	Review and update as appropriate	As required, by June 2025 at the latest
Statement of Community Involvement	Review/update	As required, by February 2029 at the latest



**Tamworth Borough Council  
Statement of Community  
Involvement  
XXXX 2024**

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## **Part A - Introduction**

This statement sets out our approach to involving the community in planning decisions in Tamworth. It aims to explain when and how you can get involved in both the development of a new local plan and decisions on individual planning applications.

The statement is split into three parts. The rest of Part A contains general principles and information; Part B covers the local plan and other planning policy work; and Part C relates to planning applications.

### **Our approach to engagement**

Whenever we engage with you, we will try to:

- **Keep things simple**, by using plain English and explaining any technical terms that we need to use.
- **Communicate clearly**, by explaining why we're engaging with you.
- **Make it easy for you to get involved**, by explaining when and how you can get involved, and by using a variety of approaches where appropriate.
- **Make sure your involvement is effective**, by clearly explaining what we can and can't take into account and making sure you have enough time and notice of opportunities to get involved.
- **Be inclusive**, by providing information in an accessible format where possible and giving clear advice on how the planning system works when requested. We will also encourage involvement from groups that have traditionally not been involved in the planning process.
- **Be consistent** so that you know what to expect, and to ensure fairness for all applicants and residents.
- **Be reasonable and respectful** by treating everyone with respect.

### **Who will we look to engage with?**

Government planning regulations require us to make sure that certain groups are consulted at key stages in preparing the local plan or determining planning applications. This includes, for example, the Environment Agency, Highways England, Historic England and Staffordshire County Council. The full list is updated periodically and is available online on the Government's planning system website.

As well as those groups we have to consult with, we would like anyone who is interested to have the chance to be involved in the preparation of the local plan. To help with this, we have a list of people who have expressed an interest in staying informed about planning matters in Tamworth, and we use this list to help us engage with a wider audience where appropriate. If you would like to be added to the list, please contact the Planning Policy and Delivery team at [developmentplan@tamworth.gov.uk](mailto:developmentplan@tamworth.gov.uk)

## How you can get involved

We will keep you informed through various ways including by letter or e-mail, through our website ([www.tamworth.gov.uk](http://www.tamworth.gov.uk)) and social media channels, and notices in the local newspaper where appropriate. The methods we use to engage with people will vary depending on the particular document being produced or planning application being considered, and may also include public consultation events. When deciding on the best approach in any situation, we will always try to make sure that the process is proportionate and provides value for money.

## The role of Planning Officers

The Council's planning officers are split into two teams:

- **The Planning Policy and Delivery Team** produces the local plan and other development plan documents and administer the Community Infrastructure Levy.
- **The Development Management Team** validates and assesses planning applications and investigate alleged breaches of planning control.

## The role of Councillors

Councillors have a key role to play in the planning process:

- Councillors are responsible for approving and adopting all development plan documents such as the local plan.

- Our planning committee is made up of 13 councillors who make decisions on all major planning applications and applications that are called in by a ward councillor or there is a wider public interest.
- Councillors who aren't on the planning committee may also speak at committee meetings on behalf of residents where the development is in their ward. You can contact them to discuss applications in their wards and neighbouring wards where there may be an impact. You can find your local councillor on our website at:  
<https://modgov.tamworth.gov.uk/mgMemberIndex.aspx?bcr=1>

The role of councillors in representing the views and concerns of residents is very important, but your views can only be formally taken into account when you make them in writing to planning officers.

## **Part B - Local Plans**

The local plan sets out a vision and objectives for the future development of Tamworth and contains the policies we use to make decisions on planning applications. The current plan for Tamworth is made up of the Tamworth Borough Council Local Plan 2006 – 2031 and a number of other supplementary documents. You can find the current plan and related documents on our website at: <https://www.tamworth.gov.uk/local-plan>

We are currently working on a new local plan for Tamworth. Information on the stages of that process and the ways that you can get involved is set out below. The timetable for the development of the new plan is included in our Local Development Scheme which will be updated throughout the process and can be found on our website at: <https://www.tamworth.gov.uk/local-development-scheme>

### **Preparing new planning documents**

#### **When you can get involved**

##### The new local plan

There are a number of key stages involved in producing a local plan, and there are a number of stages along the way where you can get involved.

##### *Stage 1: Issues and Options*

Where we try to identify the key issues that the local plan needs to address and what we can do about them. We'll ask for your input on what those issues and options might be.

**The Issues and Options consultation stage was carried out in September/October 2022.**

##### *Stage 2: Pre-submission*

Where we'll have a draft version of the plan with policies and site allocations based on evidence collected and feedback from the previous stages. We'll be asking for further input at this stage, before we submit the plan for examination.

##### *Stage 3: Examination in Public*

Where an independent planning inspector will examine the plan to check if it is 'sound' and able to be adopted by the Council. Comments received at the previous stages will be considered by the inspector and

people who have commented may be invited to take part in the examination.

### Other related documents

Sometimes we produce other planning policy documents, like Supplementary Planning Documents, which give extra information about the policies in the plan. We'll often ask for your views on these documents too, but how we engage with you will depend on what the document is about.

### **How we'll engage with you**

- **Website** – our website is the main point of access for all planning information. We will use it to keep you informed about the plan making process and to provide opportunities for you to review information and tell us what you think;
- **Press and social media** – we'll use our social media channels, and sometimes press releases too, to put out information about progress on preparing planning documents and to let you know about opportunities to get involved;
- **Letters and emails** – where appropriate, we may write out directly to interested parties to seek their views. This will usually involve contacting individuals whose details are included on the list of interested parties referred to in Part A above;
- **Exhibitions and workshops** – when it's appropriate, we might put on exhibitions and workshops to give you the chance to look at plans and proposals and to speak to planning officers and other members of the community in an informal setting. These sessions may be online or in person depending on topic and who we're trying to engage with.
- **Statutory notices** – where we're required to do so, we'll publish notices in a local newspaper to notify you of certain key events and milestones;
- **Other methods** – there may be times when there are opportunities to use an approach that we haven't listed above. As part of our commitment to make it easy for you to get involved, we'll try to take these opportunities where they are appropriate and cost-effective.

## How we'll make documents available

We'll use our website as the main place for sharing documents and other information that we want your input on because it is accessible and allows you to look at the information in your own time. Because we know not everybody has access to the internet, we'll also try to make paper copies available to look at where it is possible and cost-effective to do so. These will usually be available at the places listed below during their normal opening hours, but those places may not always be available, and we may have to make alternative arrangements sometimes.

Tamworth Information Centre Tamworth Assembly Rooms Corporation Street Tamworth B79 7DN	Tamworth Library Corporation Street Tamworth B79 7DN
Glascote Library Caledonian Glascote Tamworth B77 2ED	Wilnecote Library Wilnecote High School Tinkers Green Road Wilnecote Tamworth B77 5LF

## Neighbourhood Plans

Neighbourhood planning is another way for communities to have a say in the planning of their area. The process is usually led by parish or town councils, but in places where there are none (as in Tamworth) local residents can form a neighbourhood forum to produce a plan for their area.

Although the Council doesn't prepare neighbourhood plans, we do have a duty to provide advice and assistance to forums wishing to produce one and to take plans through the legal publication, examination, referendum and adoption processes

You can find out more about what's involved in neighbourhood planning online at <https://www.gov.uk/guidance/neighbourhood-planning--2> or <https://neighbourhoodplanning.org/>



There are currently no neighbourhood plans being prepared in Tamworth. In the event that any come forward, we will update this document to include information on how you can get involved.

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## **Part C - Planning Applications**

All applications for planning permission and related consents (such as works to listed buildings and display of advertisements) are assessed by our Development Management team. They are responsible for determining most applications in line with the Council's Constitution, but some applications are determined by the Council's Planning Committee. The types of application that are determined by Planning Committee are Major applications, applications raising issues of considerable public interest, or where a Ward member has requested that the application is 'called in'.

All decisions on planning applications will be made in accordance with the adopted development plan, unless material considerations, including national planning policies and guidance or site specific matters, indicate otherwise.

Whether the decision is made by planning officers or the Planning Committee, your views are important and will be taken into consideration where appropriate. Information on how you can get involved in planning decisions is set out below.

### **How you can find out about planning applications**

You can view the details of planning applications, including supporting documents, plans, and drawings on our website at <http://www.tamworth.gov.uk/planning.aspx>. In exceptional circumstances, we may be able to make paper copies of documents available for viewing. If you are having difficulty viewing the information online, please contact us on 01827 709709 or by email at [planningadmin@tamworth.gov.uk](mailto:planningadmin@tamworth.gov.uk) to ask about alternative ways to view the documents or to arrange a time to discuss the details with a planning officer.

Government regulations and guidance set out how we're required to publicise different types of application. Those requirements are set out in the table below.

	Letters	Press Advert	Site Notice
<b>Application Type</b>			
Major	x	x	x
Listed Building	x	x	x
Minor application in conservation area	x	x	x
Other Minor application	x		x (where neighbours unknown)
Householder developments in a Conservation Area	x	x	x
Other Householder developments	x		x (where neighbours unknown)
Prior approval	x		x (where neighbours unknown)
Works to TPO trees			x

### **How you can comment on an application**

Once we've sent a letter, or posted a press and/or site notice, you'll have 23 days to send us any comments you'd like to make on the application. If a press and site notice are published on different days, the 23 days starts from the date of whichever is posted later.

23 days is a longer period than we're required to do by the regulations, but we do this to make sure that any public holidays that might fall within the publicity period are taken into account.

It's important that you submit any comments within the 23 day period because we might not be able to take them into account if they are received after that.

If an applicant submits additional information, or significantly changes their proposal, we may carry out an extra period of publicity and consultation to make sure that the full extent of the proposal is known and to allow you time to submit additional comments.

Who we notify about any additional or amended information will depend on the scale of the changes and how significant they are, and that decision will be made by the planning officers on a case by case basis. Any additional or amended information will be made available on our website though, so if you are interested in any particular application you

should check the website occasionally in case any new information has been added.

If you want to make a comment on any planning application, you can send us an email or write to us using the information below. We would recommend using email where you can. If you do choose to send your comments by post, please allow enough time for the letter to arrive within the consultation period.

- **E-mail** – [planningadmin@tamworth.gov.uk](mailto:planningadmin@tamworth.gov.uk)
- **Post** – Tamworth Borough Council  
Marmion House  
Lichfield Street  
Tamworth  
B79 7BZ

### **What we'll do with your comments**

All comments received on applications are considered by a planning officer and, where they are relevant to the application being considered, they will be taken into account when we make a decision. Your comments are only one of the considerations however, and they will be weighed against other considerations (such as local and national planning policies and guidance).

All planning application documents are available online and only information exempt under the Freedom of Information Act 2000 and the Data Protection Act 1998 is withheld from public view. Comments received on planning applications will be summarised in the officer's report and will be published in their entirety on our website with the exception of telephone numbers, email addresses and signatures, which will be redacted.

### **Consultation by applicants**

We encourage applicants to engage with neighbouring landowners and the community before submitting any application for planning permission or other forms of consent. This engagement should be proportionate to the scale of the proposed development and for larger scale developments, these consultations should be carried out at an early stage in the process, to make sure feedback can be incorporated into the submitted proposal. Our local list of validation requirements sets out the types of application which should be accompanied by a statement of community involvement.

Our planning officers would not normally participate in these public meetings or exhibitions.

### **Decision making and Planning Committee**

Most planning applications are determined by planning officers under delegated powers (as set out in the Council's Constitution and Scheme of Delegation). Where decisions are made by the Planning Committee, people who have commented on the application have the opportunity to speak at the committee meeting.

Planning Committee is a public meeting, and anyone can attend, but you (or a representative speaking on your behalf) will only be allowed to speak at the committee meeting if you have commented on the application, in writing, within the appropriate time period mentioned above.

When you submit comments on any application, please make it **very clear** that you may wish to speak at the meeting if the application is determined by committee. We will then let you know the meeting date by email and provide guidance on speaking at the meeting if you would still like to do so.

The Assistant Director - Growth and Regeneration has the discretion to refuse a request to address the Planning Committee but, if this happens, they will write to you letting you know the reason for their decision.

A maximum of three objectors to a planning application are allowed to speak and are allowed a maximum of 3 minutes each.

A maximum of three supporters (one slot reserved for the agent/applicant) of a proposal will also be allowed to speak for a maximum of 3 minutes each.

Councillors for the wards affected by the proposal will, subject to giving prior notification to the Assistant Director - Growth and Regeneration, be allowed to speak either in favour or against planning applications for a total of 3 minutes each.

There may be exceptional cases where the time allowed for public speaking may be extended at the discretion of the committee chair. If this happens every speaker's slot will be extended by the same amount of time.

There may be cases where there are more people who wish to speak than slots available. If this happens, we will encourage you to nominate a spokesperson to speak on behalf of everyone.

If, after the speakers have had chance to address the committee, a decision on the application is deferred to a later meeting, public speaking will not usually be allowed at the later meeting, unless significant changes are made to the planning application. Then a further opportunity may be given to people who spoke at the original meeting and, if there are any free slots available, new speakers may also be allowed.

Planning Committee agendas are usually published five days before the meeting on our website at:  
<https://democracy.tamworth.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1>

### **Notification after Planning Committee**

We will not usually write out to people who have submitted representations to let them of a decision. Decisions on all planning applications, including those made by the Planning Committee, are published on our website as soon as possible following the decision.

### **Planning appeals**

If a planning application is refused, or conditions are put on a permission that an applicant is unhappy with, the applicant can appeal to the Planning Inspectorate (PINS) against the decision. If this happens, we'll let those people who were notified on the original application, and anyone else who commented on it, know that the appeal has been lodged. Any comments received on the application will be forwarded to PINS and, in some cases, you may have the opportunity to make further comments directly to them.

If the appeal will include a public inquiry, we'll also post a site notice to let the public know.

## IS&G Infrastructure, Safety and Growth Scrutiny Work Plan

Work Plan				
DATE	Item	Lead Officer	Lead Member	Notes
19 Feb 24	Local Plan Progression options	AD, Growth & regenerations	PH for Housing and Planning	Expected at November 2023 – item delayed following Working Group
19 Feb 24	Fire Safety Update	AS, Assets		Officer unable to attend – written update to be provided
21 Mar 24	Future High Street Fund (quarterly update)	AD, Growth & Regeneration	Leader of the Council	Due at Cabinet 11/04/24
21 Mar 24	Dual Stream (recycling service) quarterly update	Joint Waste Service	PH for Operations and Finance	
21 Mar 24	CCTV Update	AD, Neighbourhoods		
21 <sup>st</sup> Mar 24	Community Safety Partnership Plan Update 2024	AD, Partnerships	PH for Environmental Health & Community Partnerships	
Items being considered for review				
<b>Date to be confirmed</b>	Review of Bulky Waste Service		PH for Operations and Finance	Requested 21.11.23
<b>July 24 Date to be confirmed</b>	Review of Heritage Engagement Coordinator Post	AD, Growth & regenerations		Request 21.11.23 to be reviewed 6 months post appointment (July 24)
<b>TBC</b>	Decant Policy	AD Neighbourhoods	PH for Housing and Planning	Requested 13/09/23 Review to be scheduled post implementation – date to be agreed Review to be scheduled post implementation – date to be agreed
<b>TBC</b>	Town Hall Proposals	AD, Assets		Awaiting update
<b>Await WG outcome</b>	Council Housing Repairs Policy	AD, Asset	PH for Housing and Planning	Being considered by Working group at Corporate Scrutiny
Current recurring items				
<b>Quarterly updates</b>	Future High Street Fund	AD Growth & Regeneration Anna Miller	Leader of the Council	
<b>Quarterly updates</b>	Dual Stream (recycling service) updates	Joint Waste Service	PH for Operations and Finance	
<b>TBC -</b>	EV Charging Update	AD Growth & Regeneration Anna Miller	PH for Housing and Planning	Update 21.11.23 – to return in approximately 6 months

<b>TBC</b>	Nature Recovery Declaration	AD Growth & Regeneration Anna Miller	Leader of the Council	Endorse 21.11.23 Declaration states the Infrastructure Safety and Growth Scrutiny Committee monitor the Local Nature Recovery Action Plan.
<b>TBC</b>	Community Safety Plan	AD, Partnerships, Jo Sands	PH for Environmental Health & Community Partnerships	21.11.23 requested twice yearly updates

### Item considered/Recommendations/Further Actions

Ref	Meeting Date	Item	Recommendations/Action required	Cabinet Meeting Date	Response received from Cabinet/Follow up action
<b>IS&amp;G/1</b>	10 Oct 23	Off Street Car Parking Tariff & Structure Review	1 x exempt recommendation	09/11/23	Recommendation approved
<b>IS&amp;G/2</b>	17 Jan 24	Future High Street Fund (quarterly update)	3 x exempt recommendations	25/01/24	
<b>IS&amp;G/3</b>	17 Jan 24	Ending plastic Pollution	Resolved by the Committee to recommend that Cabinet: Look at the feasibility of a trial to strategically site some dual use bins around the town with ongoing communications to explain and encourage the correct use.	01/06/24	

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### Working Groups

Topic	Possible WG Members	Target IS&G Com meeting date
Review of policy / engagement relating to migrant travelling community (To include securing Dosthill park petition)	Cllr C Dean Cllr R Claymore Cllr L Woods	
Facilities for HGV Drivers in Tamworth	Cllr B Price Cllr T Clements Co-opt S Daniels	

### Upcoming Infrastructure, Safety and Growth Scrutiny Committee Meetings



Meeting dates :

19 February 2024

21 March 2024

### Items considered by the Committee 2023/2024

Date Considered	Item	Notes
12 Jul 23	Museum Accreditation	NFA - Recommendations endorsed no further action required
13 Sep 23	PSPO – Amington	NFA - Recommendations endorsed with amendment to review one if needed
13 Sep 23	Staffs sustainability Board update	NFA -Recommendations endorsed
13 Sep 23	Local Plan Issue s& Optional Consultation	NFA - Recommendations endorsed
10 Oct 23	Dual Street recycling Updated	Recommendations endorsed with amendment
10 Oct 23	FHSF Update	NFA Recommendations endorsed
10 Oct 23	Off Street Car Parking Tariff & Structure Review	Cabinet recommendation endorsed and additional recommendation from Committee
21 Nov 23	EV Charging Update	Recommendations endorsed – to remain on the workplan for future updates
21 Nov 23	Nature Recovery Declaration	Recommendations endorsed – to remain on the workplan for monitoring
21 Nov 23	Community Safety Plan and Crime figures update/ Environmental Crime policy update	Recommendations endorsed – to remain on the workplan for future updates
17 Jan 24	Dual Stream (recycling service) quarterly update	NFA- Recommendations Endorse

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