



# CABINET

16 January 2014

A meeting of the CABINET will be held on Thursday, 23rd January, 2014, 6.00 pm  
in Committee Room 1 Marmion House, Lichfield Street, Tamworth

---

## A G E N D A

### NON CONFIDENTIAL

**1 Apologies for Absence**

**2 Minutes of the Previous Meeting** (Pages 1 - 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 Cabinet in Accordance with the Overview and Scrutiny Procedure Rules** (Pages 7 - 8)

(Update from the Chair of Healthier and Safer Scrutiny following the meeting of 21 November 2013)

**6 Shared Services - Memorandum of Understanding** (Pages 9 - 16)

(Report of the Leader of the Council)

**7 Draft Budget & Medium Term Financial Strategy 2014/15** (To Follow)

(Report of the Leader of the Council)

- 8 Business Rates Income Forecast 2014/15 (To Follow)**  
(Report of the Portfolio Holder for Operations and Assets)
- 9 Off Street Cashless Parking and ANPR Trial (Pages 17 - 50)**  
(Report of the Portfolio Holder for Operations and Assets)
- 10 Scheme of Delegation Decisions (Pages 51 - 54)**  
(Report of the Portfolio Holder for Operations and Assets)
- 11 Golf Course Future Options Appraisal - Preferred Option Selection (Pages 55 - 108)**  
(Report for the Portfolio Holder for Economy and Education)
- 12 High Speed Rail 2 (HS2) Phase Two: Response to the Phase Two Route Consultation (Pages 109 - 162)**  
(Report of the Portfolio Holder for Economy and Education)
- 13 Landlord Services High Rise Fire Safety (Pages 163 - 182)**  
(Report of the Portfolio Holder for Public Housing and Vulnerable People)

**Restricted**

**NOT FOR PUBLICATION** because the report could involve the disclosure of exempt information as defined in Paragraphs 1, 3 and 9 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended)

- 14 Fire Safety Partner for Council Owned Stock - Landlord Services (Pages 183 - 196)**  
(Report of the Portfolio Holder for Public Housing and Vulnerable People)

Yours faithfully



**Chief Executive**

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

To Councillors: D Cook, R Pritchard, S Claymore, S Doyle, M Greatorex and J Oates





## **MINUTES OF A MEETING OF THE CABINET HELD ON 28th NOVEMBER 2013**

**PRESENT:** Councillor D Cook (Chair), Councillors S Claymore, S Doyle, M Greatorex and J Oates

The following officers were present: Anthony E Goodwin (Chief Executive), John Wheatley (Executive Director Corporate Services), Rob Barnes (Director - Housing and Health), Andrew Barratt (Director - Assets and Environment), Stefan Garner (Director of Finance), Anica Goodwin (Director - Transformation and Corporate Performance), Robert Mitchell (Director - Communities, Planning and Partnerships), Michael Buckland (Head of Revenues), Stephen Lewis (Head of Environmental Health), Sarah McGrandle (Head of Environmental Management), James Roberts (Economic Development and Enterprise Manager), Karen Taylor (Head of Benefits), Jane Eason (Communications and PR Manager) and Jayne Wilson

### **65 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor R Pritchard.

### **66 CORPORATE UPDATE**

The Communications Manager gave a presentation on The New Council Website.

### **67 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 24 October 2013 were approved and signed as a correct record.

*(Moved by Councillor Oates and seconded by Councillor Doyle)*

### **68 DECLARATIONS OF INTEREST**

There were no Declarations of Interest.

### **69 QUESTION TIME:**

There were no questions received from the public.

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

None

**71 DRAFT BASE BUDGET FORECASTS 2014/15 TO 2018/19**

The Report of the Leader of the Council informing Members of the re-priced base budget for 2014/15, base budget forecasts for the period 2014/15 to 2018/19 (the 5 year Medium Term Planning period) and the underlying assumptions and the future strategy to address the financial trends was considered.

- RESOLVED:** That:
- 1 The technical adjustments and re-priced budget figures for 2014/15 and indicative budgets to 2018/19 be approved, and;
  - 2 The proposed policy changes, as detailed within the report be considered, and;
  - 3 In compliance with the Constitution of the Council, the Joint Scrutiny Budget Workshop be asked to consider the budget proposals contained within this report.

*(Moved by Councillor D Cook and seconded by Councillor S Doyle)*

**72 QUARTER TWO 2013/14 PERFORMANCE REPORT**

The Report of the Leader providing Cabinet with a performance health-check was considered.

- RESOLVED:** That the contents of the report be endorsed.

*(Moved by Councillor D Cook and seconded by Councillor S Doyle)*

**73 THE TAMWORTH GROWTH AND REGENERATION PLAN**

The Report of the Portfolio Holder for Economy and Education seeking approval for the draft Tamworth Growth and Regeneration Plan was considered.

- RESOLVED:** That:
- 1 The Tamworth Growth and Regeneration Plan be approved and that its implementation is managed through the Regeneration Board of CMT in conjunction with the Portfolio Holder Economy and Education and with reports to Cabinet on progress, and;
  - 2 Authority be delegated to the Head of Planning and Regeneration to make minor amendments to the Growth and Regeneration Plan prior to it being finalised and printed in conjunction with the Portfolio Holder for Economy and Education.

*(Moved by Councillor S Claymore and seconded by*

*Councillor D Cook)*

#### **74 SHARED SERVICE IN ECONOMIC DEVELOPMENT - ANNUAL REPORT**

The Report of the Portfolio Holder for Economy and Education updating Cabinet on the progress made by the Shared Service in Economic Development in the implementation of the Business and Economic Partnership's (BEP) Economic Strategy 2011 and the contributions made to the development of the local economy was considered.

- RESOLVED:** That:
- 1 The progress made by the Shared Service and BEP in implementing the 2011 Economic Strategy be endorsed, and;
  - 2 The review of the 2011 Economic Strategy be supported and that a refreshed Strategy be presented to Cabinet in early 2014, and;
  - 3 The continued work and approach of the Shared Service and BEP in seeking to achieve the ambitions of the Economic Strategy and related economic objectives of both Tamworth Borough Council and Lichfield District Council be endorsed.

*(Moved by Councillor Claymore and seconded by Councillor Cook)*

#### **75 THINK LOCAL LIMITED: CEASING OF TRADING,**

The Report of the Portfolio Holder for the Economy and Education informing Cabinet of a Board decision by Think Local Ltd to voluntarily dissolve the company and transfer the assets back to Tamworth Borough Council, and seeking authorisation to establish a dormant limited company in Tamworth Borough Council's ownership in order to preserve and protect the trading name 'Think Local Limited' was considered.

- RESOLVED:** That the decisions of the Board of Think Local Limited be endorsed and The Director Communities, Planning and Partnerships in conjunction with the Portfolio Holder Economy and Education be authorised to establish the dormant company as soon as practically possible.

*(Moved by Councillor Claymore and seconded by Councillor S Doyle)*

#### **76 IMPROVEMENT WORKS TO PRIVATE SECTOR HOUSING**

The Report of the Portfolio Holder for Public Housing and Vulnerable People seeking approval for the utilisation of existing Council resources to undertake

works in default and to provide loans to remedy urgent repair issues in private sector homes was considered.

**RESOLVED:** That that proposal to release the £130,000 held in the 'Coalfields' Capital Contingency Funds and utilise them to carry out works in default and provide loans to remedy urgent repair issues in private sector homes in line with the Council's existing Enforcement Policy and Financial Assistance Policy be approved.

*(Moved by Councillor M Greatorex and seconded by Councillor J Oates)*

## **77 INSTALLATION OF GAS CONNECTIONS IN BELGRAVE**

The Report of the Portfolio Holder for Public Housing and Vulnerable People seeking approval for the Council to support Affordable Warmth Solutions to install mains gas in a defined area of Belgrave Tamworth was considered.

**RESOLVED:** That:

- 1 A programme to install mains gas and related works to an area of Belgrave working in partnership with Affordable Warmth Solutions be supported, and;
- 2 Subject to the outcome of the consultation with tenants and residents the installation of gas central heating systems in Council homes within the area be approved as part of the Council's overall Housing Investment Programme.

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

## **78 FEES AND CHARGES - ASSETS AND ENVIRONMENT**

The Report of the Portfolio Holder for Environment and Waste Management informing members of proposed fee increases applicable to the cemetery and sports pitch services was considered.

**RESOLVED:** That:

- 1 The initial increase in Cemetery fees from 1 January 2014 be approved, and;
- 2 Annual increases in Cemetery fees by RPI commencing on 1 April 2015 with a full review of fees every three years be approved, and;
- 3 The ongoing annual increase in Sports Pitch fees by RPI on 1 April 2014 with a full review every three years be approved.

*(Moved by Councillor S Doyle and seconded by*

*Councillor D Cook)*

**79 SCRAP METAL DEALERS ACT 2013 FEES**

The Report of the Portfolio Holder for Environment and Waste Management providing details of proposed fees and seeking approval to refer the fees and Scheme of Delegation to Council was considered.

- RESOLVED:** That:
- 1 The Scheme of Delegation be endorsed and recommended to full Council, and;
  - 2 The proposed fee levels be endorsed and recommended to full Council.

*(Moved by Councillor S Doyle and seconded by Councillor D Cook)*

**80 TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY MID-YEAR REVIEW REPORT 2013/14**

The Report of the Portfolio Holder for Operations and Assets presenting members with the mid-year review of the Treasury Management Strategy Statement and Annual Investment Strategy was considered.

- RESOLVED:** That the Treasury Management Strategy Statement and Annual Investment Strategy Mid-year Review Report 2013/14 be accepted.

*(Moved by Councillor D Cook and seconded by Councillor S Doyle)*

**81 LOCAL COUNCIL TAX REDUCTION SCHEME 2014/15**

The Report of the Portfolio Holder for Operations and Assets seeking Cabinet consideration of the ongoing agreement of the Authority's current Council Tax Reduction Scheme for Working Age customers including 1% up ratings to Applicable Amounts applied for 2014/15 was considered.

- RESOLVED:** That:
- 1 The continuation of the Authority's current Council Tax Reduction Scheme for a further year, without change, for 2014/15 be endorsed, and;
  - 2 The scheme be reviewed following completion of the first year, identification of delivery of the scheme's financial target and full implications of potential changes that may arise re: consultation/equalities/potential challenge.

*(Moved by Councillor D Cook and seconded by Councillor*

*M Greatorex)*

**82 CABINET REPORT FOR WRITE OFFS 01/4/13 - 30/9/13**

The Report of the Portfolio Holder for Operations and Assets providing members with details of write offs from 1 April 2013 to 30 September 2013 was considered.

**RESOLVED:** That the amount of debt be written off.

*(Moved by Councillor D Cook and seconded by Councillor S Claymore)*

**83 COUNCIL TAXBASE 2014/15**

The Report of the Portfolio Holder for Operations and Assets reporting the Council Tax Base for the Borough Council for 2014/15 was considered.

**RESOLVED:** That Tamworth Borough Council resolves its calculation of the Council Tax Base for the year 2014/15 to be 20,389.

*(Moved by Councillor D Cook and seconded by Councillor S Doyle)*

**EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That members of the press and public be now excluded from the meeting during consideration of the following item on the grounds that the business involves the likely disclosure of exempt information as defined in Paragraph 1 and 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended).

**84 LAND ADJACENT TO 56 WATLING STREET, TAMWORTH**

The Report of the Portfolio Holder for Operations and Assets seeking approval to dispose of land adjacent to 56 Watling Street was considered.

**RESOLVED:** That Cabinet authorised the disposal of the land and authorised the Director of Assets and Environment to conclude the negotiations and finalise the sale.

*(Moved by Councillor D Cook and seconded by Councillor S Claymore)*

---

Leader

## CABINET

23 JANUARY 2014

### REPORT OF THE CHAIR OF HEALTHIER AND SAFER SCRUTINY

#### RECOMMENDATIONS TO CABINET

That:

The Healthier and Safer Scrutiny Committee discussed violence and domestic violence at its last meeting, following that discussion the committee would like to ask the Cabinet to liaise directly with the relevant County Council portfolio holder in order to understand what services are currently available to tackle alcohol misuse in Tamworth and what services are currently being commissioned. This will support and enhance the recent request made by Borough Council officers to the County Council following the committee meeting.

This page is intentionally left blank



## CABINET

23 JANUARY 2014

### REPORT OF THE LEADER OF THE COUNCIL

#### A MEMORANDUM OF UNDERSTANDING TAMWORTH BOROUGH COUNCIL & LICHFIELD DISTRICT COUNCIL

##### PURPOSE

To seek Cabinet endorsement of a Memorandum of Understanding (MoU) relating to potential shared services with Lichfield District Council.

##### RECOMMENDATIONS

That Cabinet endorse the attached Memorandum of Understanding thereby securing future shared service opportunities with Lichfield District Council.

##### EXECUTIVE SUMMARY

This report seeks to place an existing, informal arrangement and commitment onto a more secure footing and thus provide each Authority with the initial option of pursuing a shared service arrangement with the other. **This is neither a contractual agreement nor a legally binding arrangement.** The MoU is viewed as a clear demonstration of trust and confidence and a commitment to build upon existing successes.

##### RESOURCE IMPLICATIONS

Whilst there are none arising directly from this report, it is anticipated that elements of technical and legal support may be necessary subject to the scale and scope of the shared service in question.

Similarly, the establishment of a critical mass of partners for a shared service may be dependent upon compatible ICT platforms and operating systems. Any resources would require to be justified via a Business Case or evidence of an 'Invest to Save' efficiency.

##### LEGAL/RISK IMPLICATIONS

There are none arising directly from this report or the recommendation.

##### SUSTAINABILITY IMPLICATIONS

There are none arising directly from this report.

## **BACKGROUND INFORMATION**

Tamworth Borough Council and Lichfield District Council enjoy the benefits of several shared services arrangements as acknowledged in the recent Peer Challenge initial feedback. These include:

- **Joint Waste & Recycling**
- **Corporate Health & Safety**
- **Building Control**
- **Business Support & Advice**

## **BACKGROUND PAPERS**

Shared Service Arrangements  
MTFS  
Sustainability Strategy  
Peer Challenge Feedback

## **REPORT AUTHOR**

Anthony E. Goodwin  
Chief Executive

Should members require any further information or clarification prior to the meeting then please contact:

Anthony Goodwin Chief Executive ext 211 or tony-goodwin@tamworth.gov.uk

### 1 BACKGROUND & CONTENT

Like all council's across the country, both authorities are facing significant and continued financial challenges. In order to meet those challenges, both councils are committed to exploring innovative ways to maintain vital services whilst reducing costs and achieving efficiencies.

It was with this in mind that the Cabinet members from Tamworth Borough Council and Lichfield District Council met to discuss the potential benefits of closer working relationships built upon very real successes of existing shared services such as the Joint Waste Collection arrangements.

After due consideration and debate, it was agreed to place an informal and 'in principle' arrangement on a more secure footing in the form of a 'Memorandum of Understanding'. (Attached as **Appendix B**).

### 2 SHARED SERVICES

There are many forms of shared working that can be put in place between two councils and most are probably in operation in one form or another somewhere in the country at the present time. These range from formal shared management teams and shared decision making to service level agreements for combined service delivery.

One option is that opportunities for shared services are taken up with anyone at anytime and assessed on an individual cost benefit basis. This results in each service being looked at on its own merits and a 'mixed economy of service delivery evolves (much like we have now with numerous shared approaches to services with various partners).

Another option is to have a 'preferred partner'. i.e. when opportunities through staff departure or change arises the service will be looked at as a potential for sharing and redesign with **one** other council. Thus, over time, synergies, efficiencies and a closer working relationship and culture develop. Whilst this would take time, in terms of the long term intentions for a closer overall working relationship, there are advantages in terms of shared culture as well as economies of scale.

Sharing the delivery of services can have many benefits but it must also be appreciated that in bringing together services you also bring together different cultures, staff terms and conditions, processes, practices and judgments about what a service should be and how it should be best delivered. Over time each council will have refined and developed its own processes not only to meet the specific needs of its unique population but also to make its own efficiency savings over the last 5 -10 years of local government change.

Recognised nationally as an essential component of local government, 'shared services' has much press coverage and always features highly in articles and lists as to how costs can be reduced. Where the same process

is delivered to a customer – such as the collection of waste bins and where there is agreement on the standard and level of service to be delivered, economies of scale are certainly possible, as demonstrated by the successful shared waste service between our two councils. Savings can be made in management costs and service standards can be improved through greater resilience and new opportunities for process improvement. However unit costs for a service per head of population, or per household, may vary widely when the nature of the council – its size, geography and demography - is taken into account.

Whilst a move towards shared services can offer savings and service improvement, it would be a mistake to think that this will solve the financial challenges that we face or be the right way forward on all service areas. It is but one activity that should be rightly pursued in our Sustainability Strategy Workstream.

## MEMORANDUM OF UNDERSTANDING

1. **Purpose of this Memorandum of Understanding**
  - 1.1 The purpose of this Memorandum of Understanding (referred to in the remainder of this document as MoU) is to:-
    - (a) set out in simple, non legalistic, terms the way that the partners to the MoU will work together
    - (b) clarify and record any responsibilities of the partners to the MoU individually and collectively, including to each other
  
2. **Who are the partners to the Memorandum?**
  - 2.1 The partners to the MoU (referred to in the remainder of this document as the Partners) are:-

Tamworth Borough Council  
Lichfield District Council
  
3. **Status of the Memorandum and the partnership**
  - 3.1 The MoU is an operational document. It is not a formal or legally binding contract.
  - 3.2 The Partners, individually and collectively, have (by signing the MoU) agreed to use all reasonable endeavors to comply with the terms and spirit of the MoU. They will not be obliged to undertake expenditure without that being agreed by them as individual partners except where they each agree to commit funding of a specific amount (one-off or annually) to be pooled.
  - 3.3 By agreeing the MoU the Partners are expressing their clear intent to work more closely together and the officers of each authority are encouraged and empowered to work up potential joint working and shared staffing arrangements to be presented and judged on a business case basis for consideration.
  
4. **Key principles**
  - 4.1 The Partners, individually and collectively, have (by signing the MoU) agreed the following key principles :
    - The Partners wish to seek efficiencies and service improvement through closer working and joint service development;
    - The Partners wish to retain their unique decision making powers and democratic independence;

- The Partners wish to retain their distinct character and identity;
- The Partners agree that the objectives of working more closely together include:
  1. improving services for customers
  2. delivering efficiency savings
  3. increasing resilience of services whilst retaining independence
  4. identifying and delivering best practice
  5. Increasing influence in LEP activities and other sub regional bodies, whilst recognising the right of each Partners choice in LEP membership.
- Actions and decisions as to what to recommend to individual Partners should reflect what is in the best interests of all Council Tax payers and the implications for individual Partners within the geographical area of Lichfield & Tamworth, and take into account what is fair and equitable for each Partner. Savings might not always be made by both councils on every service – but that overall the final costs for both councils should be less than now;
- The Partners accept there may be areas where contractually services cannot be shared immediately - e.g. where there are existing contractual arrangements of shared service arrangements with other councils etc. but on review of those existing contracts and arrangements the option for shared service with the other Partner should be considered as a preferred option;
- Where shared service options are to be considered or service reviews are to take place The Partners undertake to advise the other accordingly and invite a joint approach to the review to be adopted and shared service solutions investigated with each other as the preferred option;
- The Partners accept that in some cases when review work is done the costs and implications of a shared service approach will be such that as an individual council they do not wish to proceed with that proposal; there is no creation of a commitment to share all services at any cost;
- To work together in a spirit of mutual trust, support and respect, and to ensure that when difficulties or differences of opinion arise they are addressed quickly, honestly and openly, if necessary by holding a Joint Meeting with Leading Members and Chief Executives.

4.2 The Partners have agreed to make sure that they jointly agree how, and when, they communicate any issues arising from the MoU with any stakeholder group. They also agree to communicate honestly and openly with each other.

5. **Period of the Agreement**

5.1 It is anticipated that this agreement will require review on a regular basis and at least annually.

Signed

Leader Tamworth Borough Council

..... Date

Leader Lichfield District Council

..... Date

Chief Executive Tamworth Borough Council

..... Date

Chief Executive Lichfield District Council

..... Date

This page is intentionally left blank



23 January 2014

**THE PORTFOLIO HOLDER FOR OPERATIONS AND ASSETS****OFF STREET PARKING UPDATES, CASHLESS PARKING AND ANPR TRIAL****EXEMPT INFORMATION**

None

**PURPOSE**

To seek Members approval for the introduction of an 18 month no cost trial for a cashless parking and virtual permit system in all Council car parks, and a new Automatic Number Plate Recognition initiative parking trial.

**RECOMMENDATIONS**

Members are asked to:

- Approve the introduction of Cashless Parking for a 18 month trial period
- Approve the revised fee structures and charges necessary to accommodate the implementation of the above off street parking cashless parking
- Approve the updating to off-street car parking orders to accommodate cashless parking
- Approve receipt and expenditure of a grant allocation of £50K to support ANPR trial on allocated car parks as detailed

**EXECUTIVE SUMMARY****Cashless Parking**

Several parking providers have offered a free trial to the Authority for the introduction of a cashless parking service to offer motorists alternatives to paying at P&D machines.

Bemrose Booth Mobile can provide the software, required signage and back office for the introduction of cashless parking in Tamworth for an eighteen month trial period at no cost to Tamworth Borough Council.

After eighteen months, the service will be reviewed as to the take up and success, and if successful the service need will be subject to a tender exercise.

Advice received from the Council's procurement team is that a trial period does not need to be subject to a procurement process

The current “back office” penalty charge processing at Stoke on Trent is not affected by this service and Bemrose Booth will provide mobile devices for the Civil Enforcement Officers (which will become the property of the Council) to enable effective operation of this trial.

Users of the car parks can buy tickets in advance or opt to purchase longer time on reminder all by their mobile device. This will encourage shoppers and visitors to stay longer without having to ensure that they must rush back for an expired ticket. The reminder is sent by text message.

A cashless parking system gives the opportunity for motorists to park for longer periods and affords the Council an opportunity to introduce overnight stay options on some car parks without fear of penalty to the motorist. This will benefit hotel guests, visitors and commuters who may require to park for longer periods. Town centre residents may also benefit from these options for their visitors.

All signage and publicity will be arranged by Bemrose Booth in conjunction with the Council.

The use of the text messaging service also allows for the sending of appropriate marketing messages to account holders. This could include incentive offers, notification of events and other information.

The intended implementation date is during February 2014.

## **Fees**

The fee structure proposed allows for cashless parking allows for a discounted day parking rate over more than one day (attached), allowing for greater flexibility on the car parks.

Statistics have shown that the most common rate of car park charge in Tamworth is £1.40 (up to two hours). All day time tariffs will be included for use of the public on Council car parks.

The Council will receive full income from parking tariffs.

All car parks will maintain the opportunity for motorists to pay for normal daily tariffs as advertised.

Cashless parking will also allow for a flexible ‘roll over’ tariff for persons wishing to extend the paid for time after 6pm to beyond 8am the following morning, allowing flexibility for visitors to town centre properties and hotels. For example the purchase of an up to two hour tariff at 5.30pm will allow parking until 9.30am the following day.

It is further proposed that there is an option to use the current all day and introduce 2 day tariffs to be available cashless on the following car parks:-

Hospital Street  
Lower Gungate  
Church Lane  
Marmion Street  
Albion Street  
Spinning School Lane

The all day tariff and 2 day tariff will provide a non-chargeable overnight parking valid for a 24/48 hour period. (eg a motorist arriving at 4pm today purchasing an one day (£4.50/£5.00) tariff will be permitted to stay until 4pm the following day.)

The charge to the motorist will be a 20p per transaction charge for the use of the system – this fee will be retained by Bemrose Booth for administration.

### **Revision of Off Street Orders**

Current parking orders reflect a charging period of 8am-6pm on off street orders and operation during these hours. The introduction of a cashless parking system for a flexible roll over day/2 day tariffs and the use of a 'virtual' permit require an amendment to reflect this.

The orders must be available to the public for 28 days prior to introduction.

Revised orders are included Appendix 1.

### **ANPR Camera Trial**

A grant of £50k is available via government funding from Bemrose Booth Mobile to the Council to trial an Automatic Number Plate Recognition system on the Council car parks for up to 18 months.

It is proposed to use the 3 busiest car parks:-

- Bolebridge Island
- Aldergate
- Holloway

Bemrose Booth Mobile in partnership with Creative Parking Solutions will provide the installation of cameras and new alpha numeric pay and display machines to the car parks. The machines are provided by Metric who are our current supplier.

The cameras will recognise the number plates of vehicles and log when a P&D ticket/cashless transaction is purchased and the time.

The use of ANPR cameras is common place in parking enforcement and will give full information on the use and turnaround in the Council car parks to best enable further development.

This information will be available to the Civil Enforcement Contractor who will then be better able to allocate beat patterns for officers. **During the trial and due to the requirements of the Traffic Management Act, all PCNs will continue to be issued by our contractor and will not affect current processes. Penalties will not be issued automatically at notification to the officers, but subject to the observation periods currently operating in the Staffordshire Policy for Processing of Penalty Charge Notices.** The cashless system will also operate a text alert to subscribers to inform them of impending expiry of paid for time and give the option to top up.

At the end of the trial, the Council can chose to undertake a procurement exercise to continue with ANPR cameras or revert to the provision of maintained machines, with

the option to purchase the new ones installed.

It is proposed that this trial commences in April 2014.

## **Grant Money**

It is proposed that the grant money is retained for expenditure on projects for the development of the town centre subject to approval from the Portfolio Holder for Operations and Assets and the Director Assets and Environment. There is no time limit as to when this grant can be spent and this will include:-

- Installation of new car park signage and tariff boards
- Up to £15K to work with the Association of Town Centre Management (ATCM) to undertake town centre footfall analysis, profile and benchmarking surveys to contribute to town centre initiative
- Retention of outstanding money to explore use for other parking options including the support of the cost of purchasing equipment after trial evaluation if successful and investment in other car parks linked to the Gateway Project.

A FAQ sheet is attached as Appendix 2.

## **RESOURCE IMPLICATIONS**

The introduction of cashless parking has no impact on revenue expenditure budgets and is unlikely to increase income received in the short term, although this will be monitored as part of the usual budget management process.

The introduction of ANPR will result in potential savings of £315 per machine per year on the maintenance of existing machines in trial car parks. Total savings during the trial will be in the order of £1,890 per annum.

At the end of the trial, the Council have the option to purchase the machines at a considerable reduction to market price from existing revenue budgets. The car parks subject to the trial also have the oldest pay and display machines, and this will be an effective way of upgrading our machinery. Purchase costs will be negotiated at the end of the trial.

Marketing costs and advertising will be met by Bemrose Booth with involvement from Council Corporate Relations.

## **LEGAL/RISK IMPLICATIONS BACKGROUND**

Procurement have advised that there are no procurement issues arising as a result of free trials and that appropriate processes will be followed at the end of the trial as necessary.

The impact on car park revenue will be monitored and assessed during the period as the take-up of cashless increases. Some authorities have realised a reduction in PCN payments as a result of cashless parking. This will continue to be assessed in balance with potential increase to parking periods when motorists have the option to

automatically do so.

## **SUSTAINABILITY IMPLICATIONS**

The ability to use ANPR and cashless will not be affected and provides longer term sustainability options whilst the review of the operation of Civil Parking Enforcement in Staffordshire which is likely to be complete by March 2015. It is not likely to affect the trial as the off-street element of CPE is at the discretion of the Council .

## **BACKGROUND INFORMATION**

The use of cashless parking has been well established in recent years as an option to allow the motorist to park more conveniently without the worry of finding change and/or rushing back to the car to avoid a penalty notice.

The Council off-street orders already include the option for other payment methods and will allow alternative payment when machines are out of order.

The use of ANPR is extensive in the private sector who send out PCNs in the post. In the public sector, the requirements of the Traffic Management Act mean that evidence of parking must be photographed.

Several providers have approached the Council to offer trials on this basis.

The use of the Bemrose Booth Mobile affords the Council a free low risk service for the public as well as the provision of new car park machines on the busiest car park as well as a grant fund scheme for the purposes of investment in the town centre.

## **REPORT AUTHOR**

Jo Sands, Neighbourhood Services Manager

## **LIST OF BACKGROUND PAPERS**

### **APPENDICES**

1. Off street orders
2. Grant FAQs

This page is intentionally left blank

**TAMWORTH BOROUGH COUNCIL**  
**OFF-STREET PARKING PLACES CONSOLIDATION**  
**ORDER 2014**

**TAMWORTH BOROUGH COUNCIL**  
**OFF STREET PARKING PLACES CONSOLIDATION**  
**ORDER 2014**

Tamworth Borough Council (hereinafter called “the Council”) in exercise of its powers under Sections 32, 35 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as amended (“the 1984 Act”) and of all other enabling powers, with the consent of the Staffordshire County Council in accordance with section 39(3) of the 1984 Act and after consultation with the Chief Constable of Staffordshire Constabulary in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order:

**PART 1**  
**GENERAL**

**Commencement and Citation**

1. This Order shall come into operation on the First day of February 2014 and may be cited as the Tamworth Borough Council (Off-Street Parking Places Consolidation) Order 2014.

**Interpretation**

2. In this Order, except where the context otherwise requires, the following expressions have the meanings respectively assigned to them:

“Alternative Approved Method of Payment” means Park and Phone, payment by debit or credit card facilitated by on site or remote verification by, for example, card reader or mobile phone text or phone call or decrementing card;

“Bank Holiday” has the same meaning as described in the ‘Banking and Financial dealings Act 1971 (C.80). The first Monday of May shall be treated as if it were a Bank Holiday for the purposes of this Order;

“Charging Days”, means those days other than Christmas Day and Easter Sunday, which are as specified at each Parking Place respectively;



“Charging Hours”, means the period as specified at each Parking Place on all charging days;

“Council” means Tamworth Borough Council or its successor authority;

“Daily Charge” means the charge imposed by the Council for Parking in a Parking Place on any one day and for a specified period of time as is identified in the scale of charges specified in the schedules/by notice on site;

“Overnight Charge” means the charge imposed by the Council for Parking in a Parking place using the Phone and Pay facility beyond the daily Pay and Display operating hours for a specified time as identified in the scale of charges specified in the schedules and by notice on site;

"Disabled Persons' Badge" means a badge issued by any Local Authority in accordance with the provisions of the Local Authorities' Traffic Orders (Exemptions for Disabled Persons Regulations 2000 or a badge having effect under those regulations as if it were a Disabled Person's Badge);

“Expiry Time” is the time indicated on the Pay and Display Ticket or end of pay by phone and is the time by which the Vehicle must leave the Parking Place;

“Light Goods Vehicle” means a Vehicle which is constructed or adapted for use for the carriage of goods or burden of any description, the overall height of which does not exceed 1.85 metres and the unladen weight of which does not exceed 1525 kilograms and is not drawing a trailer;

“Loading/Unloading” refers to when a Vehicle is Parked wholly in a Parking Place or bay marked for that purpose on site, for the purpose of delivering or collecting goods or merchandise or loading or unloading the Vehicle at premises adjacent to the Parking Place or bay and the Vehicle does not Park

for more than twenty minutes or such longer period as a duly authorised officer of the Council may authorise;

“Motor Cycle” refers to a solo motorcycle only and excludes any motor cycle which has a side-car or trailer, or which has more than two wheels;

“Owner” in relation to a Vehicle means the person who is recorded as the registered keeper by the Driver and Vehicle Licensing Agency on the date on which the Vehicle was Parked in the Parking Place in question;

“Park” and “Parked” refer to the stopping of a vehicle and it remaining at rest for some time whether or not the driver is still in the vehicle and a vehicle shall be deemed to be parked for any period in the same parking place or parking bay (as the case may be) if any part of it is below the vehicle or the vehicle’s load (if any) whether or not the vehicle is moved during that period;

“Phone and Pay” means a method of payment of the Parking charge operated and maintained by the Council’s appointed service provider to accept and record the payments (inclusive of any appropriate administrative charge), made by means of a credit or debit card or any other approved method of secure authorised payment and transmitted by a mobile telephone or any other electronic system (inclusive of internet apparatus) to obtain a period of parking in a parking place where the “pay by phone” system is operational and indicated by lawful signs;

“Parking Bay” means an area of a Parking Place, which is provided for the leaving of a Vehicle of a class specified and indicated by markings on the surface of the Parking Place or signed or otherwise indicated by signs in the Parking Place;

“Parking Permit” means a season ticket, contract permit, business permit, staff permit or resident’s permit of a type and design issued by the Council;

“Parking Place” means an area of land provided by the Council pursuant to Section 32(1) of the 1984 Act for the purpose of Parking of Vehicles and not

closed (in part or in whole) by a notice erected thereon by authority of the Council;

“Operational Day and Hours” means the days and hours of operation as a designated parking place for which contraventions apply”

“Pay and Display Ticket” means a ticket issued by a Ticket Machine located in the Parking Place in which the Vehicle has been Parked or issued by a person nominated by the Council on payment of a charge and valid for a Parking period as advertised at that Parking Place;

“Penalty Charge” means a charge imposed by legislation in respect of Parking contraventions that are subject to civil enforcement and has the same meaning as in the Civil Enforcement of Parking Contraventions (England) General Regulations 2007;

“Public Holiday” means Christmas Day, Good Friday and any other day designated by the Government as a public holiday;

“Relevant Position” means

- (a) in respect of a Vehicle displaying a valid Disabled Person’s Badge -
  - (i) in the case of a Vehicle fitted with a dashboard or fascia panel, the badge is exhibited thereon so that Part 1 (the front of the badge), is legible from outside the Vehicle; or
  - (ii) in the case of a Vehicle not fitted with a dashboard or fascia panel, the badge is exhibited in a conspicuous position on the Vehicle so that Part 1 of the badge is legible from outside the Vehicle;
- (b) in respect of a Vehicle displaying a Pay and Display Ticket or Season Ticket / Parking Permit -
  - (i) the ticket or permit is exhibited on the inside surface of the windscreen or in a clearly visible position so that it is facing forwards and can be easily seen and read from the front or side of the Vehicle; or

- (ii) in the case of a Vehicle that is not fitted with a transparent windscreen, the ticket or permit is exhibited on the front of the Vehicle facing forwards and clearly visible; or
- (c) in respect of a Vehicle displaying a Hackney Carriage Plate
  - (i) the plate must be affixed to the Vehicle in accordance with the instructions given within the licence as issued by the District Borough Council;

“Ticket Machine” means an apparatus of a type and design approved by the appropriate Minister for the purpose of the 1984 Act, being apparatus designed to indicate the time by a clock and to issue Parking tickets which show that a payment has been made of an amount or for a period specified thereon and which specify the date and, either the time of such payment, or the expiry time of the Parking period for which payment has been made;

“Vehicle” includes any motor car, Motor Cycle or other mechanically propelled automobile.

3. Except where the context requires otherwise, any reference in this Order to a numbered Article shall be construed as a reference to the Article bearing that number in this Order.
4. Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment.
5. Unless the context otherwise requires, words denoting the singular shall include the plural and vice versa and words denoting the persons shall include either gender, bodies corporate, unincorporated associations and partnerships.
6. The Interpretation Act 1978 shall apply for the interpretation of this Order.

**PART 2**  
**DESIGNATION AND USE OF PARKING PLACES**

Designation

7. Each area of land or building specified by the accompanying plans and/or by name in the Schedules may be used, subject to the provisions of this Order, as a place to Park Vehicles of such classes, in such positions, on such days, during such hours, for such period and on payment of such charges as are advertised at each Parking Place.

Class and position of Vehicle

8. Where by notice at a Parking Place, the Parking Place, or any Parking Bay within the Parking Place, is described as available for Vehicles of a specified class or Vehicles to be Parked in a specified location, no person shall cause or permit a Vehicle to be Parked in that Parking Place or in any Parking Bay within the Parking Place during Operational hours:
- (i) unless it is of the specified class;
  - (ii) that is Parked beyond the Parking Bay markings;
  - (iii) in a position other than that specified; or
  - (iv) for a purpose other than provided for in this Order.

Classes of vehicle

9. No person shall cause or permit a Vehicle to be Parked in a Parking Bay unless it is a Passenger Vehicle, Light Goods Vehicle, Vehicle displaying a Disabled Person's Badge, Motor Cycle or a class specifically prescribed in the Schedules.

Position of vehicle

10. If parking bays are marked out in a parking place the driver of a vehicle shall ensure that it is positioned wholly within a parking bay and shall not permit it to wait in that parking place unless it is so positioned.

11. If parking Bays are not marked out in a parking place the driver of a vehicle shall ensure that it is positioned so that it does not obstruct other vehicles using the parking place, the free flow of traffic circulating within the parking place and the entrances to and exits from the parking place.

#### Disabled person's Parking bays

12. No person shall cause or permit a Vehicle to be Parked in a Parking Bay marked for disabled persons unless the Vehicle displays a valid Disabled Person's Badge in the Relevant Position and immediately before or immediately after the act of Parking the Vehicle has been or is about to be used by the person(s) in respect of whom the Disabled Person's Badge has been issued.

#### Permit Parking Bays

13. No person shall cause or permit a Vehicle to Park in a Parking Bay marked for permit holders unless the Vehicle is displaying a Permit valid for that time and that Parking Bay.

#### Taxi bays / private parking bays / etc

14. No person shall cause or permit a Vehicle to be Parked in an area marked as a taxi bay / private parking bay unless the Vehicle displays in the relevant position a valid Hackney Carriage plate / permit issued by the Council. or unless authorised by the Council to do so.

#### Loading and unloading bays

15. No person shall cause or permit a Vehicle to Park in any area marked as a loading bay unless the Vehicle is being used for the purpose of Loading or Unloading.

#### Motor Cycle Parking bays

16. No person shall cause or permit a Vehicle to Park in a Parking Bay marked for Motor Cycles unless the Vehicle is a Motor Cycle.

#### Hours of operation and maximum period of stay

17. Where by notice on site, a Parking Place or in any Parking Bay within the Parking Place is described as being in operation on specified days, during specified hours or for a maximum period of stay, no person shall cause or permit a Vehicle to be Parked in that Parking Place or in any Parking Bay within the Parking Place on any day, during such hours or for any period other or longer than those specified.

#### Period of no return

18. Where by notice on site, a Parking Place is described as having a period within which a Vehicle may not return, no person shall cause or permit a Vehicle to be Parked again in that Parking Place on any day, during such hours within which the vehicle is excluded from waiting in the Parking place.

#### Power to close or suspend Parking Places

19. Nothing in this Order shall prevent the Council by notice, sign or barrier displayed or erected in a Parking Place:
- (i) from closing a Parking Place or any part thereof for any period; and/or
  - (ii) from setting aside a Parking Place or any part or parts thereof on all days or on certain days or during certain parts of days for use only by particular Vehicles or organisations.
20. Any person authorised by the Council closing or suspending the use of a Parking Place or any part thereof shall thereupon place or cause to be placed in or adjacent to that Parking Place or that part thereof a notice or traffic sign indicating that of that Parking Place or that part thereof is closed or the use is suspended and that Parking by Vehicles is prohibited.
21. No person shall cause or permit a Vehicle to be Parked in a Parking Place or any part thereof during such periods that the Parking Place or that part thereof is closed or the use is suspended or during such period as there is in or adjacent thereto a notice or traffic sign indicating the closure or suspension placed by or on behalf of the Council.

#### Sale of Goods

22. No person shall in a Parking Place without the express written permission of the Council, use a Vehicle, in connection with the sale of any article, including the Vehicle itself, to any person in or near the Parking Place or in connection with the selling or offering for hire of skill or services in any other capacity.

Parked with engine running

23. No person shall in a Parking Place continue to run the engine when the Vehicle is in the Parking space and shall not start the engine except when about to change the position of the Vehicle in or to depart from the Parking Place.

Parked causing an obstruction

24. No person shall in a Parking Place Park the Vehicle in such a manner or place where it causes an obstruction to any other users of the Parking Place.

**PART 3  
CHARGES FOR PARKING**

Payment

No person shall cause or permit any Vehicle to be Parked in a Parking Place without arranging for the appropriate charge during Charging Hours (if any) to be paid in accordance with the scale of current charges as advertised at the Parking Place.

Means of payment

25. The charges referred to in the preceding Article shall be payable in the manner as advertised at that Parking Place.

Pay and display Parking Places

26. The person in charge of a Vehicle, upon Parking the Vehicle in a Parking Bay, shall immediately
- (i) arrange for the purchase of a Pay and Display Ticket from a Ticket Machine situated at that Parking Place at the level of charge and for the period required in accordance with the scale of Daily Charges as advertised at that Parking Place.



- (ii) make arrangements to pay the appropriate fee through an Alternative Approved Method of Payment if available such as Phone and Pay at the level of the daily charge and for the period required in accordance with the scale of charges as advertised at that Parking Place.

#### Display of ticket

27. Save for payment by an Alternative Approved Method of Payment, once a Vehicle has been Parked within a pay and display Parking Place the person in charge of the Vehicle shall ensure that:
- (i) a valid Pay and Display Ticket has been obtained to cover the entire period that the Vehicle is Parked in the Parking Place, and
  - (ii) the valid Pay and Display Ticket is displayed in the Relevant Position on the Vehicle in respect of which it was issued at all times the Vehicle is Parked.

#### Validity of Pay and Display Tickets

28. A Pay and Display Ticket is not transferable from one Vehicle to another and on transfer the Pay and Display Ticket ceases to be valid.
29. A Pay and Display Ticket is valid only in the Parking Place in which it was issued. This is defined by the reference code of the Ticket Machine located in that Parking Place printed on the Pay and Display Ticket.

#### Expiry of Parking period

30. The expiry of the period for which the appropriate charge has been paid shall be
- (i) where a Pay and Display Ticket has been purchased, when the time shown on the clock of the issuing Ticket Machine is later than the Expiry Time shown on the Pay and Display Ticket displayed, or
  - (ii) where an Alternative Approved Method of Payment has been used, when the period for which payment has been made and recorded has been exceeded.

#### No Pay and Display Ticket displayed

31. If at any time while a Vehicle is Parked in a Parking Place no Pay and Display Ticket is displayed on that Vehicle in the Relevant Position and in accordance with the provisions of this order, and without proof of permit or valid cashless parking receipt, that the charge has not been paid
32. If at the time when a Vehicle is Parked during the Charging Hours in a Parking Place and the nearest Ticket Machine in that Parking Place is out of order, then a ticket shall be obtained from another Ticket Machine within the same Parking Place (where provided) or as directed in the Parking Place or by making alternative provision using the Phone and Pay facility.
33. Where no valid Pay and Display Ticket can be obtained from a Ticket Machine within a Parking Place and the Phone and Pay system is unavailable, Vehicles may be Parked in a Parking Place but may not be Parked for longer than the maximum period of Parking in that Parking Place as advertised at the Parking Place.

#### Season Tickets / Parking Permits

34. Season Tickets / Parking Permits are available from the Council at the appropriate fee, for a Vehicle of a specific class and for a specific Parking Place subject to conditions determined by the Council.
35. A Season Ticket / Parking Permit is only valid in the Parking Place(s) in respect of which it was issued, for the Vehicle in respect of which it was issued and up to the date of expiry shown on the Season Ticket / Parking Permit.
36. The driver shall abide by the terms stipulated by the Council for the use of the Season Ticket / Parking Permit.

#### Display of Season Ticket / Parking Permit

37. A Parking Permit shall be displayed in the Relevant Position on the Vehicle in respect of which it was issued at all times during which the Vehicle is Parked in the Parking Place.

#### Replacement Parking Permits

38. A damaged or lost Season Ticket / Parking Permit will be replaced on application to the Council and on payment of an administration fee in accordance with Council policies. The damaged or lost Season Ticket / Parking Permit will then become immediately invalid.

#### Surrender

39. A Season Ticket / Parking Permit remains the property of the Council and must be surrendered on request.
40. The holder of a Season Ticket / Parking Permit may, on surrendering the Season Ticket / Parking Permit, be entitled to a refund based upon the Council policy in place at that time.

#### Restriction on removal

41. When a Pay and Display Ticket or Season Ticket / Parking Permit has been exhibited on a Vehicle in the relevant position no person shall remove the Pay and Display Ticket or Parking Permit from the Vehicle until the Vehicle is removed from the Parking Place.

## **PART 4 EXEMPTIONS**

#### Exemption from daily Charge

42. No daily charge shall be payable in respect of;
- (i) a Vehicle which displays in the relevant position a valid Disabled Person's Badge provided that the Vehicle immediately before or after the act of Parking has been used or is about to be used by the person(s) in respect of whom the badge is issued;
  - (ii) a Motor Cycle; or
  - (iii) a Vehicle Parked displaying in a relevant position a Season Ticket / Parking Permit valid for that Parking Place.
  - (iv) a Vehicle parked within the Operational Days and Hours of the Parking Place but outside of the Charging Period displayed

### Absence of Ticket Machine

43. If at the time when a Vehicle is Parked in a Parking Place during the charging hours there is no Ticket Machine at the Parking Place, or all the Ticket Machines at that Parking Place carry notices placed upon them by a person duly authorised by the Council indicating that they are out of order, the driver of that Vehicle shall be expected to make payment using the Alternative Approved Method of Payment.

### Payment by Alternative Approved Method of Payment

44. Where arrangements to pay the Daily Charge have been made through an Alternative Approved Method of Payment and no Pay and Display Ticket is produced by following the process, the driver of a vehicle shall be exempt from the requirement to display such a ticket.

## **PART 5**

### **RELOCATION, REMOVAL AND DISPOSAL OF VEHICLES**

#### Emergencies

45. A person authorised by the Council or a Police Constable in uniform may, using such measures as are appropriate, move or cause to be moved in the case of an emergency to any place he/she thinks fit, any Vehicle Parked in a Parking Place.

#### Contraventions in suspended Parking Place

46. A person authorised by the Council may, using such measures as are appropriate, move or cause to be moved to any place he/she thinks fit, any Vehicle Parked in a Parking Place which has been closed or suspended in whole or in part by the Council and the cost of movement or removal and safe keeping shall be the liability of the owner of the vehicle.

#### Safe keeping

47. Any person removing a Vehicle from a Parking Place under the provisions of this Order shall make such arrangements as may be reasonably necessary to provide for the safe keeping of the Vehicle.

#### Disposal of Vehicles abandoned in Parking Places

48. The Council may sell or otherwise dispose of, in accordance with current legislation, a Vehicle which has been, or could at any time be, removed from a Parking Place if the Vehicle appears to have been abandoned.

### **PART 6**

#### **CONTRAVENTION AND PENALTY CHARGE**

##### Contravention

49. Save for the provisions in Part 7, if a Vehicle is Parked in a Parking Place within the Operational Days and Hours without complying with the requirements of this Order, a contravention shall have occurred and a Penalty Charge shall be payable. A Penalty Charge Notice may then be served and/or the vehicle may be removed from the location.

##### Restriction on removal of notices

50. A notice fixed to a Vehicle in accordance with this Order shall not be removed or interfered with except by or under the authority of:
- (i) the Owner, or person in charge of, the Vehicle;
  - (ii) the Council for the Parking Place in which the Vehicle in question was found.

##### Indications as Evidence

51. The particulars given in any notice served on a Vehicle in accordance with the provisions of this Order shall be treated as evidence in any proceedings relating to failure to pay the Penalty Charge.

### **PART 7**

#### **LIABILITY AND OTHER PROVISIONS**

##### Liability

52. The Council accepts no liability for the loss or damage to Vehicles or other property left in any of the Parking Places to which this Order applies save for that arising from the negligence of the Council.

#### Validity

53. If a court, the Department for Transport, the Traffic Penalty Tribunal or the Traffic Enforcement Centre declares any part of this Order to be invalid or unenforceable, such declaration shall not invalidate the remainder of the Order.

#### Driving within a Parking Place

54. Where in a Parking Place signs are erected or surface markings are laid for the purpose of
- (i) indicating the entrance to or exit from the Parking Place, or
  - (ii) indicating that a Vehicle using the Parking Place shall proceed in a specified direction within the Parking Place, any person who drives or permits to be driven any Vehicle
- (i) so that it enters the Parking Place otherwise than by an entrance or leaves the Parking Place otherwise than by an exit, so indicated, or
  - (ii) in a direction other than so specified
- shall be liable to prosecution.
55. Any person who, without with the permission of a person authorised by the Council in that behalf, drives or permits to be driven any Vehicle in a Parking Place for any purpose other than the purpose of leaving that Vehicle in the Parking Place in accordance with the provisions of this Order or for the purpose of departing from the Parking Place shall be liable to prosecution.

#### Wilful damage

56. Any person who with intent to defraud interferes with a Ticket Machine or operates or attempts to operate it by the insertion of objects other than undamaged and unaltered coins of legal tender and of the appropriate denomination, shall be liable to prosecution.

#### Domestic purposes

57. Any person who uses any part of the Parking Place or any Vehicle Parked in a Parking Place
- (i) for sleeping or camping or cooking, or
  - (ii) for the purpose of servicing or washing any Vehicle or part thereof other than is reasonably necessary to enable the Vehicle to depart from the Parking Place, shall be liable to prosecution.

#### Behaviour

58. Any person who wilfully sounds any horn or any other similar instrument on a Vehicle except when about to change the position of the Vehicle in or to depart from the Parking Place shall be liable to prosecution.
59. Any person who in Parking Place shouts or otherwise makes any loud noise to the disturbance or annoyance of users of the Parking Place or residents or premises in the neighbourhood shall be liable to prosecution.
60. Any person who in a Parking Place uses any threatening, abusive or insulting language, gesture or conduct with intent to put any person in fear or so as to occasion a breach of the peace or whereby a breach of the peace is likely to be occasioned shall be liable to prosecution.

#### Other activities

61. Any person who in a Parking Place
- (i) erects or causes or permits to be erected any tent, booth, stand, building or other structure without the written consent of the Council, or
  - (ii) lights or causes to be lit any fire, shall be liable to prosecution.

## **PART 8**

### **REVOCATIONS**

#### Revocations

62. This Order supplements all previous orders made by Tamworth Borough Council and all their Amendments.

**EXECUTED as a Deed by affixing the COMMON SEAL  
of Tamworth Borough Council  
in the presence of**

**Dated this        day of        20**



**THE BOROUGH OF Tamworth (PHONE & PAY OFF STREET PARKING PLACES)**

**ORDER 2014**

**SCHEDULE 1 – PAYMENT PARKING PLACES**

<b>Name of Parking Place</b>	<b>Special classes of Vehicle (if any)</b>	<b>Days and hours of operation of Parking Place</b>	<b>Charging days and hours, maximum stay and Valid permit holders</b>
<b>Holloway</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p>	<b>All Days and Hours</b>	<p><b>Pay and Display Machines Monday -Saturday 08:00-18:00</b> Maximum stay two hours (no return within 2 hours except for valid permit holders)</p> <p><b>Phone and Pay Monday – Saturday 08:00 -18-00</b> Maximum stay two hours with option to increase by additional 2 hours only</p> <p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles</p> <p><b>Castle Hotel Residents Parking Permit Valid 08:00 Daily until 09:30am the following day</b></p> <p><b>Town Centre Resident Permit Holders</b></p>
<b>Mill Lane</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p>	<b>All Days and Hours</b>	<p><b>Pay and Display Machines Monday -Saturday 08:00-18:00</b> Maximum stay two hours (no return within 2 hours)</p> <p><b>Phone and Pay Monday – Saturday 08:00 -18-00</b> Maximum stay two hours with option to increase by additional 2 hours only</p> <p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles</p> <p><b>Town Centre Resident Permit Holders</b></p>
<b>Church Lane</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p>	<b>All Days and Hours</b>	<p><b>Pay and Display Machines Monday -Saturday 08:00-18:00</b> Maximum Stay all day</p> <p><b>Phone and Pay Monday – Sunday 08:00 -18-00</b> Flexible carry over tariff <b>All Day and 2 day rollover rates as advertised on tariff boards</b> Maximum stay all day and overnight charging options as advertised</p>

<b>Name of Parking Place</b>	<b>Special classes of Vehicle (if any)</b>	<b>Days and hours of operation of Parking Place</b>	<b>Charging days and hours, maximum stay and Valid permit holders</b>
			<p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles</p> <p><b>Town Centre Resident Permit Holders</b></p> <p><b>Long Stay Season Permit Holders</b></p>
<b>Bolebridge Island Car Park</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p> <p><b>Hackney carriages and taxis in marked bays only</b></p>	<b>All Days and Hours</b>	<p><b>Pay and Display Machines Monday -Saturday 08:00-18:00</b> Maximum stay 4 hours</p> <p><b>Phone and Pay Monday – Saturday 08:00 -18-00</b> Flexible carry over tariff</p> <p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles</p> <p><b>Town Centre Resident Permit Holders</b></p>
<b>Albion Street</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p>	<b>All Days and Hours</b>	<p><b>Pay and Display Machines Monday -Saturday 08:00-18:00</b> Maximum stay all day</p> <p><b>Phone and Pay Monday – Saturday 08:00 -18-00</b> Flexible carry over tariff</p> <p><b>All Day and 2 day rollover rates as advertised on tariff boards</b></p> <p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles</p> <p><b>Town Centre Resident Permit Holders</b></p> <p><b>Long Stay Season Permit Holders</b></p>
<b>Marmion Street</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p>	<b>All Days and Hours</b>	<p><b>Pay and Display Machines Monday -Saturday 08:00-18:00</b> Maximum stay all day</p> <p><b>Phone and Pay Monday – Saturday 08:00 -18-00</b> Flexible carry over tariff</p> <p><b>All Day and 2 day rollover rates as advertised on tariff boards</b></p> <p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank</p>

<b>Name of Parking Place</b>	<b>Special classes of Vehicle (if any)</b>	<b>Days and hours of operation of Parking Place</b>	<b>Charging days and hours, maximum stay and Valid permit holders</b>
			<p>Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles  <b>Town Centre Resident Permit Holders</b></p> <p><b>Long Stay Season Permit Holders</b></p>
<b>Aldergate</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p>	<b>All Days and Hours</b>	<p><b>Pay and Display Machines Monday -Saturday 08:00-18:00</b>  Maximum stay 4 hours</p> <p><b>Phone and Pay Monday – Saturday 08:00 -18-00</b>  <b>Maximum stay 4 hours no option to extend</b>  Flexible carry over tariff</p> <p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles</p> <p><b>Town Centre Resident Permit Holders</b></p>
<b>Hospital Street</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p>	<b>All Days and Hours</b>	<p><b>Pay and Display Machines Monday -Saturday 08:00-18:00</b>  Maximum stay all day</p> <p><b>Phone and Pay Monday – Saturday 08:00 -18-00</b>  Flexible carry over tariff</p> <p><b>All Day and 2 day rollover rates as advertised on tariff boards</b></p> <p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles</p> <p><b>Town Centre Resident Permit Holders</b></p> <p><b>Long Stay Season Permit Holders</b></p>
<b>Lower Gungate</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p>	<b>All Days and Hours</b>	<p><b>Pay and Display Machines Monday -Saturday 08:00-18:00</b>  Maximum stay all day</p> <p><b>Phone and Pay Monday – Saturday 08:00 -18-00</b>  Flexible carry over tariff</p> <p><b>All Day and 2 day rollover rates as advertised on tariff boards</b></p>

<b>Name of Parking Place</b>	<b>Special classes of Vehicle (if any)</b>	<b>Days and hours of operation of Parking Place</b>	<b>Charging days and hours, maximum stay and Valid permit holders</b>
			<p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles</p> <p><b>Town Centre Resident Permit Holders</b></p> <p><b>Long Stay Season Permit Holders</b></p> <p><b>Globe Inn Parking Permits Valid from 16:30 until 09:30am the following day</b></p>
<b>Jolly Sailor</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p> <p><b>Coaches and Motorhomes in designated parking area only</b></p> <p><b>Cars not permitted in these areas (no overnight camping)</b></p>	<b>All Days and Hours</b>	<p><b>Pay and Display Machines Monday -Saturday 08:00-18:00</b> Maximum stay all day</p> <p><b>Phone and Pay Monday – Saturday 08:00 -18-00</b> Flexible carry over tariff</p> <p><b>All Day and 2 day rollover rates as advertised on tariff boards</b></p> <p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles</p> <p><b>Town Centre Resident Permit Holders</b></p> <p><b>Jolly Sailor and Riverdrive Permit Holders</b></p>
<b>Riverdrive</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p>	<b>All Days and Hours</b>	<p><b>Pay and Display Machines - Monday -Saturday 08:00-18:00</b> Maximum stay all day</p> <p><b>Phone and Pay - Monday – Saturday 08:00 - 18-00</b> Flexible carry over tariff</p> <p><b>All Day and 2 day rollover rates as advertised on tariff boards</b></p> <p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles</p> <p><b>Town Centre Resident Permit Holders</b></p> <p><b>Jolly Sailor and Riverdrive Permit Holders</b></p>
<b>Spinning School Lane</b>	<b>Cars and Light Vans Only not</b>	<b>All Days and Hours</b>	<b>Pay and Display Machines Monday -Saturday 08:00-18:00</b>

<b>Name of Parking Place</b>	<b>Special classes of Vehicle (if any)</b>	<b>Days and hours of operation of Parking Place</b>	<b>Charging days and hours, maximum stay and Valid permit holders</b>
<b>(Temporary Car Park)</b>	<p>exceeding 1525 Kg ULW</p> <p><b>Motorcycles</b></p> <p><b>Market Trader Vehicles (Tuesday and Saturday)</b></p>		<p>Maximum stay all day</p> <p><b>Phone and Pay Monday – Saturday 08:00 -18-00</b> Flexible carry over tariff <b>All Day and 2 day rollover rates as advertised on tariff boards</b></p> <p>Charges apply as above except Christmas Day, Boxing Day, New Years Day and any other Bank Holiday as defined by regulation and for Disabled Badge Holders and Motorcycles</p> <p><b>Town Centre Resident Permit Holders</b></p> <p><b>Long Stay Season Permit Holders</b></p> <p><b>Market Trader permits valid Tuesday and Saturday</b></p>
<b>Corporation Street Car Park</b>	<p><b>Blue Badge Holder Vehicles</b></p> <p><b>Motorcycles (in marked bays)</b></p>	<b>All Days and Hours</b>	<p>Exempt from charges Maximum stay all day</p>
<b>Riverside Estates</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p> <p><b>Contractors vehicles</b></p>	<b>All Days and Hours</b>	<p><b>Permit Parking ONLY at all times</b> Residents Permits Resident Visitor Permits Health Care Permits (maximum 2 hour) Highrise Social Club (Maximum 5 hour) Contractor Passes Tamworth Borough Council Staffs Permits (when working)</p>
<b>Lichfield Street Car Park</b>	<p><b>Cars and Light Vans Only not exceeding 1525 Kg ULW</b></p> <p><b>Motorcycles</b></p>	<b>All Days and Hours</b>	<p>Shop Tenant Permit Parking (maximum stay all day)</p> <p>Public Parking Free 1 hour maximum stay (no return within one hour) Monday-Saturday 08:00-18:00</p>

**SCHEDULE 2 – PAY AND DISPLAY AND PHONE AND PAY TARIFFS AS AT  
1 FEBRUARY 2014**

Car Park Location	TARIFF FROM 1 FEBRUARY 2014
<b>SHORT STAY CAR PARKS</b>	
Aldergate Bolebridge Island (Odeon)	<p><b>P&amp;D Tariff</b>                      Up to 2 hrs £1.40                      Up to 3 hrs £1.90                      Up to 4 hrs £2.20                      Motorcycles &amp; Disabled Parking with blue badge free</p> <p><b>Phone and Pay Tariff</b>                      Day rates as above                      Flexible tariff overnight parking</p>
Mill Lane Hospital Street Holloway	<p><b>P&amp;D Tariff</b>                      Up to ½ hr 70p                      Up to 2 hrs £1.40                      (No return within 2 hours)                      Motorcycles &amp; Disabled Parking with blue badge free</p> <p><b>Phone and Pay Tariff</b>                      Day rates as above                      Flexible tariff rollover parking</p>
Hospital Street 2  Church Lane  Lower Gungate	<p><b>P&amp;D Tariff</b>                      Up to ½ hr 70p                      Up to 2 hrs £1.40                      Up to 3 hrs £1.90                      Up to 4 hrs £2.20                      Over 4 hours £4.50</p> <p>Motorcycles &amp; Disabled Parking with blue badge free</p> <p><b>Phone and Pay Tariff</b>                      Day rates as above                      Flexible tariff rollover parking                      All day flexible rate (24 hours) - £4.50                      2 day flexible rate (48 hours) - £9</p>
Spinning School Lane(Temporary)	<p><b>P&amp;D Tariff</b>                      Up to ½ hr 70p                      Up to 2 hrs £1.40                      Up to 3 hrs £1.90</p>

Car Park Location	TARIFF FROM 1 FEBRUARY 2014
	<p>Up to 4 hrs £2.20 Over 4 hrs £5.00 Motorcycles &amp; Disabled Parking with blue badge free</p> <p><b>Phone and Pay Tariff</b> Day rates as above Flexible tariff rollover parking All day flexible rate (24 hours) - £5.00 2 day flexible rate (48 hours) - £10.00</p>
<b>LONG STAY CAR PARKS</b>	
Marmion Street Albion Street	<p><b>P&amp;D Tariff</b> Up to 4 hrs £2.20 ALL DAY £4.50 Motorcycles &amp; Disabled Parking with blue badge free</p> <p><b>Phone and Pay Tariff</b> Day rates as above Flexible tariff rollover parking All day flexible rate (24 hours) - £4.50 2 day flexible rate (48 hours) - £9</p>
Jolly Sailor	<p><b>P&amp;D Tariff</b> Up to 3 hrs £1     All Day £1.50 Motorcycles &amp; Disabled Parking with blue badge free</p> <p><b>Phone and Pay Tariff</b> Day rates as above Flexible tariff rollover parking All day flexible rate (24 hours) - £1.50 2 day flexible rate (48 hours) - £3.00</p>
Riverdrive	<p><b>P&amp;D Tariff</b> Up to 3 hrs £1 All Day £1.50 Motorcycles &amp; Disabled Parking with blue badge free</p> <p><b>Phone and Pay Tariff</b> Flexible tariff rollover parking</p>

Car Park Location	TARIFF FROM 1 FEBRUARY 2014
	All day flexible rate (24 hours) - £1.50 2 day flexible rate (48 hours) - £3.00
DISABLED PARKING ONLY	
Assembly Rooms Car Park, Corporation Street	Blue badge holders ONLY 24 hours per day
SEASON TICKETS	
Long Stay Season Valid on eligible car parks ONLY Marmion Street Albion Street Spinning School Lane(Temporary)  Church Lane  Hospital Street  Lower Gungate	Annual £600 Six Month £350 Quarterly £175 Calendar month £60  Available from Tamworth Information Centre  Tel 01827 709581
Jolly Sailor/Riverdrive  Season Ticket ONLY	Annual £170 Six Month £100 Calendar Month £20 Available from Tamworth Information Centre  Tel 01827 709581
Town Centre Resident Passes (Restricted postcodes ONLY)	Annual £200 Six Month £110
ALL CAR PARKS	Proof of residency required



## **The Creative Parking Grant Scheme - FAQ's**

### **What's in it for Creative Parking?**

- Creative Parking is a major parking operator in the Private sector. We are looking to move into the Public sector. This is an opportunity for us to get into the market early, to impress Local Authority clients and to show you what we can do.
- We know there is currently a gap in market as the TMA causes problems. We also know that the long decision process in councils this puts off other operators in our Market - they are looking for short term gains. We understand the process and protocols of the Council, we understand the way you work and this is different from other companies.
- Knowing the process, a 1 year trial with us will give you enough time and ammunition to move the thinking of the Council towards a more positive and pro-active approach to Parking

### **How does Creative Parking view this working long term?**

- We hope that with our services, the Council will achieve the proof of concept needed. We are then very well placed to gain your business. For Creative Parking this is long term thinking, investing today, reaping the rewards tomorrow.
- We hope that with our relationship, we will be offered other opportunities with the Council

### **How does the Council benefit?**

- Instant grant money to spend as the Council desires
- It allows the Council to trial cutting edge technology and improve the effectiveness of its operations, at no cost
- Improve the customer experience

### **What's the outcome for the Local Authority?**

- Savings – reallocation of personnel resources, printing, paper permit purchasing, back-office operations, appeals processing and ultimately, only if desired by the Council, staff costs
- To run your parking operation more efficiently, using the most efficient technology in a non confrontational way
- Try it and 'feel' it without it in anyway disrupting what you do

### **Does the Council keep its revenue?**

- Yes! You will set all tariffs and keep all revenues from day one until the end of any agreement. This includes both tariff and normal PCN revenue

### **What about the equipment?**

- You own your equipment, and you will continue to maintain it. Where we need to install our ANPR cameras and pay and display machines, we will operate and maintain it.

**How long is this for?**

- The agreement will be in place for a 12 month trial, but can be longer if you seek extra stability.

**What's the exit strategy?**

- The trial will not in any way change your infrastructure. Whilst we hope you will work with us for the foreseeable future, on 'exit' you will simply go back to how it was before we started. You will have the choice to purchase any hardware (i.e pay and display machines), or we will remove them at no cost.

## CABINET

23 JANUARY 2014

### REPORT OF THE PORTFOLIO HOLDER FOR OPERATIONS AND ASSETS

#### SCHEME OF DELEGATION DECISIONS

#### PURPOSE

To comply with the Local Government Act 2000 and the Localism Act 2011 and any subordinate legislation which provides good governance for Local Authorities.

#### RECOMMENDATIONS

**Cabinet is recommended to endorse the list of decisions taken in terms of the Scheme of Delegation for the period 1 April 2013 to 1 December 2013.**

#### BACKGROUND INFORMATION

The Localism Act 2011 requires local authorities to be more open and accountable in the decision making process. Accordingly the attached list of decisions contains particulars of each decision and a summary of the matters in respect of which each decision was made. By producing this information the Authority is complying with its statutory obligations ensuring good governance and greater openness and transparency in the decision making process. By including those decisions taken under the Scheme of Delegation, all decisions are effectively reported in an open and public forum.

The following table lists decisions taken in the period from 01 April 2013 to 01 December 2013.

<b>Portfolio Holder</b>	<b>Title</b>	<b>Decision</b>	<b>Report presented by</b>
Leader	Compromise Agreement	To inform Members and approve payment of a Compromise Agreement	Christie Tims
Corporate Services & Assets	Future Details on Technical Reforms to Council Tax	To supplement Council Tax Technical Reforms legislation regarding entitlement to unoccupied discount for Council Tax	Michael Buckland
Housing	Homes and Communities Agency Technical Panels	To confirm the use of the Home and Communities Agency (HCA) Technical Panels as a method of	Deborah Casey

		procuring services in connection with regeneration activity and delivery of new affordable housing.	
Housing	Tenancy Management Policy including the introduction of flexible fixed term tenancies	To set out final amendments to the draft Tenancy Management Policy introducing the use of flexible fixed term tenancies from April 2013 which was approved at Cabinet on 26th September 2012.	Lee Birch
Leader	Compromise Agreement	To inform Members and approve payment of a Without prejudice Agreement	Christie Tims
Housing	Extension to Service Level Agreement with Staffordshire Fire Rescue Service (SFRS)	To inform members of the current service level agreement (SLA) and requirement for extension	John Murden
Leader	Landlord Services Phase Two	To agree permanent changes to the Landlord Services staffing structure following formal consultation	Tina Mustafa/ Anica Goodwin
Economy and Education	Golf Course options Appraisal: Further Investigations	To request permission to market test the demand for housing for an area of Tamworth Golf Course	David Hunter
Economy and Education	Creative Incubation Hub – 29 Market Street	To seek approval for the implementation of a Creative Incubation Hub, forthwith to be known as 'Created in Tamworth' in the Council owned property 29 Market Street	Matthew Fletcher
Public Housing and Vulnerable People	ITT Development Consultant –Tinkers Green and Kerria Regeneration Project (Number 13/04)	To set out the current position following the closure of the ITT deadline (12 September 13) for the above project	Deborah Casey
Operations and Assets	Local Government Finance Settlement 2014-15 and 2015-16 Technical Consultation	To approve the proposed response to the Local Government Finance Settlement 2014-15 and 2015-16 Technical Consultation document issued by the Department for Communities & Local Government.	Stefan Garner

Scheme of Delegation Items are available to view in Democratic Services upon request.

## RESOURCE IMPLICATIONS

There are no resource implications.

## **LEGAL/RISK IMPLICATIONS BACKGROUND**

None

## **SUSTAINABILITY IMPLICATIONS**

None

## **REPORT AUTHOR**

Lara Allman 01827 709264, [lara-allman@tamworth.gov.uk](mailto:lara-allman@tamworth.gov.uk)

This page is intentionally left blank

## REPORT OF THE PORTFOLIO HOLDER FOR ECONOMY AND EDUCATION

### GOLF COURSE FUTURE OPTIONS APPRAISAL - PREFERRED OPTION SELECTION

#### EXEMPT INFORMATION

N/A

#### PURPOSE

To provide Members with a report detailing the options appraisal of the short listed future options for Tamworth Golf Course from which Members will select their preferred option for implementation.

#### RECOMMENDATIONS

That Cabinet:

- 1) Select their preferred option for implementation
- 2) Authorise the Portfolio Holder Economy and Education and the Director Communities Planning and Partnerships to progress the implementation of the preferred option, including the commissioning of relevant technical and legal services ahead of a specific report to Cabinet setting out a detailed implementation plan
- 3) Endorse the proposed principles for managing any potential capital receipt arising from the preferred option

#### EXECUTIVE SUMMARY

In March 2013 the Cabinet selected to re-open Tamworth Golf Course following the liquidation of the private sector operator. Cabinet approved the re-opening of the Golf Course on a temporary basis for a period between 12 months and 2 years until March 2015, at which point the funding identified in the Councils Medium Term Financial Strategy to operate the course runs out. Cabinet also authorised a project to assess the future options for Tamworth Golf Course to investigate the feasibility of a long list of options. The project was divided into three stages;

- 1) Needs Assessment – April 2013 to June 2013
- 2) Options Appraisal – June 2013 to January 2014
  - 2.1) Long list, 2.2) Short list
- 3) Implementation – January 2014 to March 2015

Previous reports to Cabinet in May 2013 and October 2013 have provided updates on progress. In May 2013 Cabinet approved the Needs Assessment and identified a set of criteria (below) by which the options would be assessed.

Table 1

Priority	Project Outcome	Draft Weighting
1.	Potential for and likely level of contribution to the Council's annual revenue deficit from 2016/17 onwards.	20%*
2.	Contribution to economic regeneration and growth in the Borough (including the provision of new housing development).	15%
3.	Potential for the option to generate a capital receipt for the Council and likely level of capital receipt.	15%
4.	Promotion of exercise and healthy lifestyles and contribution to increasing participation and reducing obesity.	15%
5.	Ability to meet the leisure needs of the Borough's residents and the Council's wider vision / strategy for sport and leisure provision.	15%
6.	Cost and timescales of implementation and level of risk involved / likelihood of delivery.	10%*
7.	Contribution to the delivery of the Council's environmental and sustainability objectives including protecting green and blue spaces.	10%

\* Items 1 and 6 on the outcomes list have been highlighted as key criteria and options that score low in these elements may be unsuitable to implement given our key constraints – time and money.

More specific evaluation criteria under each heading were developed to help assess the options.

During the long list assessment (stage 2.1) the options were scored and the following shortlist (below) of four options was approved by Cabinet in October 2013 for more detailed assessment in stage 2.2.

- **Option G** - Part disposal of the site, retention of 18 – hole golf course through remodelling of holes to reduce land take ( all 3 management options to be assessed)
- **Option I**- Complete disposal of the entire site to generate capital receipt to be utilised for wider strategic aims.
- **Option B** – Retention of a 18 hole golf course, plus development of ancillary provision
- **Options D & F** – Disposal of 9 holes for development, with the retention of 9 holes plus development of ancillary provision using part of any capital receipt. (in – house and outsourced management options to be assessed)

During the assessment of the short listed options (stage 2.2) the Council has undertaken further work to assess the feasibility of the options and a report by FMG Consulting is attached in Appendix 1. That report should be read in conjunction with this report to provide an understanding of the key issues affecting the selection of a preferred option.



The need for significant capital investment into a new club house and the course is problematic for the future viability of the golf course and has counted heavily against a number of the options. The appraisal has also shown that under all the options that an existing external private leisure provider with trust/charitable status (to take advantage of reduced business rates) is the best option for future management of a facility. Experience (ours and other providers) has alongside the project work shown that a reliance on golf income alone is not sustainable and that a future golf course would need to provide a wider range of income streams to be commercially sustainable. Market testing with golf/leisure providers has shown that there is interest in an 18 hole golf course but limited opportunity for significant external capital investment. There was much less (only one company) interest in a 9 hole course despite this being promoted by Golf England as the future for golf. A draft facility mix was considered and priced up by Entrust which indicated a cost of circa £2.3m for a new facility. It is possible that this cost could be reduced through procurement and amending the specification however it serves as a prudent guide price. Should a future facility be commissioned this would need to be done in partnership with a private provider and meet their commercial needs. Market testing has shown that there is a significant interest from developers with regards to the potential for housing on the site.

Table 2 below shows the strategic implications and risks of each of the options.

Table 2.

Outcome	Option B	Option D / F	Option G	Option I
Contribution to economic regeneration and growth in the Borough (including the provision of new housing development)	Option B makes the lowest contribution to the achievement of this project outcome as it provides some new jobs as part of the increased range of facilities on site but it does not allow for the provision of any new housing towards the Council's targets.	Options D / F make a significant contribution to the achievement of this outcome as they enable a large housing development to be provided on the site.	Option G makes a greater contribution to the achievement of this outcome than Option B but less than Options D, F and I as it only allows a limited number of houses to be developed on the site.	Option I is the strongest performing of all options against this project outcome because of the significant amount of housing that could be provided on the site (the largest of all options), delivering against both the Council's housing target and supporting additional construction employment if local companies are involved in the development.
Promotion of exercise and healthy lifestyles and contribution to increasing participation and reducing obesity	This option is likely to make a significant contribution to the achievement of this project outcome (with Option G) because it protects and enhance the existing provision. However it doesn't provide for capital investment into other leisure provision.	Although these two options do result in the loss of part of the course potentially resulting in some users no longer wishing to use the course (given their preference for playing 18 holes of golf), it is possible that the 9 hole course will attract a new type of casual user who did not use the previous 18 hole course. It may also release capital to invest in a new facility that could broaden the leisure/health opportunities.	This option is likely to make a significant contribution to the achievement of this project outcome because it protects and enhance the existing provision with only a minor remodelling of the course.	Option I is likely to make the smallest direct contribution to the achievement of this project outcome of all options because there will be no sports facilities remaining and it will result in a closure of the golf facility. This could be offset somewhat by incorporating accessible open space within the housing development and investing some of the capital receipt from the site into the provision of new sport and leisure facilities and activities elsewhere in the Borough.
Ability to meet the leisure needs of the Borough's residents and the Council's wider vision / strategy for sport and leisure provision	All of the options perform similarly against this project outcome. Option B protects and enhance the existing golf course provision which was identified as being required in the Council's 'Joint Indoor and Outdoor Sports Strategy' in 2009, however it does not allow for the possibility of delivering some of the Council's wider sport and leisure objectives identified in this document such as a leisure centre with a swimming pool and sports hall, via release of a large capital receipt for re-investment.	All of the options perform similarly against this project outcome. Options D / F only leave a 9 hole golf course remaining, however they do provide other additional facilities such as the driving range and health and fitness suite and also provide a capital receipt for potential reinvestment into other facilities and services that are required in the Council's Sports Strategy.	All of the options perform similarly against this project outcome. Option G protects and enhances the existing golf course provision (with only a minor remodelling of the course required) which was identified as being required in the Council's 'Joint Indoor and Outdoor Sports Strategy' in 2009, however it does not allow for the possibility of delivering some of the Council's wider sport and leisure objectives identified in this document such as a leisure centre with a swimming pool and sports hall, via release of a large capital receipt for re-investment.	All of the options perform similarly against this project outcome. Whilst Option I removes the golf course in its entirety, which is clearly negative for sport and leisure provision, it does provide the most significant capital receipt which could be used to reinvest into facilities and services that are required in the Council's Sports Strategy.

Outcome	Option B	Option D / F	Option G	Option I
Level of risk involved / likelihood of delivery	<p>Option B is likely to present the lowest level of risk in terms of the successful delivery of the project as it does not involve significant housing development (so less risk of planning problems and objections). The only development under this option is the new clubhouse and as it is intended to be a single-story replacement building this is also a low risk planning option. It is likely that the level of external operator interest in this option is highest so the likelihood of securing market interest in the project is also high, which lowers the risk of successful implementation and sustainability of operation.</p> <p>Full risk assessments for each option are included in Appendix B.</p>	<p>Options D / F are relatively high risk as they involve significant housing development. They do result in a golf course remaining rather than the total loss of the course (as in Option I) however there is a risk of the course not performing as well as it should and the Council being subject to increased revenue costs. This risk could be mitigated by externalising the management of the course, however the 9 hole option is likely to result in a lower level of market interest from golf operators, with operators who manage both golf and sport / leisure facilities being the only interested parties. However, it does involve managing two complex projects to identify a development partner for the housing and an operator partner to redevelop the clubhouse and manage the course.</p> <p>Option D is likely to generate less objections from local residents but Option F is likely to be a higher risk delivery option due to the smaller developable area with the material tipped onto the back 9 of the course and the need for new transport and services infrastructure.</p>	<p>Option G could be seen as a lower risk than the other options that involve housing development because the scale of the housing development is not as significant as the other options so planning issues and objections may be more surmountable and it retains and enhances the 18-hole course format (as per Option B) which should maximise operator interest. However, it does involve managing two complex projects to identify a development partner for the housing and an operator partner to redevelop the clubhouse and manage the course. This will involve significant Officer time and resources. The scale of the housing development is also large enough to lead to potential objections from local residents which means that there are still a number of significant risks involved in this option.</p>	<p>Option I appears to be a high risk option as it involves the most significant housing development which could be influenced by planning issues, local objections, land values, ground conditions, fluctuations in the economy etc. However, the political, reputation and planning risks are all short-term risks and if Option I can be successfully implemented then there is no long-term risk to the Council's revenue position as there will be no golf course remaining and a significant capital receipt will have been generated.</p>
Contribution to the delivery of the Council's environmental and sustainability objectives including protecting green and blue spaces	<p>Option B is positive for its contribution to this project outcome because the course is protected and so there is no adverse environmental impact.</p>	<p>Options D / F are only marginally better than Option I because they do not involve the full development of the course.</p>	<p>Option G is positive for its contribution to this project outcome because the course is mostly protected (with only a relatively small development) and so there is likely to be minimal adverse environmental impact.</p>	<p>Option I is likely to be the most negative for environmental sustainability due to the larger redevelopment site (although the provision of housing is a part of the definition of sustainability in this context). This could be offset to an extent through careful masterplanning of the site to ensure it includes accessible open spaces and using some of the capital receipt to contribute to the enhancement of nature reserves and open space in the Borough.</p>

Outcome	Option B	Option D / F	Option G	Option I
Impact on equalities, customers and local residents	<p>All options score similarly in relation to their impact on equalities as they should not disadvantage one group or type of person over any other particular group / type.</p> <p>Full equalities impact assessments for each option are included in Appendix A.</p>	<p>All options score similarly in relation to their impact on equalities as they should not disadvantage one group or type of person over any other particular group / type. Options D / F will potentially be perceived as having a negative impact on the current users of the course and local residents whose homes back onto the course, although this could be mitigated through the planning process. These people could be represented by all sexes, races, ages etc. so the options are not likely to have a negative impact on one specific group / type more than any other.</p>	<p>All options score similarly in relation to their impact on equalities as they should not disadvantage one group or type of person over any other particular group / type. Option G will potentially be perceived as having a negative impact on the current users of the course and local residents whose homes back onto the course due to the planned development, although this could be mitigated through the planning process. These people could be represented by all sexes, races, ages etc. so the options are not likely to have a negative impact on one specific group / type more than any other (and the development is a lot smaller than under Options D, F and I).</p>	<p>All options score similarly in relation to their impact on equalities as they should not disadvantage one group or type of person over any other particular group / type. Option I will potentially have the most negative impact on the current users of the course and local residents whose homes back onto the course, although these people could be represented by all sexes, races, ages etc. so the options are not likely to have a negative impact on one specific group / type more than any other.</p> <p>Current users can access golf at other local courses however the risk with Option I is that the Council cannot control the access policies of the alternative golf providers in the surrounding areas so cannot guarantee equality of access beyond its borough boundaries.</p>
Views of key stakeholders	<p>Users (golf club members) and residents (Citizens Panel members) all favoured the options that retained the 18 hole golf course. The development of the ancillary facilities was extremely popular as it will improve the offer to golfers and open the facility up to non-golfers. However without development this is unlikely to be affordable. Sport England and England Golf would not object to this option. Further detail on the consultation with Sport England and England Golf is provided below this table.</p>	<p>Options D / F were only marginally more acceptable than Option I with most consultees expressing the view that a 9 hole course was not enough and that housing development on half of the course was too much. Residents who live locally to the course were particularly unhappy with the options that involve housing development on the course. Sport England is likely to object to this planning application as it will result in the loss of part of the golf course unless it can be evidenced that there is not enough demand to justify the 18 hole course. A golf needs assessment is being carried out to ascertain this which will be finalised in January 2014. The preferred option for England Golf is to convert the course to a 9 hole course (see below for further details).</p>	<p>Development on the course was not a favoured scenario, however Option G which includes some development and retains the 18 hole course was the most palatable of the development options. The development of the ancillary facilities was extremely popular as it will improve the offer to golfers and open the facility up to non-golfers. However without development this is unlikely to be affordable. Residents who live locally to the course were particularly unhappy with the options that involve housing development on the course. Sport England is unlikely to object to this planning application as it will result in the retention of an 18 hole course and enhanced ancillary provision. England Golf is likely to be supportive of this option.</p>	<p>Option I was not deemed as being acceptable to the users or residents due to the loss of the course / an attractive open space. Residents who live locally to the course were particularly unhappy with the options that involve housing development on the course. Sport England is likely to object to this planning application as it will result in the loss of the golf course unless it can be evidenced that there is not enough demand to justify the 18 hole course. A golf needs assessment is being carried out to ascertain this which will be finalised in January 2014. England Golf would not be supportive of the total loss of the golf course and would prefer it to be retained.</p>

Outcome	Option B	Option D / F	Option G	Option I
<p>Financial Risk (see Section 4 for more details)</p>	<p>This option is only likely to generate a revenue return to the Council if the Council funds the capital investment into the ancillary facility improvements and an external Trust manages the facility. Even in this scenario, the revenue return is not likely to be sufficient enough to cover the financing cost of the capital investment and with the lack of a capital receipt generated from housing there is unlikely to be an overall business case for this option. If the operator was to fail to achieve the revenue targets there is a long-term risk of the facility being handed back to the Council.</p>	<p>Both options are similar to Option B in that the course could return a revenue stream to the Council but only in the event of the Council investing the capital to make the improvements and the course being managed by an external Trust. The key difference is that, under both of these scenarios, a capital receipt is generated from the housing which could fund the capital investment and make the overall business case viable if some of the capital receipt is reinvested.</p> <p>The long-term risk still remains that if the operator was to fail to achieve the revenue targets it could result in the facility being handed back to the Council. The nature of the more fundamental changes to the course under these options (i.e. reduction to 9 holes) may mean that this risk is slightly higher under these options.</p>	<p>Option G could also return a revenue stream to the Council in the event of the Council investing the capital to make the improvements and the course being managed by an external Trust. The key risk with this option is that the capital receipt for the housing is unlikely to be significant enough to make the overall business case viable.</p> <p>As per Option B, there is still a long-term risk that if the operator was to fail to achieve the revenue targets it could result in the facility being handed back to the Council.</p>	<p>Option I is the lowest financial risk option as there is no golf course that may require on-going revenue support and no capital investment required by the Council. The Council is likely to be in the best financial position from this option because of the potential large capital receipt that could be achieved from the sale of the land. The key risks are linked to the sale and value of the land and likely objections to the project which are covered in more detail overleaf under the overall risk rating category.</p>

### **Further comment on options B and G**

Options B and G are not considered deliverable given the requirement to invest capital to replace the club house facilities alongside investment into the course such as a replacement of the irrigation system. The Council lacks the capital finance to do this without disposing of part of the course. While Option G includes a disposal of some land on the course it is not sufficient to support the likely capital requirement. The market testing has suggested that it is very unlikely that a provider would be able to finance the capital costs and therefore borrowing costs affect the viability of the options. Nor do these options support the wider Council needs around housing provision.

### **Further comment on options D and F**

Options D and F likewise suffer from the need for capital investment and this reduces the business case for these options. The report from FMG indicates that the Council would need to invest significant capital (up to £2.3m) into the new facility in order to generate a positive trading return for the new business. Should the Council only choose to invest some of the £2.3m then the report indicates that the Council might need to tie up the remaining capital balance through investing it to provide a revenue stream to offset the revenue costs of the new facility particularly if it borrowed the capital costs. The trading return to the Council even in the most positive model doesn't cover the cost of the original investment. Market research has shown that only one provider is likely to have a strong interest in running this type of 9 hole business, this would make securing a competitive deal impossible due to the lack of competition. Despite the lack of market interest locally, England Golf see this type of approach as the future for golf. A 9hole model is more likely to work alongside a portfolio of 18hole courses and where local conditions are more favourable i.e. without such a low level of income and without the need for £2.3m capital investment. Significant risks to note include the potential that a deal with an operator couldn't be agreed. That such a deal could fail and the councils capital investment could be put at risk, this could also mean that the Council would have to a) close the course, b) re-tender or c) take it back in house. To mitigate against these risks the Council could choose to offer a nine hole course to the market without any capital investment and with a stipulation that the Council will not provide any revenue support but expected a share in future profits. Given the limited market and high level of investment required it is questionable if such a deal would be achievable. If no such deal was to be found then the Council would have lost the estimated £55k costs of tendering and agreeing a deal with an operator. The Council would also take on a significant risk in funding the development – through additional borrowing (& the associated interest / repayment costs over the life of the asset) or reliance on the capital receipt which would need to be realised very quickly to mitigate the risk.

### **Further comment on option I**

The Council has investigated for options D/F and I the development constraints on the site and while there are significant constraints to be addressed there are no "show stoppers" which prevent re-development of the site. It is feasible that further investigation will highlight additional issues to be addressed should it be re-developed and the planning process will require any development to show how adverse impacts can be mitigated. However there is significant potential for a housing development to provide positive benefits to the town.

Option I has a lower amount of financial risk to the Council, however, in order to maximise the sale proceeds the Council might need to commit funding to cover implementation costs exceeding £300k. While the decision to re-develop the course will not be popular it would support strategic needs such as housing and regeneration. There is the option to offset the loss of the leisure benefit provided by the course through provision of quality open space on the site alongside a sensitively planned housing development. It should be noted that Sport England will be concerned about the reduction in golf provision and likely object to a planning application to re-develop the site. There is also the opportunity to fund other leisure provision in the town which could potentially more than offset the loss of the golf course. Other local golf courses are within reasonable distance and are available to golfers however in some cases these cost more to access than Tamworth Golf Course. Issues surrounding the

redevelopment for housing such as the ecological impacts and infrastructure requirements will need to be addressed through the planning process.

## RESOURCE IMPLICATIONS

### Project costs

The future options appraisal project was initiated with a budget of £50k to date £26k has been committed to technical and legal assessments to inform the appraisal leaving a residual budget of £24k. This remaining funding can be used towards the costs of implementing the preferred option. However as previously stated the costs for implementing the options are likely to exceed the £24k residual amount. A further report will be required to identify the likely costs for implementation of the preferred option.

### Future options appraisal

The Council has not identified funding beyond March 2015 to subsidise golf provision. The Golf Course is a significant public asset and was assessed with a view to how it can provide an income to support the provision of essential Council services in the future. The Council has faced funding cuts of circa 40% in recent years and although it produced a balanced General Fund Medium Term Financial Strategy for the next 3 years in February 2013, updated base budget projections in November 2013 show a significant deficit in the longer term. These projections, updated to include the impact of the Comprehensive Spending Review on Government Grant levels and other cost pressures, show a General Fund (GF) shortfall of £2.8m by year 3 followed by an ongoing annual deficit of over £3m p.a. (£8.9m over the next 5 years) There is on-going work commissioned by the Executive Management Team (Cabinet/CMT) under the umbrella of the Sustainability Strategy to address this through a combination of income generation / revenue savings from housing, business rates and service reviews

Key criteria for the future options appraisal was the degree to which the options would contribute to the Councils budget deficit (tempered against the other key indicators) and that it should as a minimum provide an income to the Council.

### FMG Affordability Summary (extract from the FMG report)

From the revenue modelling carried out it is clear that the only options that break even and potentially offer a return to the Council are those involving operation by an external existing operator through a long lease / management contract. Each of the development options has the potential to return a surplus to the Council after year 2 under this management model from a revenue perspective, however when including the financing of the c.£2m capital investment required into the new ancillary facilities, it becomes clear that only the options that can generate a significant capital receipt (D/F/I) are viable from a net cost position.

This is illustrated by table 5.2 where none of the options are affordable without a capital receipt.

**Table 3 –Affordability per Option Excluding Capital Receipts**

Development Option	Management Option	Average Annual Affordability - 25 Years
B	In-house	(235,396)
B	Existing trust	(74,380)
B	New trust	(172,558)
D / F	In-house	(290,172)

Development Option	Management Option	Average Annual Affordability - 25 Years
D / F	Existing trust	<b>(94,542)</b>
D / F	New trust	<b>(180,526)</b>
G	In-house	<b>(239,398)</b>
G	Existing trust	<b>(78,382)</b>
G	New trust	<b>(176,560)</b>

Option B can be ruled out as it does not generate a capital receipt from housing to help fund the investment into the golf course. To make the project affordable, the Council could invest some of the capital receipt received from the housing development to fund the capital investment into the golf course facilities. Options D / F are the only viable options for this as Option G does not provide a significant enough capital receipt.

The report has concluded that the Council would need to reinvest c£1.5m of the capital receipt received into the capital cost of the golf course improvements under Options D / F (therefore minimising the need to borrow and the associated borrowing costs) in order to receive a positive average annual return from the golf course.

If the Council utilised the capital receipt from the housing to fund the full capital cost of the golf course project it would not need to borrow any of the capital required (and thus not incur the borrowing costs) so the project would return an annual surplus to the Council of circa £60k per annum however this would only generate a return of c£1.5m per annum over a 25 year period when compared to the original upfront capital investment of over £2m.

An alternative option is to reinvest the capital receipt from the housing development. If the capital receipts generated were to be reinvested at an interest rate of 2% per annum then Options D and F would become affordable. Examining the return on investment of any capital receipt received also demonstrates the positive net position of Option I.

**Table 4– Revised Affordability Based on Reinvestment of Capital Receipt**

Development Option	Management Option	Average Annual Affordability - 25 Years
D	In-house	<b>(45,249)</b>
D	Existing trust	<b>79,190</b>
D	New trust	<b>(6,793)</b>
F	In-house	<b>(40,765)</b>
F	Existing trust	<b>83,674</b>
F	New trust	<b>(2,309)</b>
G	In-house	<b>(232,992)</b>
G	Existing trust	<b>(71,976)</b>



Development Option	Management Option	Average Annual Affordability - 25 Years
G	New trust	(170,154)
I	N/A	349,899

The table shows that Options D and F (operated through an existing trust) could provide an average return to the Council of circa £80k per annum if the capital receipt was reinvested, although the first two years of the 25 year period are both in deficit. Option F provides a slightly better return to the Council than Option D because the 'back 9' land is valued at a greater level than the 'front 9' for development purposes based on notional scheme estimates from the DVS report. The final capital receipt will only be clear at the point of sale and depends on a number of factors). Options D and F both do not start generating a return for the Council until year 3 (2018/19), however, there may be an opportunity to agree a solution to this whereby the operator cashflows early year deficits in return for lower future payment to the Council in later years.

The value of the land that could be developed under Option G is not significant enough to have a major impact on the affordability of that Option.

Option I, which involves disposing of the whole course, is clearly the most financially advantageous for the Council as it has a greater land value and does not involve any borrowing costs for investment or on-going revenue responsibilities for the course. This Option generates a return to the Council from 2015/16 as it removes the cost of operating the course and generates interest immediately.

#### Implementation costs

It is difficult to estimate the implementation costs however based on previous experience and professional opinion the following costs are likely.

	Option B	Option D	Option F	Option G	Option I
Procurement costs – operator	£40k	£40k	£40k	£40k	-
Legal costs – operator procurement	£15k	£15k	£15k	£15k	-
Sale costs (based on an unconditional sale)	-	£300k*	£300k*	£150k*	£350k*
Course remodel costs	-	*inc in capital cost	*inc in capital cost	£52k	-
Close down costs	-	-	-	-	£15k
<b>Total</b>	£55k	£355k	£355k	£257k	£365k

\*This costs could be considered as invest to save as it will help improve the capital receipt through establishing more detail on the site ahead of a sale. As a very rough guide every £1 spent at this point could be returned ten times through a better sale price.

Potential funding sources available:

Unspent Golf Project budget £24k

Leisure Capital Contingency Budget £150k

2012/13 GF revenue contingency budget £150k

Future Capital receipts

## New homes bonus

Indications are that the whole site could accommodate up to 1000 new homes which, under the current Local Government funding arrangements, would generate additional revenue income from New Homes Bonus grant. Based on the options, the maximum New Homes Bonus receivable would be as shown below:

Number of Houses (Band D):	50	100	200	300	400	500	600	700	800	900	1000	Annual Property increase	by October:
Financial Year	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000		
2014/15	-	-	-	-	-	-	-	-	-	-	-	-	2013
2015/16	-	-	-	-	-	-	-	-	-	-	-	-	2014
2016/17	-	-	-	-	-	-	-	-	-	-	-	-	2015
2017/18	6	12	23	35	47	58	70	82	93	105	116	10%	2016
2018/19	17	35	70	105	140	175	210	245	279	314	349	20%	2017
2019/20	35	70	140	210	279	349	419	489	559	629	699	30%	2018
2020/21	58	116	233	349	466	582	699	815	932	1,048	1,164	40%	2019
2021/22	58	116	233	349	466	582	699	815	932	1,048	1,164	-	2020
2022/23	58	116	233	349	466	582	699	815	932	1,048	1,164	-	2021
2023/24	52	105	210	314	419	524	629	734	838	943	1,048	-	2022
2024/25	41	82	163	245	326	408	489	571	652	734	815	-	2023
2025/26	23	47	93	140	186	233	279	326	373	419	466	-	2024
Total	349	699	1,397	2,096	2,795	3,493	4,192	4,891	5,590	6,288	6,987		

It should be noted however, that due to sale & development time then the majority of the income would be receivable in the longer term – and would risk the Government potentially changing Local Government Funding arrangements and removing the new homes bonus incentive completely. The receipt of this income is therefore extremely uncertain.

## Capital receipt

Under a number of the options the Council could generate a capital receipt following the sale of land for redevelopment.

	Option B	Option D	Option F	Option G	Option I
Capital receipt – based on the DVS valuation 2013	-	£6.78m	£6.955m	£250k	£13.68m

\*Valuations based on the valuation by the DVS 2013..These valuations are viewed as a prudent estimate of the potential receipt. While these estimates are robust and can be used for financially modelling it should be noted that the actual receipt at the point of sale will be different from these figures as it is dependant on market forces at the time of disposal.

The Council has a significant shortage of capital funds and currently is unable to sustain its capital programme; this carries risks to the future viability of the town and severe legal risks to the Council in meeting some of its responsibilities for providing Disabled Facility Grants.

It should also be noted that all the golf options (B,D,F&G) require significant capital investment (circa £2m for the club house and £300k to complete the driving range) to make them more commercially viable.

Should the Council generate a capital receipt then the following principles should be applied

1. Subject to a viable business case including invest to save principles that part of the receipt be used to support leisure provision on or off the golf course site to offset the loss or reduction of the golf facility
2. Subject to a viable business case including invest to save principles that part of the capital receipt be used to support regeneration and economic growth to help create jobs and wealth for residents
3. Subject to a viable business case including invest to save principles that part of the capital receipt is invested to support future capital receipts and generate revenue to provide support for Council services in the future

## **LEGAL/RISK IMPLICATIONS BACKGROUND**

### **Project**

A project group was established to manage the process and to consider legal and general risk. To date the project has delivered within budget and on time. Technical and legal assessments have been commissioned to assess legal and practical risk issues.

### **Options**

Each of the options has been considered against the equalities strands and an impact assessment undertaken. While the impacts of the various options differ there is no evidence that any equalities issues arise from the options directly.

## **SUSTAINABILITY IMPLICATIONS**

There are a range of sustainability issues for the service, organisation, town and environment.

Service provision, the report and associated work undertaken shows that the current provision is not sustainable financially and that options including golf provision are not demonstrably financially viable without significant capital investment from the Council. The scale of this capital investment is prohibitive and creates material risk to the authority for the future. The process has sought to explore a range of golf options to assess how the Council might make the service sustainable alongside meeting its other key criteria notably finances.

Organisationally, the Council has a very challenging financial future which could affect the sustainability of the organisation and its ability to deliver statutory and essential services. The options have been assessed using criteria that consider the effects on the Council and its ability to deliver statutory and essential services.

Town, the town has a significant shortage of housing and a need for further economic impetus and growth these factors have also been considered.

Environmental, the environmental factors associated with the options have been considered and clearly a number of the options include re-development of the course for housing. This would have a negative environmental impact which could be offset through the planning process by designating appropriate high quality and accessible open spaces as part of the development.

## **BACKGROUND INFORMATION**

### **Golf Course, service provision update**

Significant improvements have been made at the Course with £100k capital funding used to complete the unfinished mounding and seed it with grass. Capital works were also completed on the club house in the main these were essential works to ensure it was fit for purpose. The course has been operated on a “value golf” basis with cheap prices to reflect the local market for golf and the relatively limited facilities at the club house. Additional expenditure on the bar and kitchen has not been committed due to the ongoing options appraisal and because it would not have been economical to invest. The club house itself is not fit for the future and needs to be replaced. The course needs new irrigation and drainage works.

The Course has 229 members on a variety of tariffs and has a number of regular weekly users during the summer period with a larger number of ad hoc users in the summer. The numbers playing in the winter are low and income targets have been hard to achieve. The Golf Course is budgeted to make an £80,000 loss but is estimated on current income to make a loss of £100k this year. A similar loss is expected in the financial year 2014/15. This is despite the considerable efforts from the shop and greens staff.

### **Demand and supply**

Work has been completed to assess the supply and demand in relation to golf provision locally. It is difficult to assess the demand side but the report has been generous in estimating demand to ensure that we are as positive as possible. The work shows that there are a large number of local golf courses within a 20-25minute drive of Tamworth (appendix 2). The work has considered the impact of reducing the course to 9 holes and of closing the course. While this reduces the provision of golf locally it is clear that the 11 clubs within a 20 minute catchment could cope with the additional demand resulting from a closure or reduction in size. There are a further 17 courses within 20-25 minutes catchment area and a mix of access types especially at the 20-25 minute catchment.

### **REPORT AUTHOR**

Robert Mitchell Director Communities Planning and Partnerships

### **LIST OF BACKGROUND PAPERS**

Cabinet 26<sup>th</sup> March 2013

Cabinet 30<sup>th</sup> May 2013

Cabinet 24<sup>th</sup> October 2013

### **APPENDICES**

Appendix 1 – Short List Options Assessment – FMG Consulting

Appendix 2 – Map showing local golf courses



**GOLF COURSE FUTURE OPTIONS APPRAISAL  
STAGE 2 SHORT-LIST OPTIONS ASSESSMENT**

**TAMWORTH BOROUGH COUNCIL**



**A**

**FINALREPORT**

**BY**

**FMG CONSULTING**

**JANUARY 2014**

## TABLE OF CONTENTS

1. Introduction .....	1
2. Summary of Short-Listed Options .....	5
3. Strategic Implications and Risks.....	8
4. Financial Implications.....	19
5. Summary and Conclusions .....	32

## 1. Introduction

- 1.1 FMG Consulting Ltd ('FMG') was commissioned by Tamworth Borough Council ('the Council') to carry out a needs assessment and options appraisal for the future of Tamworth Golf Course ('the Golf Course').
- 1.2 The Golf Course is owned by the Council and was leased by the Council to Tamworth Golf Centre Ltd in 2006 but the course closed in February 2013 after the management company went into liquidation. The Council re-opened the course and is currently managing it on a short-term, in-house management basis.
- 1.3 FMG has been commissioned to help identify the most suitable option for the future long-term direction of the golf course. The first stage of our work involved a Needs Assessment which defined the outcomes required from the project (which in turn informed the project drivers against which the options were assessed in Stage 2) and determined a long list of options for the future delivery of the golf course.
- 1.4 The initial long-list of options is set out in table 1.1.

**Table 1.1 - Long-List Options**

Option	High-Level Description
A	Retention of 18-hole golf course (status quo).
B	Retention of 18-hole golf course, plus development of ancillary provision (clubhouse / health & fitness gym / complimentary leisure facilities).
C	Disposal of front 9 holes for development, with retention of back 9 holes.
D	Disposal of front 9 holes for development, with retention of back 9 holes plus development of ancillary provision using part of any capital receipt (clubhouse / health & fitness gym / complimentary leisure facilities).
E	Disposal of back 9 holes for development, with retention of front 9 holes.
F	Disposal of back 9 holes for development, with retention of front 9 holes plus development of ancillary provision using part of any capital receipt (clubhouse / health & fitness gym / complimentary leisure facilities).
G	Part disposal of site, retention of 18-hole golf course through remodelling of holes to reduce land-take.
H	Part disposal of site for development, but retention of 18-hole golf course through purchase of additional land adjacent to eastern boundary of the course and re-provision of lost holes.
I	Complete disposal of entire site to generate capital receipt to be utilised for wider strategic aims.

- 1.5 In addition, three different potential management options were applied to each of the development options and evaluated. These were:
- **Option 1** - Continued in-house management of the golf course;
  - **Option 2** - Outsourced management of the golf course via a lease / management contract to an existing external provider;
  - **Option 3** - set up of a new local social enterprise management vehicle (Company Limited by Guarantee / Charitable Incorporated Organisation / Community Interest Company), which would then have a lease / contract to manage the golf course.
- 1.6 As a result of the Stage 1 work, a number of project outcomes were identified and weighted (approved at Cabinet 30/05/13) which the development and management options were subsequently evaluated against. The project outcomes and their weightings are summarised in table 1.2.

**Table 1.2 - Long-List Options**

Project Outcome	Weighting
Potential for and likely level of contribution to the Council's annual revenue deficit from 2016/17 onwards.	20%
Contribution to economic regeneration and growth in the Borough (including the provision of new housing development).	15%
Potential for the option to generate a capital receipt for the Council and likely level of capital receipt.	15%
Promotion of exercise and healthy lifestyles and contribution to increasing participation and reducing obesity.	15%
Ability to meet the leisure needs of the Borough's residents and the Council's wider vision / strategy for sport and leisure provision.	15%
Cost and timescales of implementation and level of risk involved / likelihood of delivery.	10%
Contribution to the delivery of the Council's environmental and sustainability objectives including protecting green and blue spaces.	10%

- 1.7 Following Officer and Member approval of the Stage 1 report, a high-level Options Appraisal was undertaken, involving a more specific analysis of the long list options against the key project drivers, from which a shortlist was identified.
- 1.8 The long list testing process comprised a weighted scoring of the options against the project drivers which was informed by consultation with key Council Officers and Members, soft market testing with golf course operators and consultation workshops with both members of the golf course and members of the Tamworth Citizens Panel. This resulted in the options listed in table 1.3 being short-listed for further analysis (the results of which are set out in this report).



**Table 1.3 - Short-Listed Options**

Option	High-Level Description
B	Retention of 18-hole golf course, plus development of ancillary provision (clubhouse / health & fitness gym / complimentary leisure facilities).
D	Disposal of front 9 holes for development, with retention of back 9 holes plus development of ancillary provision using part of any capital receipt (clubhouse / health & fitness gym / complimentary leisure facilities).
F	Disposal of back 9 holes for development, with retention of front 9 holes plus development of ancillary provision using part of any capital receipt (clubhouse / health & fitness gym / complimentary leisure facilities).
G	Part disposal of site, retention of 18-hole golf course through remodelling of holes to reduce land-take.
I	Complete disposal of entire site to generate capital receipt to be utilised for wider strategic aims.

1.9 These options are described in more detail in section 2 of this report. As part of this short-list analysis, financial models have been produced for each of the shortlisted options taking into account the capital and revenue costs / incomes and overall financial impact on the Council. This report presents a summary of the financial implications of each option in order to inform the decision on the preferred option to be implemented which will be taken by Council Members.

1.10 The methodology for this stage of the options appraisal has included the following elements:

- Further consultation with users and members of the public via the Citizens Panel;
- Consultation with Sport England and England Golf;
- Financial modelling of each shortlisted option to understand the capital and revenue costs / incomes and overall financial impact on the Council;
- An equalities impact assessment; and
- A headline risk assessment.

1.11 The remainder of this report is structured as follows:

- Section 2 - Summary of Short-Listed Options;
- Section 3 - Strategic Implications and Risks;
- Section 4 - Financial Implications; and

- Section 5 - Summary and Conclusions.

#### **Basis of information**

- 1.12 It is not possible to guarantee the fulfilment of any estimates or forecasts contained within this report, although they have been conscientiously prepared on the basis of our research and information made available to us at the time of the study. Neither FMG as a company nor the authors will be held liable to any party for any direct or indirect losses, financial or otherwise, associated with any contents of this report. We have relied in a number of areas on information provided by the client, and have not undertaken additional independent verification of this data.

## 2. Summary of Short-Listed Options

### 02

- 2.1 This section sets out the potential facility mixes (including ancillary provision) that are included in each option in order to form the basis for the capital and revenue modelling associated with the options. The proposed improvements to the course quality, clubhouse and driving range are informed by the results of a customer satisfaction survey of golf course users that was carried out by the Council in 2013 and the findings of the previous two stages of this project.
- 2.2 The final facility mix might well change subject to development constraints and the final business model. The facility mixes shown here provide an opportunity to assess likely scenarios and the costs they might incur.
- 2.3 Table 2.1 summarises the high-level description of the development options that have been shortlisted for detailed analysis.

**Table 2.1 -Summary of Short-Listed Development Options**

Option B	
Golf Course	18 holes. No change to the course layout. Investment into course quality improvements.
Clubhouse	Development of a new clubhouse. Including staff office / reception, male and female changing facilities (toilets and showers), storage space, bar / cafe area, kitchen, function room and meeting room. Preferred location is overlooking the 18 <sup>th</sup> green.
Health and Fitness Suite	Development of a 50 station health and fitness suite within the clubhouse. Shared changing facilities with clubhouse.
Driving Range	Development of a driving range on the unused area currently allocated for this use on the site. Maximum length likely to be circa 220 yards. Incorporates targets to focus users on pitching practice and accuracy rather than distance driving.
Housing	No houses provided.
Option D	
Golf Course	9 holes. Disposal of front 9 holes for development. Investment into course quality improvements. Practice putting green and bunker / chipping areas to be provided.
Clubhouse	Development of a new clubhouse. Including staff office / reception, male and female changing facilities (toilets and showers), storage space, bar / cafe area, kitchen, function room and meeting room. Preferred location is overlooking the 18 <sup>th</sup> green.

Health and Fitness Suite	Development of a 50 station health and fitness suite within the clubhouse. Shared changing facilities with clubhouse.
Driving Range	Development of a driving range on the unused area currently allocated for this use on the site. Maximum length likely to be circa 220 yards. Incorporates targets to focus users on pitching practice and accuracy rather than distance driving.
Housing	New housing provided on the site (as per DVS 'Revised Notional Scheme' estimate from April 2013 report).
<b>Option F</b>	
Golf Course	9 holes. Disposal of back 9 holes for development. Investment into course quality improvements. Practice putting green and bunker / chipping areas to be provided.
Clubhouse	Development of a new clubhouse. Including staff office / reception, male and female changing facilities (toilets and showers), storage space, bar / cafe area, kitchen, function room and meeting room. Likely to be in a similar location to the current clubhouse.
Health and Fitness Suite	Development of a 50 station health and fitness suite within the clubhouse. Shared changing facilities with clubhouse.
Driving Range	Development of a driving range on the unused area currently allocated for this use on the site. Maximum length likely to be circa 220 yards. Incorporates targets to focus users on pitching practice and accuracy rather than distance driving.
Housing	New housing provided on the site (as per DVS 'Revised Notional Scheme' estimate from April 2013 report).
<b>Option G</b>	
Golf Course	18 holes. Shortening of holes 8 and 9 to allow a small housing development. Investment into course quality improvements.
Clubhouse	Development of a new clubhouse. Including staff office / reception, male and female changing facilities (toilets and showers), storage space, bar / cafe area, kitchen, function room and meeting room. Preferred location is overlooking the 18 <sup>th</sup> green.
Health and Fitness Suite	Development of a 50 station health and fitness suite within the clubhouse. Shared changing facilities with clubhouse.
Driving Range	Development of a driving range on the unused area currently allocated for this use on the site. Maximum length likely to be circa 220 yards. Incorporates targets to focus users on pitching practice and accuracy rather than distance driving.

Housing	New housing provided on the site (as per DVS 'Revised Notional Scheme' estimate from April 2013 report).
<b>Option I</b>	
Golf Course	Complete development of the course. No golf course remaining.
Clubhouse	Not applicable.
Health and Fitness Suite	Not applicable.
Driving Range	Not applicable.
Housing	New housing provided on the site (as per DVS 'Revised Notional Scheme' estimate from April 2013 report).

2.4 Further details regarding the strategic, risk and financial implications of each development option are set out in the next two sections of this report.

## 3. Strategic Implications and Risks

### 03

- 3.1 This section summarises the strategic implications and risks associated with each option for the Council. Whilst there is a clear budgetary target that needs to be addressed through the option to be implemented (as set out in Section 4), the Council also has a number of wider strategic priorities and responsibilities against which the decision for the most appropriate future option for the golf course must be taken.
- 3.2 The Council's Corporate Plan reflects its wide variety of strategic priorities and responsibilities. These include issues such as promoting health and well-being; tackling crime and anti-social behaviour; promoting growth, employment and business; and improving physical infrastructure. These priorities need to be considered when making a decision on the preferred option for the golf course as the options can contribute to the achievement of these priorities in different ways.
- 3.3 There are also a number of sustainability objectives that need to be considered when considering the options including provision of housing, community services, leisure facilities, protecting and enhancing biodiversity and open spaces etc.
- 3.4 The provision of housing is a key priority for the Council. Between 2013 and 2031 there are an additional 5,000 houses required to be delivered to meet Tamworth's needs with limited land availability. The site could potentially contribute to this provision but whether the site is appropriate for development needs to be considered in light of the Council's planning policy and priority for town-centre development and protecting open spaces.
- 3.5 There are also major issues with health and obesity in Tamworth. Increasing participation and physical activity is a major part of addressing these issues and the importance of this needs to be factored into the final decision.
- 3.6 The contribution of each of the options to these priorities was evaluated in detail in the previous Stage 2 long-list evaluation report through assessment of their contribution to achieving a series of 'Project Outcomes'. As a result of this, the strategic implications of each option have not been re-evaluated and scored as part of this short-list options assessment but are summarised in this section as a reminder of the wider context in which the decision must be made.
- 3.7 The Project Outcomes assessed at the previous stage were as follows:
  - Potential for and likely level of contribution to the Council's annual revenue deficit from 2016/17 onwards (Covered in Section 4 of this report);
  - Contribution to economic regeneration and growth in the Borough (including the provision of new housing development);
  - Potential for the option to generate a capital receipt for the Council and likely level of capital receipt (Covered in Section 4 of this report);
  - Promotion of exercise and healthy lifestyles and contribution to increasing participation and reducing obesity;

- Ability to meet the leisure needs of the Borough's residents and the Council's wider vision / strategy for sport and leisure provision;
- Cost and timescales of implementation (Covered in Section 4 of this report) and level of risk involved / likelihood of delivery; and
- Contribution to the delivery of the Council's environmental and sustainability objectives including protecting green and blue spaces.

3.8 We have included a summary of the implications of the development option in relation to each of the strategic outcomes (financial outcomes covered in more detail in Section 4) in table 3.1. Three additional categories have also been added:

- Impact on equalities, customers and local residents - analysis of whether any of the options are likely to have a negative impact on equality of opportunity for different people and groups;
- Views of key stakeholders - summary of the views of the key stakeholders consulted with at this stage: Sport England; England Golf; golf club members and residents (through the Citizen's Panel); and
- Financial risk - the strength of the business case for each option (as reflected in Section 4).

3.9 These additional categories have been identified and assessed through the short-list analysis process. Detailed equalities impact assessments and risk assessments for each development option have been prepared to support this analysis.

**Table 3.1 - Summary of Strategic Implications**

Outcome	Option B	Option D / F	Option G	Option I
Contribution to economic regeneration and growth in the Borough (including the provision of new housing development)	Option B makes the lowest contribution to the achievement of this project outcome as it provides some new jobs as part of the increased range of facilities on site but it does not allow for the provision of any new housing towards the Council's targets.	Options D / F make a significant contribution to the achievement of this outcome as they enable a large housing development to be provided on the site.	Option G makes a greater contribution to the achievement of this outcome than Option B but less than Options D, F and I as it only allows a limited number of houses to be developed on the site.	Option I is the strongest performing of all options against this project outcome because of the significant amount of housing that could be provided on the site (the largest of all options), delivering against both the Council's housing target and supporting additional construction employment if local companies are involved in the development.



Outcome	Option B	Option D / F	Option G	Option I
<p>Promotion of exercise and healthy lifestyles and contribution to increasing participation and reducing obesity</p>	<p>This option is likely to make a significant contribution to the achievement of this project outcome (with Option G) because it protects and enhance the existing provision. However it doesn't provide for capital investment into other leisure provision.</p>	<p>Although these two options do result in the loss of part of the course potentially resulting in some users no longer wishing to use the course (given their preference for playing 18 holes of golf), it is possible that the 9 hole course will attract a new type of casual user who did not use the previous 18 hole course. It may also release capital to invest in a new facility that could broaden the leisure/health opportunities.</p>	<p>This option is likely to make a significant contribution to the achievement of this project outcome because it protects and enhance the existing provision with only a minor remodelling of the course.</p>	<p>Option I is likely to make the smallest direct contribution to the achievement of this project outcome of all options because there will be no sports facilities remaining and it will result in a closure of the golf facility. This could be offset somewhat by incorporating accessible open space within the housing development and investing some of the capital receipt from the site into the provision of new sport and leisure facilities and activities elsewhere in the Borough.</p>

Outcome	Option B	Option D / F	Option G	Option I
<p>Ability to meet the leisure needs of the Borough's residents and the Council's wider vision / strategy for sport and leisure provision</p>	<p>All of the options perform similarly against this project outcome. Option B protects and enhance the existing golf course provision which was identified as being required in the Council's 'Joint Indoor and Outdoor Sports Strategy' in 2009, however it does not allow for the possibility of delivering some of the Council's wider sport and leisure objectives identified in this document such as a leisure centre with a swimming pool and sports hall, via release of a large capital receipt for re-investment.</p>	<p>All of the options perform similarly against this project outcome. Options D / F only leave a 9 hole golf course remaining, however they do provide other additional facilities such as the driving range and health and fitness suite and also provide a capital receipt for potential reinvestment into other facilities and services that are required in the Council's Sports Strategy.</p>	<p>All of the options perform similarly against this project outcome. Option G protects and enhances the existing golf course provision (with only a minor remodelling of the course required) which was identified as being required in the Council's 'Joint Indoor and Outdoor Sports Strategy' in 2009, however it does not allow for the possibility of delivering some of the Council's wider sport and leisure objectives identified in this document such as a leisure centre with a swimming pool and sports hall, via release of a large capital receipt for re-investment.</p>	<p>All of the options perform similarly against this project outcome. Whilst Option I removes the golf course in its entirety, which is clearly negative for sport and leisure provision, it does provide the most significant capital receipt which could be used to reinvest into facilities and services that are required in the Council's Sports Strategy.</p>

Outcome	Option B	Option D / F	Option G	Option I
<p>Level of risk involved / likelihood of delivery</p>	<p>Option B is likely to present the lowest level of risk in terms of the successful delivery of the project as it does not involve significant housing development (so less risk of planning problems and objections). The only development under this option is the new clubhouse and as it is intended to be a single-story replacement building this is also a low risk planning option. It is likely that the level of external operator interest in this option would be high so the likelihood of securing market interest in the project is also high, which lowers the implementation and sustainability of operation risks. Full risk assessments for each option have been prepared to support the options appraisal.</p>	<p>Options D / F are relatively high risk as they involve significant housing development. They do result in a golf course remaining rather than the total loss of the course (as in Option I) however there is a risk of the course not performing as well as it should and the Council being subject to increased revenue costs. This risk could be mitigated by externalising the management of the course, however the 9 hole option is likely to result in a lower level of market interest from golf operators, with operators who manage both golf and sport / leisure facilities being the only interested parties. However, it does involve the Council managing two complex projects to identify a development partner for the housing and an operator partner to redevelop the clubhouse and manage the course.</p> <p>Option D is likely to generate less objections from local residents but Option F is likely to be a higher risk delivery option due to the smaller developable area with the material tipped onto the back 9 of the course and the need for new transport and services infrastructure.</p>	<p>Option G could be seen as a lower risk than the other options that involve housing development because the scale of the housing development is not as significant as the other options so planning issues and objections may be more surmountable and it retains and enhances the 18-hole course format (as per Option B) which should maximise operator interest. However, it involves the Council managing two complex projects to identify a development partner for the housing and an operator partner to redevelop the clubhouse and manage the course. This will involve significant Officer time and resources. The scale of the housing development is also large enough to lead to potential objections from local residents which means that there are still a number of significant risks involved in this option.</p>	<p>Option I appears to be a high risk option as it involves the most significant housing development which could be influenced by planning issues, local objections, land values, ground conditions, fluctuations in the economy etc. However, the political, reputation and planning risks are all short-term risks and if Option I can be successfully implemented then there is no long-term risk to the Council's revenue position as there will be no golf course remaining and a significant capital receipt will have been generated.</p>

Outcome	Option B	Option D / F	Option G	Option I
<p>Contribution to the delivery of the Council's environmental and sustainability objectives including protecting green and blue spaces</p>	<p>Option B is positive for its contribution to this project outcome because the course is protected and so there is no adverse environmental impact.</p>	<p>Options D / F are only marginally better than Option I because they do not involve the full development of the course.</p>	<p>Option G is positive for its contribution to this project outcome because the course is mostly protected (with only a relatively small development) and so there is likely to be minimal adverse environmental impact.</p>	<p>Option I is likely to be the most negative for environmental sustainability due to the larger redevelopment site (although the provision of housing is a part of the definition of sustainability in this context). This could be offset to an extent through careful master planning of the site to ensure it includes accessible open spaces and using some of the capital receipt to contribute to the enhancement of nature reserves and open space in the Borough.</p>

Outcome	Option B	Option D / F	Option G	Option I
<p>Impact on equalities, customers and local residents</p>	<p>All options score similarly in relation to their impact on equalities as they should not disadvantage one group or type of person over any other particular group / type. Equalities Impact Assessments for each option have been prepared to support the options appraisal.</p>	<p>All options score similarly in relation to their impact on equalities as they should not disadvantage one group or type of person over any other particular group / type. Options D / F will potentially be perceived as having a negative impact on the current users of the course and local residents whose homes back onto the course, although this could be mitigated through the planning process. These people could be represented by all sexes, races, ages etc. so the options are not likely to have a negative impact on one specific group / type more than any other.</p>	<p>All options score similarly in relation to their impact on equalities as they should not disadvantage one group or type of person over any other particular group / type. Option G will potentially be perceived as having a negative impact on the current users of the course and local residents whose homes back onto the course due to the planned development, although this could be mitigated through the planning process. These people could be represented by all sexes, races, ages etc. so the options are not likely to have a negative impact on one specific group / type more than any other (and the development is a lot smaller than under Options D, F and I).</p>	<p>All options score similarly in relation to their impact on equalities as they should not disadvantage one group or type of person over any other particular group / type. Option I will potentially have the most negative impact on the current users of the course and local residents whose homes back onto the course, although these people could be represented by all sexes, races, ages etc. so the options are not likely to have a negative impact on one specific group / type more than any other. Current users can access golf at other local courses however the risk with Option I is that the Council cannot control the access policies of the alternative golf providers in the surrounding areas so cannot guarantee equality of access beyond its borough boundaries.</p>

Outcome	Option B	Option D / F	Option G	Option I
Views of key stakeholders	<p>Users (golf club members) and residents (Citizens Panel members) all favoured the options that retained the 18 hole golf course. The development of the ancillary facilities was extremely popular as it will improve the offer to golfers and open the facility up to non-golfers. However, without development to provide a capital receipt this is unlikely to be affordable. Sport England and England Golf would not object to this option. Further detail on the consultation with Sport England and England Golf is provided below this table.</p>	<p>Options D / F were only marginally more acceptable than Option I with most consultees expressing the view that a 9 hole course was not enough and that housing development on half of the course was too much. Residents who live locally to the course were particularly unhappy with the options that involve housing development on the course. Sport England is likely to object to any planning application as it will result in the loss of part of the golf course unless it can be evidenced that there is not enough demand to justify the 18 hole course. A separate golf needs assessment is being carried out to ascertain this. The preferred option for England Golf is to convert the course to a 9 hole course (see below for further details).</p>	<p>Development on the course was not a favoured scenario, however Option G which includes some development and retains the 18 hole course was the most palatable of the development options. The development of the ancillary facilities was extremely popular as it will improve the offer to golfers and open the facility up to non-golfers. However, without development to provide a capital receipt this is unlikely to be affordable. Residents who live locally to the course were particularly unhappy with the options that involve housing development on the course. Sport England is unlikely to object to any planning application as it will result in the retention of an 18 hole course and enhanced ancillary provision. England Golf is likely to be supportive of this option.</p>	<p>Option I was not deemed as being acceptable to the users or residents due to the loss of the course / an attractive open space. Residents who live locally to the course were particularly unhappy with the options that involve housing development on the course. Sport England is likely to object to any planning application as it will result in the loss of the golf course unless it can be evidenced that there is not enough demand to justify the 18 hole course. A separate golf needs assessment is being carried out to ascertain this. England Golf would not be supportive of the total loss of the golf course and would prefer it to be retained.</p>



Outcome	Option B	Option D / F	Option G	Option I
<p>Financial Risk (see Section 4 for more details)</p>	<p>This option is only likely to generate a revenue return to the Council if the Council funds the capital investment into the ancillary facility improvements and an external Trust manages the facility. Even in this scenario, the revenue return is not likely to be sufficient enough to cover the financing cost of the capital investment and with the lack of a capital receipt generated from housing there is unlikely to be an overall business case for this option. If the operator was to fail to achieve the revenue targets there is a long-term risk of the facility being handed back to the Council.</p>	<p>Both options are similar to Option B in that the course could return a revenue stream to the Council but only in the event of the Council investing the capital to make the improvements and the course being managed by an external Trust. The key difference is that, under both of these scenarios, a capital receipt is generated from the housing which could fund the capital investment and make the overall business case viable if some of the capital receipt is reinvested.</p> <p>The long-term risk still remains that if the operator was to fail to achieve the revenue targets it could result in the facility being handed back to the Council. The nature of the more fundamental changes to the course under these options (i.e. reduction to 9 holes) may mean that this risk is slightly higher under these options.</p>	<p>Option G could also return a revenue stream to the Council in the event of the Council investing the capital to make the improvements and the course being managed by an external Trust. The key risk with this option is that the capital receipt for the housing is unlikely to be significant enough to make the overall business case viable.</p> <p>As per Option B, there is still a long-term risk that if the operator was to fail to achieve the revenue targets it could result in the facility being handed back to the Council.</p>	<p>Option I is the lowest financial risk option as there is no golf course that may require on-going revenue support and no capital investment required by the Council. The Council is likely to be in the best financial position from this option because of the large potential capital receipt that could be achieved from the sale of the land. The key risks are linked to the sale and value of the land and likely objections to the project.</p>

3.10 Each of the potential development options has a number of strategic advantages and disadvantages and risks. These need to be considered within the context of the Council's overall Medium Term Financial Strategy and government targets in relation to housing land allocation. The financial implications are analysed for each option in more detail in the next section.

#### **Sport England / England Golf / Operator Consultation Findings**

- 3.11 The consultation identified that Sport England is likely to object to any planning application for development of the course for housing as it will result in the loss of part or all of the golf course. It stressed the need for a refresh of the Council's sports strategy (which previously confirmed the need for a golf course) and suggested that a golf needs assessment should be carried out to identify whether there is latent demand for an 18 hole course in the area or if this demand can be satisfied by other golf courses in the surrounding areas. Whilst Sport England understood the Council's efforts and difficulties in operating the golf course, it highlighted that any case to reduce / remove the golf course would need to be supported by a strong evidence base and that England Golf (the governing body for amateur golf in England) would need to be consulted. A separate golf needs assessment is being carried to identify the supply and demand balance in the area.
- 3.12 Consultation with England Golf identified that it would not be supportive of the total loss of the golf course and would prefer it to be retained. The preferred option for England Golf is to convert the course to a 9 hole course as it is aware of the decreasing numbers playing golf and sees a move towards more accessible, user-friendly golf attractions as the way forward to encourage more new users into the game. The inclusion of a driving range and chipping / putting practice areas would be a very popular element in the opinion of England Golf. The facility at Tamworth would be part of a development pathway for golfers who wish to start playing the game and those who may not have the time and money to play 18 holes. Enthusiasts of the game could then move on to courses outside of Tamworth if they wished to play 18 hole golf.
- 3.13 Potential external golf course operators were also consulted as part of this process. There is interest in operating the course and ancillary facilities, although the 9 hole option would not be of interest to dedicated golf course operators. There are operators who have experience of managing both leisure centres and golf courses and a 9 hole option would be of interest to some of them. Some operators expressed a view that the driving range is not likely to be a big income generator and it may not be long enough to justify spending the money to develop it, however this does not concur with the view of England Golf. This evidences the need for further market testing before beginning any project to implement the preferred option.



## 4. Financial Implications

### 04

- 4.1 This section summarises the Council's current and future budgetary requirements and presents the financial implications of each development option. Before examining the projected net financial position of each option we have summarised the Council's wider budgetary position.

#### **Financial Context for the Council**

- 4.2 The Council has faced funding cuts of circa 40% in recent years and although it produced a balanced General Fund Medium Term Financial Strategy for the next 3 years in February 2013, updated base budget projections in November 2013 show a significant deficit in the longer term. These projections, updated to include the impact of the Comprehensive Spending Review on Government Grant levels and other cost pressures, show a General Fund (GF) shortfall of £2.8m by year 3 followed by an ongoing annual deficit of over £3m p.a. (£8.9m over the next 5 years). There is on-going work commissioned by the Executive Management Team (Cabinet/CMT) under the umbrella of the Sustainability Strategy to address this through a combination of income generation / revenue savings from housing, business rates and service reviews.
- 4.3 Within this context, the Council allocated a budget from contingency funds for the management of the golf course of £80k per annum for 2013/14 and 2014/15. There is then a potential funding gap for the golf course from 2015/16 onwards that will need to be addressed through the recommended solution for the site. In addition to this, the council has lost the £36k per annum that it was budgeting to receive from Tamworth Golf Centre Ltd. Any ongoing cost for the golf course from 2015/16 onwards would be added to the c.£2m corporate deficit.
- 4.4 The selected option for the future of the golf course must therefore remove the on-going revenue subsidy required from the Council towards the operation and maintenance of the facility from 2015/16 onwards and ideally contribute towards the funding of the Council's £2m deficit from 2016/17 onwards.

#### **Financial Performance of the Golf Course**

- 4.5 Following the liquidation of Tamworth Golf Centre Ltd and the course closing in February 2013 the Council re-opened the course and put in place a two year business plan for it to manage the course on an in-house basis. This resulted in the £80,000 per annum contingency provision being identified based on projected total income of £226,470 and expenditure of £306,470 per annum (membership target of 150 members).
- 4.6 After six months of the 2013/14 financial year the course was below target compared to its business plan projections. The financial performance of the golf course from April to September 2013 is set out in table 4.1.

**Table 4.1 - Golf Course Profit and Loss April - September 2013**

	Year to Date Spend	Year to Date Budget	Year to Date Variance	Total Annual Budget
Income	168,302	177,000	8,698	227,470
Expenditure	168,613	170,470	-1,857	307,470
Profit / (Loss)	(311)	6,530	-6,841	(80,000)

- 4.7 It can be seen from the table above that income is circa £8.7k below target for the year to date. Considering this was the spring / summer peak season for golf then it is unlikely that income will reach target during the autumn / winter season. Whilst there has been a saving on expenditure of circa £1.8k, this is not enough to fully mitigate the income loss and results in a net position of circa £6.8k under target after 6 months of the financial year.
- 4.8 Member numbers are actually up at 229 compared to the target figure of 150 members which is reflected in the season ticket income. Pay and play green fees is the area where the course is underperforming, most notably for 18 hole rounds which is significantly below target.

**Table 4.2 - Golf Course Income April - September 2013**

All £	Year to Date Income	Year to Date Budget	Year to Date Variance	Total Annual Budget
Green fees - 18 hole	53,414	101,020	-47,606	132,920
Green fees - 9 hole	36,511	27,390	9,121	39,410
5 day season ticket	21,022	22,250	-1,228	26,250
7 day season ticket	38,272	14,090	24,182	14,090
Secondary spend	19,084	12,250	6,834	14,800

- 4.9 Table 4.2 shows that the majority of income areas are over-performing against budget but 18 hole green fees are significantly under-performing by nearly £48k. It can be seen that green fees account for a higher proportion (53%) than season ticket income (35%). Of the green fee income, 59% is generated from 18 hole rounds and 41% from 9 hole rounds.

#### **Financial Modelling Assumptions**

- 4.10 A financial model has been produced for each development option in order to identify the strongest business case for the future of the golf course. The core capital development assumptions utilised to produce the business case for the development options are set out in table 4.3.

**Table 4.3 - Financial Models - Development Options Capital Assumptions**

	Option B	Options D / F		Option G	Option I
Capital cost - clubhouse	£1,995,575 for clubhouse development (estimated by Entrust). Includes provision for construction of building, site works, abnormals, risk and fees.			Includes provision for	Not applicable.
Gross internal floor area	Clubhouse 797 sqm (estimated by Entrust).				Not applicable.
Capital cost - driving range	£300,000 for development of driving range. Based on mid-point between two estimated costs received (a detailed capital cost assessment is currently being prepared).			between two estimated costs	Not applicable.
Capital cost - hole modifications	Not applicable (see 'golf course improvements' for general investment into the course).	Not applicable (see 'golf course improvements' for general investment into the course).	£52,700 for amendments to holes 8 and 9 as per cost estimate from May 2013 Mytime Active report.		Not applicable.
Capital cost - demolition	Demolition of existing building included within Entrust's clubhouse capital cost estimate.				Assumes demolition cost is covered by the developer when purchasing the site.
Capital cost - funding	Capital costs amortised over 25 years. Assumes Council funded. Borrowing rate of 4.32% (taken from PWLB annuity rates over 25 year period).				Not applicable.
Construction period	Assumes that the new facility opens in Q4 2016 (October).				Not applicable.
Capital receipt	N/A	The capital receipt is based on the DVS valuation from 2013. This is a notional scheme and provides a robust basis for modelling to differentiate between different scenarios. However, the final capital receipt will only be clear at the point of sale and depends on a number of factors.			
Capital receipt - amount	Zero	Front 9 - £6.78m Back 9 - £6.955m (estimated by DVS in March 2013)	£250,000 (estimated by DVS in March 2013)		£13.655m (estimated by DVS in March 2013).

	Option B	Options D / F	Option G	Option I
Fit-out costs	Included within operator costs (amortised).			Not applicable.
Golf course improvements	Included within operator costs (amortised).			Not applicable.
Procurement / set-up costs	<p>If outsourced to existing company - £40,000 for leisure, finance, legal and procurement advice. Assumes procurement of operator who will also manage capital build.</p> <p>If new company established - £115,000 for leisure, finance, legal and procurement advice. Assumes new trust will be established (c£75k) and Council will procure and manage capital build itself (c£40k).</p> <p>If remain in-house - £40,000 for leisure, finance, legal and procurement advice. No procurement or set-up costs for operator but Council will procure and manage capital build itself (c£40k).</p>			Not applicable.

4.11 The financial models for each development option were then varied to take account of the three potential management options. The core revenue assumptions utilised to vary the business case for the development options depending on the type of management model implemented are set out in table 4.4.

**Table 4.4 - Financial Models - Management Models Revenue Assumptions**

	In-House	Outsource - Existing Company	Outsource - New Company
Timetable	Assumes that the facility is in open for operation in October 2016.		
VAT	All income is subject to VAT however the Council can recover all of the VAT on its expenditure.	Assumes organisation would be a charitable trust. Income exempt from VAT with the exception of retail and catering income. However, the Trust is only able to recover 20% of the VAT on its expenditure.	Assumes organisation would be a charitable trust. Income exempt from VAT with the exception of retail and catering income. However, the Trust is only able to recover 20% of the VAT on its expenditure.
Income assumptions - pricing	Current golf fees remain unchanged. Health and fitness memberships priced at £20 per month (£15 for concessions), in line with the latent demand assessment.		

	In-House	Outsource - Existing Company	Outsource - New Company
Income assumptions - health and fitness	950 members based on 19 members per station (50 station gym). Latent demand modelling by the Leisure Database Company identified 1,061 members as maximum latent demand. Industry average is 25 members per station.	1,050 members based on 21 members per station (50 station gym). Latent demand modelling by the Leisure Database Company identified 1,061 members as maximum latent demand. Industry average is 25 members per station.	950 members based on 19 members per station (50 station gym). Latent demand modelling by the Leisure Database Company identified 1,061 members as maximum latent demand. Industry average is 25 members per station.
Income assumptions - golf	40% uplift on current membership numbers and 20% uplift on green fees for Options B and G i.e. main benefit will be members returning. Options D / F - 58% reduction in number of members for 9 hole model compared to 18 hole model (based on industry benchmark for 18 hole v 9 hole course members numbers). 18 hole pay and play rounds (using double tees) decreased by 50% compared to 18 hole course model. 9 hole pay and play rounds increased by 25% compared to 18 hole course model.	50% uplift on current membership numbers and 30% uplift on green fees for Options B and G i.e. main benefit will be members returning. Options D / F - 58% reduction in number of members for 9 hole model compared to 18 hole model (based on industry benchmark for 18 hole v 9 hole course members numbers). 18 hole pay and play rounds (using double tees) decreased by 50% compared to 18 hole course model. 9 hole pay and play rounds increased by 25% compared to 18 hole course model.	40% uplift on current membership numbers and 20% uplift on green fees for Options B and G i.e. main benefit will be members returning. Options D / F - 58% reduction in number of members for 9 hole model compared to 18 hole model (based on industry benchmark for 18 hole v 9 hole course members numbers). 18 hole pay and play rounds (using double tees) decreased by 50% compared to 18 hole course model. 9 hole pay and play rounds increased by 25% compared to 18 hole course model.
Income assumptions - catering	Externalised / franchised to a third party operator for a lease payment in line with current market rate for Tamworth. Vending and retail income retained.		
Expenditure assumptions - staffing	All salary and wage levels remain unchanged. Additional staff recruited as a result of the larger ancillary facility. 50% reduction in green keeping costs for 9 hole options (D / F) under external management model. 25% reduction under in-house management model.		
Expenditure assumptions - premises	Utilities and maintenance based on a £ / sqm rate from similar developments and benchmarked against existing operation with necessary increases for increased range and quality of facilities e.g. electricity cost for floodlighting driving range. Minor reduction in water costs applied for 9 hole options (D / F).		

	In-House	Outsource - Existing Company	Outsource - New Company
Expenditure assumptions - NNDR	The Council is subject to NNDR. Estimated rateable value based on benchmarking against similar facilities and VOA rateable valuation calculation linked to the capital cost of the building.	The Charitable Trust is subject to NNDR but with 80% mandatory relief. Estimated rateable value based on benchmarking against similar facilities and VOA rateable valuation calculation linked to the capital cost of the building.	The Charitable Trust is subject to NNDR but with 80% mandatory relief. Estimated rateable value based on benchmarking against similar facilities and VOA rateable valuation calculation linked to the capital cost of the building.
Expenditure assumptions - Advertising and marketing	1% of income.	2% of income.	1% of income.
Expenditure assumptions - Central costs and profit	£56,000 per annum. Based on the Council's 2014/15 budgeted central recharges for the golf course.	Combined at 8% of income. Based on existing trust bids for similar contracts.	Combined at 15% of income. Increased to reflect need to procure central support, build contingency and additional management team costs.
Expenditure assumptions - building lifecycle costs	1% of capital value per annum.		
Expenditure assumptions - equipment lifecycle costs	Cyclical replacement included within operator costs (amortised).		
Expenditure assumptions - golf course lifecycle costs	Options B / G - £460,700 included for greens, bunkers, tees, irrigation and green keepers shed as per cost estimate from May 2013 Mytime Active report (amortised over 10 years). Options D / F - £230,350 for greens, bunkers, tees, irrigation and green keepers shed as per 50% of cost estimate from May 2013 Mytime Active report (amortised over 10 years). Option I - not applicable.		

4.12 The text below sets out the results of the financial modelling based on applying the above assumptions to each development option and combining each development option with the three management options.

#### Financial Implications - Revenue

4.13 The 5 year net operating costs for each development option combined with each management model are set out in table 4.5 below (excluding Option I which does not have any operating costs. The net cost implications of Option I are incorporated within the affordability section later in this report). This represents the subsidy that the Council would be required to pay / surplus that it would receive from the operation of the course however excludes the cost of the initial capital investment into the course (which is incorporated within the affordability section).

**Table 4.5 - Net Revenue Return to the Council - Annual Surplus / (Deficit) per Option\***

Development Option	Management Option	Year 1	Year 2	Year 3	Year 4	Year 5
B	In-house	(235,675)	(154,083)	(106,888)	(102,064)	(102,064)
B	Existing trust	(96,829)	858	58,195	63,822	63,822
B	New trust	(166,343)	(84,803)	(37,788)	(32,890)	(32,890)
D / F	In-house	(252,120)	(183,380)	(148,199)	(146,173)	(146,173)
D / F	Existing trust	(79,844)	6,146	52,765	55,128	55,128
D / F	New trust	(139,782)	(68,547)	(30,984)	(28,927)	(28,927)
G	In-house	(236,202)	(154,610)	(107,415)	(102,591)	(102,591)
G	Existing trust	(97,356)	331	57,668	63,295	63,295
G	New trust	(166,870)	(85,330)	(38,315)	(33,417)	(33,417)

\* excludes the cost of the upfront capital investment into the facility



- 4.14 It is clear from table 4.5 that the only options that break even and potentially offer a return to the Council from an annual revenue position are those involving operation by an existing operator through a lease / management contract, given their expertise in golf course operations and ability to translate economies of scale and 'lessons learnt' from other courses in their portfolio. Each of the development options can return a surplus to the Council after year 2 under this management model although it should be noted that this does not include the financing of the c£2m capital investment into the new ancillary facilities, which is considered below.
- 4.15 It appears from the table that the cost of operating the course is actually projected to be higher after the new development is completed than it currently costs under the Council's in-house management. This is because income levels in a new facility generally take 2-3 years before reaching maturity and because the operating expenditure includes provision for building and equipment lifecycle costs and an initial investment of between £230k and £460k (9 hole or 18 hole) into improving the quality of the course, plus provision for £56,000 of central recharges per annum, all of which are not currently accounted for / incurred by the Council under its current in-house management arrangement.

#### Financial Implications - Affordability

- 4.16 The capital assumptions set out earlier in this section have been applied to the revenue implications over a 25 year period to provide an overall indication of affordability in table 4.6. It is important to note that this is based on the Council borrowing the capital to invest into the facility and does not factor in any capital receipt from housing that could be used to offset this borrowing.
- 4.17 The c£2m estimated capital cost for the new clubhouse has been prepared by quantity surveyors from Entrust. It includes provision for abnormals and contingencies to ensure that it is a realistic and prudent cost estimate.
- 4.18 Year 1 in table 4.6 is 2016/17. It is assumed that the new facility opens after 6 months of the year i.e. October 2016. Whilst this opening date is not ideal in relation to golf seasons, it provides a realistic timeframe for procurement, planning and construction phases. The table presents the net annual return / cost that the Council would expect to receive / incur from the golf course after factoring in the Council's borrowing costs for the capital investment.

**Table 4.6 - Council net annual return/ (deficit) after including the cost of capital investment into ancillary facilities\***

Development Option	Management Option	Year 1 (16/17)	Year 2	Year 3	Year 4	Year 5	Average Annual Return / (Cost) - 25 Years
B	In-house	(221,993)	(350,643)	(286,299)	(260,342)	(257,985)	(235,396)
B	Existing trust	(152,570)	(203,749)	(126,287)	(94,858)	(92,099)	(74,380)
B	New trust	(190,671)	(286,339)	(222,113)	(196,210)	(193,817)	(172,558)



Development Option	Management Option	Year 1 (16/17)	Year 2	Year 3	Year 4	Year 5	Average Annual Return / (Cost) - 25 Years
D / F	In-house	(230,215)	(373,514)	(321,603)	(303,052)	(302,093)	(290,172)
D / F	Existing trust	(144,077)	(192,613)	(126,358)	(101,919)	(100,792)	(94,542)
D / F	New trust	(177,391)	(264,931)	(210,583)	(190,827)	(189,855)	(180,526)
G	In-house	(224,607)	(354,685)	(290,342)	(264,386)	(262,030)	(239,398)
G	Existing trust	(155,184)	(207,791)	(130,330)	(98,902)	(96,144)	(78,382)
G	New trust	(193,285)	(290,380)	(226,156)	(200,254)	(197,862)	(176,560)

\* Includes the cost of the Council financing the capital investment into the facility through borrowing but does not factor in any re-investment of the capital receipt from the housing development to offset this cost

- 4.19 The table demonstrates that there is no net positive business case to support any of the options based on the Council borrowing the capital funds required to invest into the ancillary facilities and seeking repayment via revenue income streams, without factoring in a capital receipt from housing. We have excluded the implications of the capital receipt from housing that can be generated under options D / F, G and I from this table as at this stage we do not know if the Council will use the capital receipt (or part of it) to fund the investment into the site, if it will reinvest the capital receipt or if it intends to reallocate the capital receipt for other Council projects and services. We have discussed the options for and implications of the reinvestment of the capital receipt from housing in more detail below.
- 4.20 There are different options to help make the overall business case for the project affordable. The Council could use the capital receipt from the housing to fund or partially fund the capital cost of the investment into the golf course or it could invest the capital receipt in an attempt to receive an annual return on investment and use the interest earned from this to offset the borrowing costs from the capital invested into the golf course.
- 4.21 The table overleaf presents the net annual return / cost that the Council would expect to receive / incur from the golf course if the Council invested £1m of the capital receipt received from the housing development directly into the cost of upgrading the ancillary facilities and borrowed the remainder of the capital investment required. This table only includes Options D/F as they are the only development options that can generate a capital receipt from housing of over £1m for reinvestment into the golf course.

**Table 4.7 - Council net annual return / (deficit) after reinvestment of £1m capital receipt into the ancillary facilities\***

Development Option	Management Option	Year 1 (16/17)	Year 2	Year 3	Year 4	Year 5	Average Annual Return / (Cost) - 25 Years
D / F	In-house	(185,620)	(306,822)	(254,890)	(236,316)	(235,334)	(224,031)
D / F	Existing trust	(99,482)	(125,921)	(59,645)	(35,184)	(34,033)	(28,402)
D / F	New trust	(132,796)	(198,239)	(143,870)	(124,091)	(123,096)	(114,385)

\* Includes the cost of the Council financing the remainder of the capital investment into the facility through borrowing after reinvesting £1m received from the housing development into the capital cost of the golf course improvements.

4.22 Table 4.7 clearly shows that even investing £1m into the project is not a large enough capital investment in order to make the borrowing for the remainder of the capital cost affordable. In table 4.8 we have carried out the same modelling based on a £1.5m capital receipt investment from the Council to identify whether this will reduce the borrowing costs sufficiently to ensure that the project provides a positive net annual return to the Council.

**Table 4.8 - Council net annual return / (deficit) after reinvestment of £1.5m capital receipt into the ancillary facilities\***

Development Option	Management Option	Year 1 (16/17)	Year 2	Year 3	Year 4	Year 5	Average Annual Return / (Cost) - 25 Years
D / F	In-house	(163,322)	(273,476)	(221,533)	(202,948)	(201,955)	(190,961)
D / F	Existing trust	(77,185)	(92,575)	(26,288)	(1,816)	(654)	4,668
D / F	New trust	(110,498)	(164,893)	(110,513)	(90,724)	(89,716)	(81,315)

\* Includes the cost of the Council financing the remainder of the capital investment into the facility through borrowing after reinvesting £1.5m received from the housing development into the capital cost of the golf course improvements.

4.23 Table 4.8 shows that the project could break even and begin to return a small positive annual surplus to the Council over a 25 year period (under the existing trust management model) if the Council invested £1.5m of the capital receipt received from the housing development into the capital cost of the golf course improvements. This is because the borrowing costs on the remainder of the capital investment required have been minimised through the large upfront capital investment.

4.24 If the Council funded the full capital cost of the project using the capital receipt from the housing and did not need to borrow any funds, the project would begin to show a positive annual surplus return to the Council, as set out in table 4.9 below.

**Table 4.9 - Council net annual return / (deficit) assuming full cost of ancillary facilities funded from capital receipt\***

Development Option	Management Option	Year 1 (16/17)	Year 2	Year 3	Year 4	Year 5	Average Annual Return / (Cost) - 25 Years
D / F	In-house	(126,060)	(217,750)	(165,789)	(147,186)	(146,173)	(135,696)
D / F	Existing trust	(39,922)	(36,849)	29,456	53,947	55,128	59,933
D / F	New trust	(69,891)	(104,165)	(49,766)	(29,956)	(28,927)	(21,089)

\* Includes zero cost for the Council financing the capital investment as no borrowing is required. Does not take account of any loss of interest on the capital invested into the golf course improvements.

- 4.25 If the Council utilised the capital receipt from the housing to fund the full capital cost of the golf course project it would not need to borrow any of the capital required (and thus not incur the borrowing costs) so the project would return an annual surplus to the Council of circa £60k per annum over the 25 year period. It should be noted that receiving a return from the course averaging cf£60k per annum for the 25 years equates to a total return of cf£1.5m. However, the original upfront capital investment required is estimated to be in the region of £2m so the golf course investment project is unlikely to pay for itself over a 25 year period. The case for proceeding with the project is that the course would not require a long-term revenue subsidy and there would be another cf£4.5m remaining from the original capital receipt from the housing development that could be reinvested elsewhere.
- 4.26 An alternative option to make the overall business case for the project affordable would involve the Council reinvesting the capital receipt received from the housing in an attempt to receive an annual return on investment and use the interest earned from this to offset the borrowing costs from the capital invested into the golf course.
- 4.27 Option B does not generate a capital receipt for the Council so can be discounted as an affordable option over the 25 year period. However, the other options (D, F, G and I) do generate capital receipts that could earn interest and contribute to the affordability of the options. The revised affordability based on the return from investing these capital receipts is set out in table 4.10 below. For the purposes of this comparison we have assumed that the full amount of any capital receipt received will be invested at an interest rate of 2% per annum.
- 4.28 All options that involve the Council receiving a capital payment for the sale of land for development assume that the Council will receive the capital receipt in one lump sum payment which will be reinvested and start gaining interest from Year 1 (2016/17) onwards.

4.29 The revised affordability for the options taking into account the interest from the capital receipt to offset the cost of the borrowing is set out below.

**Table 4.10 - Revised Annual Return / (Cost) for the Council Based on Reinvestment of Capital Receipt\***

Development Option	Management Option	Year 1 (£)	Year 2 (£)	Year 3 (£)	Year 4 (£)	Year 5 (£)	Average Annual Return / (Cost) - 25 Years
D	In-house	(58,293)	(162,558)	(107,882)	(86,509)	(82,672)	(45,249)
D	Existing trust	(8,477)	(54,301)	14,720	41,980	45,985	79,190
D	New trust	(41,791)	(126,619)	(69,505)	(46,927)	(43,077)	(6,793)
F	In-house	(54,793)	(158,988)	(104,240)	(82,794)	(78,884)	(40,765)
F	Existing trust	(4,977)	(50,731)	18,361	45,695	49,774	83,674
F	New trust	(38,291)	(123,049)	(65,864)	(43,213)	(39,288)	(2,309)
G	In-house	(219,607)	(349,585)	(285,140)	(259,080)	(256,618)	(232,992)
G	Existing trust	(150,184)	(202,691)	(125,128)	(93,596)	(90,732)	(71,976)
G	New trust	(188,285)	(285,280)	(220,954)	(194,948)	(192,450)	(170,154)
I	N/A	273,100	278,562	284,133	289,816	295,612	349,899

\* Includes the cost of the Council financing the capital investment into the facility through borrowing but reinvesting the capital receipt received from the housing at an interest rate of 2% per annum

4.30 The table shows that Options D and F (operated through an existing trust) could provide an average return to the Council of cf£80k per annum if the capital receipt was reinvested, although the first two years of the 25 year period are both in deficit. Option F provides a slightly better return to the Council than Option D because the 'back 9' land has been valued at a greater level than the front 9 for development purposes (based on notional scheme estimates from the DVS report. The final capital receipt will only be clear at the point of sale and depends on a number of factors). The value of the land that could be developed under Option G is not significant enough to have a major impact on the affordability of Option G.

- 4.31 Option I which involves disposing of the whole course is clearly the most financially advantageous for the Council as it has a greater land value and does not involve any borrowing costs for investment or an on-going revenue responsibility for the course. It should be noted that no sale, security or demolition costs have been factored into the assessment for Option I. It is assumed that the course will be sold during the 2015/16 financial year and all ongoing site costs will be the responsibility of the developer.

## 5. Summary and Conclusions

### 05

#### Summary

- 5.1 FMG was commissioned by the Council to carry out a needs assessment and options appraisal for the future of Tamworth Golf Course with the intention of helping to identify the most suitable option for the future long-term direction of the golf course.
- 5.2 The first stage of our work involved a Needs Assessment which defined the outcomes required from the project and determined a long list of options for the future delivery of the golf course. This long-list was then evaluated against the project outcomes which resulted in a shortlist comprising of the options listed in table 5.1.

**Table 5.1 - Short-listed Options**

Option	High-Level Description
B	Retention of 18-hole golf course, plus development of ancillary provision (clubhouse / health & fitness gym / complimentary leisure facilities).
D	Disposal of front 9 holes for development, with retention of back 9 holes plus development of ancillary provision using part of any capital receipt (clubhouse / health & fitness gym / complimentary leisure facilities).
F	Disposal of back 9 holes for development, with retention of front 9 holes plus development of ancillary provision using part of any capital receipt (clubhouse / health & fitness gym / complimentary leisure facilities).
G	Part disposal of site, retention of 18-hole golf course through remodelling of holes to reduce land-take.
I	Complete disposal of entire site to generate capital receipt to be utilised for wider strategic aims.

- 5.3 These options have been modelled to identify the overall affordability of each option when combined with the following management options:
- **Option 1** - Continued in-house management of the golf course;
  - **Option 2** - Outsourced management of the golf course via a lease / management contract;
  - **Option 3** - set up of a local social enterprise management vehicle (Company Limited by Guarantee / Charitable Incorporated Organisation / Community Interest Company).

- 5.4 From the revenue modelling carried out it is clear that the only options that break even and potentially offer a return to the Council are those involving operation by an external existing operator through a long lease / management contract. Each of the development options has the potential to return a surplus to the Council after year 2 under this management model from a revenue perspective, however when including the financing of the c.£2m capital investment required into the new ancillary facilities, it becomes clear that only the options that can generate a significant capital receipt (D/F/I) are viable from a net cost position.
- 5.5 This is illustrated by table 5.2 where none of the options are affordable without a capital receipt.

**Table 5.2 - Affordability per Option Excluding Capital Receipts**

Development Option	Management Option	Average Annual Affordability - 25 Years
B	In-house	(235,396)
B	Existing trust	(74,380)
B	New trust	(172,558)
D / F	In-house	(290,172)
D / F	Existing trust	(94,542)
D / F	New trust	(180,526)
G	In-house	(239,398)
G	Existing trust	(78,382)
G	New trust	(176,560)

- 5.6 Option B can be ruled out as it does not generate a capital receipt from housing to help fund the investment into the golf course. To make the project affordable, the Council could invest some of the capital receipt received from the housing development to fund the capital investment into the golf course facilities. Options D / F are the only viable options for this as Option G does not provide a significant enough capital receipt.
- 5.7 The report has concluded that the Council would need to reinvest c£1.5m of the capital receipt received into the capital cost of the golf course improvements under Options D / F (therefore minimising the need to borrow and the associated borrowing costs) in order to receive a positive average annual return from the golf course.
- 4.32 If the Council utilised the capital receipt from the housing to fund the full capital cost of the golf course project it would not need to borrow any of the capital required (and thus not incur the borrowing costs) so the project would return an annual surplus to the Council of circa £60k per annum however this would only generate a return of c£1.5m per annum over a 25 year period when compared to the original upfront capital investment of over £2m.



- 5.8 An alternative option is to reinvest the capital receipt from the housing development. If the capital receipts generated were to be reinvested at an interest rate of 2% per annum then Options D and F would become affordable. Examining the return on investment of any capital receipt received also demonstrates the positive net position of Option I.
- 5.9 The revised affordability for the options, taking into account the interest from the capital receipt to offset the cost of the borrowing is set out in table 5.3 below.

**Table 5.3 - Revised Affordability Based on Reinvestment of Capital Receipt**

Development Option	Management Option	Average Annual Affordability - 25 Years
D	In-house	(45,249)
D	Existing trust	79,190
D	New trust	(6,793)
F	In-house	(40,765)
F	Existing trust	83,674
F	New trust	(2,309)
G	In-house	(232,992)
G	Existing trust	(71,976)
G	New trust	(170,154)
I	N/A	349,899

- 5.10 The table shows that Options D and F (operated through an existing trust) could provide an average return to the Council of c£80k per annum if the capital receipt was reinvested, although the first two years of the 25 year period are both in deficit. Option F provides a slightly better return to the Council than Option D because the 'back 9' land has been valued at a greater level than the front 9 for development purposes (based on notional scheme estimates from the DVS report. The final capital receipt will only be clear at the point of sale and depends on a number of factors). Options D and F both do not start generating a return for the Council until year 3 (2018/19), however, there may be an opportunity to agree a solution to this whereby the operator cashflows early year deficits in return for lower future payments to the Council in later years.
- 5.11 The value of the land that could be developed under Option G is not significant enough to have a major impact on the affordability of that Option.
- 5.12 Option I, which involves disposing of the whole course, is clearly the most financially advantageous for the Council as it has a greater land value and does not involve any borrowing costs for investment or on-going revenue responsibilities for the course. This Option generates a return to the Council from 2015/16 as it removes the cost of operating the course and generates interest immediately.

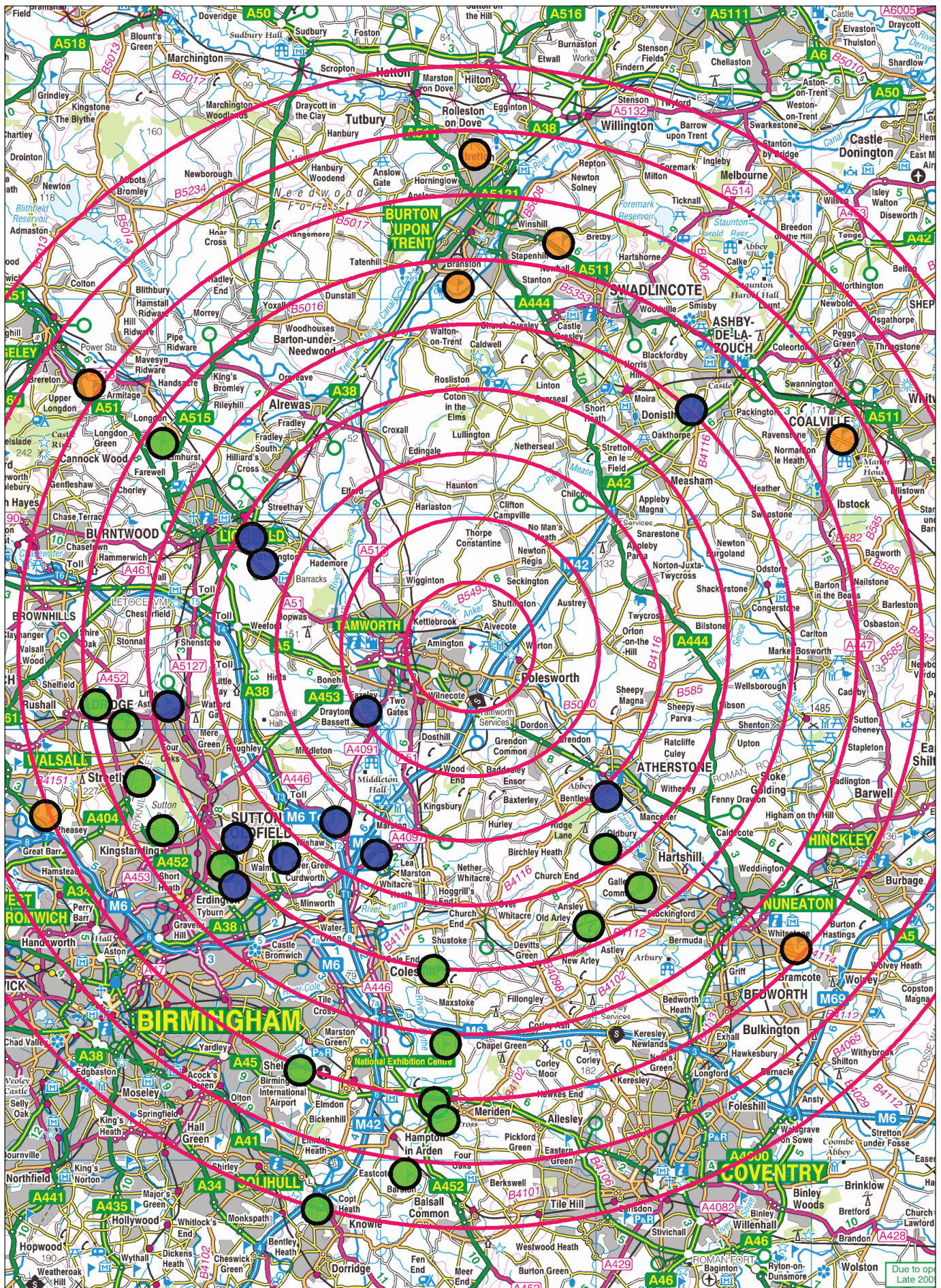


## Conclusions

- 5.13 Whilst it is clear from a financial position what the most advantageous option is for the Council, this needs to be considered against the strategic and risk implications as set out in Section 3 of this report. These include some key issues for the Council such as:
- It is likely that Options I and D / F would be extremely unpopular with members of the golf course and local residents;
  - The case will need to be proved that there is no longer a strategic need for the golf course otherwise Sport England are likely to object to any solution that involves loss of provision;
  - Converting to a 9 hole course could limit the market interest from operators, as soft market testing has revealed that this is not a preferred model and there may be likely to be less interest from operators;
  - There is a clear need for housing in the Borough that remains to be solved. The decision on which option to implement needs to take account of the latest position on other potential housing development sites in Tamworth to inform whether the golf course is an important strategic housing location.
- 5.14 In summary, given the financial constraints there are two primary options:
- Options D / F - sell half of the course for housing and provide a 9 hole golf course, in line England Golf's views on future municipal provision. Use a portion of the capital receipt or the interest from the reinvestment of the capital receipt to help fund the upfront investment required into the course. Outsource the management of the 9 hole course to an existing operator (charitable trust). This has the advantages of continuing to provide a golf course in Tamworth, providing additional housing land and providing an additional capital receipt for reinvestment into other strategic priorities, thus balancing the raft of competing pressures on the Council. However, a clear risk with this option is that the operator of the 9 hole course is not successful and the Council has to again provide revenue funding to support the course in the long-term, particularly given the limited market appetite for 9-hole provision.
  - Option I - sell the entire course for housing. Reinvest some of the capital receipt into increasing participation and improving facilities, services and providing alternative open spaces within the Borough. This will remove the risk of the Council having any long-term revenue responsibility for the site and will generate significant capital funds for the Council. The primary risks with this option are from resident objections, achieving planning permission and damage to the Council's reputation as the Borough will no longer be providing a golf course, albeit that ring-fencing of part of the capital receipt generated could be used to invest in alternative sport and leisure facilities, in line with the wider sport and leisure needs in the Borough.

This page is intentionally left blank





© Crown copyright and database rights 2014  
 Ordnance Survey 100018267

## Local Golf Courses

- 0-20 Minutes
- 20-25 Minutes
- Other Local Golf Courses



Date: 09:01:14	Scale: 1:250000
----------------	-----------------



This page is intentionally left blank

THURSDAY, 23 JANUARY 2014

**REPORT OF THE PORTFOLIO HOLDER FOR ECONOMY AND EDUCATION****HIGH SPEED RAIL 2 (HS2) PHASE TWO: RESPONSE TO THE PHASE TWO ROUTE CONSULTATION****EXEMPT INFORMATION**

Non Confidential

**PURPOSE**

To brief the Cabinet on the Governments High Speed Rail 2 proposals and the potential impacts for Tamworth and to seek Cabinets views on the principle of the proposal.  
To agree a response to the High Speed Rail 2 (HS2) Phase 2 route consultation

**RECOMMENDATIONS**

- 1) Cabinet confirms the Council's position on the principle of HS2.**
- 2) Cabinet recommends that no response to the Hybrid Bill for Phase 1 will be made by the Borough Council to the Government and that the Head of Planning and Regeneration is authorised to engage with the Greater Birmingham and Solihull Local Enterprise Partnership and Staffordshire County Council as they prepare their response to advise them of the Borough Councils position as set out in this report.**
- 3) Cabinet approves the proposed response to the HS2 Phase 2 consultation as outlined in report for submission to the Government.**

**EXECUTIVE SUMMARY**

In January 2009, the Government established High Speed Two Ltd (HS2 Ltd) to consider the options and feasibility of a new high speed rail network in Britain, starting with a costed and deliverable proposal for a new line from London to Birmingham. The drivers behind the work were the recognition of capacity issues on the existing rail network, particularly the West Coast mainline, the need to address carbon reduction issues associated with short distance air travel and a desire to stimulate growth outside of the south east.

On the 28<sup>th</sup> February 2011, the Government published its preferred route for High Speed Two (HS2) as a first step in creating a national HSR network, and launched a national consultation. In January 2012 the Secretary of State for Transport announced the route of Phase One of HS2 linking London to Birmingham. Phase One of HS2 meets the West Coast Main Line (WCML) near to Handsacre in Lichfield.

On 28th January 2013 the Secretary of State for Transport, Patrick McLoughlin, announced the initial preferred route for Phase Two of HS2. If approved the route will extend the high speed line from Birmingham to Manchester and Leeds, with connections on to the West and East Coast Main Lines to serve the rest of the North of England and Scotland. Intermediate HS2 stations would be built at Manchester Airport, Sheffield Meadowhall and an East Midlands Hub at Toton. The proposed Phase Two route would be integrated into the existing

network, allowing trains to serve destinations such as Crewe and Liverpool. The West Midlands to Leeds route passes through a section (approximately 100m) of Tamworth Borough and continues in close proximity to the Borough boundary as it passes through north Warwickshire. The consultation on HS2 Ltd.'s proposed routes for Phase Two of HS2 was launched on 17 July 2013 and closes on 31 January 2014. A proposed response to the consultation questions is outlined in the 'Background Information' section of this report.

On 19 November 2013 the House of Lords approved the High Speed Rail (Preparation) Bill, and the so-called Hybrid Bill was deposited on 25 November 2013 for Phase One of HS2 between London and the West Midlands, which will secure the powers to construct and maintain Phase One. The Environment Statement that accompanies the Bill explains in detail the scheme proposals, the impacts of the project on the environment along the route and the steps taken to mitigate them is out for consultation and provides the opportunity to comment on matters such as links to HS1. The Hybrid Bill offers the only opportunity for local authorities, local communities and other interested parties to challenge the Government's proposals and seek to have changes made. This process is known as Petitioning which involves a formal notice being made by a party such as the Borough Council wishing to make a case to Parliament and then subject to that wish being acceded to by Parliament, presenting that case. It is considered that given that the Hybrid Bill for Phase 1 does not involve any land within Tamworth, and it is expected that other Authorities such as Staffordshire County Council are likely to be Petitioning, it would not be a good use of resources for the Borough Council to separately Petition.

There are many groups, organisations and individuals who are supportive of the principle of HS2 and the proposed route. There are also many who are opposed to the proposal. There is a growing body of research, studies and reports that aim to support the arguments for and against.

Given Tamworth's geographical location and proximity to both the station proposed in Birmingham City Centre and at Birmingham Airport, and the economic ties between Tamworth and Birmingham it is considered that there is considerable opportunity for any economic benefits to positively impact on Tamworth. It is assumed that there could be indirect economic impacts from both the construction phases and once operational although it is not considered by officers that either would be substantial to Tamworth. However, there may also be negative impact in terms of disruption during construction, particularly linked to the service station and access to the employment area adjacent to the service station. If HS2 goes ahead, the longer term impacts will no doubt be based around access to HS2 and access to frequent, high speed services on the 'classic network'. Rail users accessing the network from Tamworth wanting to travel to the north and south could be faced with longer journey times. If rail users want to access the high speed rail network they will have to use connecting forms of public transport (or drive) to travel into Birmingham interchange or Stafford. This increases the total door to door travel time. There is no information at present about what services to London on the west coast mainline, for example, will look like, but it would seem to be a backward step if HS2 meant that Tamworth was further away in time from major urban centres such as London and Birmingham. To realise any economic benefits from HS2, connectivity from Tamworth by road and rail will need to be optimised and the creation of opportunities for Tamworth businesses and residents to be involved in construction and operation. Key 'asks' could be:

- retention of fast service to London
- more local connections on WCML
- improved direct services to the North West (particularly Manchester and Liverpool)
- retention of journey times to Birmingham City Centre
- enhanced service provision to Birmingham city centre (quality and quantity)
- access to HS2 at either city centre or airport via new connection
- retention of services to North East and South West
- improved M42 capacity to the airport and HS2
- local engagement at the construction procurement phase to ensure that substantial links are made with the local supply chain development and employment of local

workforce, including targeted training initiatives for that workforce.

Although the phase 1 route does not go through Tamworth Borough, there is some potential for noise and visual impact as the line will pass to the south and west of Tamworth around Middleton, Hints and Whittington. It is likely that these impacts on Tamworth residents will be minimal as visually the majority of the line will be hidden behind Hopwas Hills.

Phase 2 runs alongside the eastern boundary of the borough and for a short section runs through the borough. The County Council estimate that three residential properties and one commercial property is within 120m of the phase 2 route. Within a 500m buffer this number increases to 501 residential properties and 27 commercial properties. Within a 1km buffer this increases further to 3,381 residential properties and 36 commercial properties.

The most likely impacts are noise. Visually the line is proposed to be in cutting and so visual impact would be minimised. However, new bridges, realignment of roads (such as Overwoods Road, Whateley Lane and M42/A5 junction) and service roads will have a visual impact.

There appears to be only one residential site in Tamworth Borough that would be significantly affected, by the proposed HS2 phase two. This site is off Overwoods Rd Hockley, the most affected roads would be Ottery, Dart and Tamar Road. It is considered however that the proposed developments and existing housing estate would be afforded some acoustic protection, as the HS2 track would be contained within a deep cutting at an approximate level of the existing M42 Motorway. It is considered that the noise from the motorway is likely to be the dominant noise source in the area. It is predicted that the greatest acoustic contribution from the HS2 line, would be either very early or very late at night when the noise from the M42 is at its lowest. It is considered that there may be an increase in noise levels as the HS2 track rises on approaching the M42 junction, however this may not have an overall contributory factor as distance to the probable receptors is starting to increase at this point.

During construction, disruption is likely to be considerable. The proposed plans require the remodelling of the A5/M42 junction and accesses to the employment area. Under the current route the service station would need to be demolished. The current proposed route also shows a temporary realignment to the M42, albeit moving eastwards away from the Borough it demonstrates the scale of construction required around Tamworth.

## **RESOURCE IMPLICATIONS**

There is minimal officer time costs likely to be incurred if the recommendations are accepted. However, if the Council chooses to Petition the Government on the Hybrid Bill then there will be significant costs incurred in officer time and also legal costs through the appointment of a Parliamentary Agent. There is no budget available to cover these costs at present.

## **LEGAL/RISK IMPLICATIONS BACKGROUND**

There is a statutory requirement under Section 239 of the Local Government Act 1972 for local authorities to obtain the authority of full council to deposit a petition in Parliament in respect of a bill. A Hybrid Bill falls within the scope of Section 239. If the Council choose to Petition the Government on the Hybrid Bill this would require specialist knowledge and expertise in drafting the petition and advising on procedure. Parliamentary Agents are solicitors who are approved by the Houses of Parliament to undertake this work.

## **SUSTAINABILITY IMPLICATIONS**

The sustainability implications of the proposed route are considered in the main body of the report and in the supporting documentation to the consultation.

## BACKGROUND INFORMATION

### 1) HS2 and Route description

In January 2009, the Government established High Speed Two Ltd (HS2 Ltd) to consider the options and feasibility of a new high speed rail network in Britain, starting with a costed and deliverable proposal for a new line from London to Birmingham. The drivers behind the work were the recognition of capacity issues on the existing rail network, particularly the West Coast mainline, the need to address carbon reduction issues associated with short distance air travel and a desire to stimulate growth outside of the south east.

HS2 Ltd's report was presented to the previous Labour Government at the end of 2009 and was published alongside a Command Paper, setting out the then Government's proposed strategy for a High Speed Rail network in March 2010. The Command Paper also contained the Government's preferred route option for a high speed line between London and the West Midlands.

The Labour Government evaluated these proposals in respect of their costs and benefits for enhancing capacity and connectivity in a sustainable way, which was its key strategic objective for inter-city transport. As part of its analysis, the Government also considered other realistic options for meeting the UK's inter-urban capacity needs over the next 30 years, including carrying out a detailed analysis of the potential costs and benefits of major improvements to existing rail and road networks.

After the General Election in May 2010 the new Coalition Government expressed its support for a High Speed rail network and agreed to progress the work previously undertaken by High Speed 2 Limited on behalf of the Labour Government. On 20th December 2010, the Transport Secretary made a statement to parliament informing it of the Governments intentions to develop a High Speed rail network with the first phase being that of a route between London and the West Midlands.

On the 28<sup>th</sup> February 2011, the Government published its preferred route for High Speed Two (HS2) as a first step in creating a national HSR network, and launched a national consultation.

In January 2012 the Secretary of State for Transport announced the route of Phase One of HS2 linking London to Birmingham. Phase One of HS2 meets the West Coast Main Line (WCML) near to Handsacre in Lichfield.

On 28th January 2013 the Secretary of State for Transport, Patrick McLoughlin, announced the initial preferred route for Phase Two of HS2. If approved the route will extend the high speed line from Birmingham to Manchester and Leeds, with connections on to the West and East Coast Main Lines to serve the rest of the North of England and Scotland. Intermediate HS2 stations would be built at Manchester Airport, Sheffield Meadowhall and an East Midlands Hub at Toton. The proposed Phase Two route would be integrated into the existing network, allowing trains to serve destinations such as Crewe and Liverpool. The consultation on HS2 Ltd.'s proposed routes for Phase Two of HS2 was launched on 17 July 2013 and closes on 31 January 2014.

A local consultation event was held by HS2 at the Assembly Rooms in Tamworth on the 4<sup>th</sup> December.

#### *Phase 1*

HS2 Ltd's preferred scheme proposes a route that would extend from London via the Chilterns/Home Counties, the south midlands into Warwickshire then Staffordshire connecting to the West Coast mainline just north of Lichfield city. A spur would be developed off the line to connect Birmingham with a new dedicated station at Curzon Street in



Birmingham being provided for

### *Phase 2 - West Midlands to Manchester - Western Route*

The line would connect with the London-West Midlands leg in Lichfield, before heading north-west past Stafford and on towards Crewe. A connection with the West Coast Main Line would be provided just south of Crewe with the main line continuing in tunnel under the town heading north. It would cross over the M6 and then the M56 before heading past Warrington to a further connection with the West Coast Main Line south of Wigan. The Manchester stations would be served by a spur off the main line running roughly parallel with the M56 towards Manchester Airport. The proposed stations comprise new stations at Manchester Piccadilly and Manchester Airport.

### *Phase 2 - West Midlands to Leeds - Eastern Route*

The eastern leg would serve stations in the East Midlands, South Yorkshire and Leeds. The line would connect with the London to West Midlands leg to the east of Birmingham, near Junction 4 of the M6, and then follow the M42 corridor north-east towards Derby and Nottingham. The East Midlands Hub station would be located between these two cities at Toton, about a mile from the M1. The line would head north, following the M1 corridor as it heads towards South Yorkshire. The station serving this region would be located at Meadowhall alongside the M1, between Sheffield and Rotherham. From here the line would pass to the east of Barnsley and connect to the East Coast Main Line nine miles to the south-west of York. As with Manchester, Leeds would be served by a spur off the main line. It would run within the existing Castleford to Leeds railway corridor, passing the southern suburbs of Leeds before rising above street level into the new station at Leeds New Lane. The total route length would be 116 miles.

The West Midlands to Leeds route passes through a section (approximately 100m) of Tamworth Borough and continues in close proximity to the Borough boundary as it passes through north Warwickshire.

### *The Hybrid Bill*

On 19 November 2013 the House of Lords approved the High Speed Rail (Preparation) Bill, and the so-called Hybrid Bill was deposited on 25 November 2013 for Phase One of HS2 between London and the West Midlands, which will secure the powers to construct and maintain Phase One. The Bill is titled the 'High Speed Rail (London - West Midlands) Bill'. Along with the Hybrid Bill, the formal Environment Statement (ES) for Phase One was deposited (as were various supporting documents such as a Housing Statement, Estimate of Expense, Equalities Impact Assessment and Health Impact Assessment). The Environment Statement explains in detail the scheme proposals, the impacts of the project on the environment along the route and the steps taken to mitigate them. The ES that is out for consultation, provides the opportunity to comment on matters such as links to HS1.

The Environmental Statement runs to over 55,000 pages and it has been reported that approximately 877 pages were missing from the technical appendices on the public website. HS2 Ltd have confirmed that the website has now been updated to include these pages and have said:

"These omissions would not prevent a proper understanding of the scheme or its environmental effects. This does not affect anyone's ability to respond to the consultation on the Environmental Statement."

Hybrid bills are so called because they combine features of both public and private Bills. They are Government Bills which affect certain individuals and bodies in ways that do not affect everybody. Hybrid Bills have been used before to secure powers for national railway projects, such as HS1 and Crossrail. The hybrid Bill will secure the powers to:

- build and maintain the first phase of HS2 and its associated works, including secure planning permission for the works;
- compulsorily acquire interests in the land required;

- affect or change rights of way, including the stopping-up or diversion of highways and waterways (permanently or temporarily);
- modify infrastructure belonging to statutory undertakers (e.g. utility companies);
- carry out work on listed buildings and demolish buildings in Conservation Areas; and
- carry out protective works to buildings and third-party infrastructure.

It will also make other necessary changes to existing legislation to facilitate construction and operation of the railway.

This is a key legislative milestone in determining how the project will move forward, since this is when the petitioning phase begins – presenting the opportunity for those people who are directly and specially affected by the provisions of the Bill to petition for or against it. This stage of the process is therefore crucial to securing the best outcomes for the region.

Based on the original timescales the Government is aiming to deposit a Hybrid Bill late 2013, attain Royal Assent by early 2015, commence development in 2017 and open the new line by 2026 for phase 1.

The Hybrid Bill offers the only opportunity for local authorities, local communities and other interested parties to challenge the Government's proposals and seek to have changes made. This process is known as Petitioning which involves a formal notice being made by a party such as the Borough Council wishing to make a case to Parliament and then subject to that wish being acceded to by Parliament, presenting that case. It is considered that given that the Hybrid Bill for Phase 1 does not involve any land within Tamworth, and it is expected that other Authorities such as Staffordshire County Council are likely to be Petitioning, it would not be a good use of resources for the Borough Council to separately Petition.

## 2) Potential Impacts

There are many groups, organisations and individuals who are supportive of the principle of HS2 and the proposed route. There are also many who are opposed to the proposal. There is a growing body of research, studies and reports that aim to support the arguments for and against. The arguments for, focus on the economic benefits to regions and large cities outside of London. There is no detailed evidence to demonstrate the economic impact on smaller towns such as Tamworth. *The Strategic Case for HS2*, published by the Department for Transport, sets out the case for action and the need for HS2 (as opposed to the other options) to provide increased capacity and connectivity as current capacity fast reaches its limits, and to support a robust and balanced economy. The alternatives to HS2 – essentially, providing additional capacity by upgrading the existing rail lines – would require 14 years of weekend closures across the intercity network. *The Strategic Case* also sets out how destinations not directly served by high speed rail will benefit from reduced journey times, and identifies £1.3 – 3bn uplift in GVA for the West Midlands region. *The Economic Case for HS2*, published in October 2013 by HS2 Ltd, is the first update since August 2012. The document reviews and updates HS2 Ltd's approach, accounting for changes to route and design; revised demand forecasts; changes to the WebTAG appraisal guidance (including a revised value of time and an increased RPI assumption); updates to the transport modelling approach and improved service patterns. Subsequently, the economic case has reduced from £2.50 of benefit per £1 of spend to £2.30. This has caused some groups to claim that the economic case is significantly weakened, although the 2.3 ratio still represents "high" value for money. Furthermore, the 2.3 BCR is predicated on the assumption that demand growth will halt abruptly at 2040. The report further notes that an assumption of demand growth halting at 2049 would see a BCR in excess of 4.

Those against HS2 highlight the cost of the project, question the economic benefits and highlight the impact on the environment and local communities. Staffordshire County Council has taken a position of opposition to HS2 because of the potential impact on some of Staffordshire's communities, the lack of economic benefits and the potential to damage Staffordshire's environment. Similarly Lichfield District Council have formally objected to the principle and detail of HS2 as it affected the environment and residents & businesses of the District. The view expressed was that the proposal would have serious adverse impacts on

the countryside and certain villages/hamlets and also offer no economic benefits locally. In Tamworth it is proposed that the phase 2 line will run to the East of the Borough and will run through the Borough for approximately 100m.

Given Tamworth's geographical location and proximity to both the station proposed in Birmingham City Centre and at Birmingham Airport, and the economic ties between Tamworth and Birmingham it is considered that there is considerable opportunity for any economic benefits to positively impact on Tamworth. It is assumed that there could be indirect economic impacts from both the construction phases and once operational although it is not considered by officers that either would be substantial to Tamworth.

During construction there may be construction jobs created and benefits for local B&Bs / hotels in hosting workers. In the longer terms there may be opportunity for Tamworth residents to access jobs associated with the stations and depot.

However, there may also be negative impact in terms of disruption during construction, particularly linked to the service station and access to the employment area adjacent to the service station.

If HS2 goes ahead, the longer term impacts will no doubt be based around access to HS2 and access to frequent, high speed services on the 'classic network'.

Rail users accessing the network from Tamworth wanting to travel to the north and south could be faced with longer journey times. If rail users want to access the high speed rail network they will have to use connecting forms of public transport (or drive) to travel into Birmingham interchange or Stafford. This increases the total door to door travel time.

There is no information at present about what services to London on the west coast mainline, for example, will look like, but it would seem to be a backward step if HS2 meant that Tamworth was further away in time from major urban centres such as London and Birmingham.

There are currently 3 fast trains from Tamworth to Euston taking from 67min. Whilst the number of services to Euston may increase, it is likely that so will the time taken to get there. The County Council have suggested that the minimum journey time may be 80mins from Tamworth.

HS2 identify that 9 intercity routes per hour (ie. those from Glasgow, Manchester and Liverpool to London some of which stop at Tamworth) would be moved to the High Speed Network. This allows capacity on WCML for a further 11 fast regional services an hour.

HS2 have suggested that passenger number modelling had assumed the same price tickets as currently on the WCML and therefore these intercity journeys from cities in the north would have no reason not to use HS2, therefore the loss of those intercity routes on WCML could happen. Whilst this may be a benefit to those at Stafford and North of Stafford who could catch a HS train of this status before joining the HS2 line at Armitage under phase 1 and then all the way under phase 2, there is a real concern about the Trent Valley stations, such as Tamworth losing fast services to London.

In terms of connections to HS2, presently a train to Birmingham New Street can take less than 20mins. However, a walk of 10 to 15mins would then be required to the HS2 station at Curzon Street.

For several years the Water Orton corridor improvements and Camp Hill Chords schemes have been promoted which could give the opportunity for direct services in to Birmingham although with increased journey times to account for new stations along the route.

Recently there has been a proposal to reopen the Whitacre Link. This could give direct access from Tamworth to the HS2 station and the airport as well as through services

although it could have negative impact on local services to Birmingham city centre.

To realise any economic benefits from HS2, connectivity from Tamworth by road and rail will need to be optimised and the creation of opportunities for Tamworth businesses and residents to be involved in construction and operation. Key 'asks' could be:

- retention of fast service to London
- more local connections on WCML
- improved direct services to the North West (particularly Manchester and Liverpool)
- retention of journey times to Birmingham City Centre
- enhanced service provision to Birmingham city centre (quality and quantity)
- access to HS2 at either city centre or airport via new connection
- retention of services to North East and South West
- improved M42 capacity to the airport and HS2
- local engagement at the construction procurement phase to ensure that substantial links are made with the local supply chain development and employment of local workforce, including targeted training initiatives for that workforce.

Although the phase 1 route does not go through Tamworth Borough, there is some potential for noise and visual impact as the line will pass to the south and west of Tamworth around Middleton, Hints and Whittington. It is likely that these impacts on Tamworth residents will be minimal as I consider visually the majority of the line will be hidden behind Hopwas Hills.

Phase 2 runs alongside the eastern boundary of the borough and for a short section runs through the borough.

The County Council estimate that three residential properties and one commercial property is within 120m of the phase 2 route. Within a 500m buffer this number increases to 501 residential properties and 27 commercial properties. Within a 1km buffer this increases further to 3,381 residential properties and 36 commercial properties.

The most likely impacts are noise. Visually the line is proposed to be in cutting and so visual impact would be minimised. However, new bridges, realignment of roads (such as Overwoods Road, Whateley Lane and M42/A5 junction) and service roads will have a visual impact.

Environmental Health Officers have identified one residential site in Tamworth Borough that would be significantly affected, by the proposed HS2 phase two. This site is off Overwoods Rd Hockley, the most affected roads would be Ottery, Dart and Tamar Road. It is considered however that the proposed developments and existing housing estate would be afforded some acoustic protection, as the HS2 track would be contained within a deep cutting at an approximate level of the existing M42 Motorway. It is considered that the noise from the motorway is likely to be the dominant noise source in the area. It is predicted that the greatest acoustic contribution from the HS2 line, would be either very early or very late at night when the noise from the M42 is at its lowest. It is considered that there may be an increase in noise levels as the HS2 track rises on approaching the M42 junction, however this may not have an overall contributory factor as distance to the probable receptors is starting to increase at this point.

During construction, disruption is likely to be considerable. The proposed plans require the remodelling of the A5/M42 junction and accesses to the employment area. Under the current route the service station would need to be demolished. The current proposed route also shows a temporary realignment to the M42, albeit moving eastwards away from the Borough it demonstrates the scale of construction required around Tamworth.

To date the Council has not expressed a position of support or not for the principle of HS2. The Leader of the Council has asked Members of the Council to express their views on the principle of HS2 and the responses received by officers are reproduced and made

anonymous in Appendix A.

There will be environmental and economic impacts (positive and negative) of HS2 if it goes ahead as currently proposed and given the timescales and scale of the project it is difficult to have quantify these confidently at this stage. Members should therefore consider if the possible impacts on the local environment and communities in Tamworth is significant enough to object to the principle of HS2 given the potential economic benefits. However, Members should also consider that if they choose to support HS2, if they should qualify the support based on some key asks based on local and national connectivity on both the classic network and to the high speed network as detailed above and on mitigation of environmental impacts on Tamworth residents and businesses as detailed below.

### 3) Phase 2 consultation

The consultation on HS2 Ltd.'s proposed routes for Phase Two of HS2 was launched on 17 July 2013 and closes on 31 January 2014. The consultation seeks to obtain views on the proposed high speed rail route, as well as the sustainability impacts of the proposed line of route. The consultations asks 9 questions and the proposed response to those is detailed below. The proposed response has been worked up in conjunction with officers from Staffordshire County Council and GBSLEP.

#### **QUESTION ONE**

***Do you agree or disagree with the Government's proposed route between the West Midlands and Manchester? This includes the proposed route alignment, the location of tunnels, ventilation shafts, cuttings, viaducts and depots as well as how the high speed line will connect to the West Coast Main Line?***

It is proposed that no response is provided to this question as this leg of phase 2 does not impact upon Tamworth.

#### **QUESTION TWO**

***Do you agree or disagree with the Government's proposals for:***

- a. A Manchester station at Manchester Piccadilly?***
- b. An additional station near Manchester Airport?***

It is unlikely that residents or business from Tamworth would travel to make use of HS2 stations in these locations. Given the alignment of HS2 it is also likely that to access Manchester and the North West people from Tamworth would use the existing classic network. At present the services to major cities in the North West and Manchester airport are poor. Therefore as part of released capacity on the classic network we would like to see improved services in terms of speed to the north west from Tamworth.

#### **QUESTION THREE**

***Do you think there should be any additional stations on the western leg between the West Midlands and Manchester?***

In the County Councils draft response to this question they have said that whilst they do not believe that there should be an additional station that they do ask for the following:

- A package of intermodal connectivity measures to provide Staffordshire's residents and businesses with improved access to the proposed high speed rail network
- Modifications to the proposed infrastructure at Crewe to maximise connectivity between classic compatible and high speed services
- Greater use of classic compatible rail services that can serve Staffordshire stations on the West Coast Main Line to provide improved rail connectivity to both the north and south

Modifications to the proposed infrastructure at Crewe also provide the potential for other stations on the West Coast Main Line (such as Tamworth) to access the proposed high speed rail network north of Crewe. The County Council believe modifications to the proposed infrastructure at Crewe could provide improved integration of the HS2 network and the

existing classic rail network should the scheme go ahead.

The County Council also believe that there is the potential for a network of classic compatible services that could operate from stations such as Stafford and Stoke-on-Trent; while rail stations in Lichfield and Tamworth could utilise released capacity for improved rail services to both Manchester and London.

It is proposed that the Borough Council support these comments

#### **QUESTION FOUR**

***Do you agree with the Government's proposed route between West Midlands and Leeds? This includes the proposed alignment, the location of tunnels, ventilation shafts, cuttings, viaducts and depots as well as how the high speed line will connect to the East Coast Main Line?***

Whilst recognising that the proposed route is actually only in Tamworth for a very short distance and therefore has a limited impact on Tamworth's communities and environment, it does run alongside the Borough boundary and has potential impacts on the local landscape, a loss in amenity and more significantly the local economy.

We are concerned that the major changes to the M42/A5 junction will have an economic impact on Centurion Park during construction. The extensive highway remodelling works to accommodate the proposed route will have a negative impact on the efficiency of the network, resulting in delays. Such delay is expected to last for some time during construction. The economic impact locally appears to be exacerbated through the loss of the service area and other employment venues. Environmentally, the realignment may also affect the Kettle Brook Biodiversity Alert Site (BAS) and Local Nature Reserve. This is not acknowledged in the Sustainability Statement.

We ask that the impact of construction, particularly on the M42 / A5 junction and on access to the Centurion Park employment area is minimised. We would also ask that there is more detail on the affect and future provision in regards to the M42 services which has a value as a signpost for the town in regards to its visitors and general recognition as well as a employer.

We also ask that every step is taken to mitigate the noise and visual impact on local residents, particularly those off Overwoods Rd Hockley, and more specifically Ottery, Dart and Tamar Road.

We also wish to see appropriate measures put in place to compensate residents and businesses who will be affected by the construction of HS2.

***Do you agree or disagree with the Government's proposals for:***

***c. A Leeds station at Leeds New Lane?***

***d. A South Yorkshire station to be located at Sheffield Meadowhall?***

***e. An East Midlands station to be located at Toton?***

Tamworth already benefits from direct services to Leeds, Sheffield, Derby and Nottingham and wish to see no deterioration in either journey time or number of services to these destinations. If this is achievable it is unlikely that rail users from Tamworth would use either Birmingham High Speed station to access an East Midlands station at Toton although there may be some time saving to access Leeds and Sheffield.

#### **QUESTION SIX**

***Do you think that there should be any additional stations on the eastern leg between the West Midlands and Leeds?***

It is proposed that no response is provided to this question.

## QUESTION SEVEN

***Please let us know your comments on the Appraisal of Sustainability (as reported in the Sustainability Statement) of the Government's proposed Phase Two Route, including the alternatives to the proposed route as described.***

The County Council are proposing a detailed response to this question. It is suggested that the following response drawing on the most pertinent points to Tamworth is made.

We believe there should be opportunities to capture the indirect economic benefits of HS2 during construction. The creation of links to Tamworth's supply chain and workforce needs to result in the training and development of the local workforce.

The impacts of HS2 on property and affected communities are likely to be significant, not just during operation but also through many years of construction. It is expected that the formal ES will detail these impacts and the ways in which it will be avoided or reduced.

The impact on Staffordshire's road network is likely to be felt most during construction, with delays caused by constructing road diversions and increased construction traffic on local roads. We expect HS2 Ltd, in developing its assessment of the impacts, to be in detailed dialogue with the local authorities so that these impacts are reduced and eliminated where possible, for example at the A5 / M42 junction.

To provide economic prosperity and create employment, it is important that Staffordshire's residents and businesses can utilise the highway network with little delay as a result of increased HS2 related traffic during construction.

We expect HS2 to fully engage with the affected local authorities on all noise and vibration issues and to provide appropriate technical information as the route design is developed. We seek to ensure that HS2 Ltd develops the highest level of mitigation to reduce the impact where increases in noise are identified in the appraisal process. It is vitally important that the whole community is included in the process and that all dwellings subjected to noise impact will benefit from mitigation measures and not just at locations where there are clusters of properties.

We are extremely concerned with the increased levels of emissions and pollutants associated with construction activities, equipment and road traffic. Construction activities will generate dust and emissions from construction traffic which could have an impact on human and sensitive receptors as well as ecological receptors. Whilst mechanisms to control these potential impacts would be set out in and rigorously applied through the Code of Construction Practice (CoCP), we expect the CoCP to have suitable control measures in place so as to monitor and review the effectiveness of those measures.

## QUESTION EIGHT

***Please let us know your comments on how the capacity that would be freed up on the existing rail network by the introduction of the proposed Phase Two route could be used***

Tamworth benefits from being located in the heart of the country and has excellent communication links which make it an excellent place to live and do business. In particular it benefits from having a station that serves both the West Coast main line connecting us to London and the North West and the Cross Country line connecting us to the East Midlands, Scotland and the South West. Our residents and business benefit from these long distance connections but also the ability to connect to our more local functioning economic geography such as Birmingham in less than 20mins.

We want to ensure that these connections remain and are improved as a result of freed capacity. In particular we would also like to see:

- ◆ a dedicated fast service between Tamworth and Birmingham City Centre
- ◆ services that provide frequent access to HS2 stations (in Birmingham and the East

- Midlands)
- ◆ the provision of Classic / HS2 compatible services
  - ◆ Retention of a direct fast service to London Euston at peak commuting time (currently 1hr08mins)
  - ◆ Additional fast services to London Euston
  - ◆ Improved direct services to the North West major towns and cities, particularly Manchester in terms of frequency and speed

#### **QUESTION NINE**

***Please let us know your comments on the introduction of other utilities along the proposed Phase Two line of the route***

The County have proposed the following response which it is recommended is endorsed:

“Staffordshire’s landscape is marked by a range of utility equipment both above and below ground. It would appear logical for Government to think about the inclusion of utility apparatus along the proposed Phase Two line of route to further reduce the impact of future utility equipment on our landscape. We expect Government and the Department for Transport to consult with the relevant utility companies so as to develop an understanding of their long-term aspirations and planning. This joined up approach would ensure an opportunity is not missed and potentially reduce any further impacts on Staffordshire’s landscape. However, in supporting the proposal in principle to introduce other utilities along the proposed Phase Two line of route, we feel there is insufficient information at this stage to understand the wider impacts of what the introduction of utilities along the proposed route would mean. If the introduction of utilities results in a wider footprint of the proposed railway, and ultimately greater permanent land take, then we would need to understand what the alternative option is, i.e. a new network of overhead power lines and associated pylons compared to a 2m wide underground service trench as part of HS2. With this in mind, we expect Government to provide further details of what utilities are expected to be incorporated along the proposed Phase Two line of route and consult on the options available”.

#### **REPORT AUTHOR**

Matthew Bowers x276

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

#### **APPENDICES**

Appendix A – Comments from Councillors



## Appendix A

### Comments made from Members on the principle of HS2 and the Phase 2 Consultation

#### Comment 1

*“My personal view on HS2 is that this is something that must be progressed as soon as ever possible. I would, though, add that every effort must be made to ensure that adequate compensation is paid to the owners of land and property needing to be acquired with regard to the route of HS2. I certainly do not wish to see any property/land owners losing money in order to support this project as, in effect, they would forcibly be donating vast sums of money for a project to which, as taxpayers, they had already made a contribution.”*

#### Comment 2

*“I have to say I have very strong views in this matter. HS2 for is an integral part of the way forward for the UK/Tamworth. I am constantly concerned by the manner in which this project is portrayed. Getting to London 10 minuets faster is neither her nor there. In my opinion HS 2 is about getting our business people into the largest trading area in the world (Europe) 10 minuets to London has no real benefit. Getting to Europe where ever does. If you take a aeroplane you will have to be there 1- 2 hours before. The infrastructure for HS2 is already there in the first stage with HS1 so why no use. The business community will travel in comfort doing the pre-work as they travel. The cost is not a factor in my opinion. In years to come HS2 will be seen as a benefit we should miss out on.”*

#### Comment 3

*See attached*

# HS2 - Birmingham To Leeds (Phase Two)

Tamworth Section

(Tamworth Council Councillor's Consultation Response.)

Attn: Cllr S Claymore, Rob Mitchell and Matt Bowers  
Attn. Danny Cook, John Faulkner,

Thank you for allowing this consultation response.

I have looked closely at the proposals - I have to say with increasing horror - particularly as they affect the Tamworth (Birmingham to Leeds) spur of HS2.

## 1. Endorsement of County Council Consultation Response.

As a result I find myself in complete agreement with stance taken by Staffordshire County Council. Therefore I endorse and enclose a copy of Staffordshire's response to the Government consultation to be taken as with and as part of this response.

## 2. Blight

But there are still a number of considerations that are more specific to Tamworth. A cursory look at the proposed route by Tamworth (B5000 to Overwoods Road) will show how close it runs to Tamworth's borders. Within yards of Stonydelph homes. Bearing in mind this project is not due for completion until 2030 (and probably later!). The effect on those living nearby will be catastrophic. They will be unable to sell their homes, even more so than in the current unhelpful economic circumstances. I am probably less concerned that new homes planning permissions will not now go ahead.

## 3. Maintaining Viable Road Networks.

But the prospect of many months of disruptions to the Tamworth roads networks may panic some small businesses into deserting Tamworth all together. Certainly there will be a time and financial cost to those travelling around and through Tamworth via the road network. **Therefore the Council needs to develop a response that ensure as far as possible the smoothest possibly flow of traffic east out of the town. It would be unthinkable that the A5, B5000 and (to a less extent) Overwoods Road should all face disruption at the same time.**



#### 4. Effect On Current Tamworth Rail Links.

HS2 does not provide a nearby station for Tamworth travellers into and out of the town. Therefore any rail travellers into or out of the town who wish to use HS2 will first have to travel to Birmingham and change trains there. There are time and cost considerations to this that have not been quantified by the KPMG / HS2 report.

If we are to take the KPMG report seriously then it will take 69% of current rail travel. This would mean - for Tamworth rail users - using Tamworth classic rail to travel to and from Birmingham. If the trip was to or from London then it makes no sense at all. Because under the current rail use Tamworth to London takes 68 minutes, less time than it takes London to Birmingham at present! In addition it would mean more people packed onto the trains to and from Birmingham. We already hear of complaints of people being squeezed onto those trains. This can only make the situation worse. In practice of course it will not happen like this. Which means that KPMG have guesstimated far too favourably the likely passenger uptake on their trains. Either that or the fact that the trains are high speed may encourage businesses to relocate closer to the HS2 station links - again a positive disadvantage to a town like Tamworth.

***Therefore Tamworth Council needs to plan to counter these possible disadvantages to the town.***

#### 5. "HS2's £68 Million Yearly Benefit To Tamworth"

I have heard this figure being used by proponents of HS2. Yet I have failed to find any reference in the HS2 literature to this being calculated. From what I have said so far it is clear that Tamworth is going to suffer disadvantages and considerable costs from the proposed HS2 development. How is this to balance the supposed benefits? Where are the figures? Maybe in the 877 pages "lost" so not available to the consultation. I can only imagine that somebody has devised some formula to share the already wildly optimistic West Midlands £2 billion benefits amongst the WM's population to work out Tamworth's "share". This of course would be complete nonsense. The KPMG report does not even mention Tamworth when it describes how benefits might pan out across the West Midlands.

***If the Council are to adopt a view on this project then the net cost/benefit appraisal must be determined in a more accurate way. My current view is that Tamworth will suffer net costs and for many years to come.***

#### 6. Evidence Base Missing

One of the biggest problems in trying to determine the accuracy of the KPMG determinations

is to uncover their evidence base. I have tried to do this and been thwarted by missing web links and no supporting facts for what increasingly looks like wild guess in favour of HS2.

We do know however that a model was used that suggested passenger costs fro HS2 would be the same as for the classic rail fares. This highly improbably assumption was also touted on HS1 and has been proven completely absurd. Fares are higher on HS1. They will be on HS2.

The KPMG report also seems to grossly over-estimate the passenger transport figures, and how much time business passenger will spend working on the train (none at all according the KPMG).

At present the projected cost of HS2 is around £50 billion (some of it contingency - but no doubt they will need more by the time they come to build it). £50 billion is a huge cost to the whole nation. At a time when people are seeking to travel less and avoid the costs of travel. It therefore does not appear possible that the input data into the HS2 economic model has been at all sound. In fact it seems to have been manipulated to produce false output. Usual computer "trash in - trash out" model.

## 6. Compensation.

It is my view (of course) that HS2 will be an unmitigated financial disaster for the nation (whilst being very helpful to a few major contractors).

But more importantly for Tamworth people it will also be a disaster for some of them with their properties very close to the proposed development. These people will need proper compensation.

***Tamworth Council should support the claims of local businesses and individuals to receive maximum compensation for their costs. Tamworth Council should also seek some compensation for itself to mitigate the work and costs involved in mitigating the effects of HS2 on the town.***

## 7. "Lost" Papers

The consultation has suffered throughout from a mass of text (55,000 pages) and the 877 "lost" papers. It has also taken place over the Christmas period .

***Under the circumstances it would not be unreasonable for Tamworth Council to ask for an extended consultation finish date.***



8. Council Consultation.

***It would be useful for Tamworth Council to allow its own consultation with local residents. Through whatever processes seem most suitable. That local residents may voice their concerns, opinions and suggestions regarding HS2 and what they feel their council might do about it.***

9. Ecological Damage

Just like the rest of HS2 it is inevitable that ecological damage will result. This will be balanced against benefits that are claimed for the scheme. We have to assume that HS2 will go ahead as proposed regardless of what I, and very many others, think about their use of computer model generated "benefits".

***However Tamworth Council should, possibly in partnership with North Warwickshire Borough Council, assess ecological damage that is likely to occur and ask for remedial measures to be undertaken. This would be in accordance with our own local plan and the NPPF. This could in part form some of the compensation paid to local councils to undertake some of the works that may need to be done.***

10. EU - Political Point.

It has been claimed that this HS2 will somehow open up markets in the EU and other parts of Europe. The lesson of history of course is that the last time we had a trade surplus with the EU was before we joined the "Common Market". Ever since it has been a downhill process of ever increasing negative trade balances - mitigated only by trade surpluses with the rest of the world (particularly the English speaking world. This was never surprising to those of us who voted against the "Common Market" at that time in 1975! There is no reason whatsoever to believe that HS2 would do anything but accelerate the process of negative trade balances. We produce (or did produce!) much the same products. It was always a bad idea to tie Britain down to a continental EU "customs union" (it was never about free trade!) - let alone the political union we are now stuck in.

Under the Trans European Networks (TENS) we find the origins of why the UK Government must build HS2 - that is why I expect it will be built - regardless of costs and "benefits" .

I don't expect the Council to take any view on this other than perhaps our successive Governments' (Labour and Tory) normal rabidly pro EU view.



## HS2 - Birmingham To Leeds (Phase Two)

Tamworth Section - Overwoods Road to B5000 (Birchmoor)

# High Speed Rail 2 (Phase Two) in Staffordshire



## Response to the Phase Two Route Consultation



**CONTENTS**

**INTRODUCTION..... 1**

**QUESTION ONE..... 2**

**QUESTION TWO ..... 15**

**QUESTION THREE ..... 17**

**QUESTION FOUR ..... 21**

**QUESTION FIVE..... 22**

**QUESTION SIX..... 23**

**QUESTION SEVEN ..... 24**

**QUESTION EIGHT..... 30**

**QUESTION NINE ..... 33**



## **INTRODUCTION**

Of the 95 miles for the Phase Two West Midlands to Manchester route, 33 miles are in Staffordshire, which will have a significant impact on our countryside and communities. There is also a short section of the West Midlands to Leeds route at the very southern tip of Tamworth.

In addition to effective mitigation, we believe removing blight and providing appropriate timely compensation to the communities affected by the proposals should be a primary focus of Government, Department for Transport and HS2 Ltd.

We are aware of the proposals being promoted by other local authorities which entail a change to the initial preferred route as published in January 2013. Any such change has the potential to bring with it further impacts on Staffordshire's environment and communities. We do not intend to respond to these proposals in this document but would expect full community consultation to take place should any of the proposals to radically alter the current published route be given further consideration by the Secretary of State for Transport. This response concentrates on the initial preferred route.

## QUESTION ONE

***Do you agree or disagree with the Government's proposed route between the West Midlands and Manchester? This includes the proposed route alignment, the location of tunnels, ventilation shafts, cuttings, viaducts and depots as well as how the high speed line will connect to the West Coast Main Line?***

Disagree.

Staffordshire is one of a number of counties that make up the central 'cross roads' of Britain, and is consequently very much aware of the significance of the transport network to the well-being of the economy and the people of Staffordshire. Part of this awareness includes the need for the transport networks, primarily road and rail, to work effectively and not suffer from unreliability and congestion. Consequently, efforts to maintain or improve the network in these respects are welcomed. Upgrades to the West Coast Main Line have and will continue to bring benefits in terms of service improvements to various stations/settlements across Staffordshire.

In responding to this question, we do not deny the need for sustainable improvements to the national transport network but, we are of the view that the current High Speed Rail network proposal, intrinsically (by virtue of the essential characteristics and requirements of High Speed Rail) fails to maximise the possible benefits of such improvements across the country. It presents a real risk of concentrating future economic development rather than dispersing it away from London and the south-east. This is exacerbated by the consultation documents referring to "two-thirds of the population of northern England will be within two hours of London". We are concerned that ultimately HS2 may result in higher benefits for London than any of the connected cities.

There is little doubt that the use of the railways by passengers and freight has been increasing over the recent past. Similarly, there can be little to counter the prospect of this increase continuing for some time to come both of its own accord and positively encouraged by the diversion of traffic from less sustainable road and air travel. Improvements in transport and communications over history have undoubtedly had economic benefits for the country, albeit with varying impacts on different regions/areas/places depending on the localities served or ignored/bypassed.

Both policy and technology are working to reduce the need to travel. Technology forms part of the need to travel with recent advances in e-technology including e-conferencing often removing the requirement to travel completely. Businesses are continually exploring options to reduce costs and improve efficiency, and advances in technology are assisting with this. As a consequence of these continuing technological developments, forward projection of travel demand should be approached with caution.

There is much debate around the basis for forecasting future travel demand, particularly over the long term which provides the context for the assessment of the High Speed Rail network. We are concerned that the High Speed Rail proposal and its justification are based on unjustified projections of travel requirements including substantial new demand expected to be generated by



the existence of the high speed service, with over optimistic expectations of modal shift.

The evidence for linking significant economic development with high speed train facilities is inconclusive. A particular set of circumstances would appear to be necessary for significant economic development to take place (well-established or strongly developing service sector with extensive local public transport networks) and most of this development would appear to be simply diverted from other localities rather than totally new. Work undertaken by Atkins for the County Council in 2011 confirmed the above, with a general conclusion that it is difficult to find well-defined empirical and quantified evidence on the impacts of HSR.

Consideration also needs to be given as to how HS2 will restrict future growth within areas that it will pass through, obviously a particular concern for Staffordshire given the length of the line that is expected to run through the county. It appears that the initial preferred route minimises the impact on the larger urban areas in Staffordshire. However, by doing so it should be recognised that by directing the line through rural areas, Staffordshire is potentially losing a significant amount of land that is used for farming and could be used for future employment and housing developments. The line is also likely to prove to be a significant barrier to the future expansion of settlements, employment sites and infrastructure projects, something which will not be fully considered within local plans as this problem may not be fully realised for many decades to come.

A mechanism therefore needs to be put in place to mitigate HS2 restricting future growth by acting as a barrier to the development of land for employment and housing, constraining the expansion of urban settlements and dissuading investment in infrastructure projects. Essentially, we believe that we should not be disadvantaged in promoting future growth within the county due to there being a need to cross the HS2 line. In the future, if a need arises to provide a road crossing over the line, HS2 Ltd should work proactively with the promoter of any scheme and in the interests of economic growth nationally relinquish any claim they may have for an uplift in the value of any land that is opened up for development as a result of the creation of the road link/access road.

Having highlighted the principal areas of concern in relation to the proposed route from West Midlands to Manchester, the following outlines areas of concern within each Parish the proposed route passes through. The following text presents initial mitigation that we expect HS2 Ltd to develop further so as to form the basis for further discussion as the detailed design progresses.

### **Kings Bromley**

The village of Kings Bromley will be impacted by both Phases One and Two of HS2, particularly during construction. Whilst having awareness of the differences in timescales between the two phases, we expect seamless construction between Phases One and Two so as to reduce the impact on the local community.

Some residents and businesses of Kings Bromley have been engaging with HS2 Ltd under the Phase One proposals for almost two years. Whilst the residents are opposed to the proposals, they have invested a huge amount of their own time and effort in trying to shape the project so as to reduce the



impact of the route in this Parish. We expect HS2 Ltd to learn from their engagement experience in Phase One and develop an inclusive engagement programme which provides timely feedback and information.

It should be noted that the proposed route appears to have moved closer to Woodend Common Barn when comparing against the drawings published on 28<sup>th</sup> January 2013. Further details are required so as to understand why the line of route has moved as this amendment is causing frustration and anxiety amongst the local community

The proposed route passes close to Listed Building clusters at Fradley Junction, Kings Bromley and Pipe Ridware. HS2 Ltd should carefully consider approaches to mitigating the constructional and operational impacts of the route on the local community along with these groups of nationally important buildings and structures.

North of proposed Phase Two junction, the proposed route dissects Fradley Wood, a Biodiversity Alert Site (BAS) which includes the habitat of principal importance Lowland Mixed Deciduous Woodland. Moving northward, the route passes through an agricultural landscape, running through several small copses and dissecting hedgerows.

The route passes close to Kings Bromley within the valley of the River Trent. The Historic Environment Record (HER) identifies considerable archaeological potential within this area, and the proposed route passes through an area of considerable crop mark activity particularly to the north and north-west of Riley Hill. Given the location of the route within the Trent valley at this point, there is the potential for significant prehistoric archaeological remains to be encountered.

We are concerned with the length and height of the proposed viaducts at Bourne Brook and River Trent. The height of these structures will have significant impacts on the local environment and communities. It is expected that detailed design will allow modifications to the current proposals in order to develop a solution which is more environmentally suitable.

Due to the proposed elevated position (between 6 and 8 metres) of the line between Fradley and Handsacre for a distance of around 6km, it generates concerns on the potential for significant noise impacts on the village of Kings Bromley along with smaller communities in Hill Ridware and Pipe Ridware. These impacts have the potential to be exacerbated at Pipe Ridware where the consultation documentation illustrates a maintenance loop. At this stage there is insufficient information to provide meaningful comments on the proposed location and associated infrastructure; as design progresses, detailed dialogue is expected so as to understand the proposals along with the potential impacts to the local community and environment. We expect details to be provided on the type and frequency of vehicles accessing the proposed loop 'site,' as well as the operating hours which would extend to the potential delivery of materials for maintenance of HS2.

### **Armitage with Handsacre**

Continuing on viaduct into the Parish of Armitage with Handsacre over the River Trent and floodplain, the height and length of the viaduct for HS2 will affect character and views within this landscape. This could reduce potential impacts on Trentside Meadows Site of Biological Importance (SBI), dissected by the



route which passes through the most botanically diverse part of the site. This SBI supports habitats of principal importance, is an exemplar of good agricultural management, supports very high quality grassland habitat of principal importance for biodiversity, has been in Environmental Stewardship for at least ten years, and is used for environmental education. The SBI supports several bird species of principal importance, including snipe and barn owl, which are likely to be adversely affected by the scheme.

We consider these features to add amenity and educational value to our countryside and its direct loss, or loss as a result of severance, has the potential to have an impact on the wider community, educational visits and those in the local area. It is expected that HS2 Ltd demonstrate that the special interest of this site has been fully considered and impacts fully mitigated.

### **Mavesyn Ridware**

North of the River Trent floodplain the route passes through several smaller copses, ponds and hedgerows and passes close to Pipe Wood Lane SBI, which covers an important hedgerow which should be protected if the proposed maintenance loop is incorporated into the proposals at this location.

Due to the proposed elevated position (between 2 and 8 metres) of the line, we are concerned on the potential for significant noise impacts on the communities in Hill Ridware and Pipe Ridware. These impacts have the potential to be exacerbated at Pipe Ridware where the consultation documentation illustrates a maintenance loop. At this stage there is insufficient information to provide meaningful comments on the proposed location and associated infrastructure; as design progresses detailed dialogue is expected so as to understand the proposals, along with the potential impacts to the local community and environment.

In order to reduce the impact of HS2 on the local isolated communities in this Parish, we believe the vertical crest shown on the current design (between CH9145.5 and CH10305.9) can be reviewed so as to achieve a lower alignment through this section. Should a lower alignment to current ground level be achievable, it could reduce the need for an embankment at CH9650. It should be noted that this realignment is linked into a lower vertical alignment at Stockwell Heath as explained in the next section.

### **Colton**

The proposed route crosses close to clusters of Listed Buildings at Colton and Blithfield Hall and close to the Blithfield and Admaston Conservation Area. HS2 Ltd should carefully consider approaches to mitigating the constructional and operational impacts of the route on these groups of nationally important buildings and structures.

HS2 Ltd should note that the proposed route crosses through a well preserved historic landscape, identified as having been created as squatter enclosure representing encroachment onto former heathland which was under way by the late 18th century. The character of the extant settlement pattern, and potentially the historic built environment, of Stockwell Heath also reflects its origins as encroachment on the heathland.

North of Colton the route dissects two Biodiversity Alert Sites supporting species-rich hedgerows – habitats of principal importance and likely to be of



high value for foraging bats. The local ecological network will be significantly affected in this location as a result of HS2.

Where the line passes close to Stockwell Heath on an 11.8 metre embankment, we have significant concerns regarding the noise and visual impacts on the communities in Stockwell Heath as well as Colton to the west. The affected area also retains historic field patterns and intimate secluded character, and Planning for Landscape Change<sup>1</sup>, prepared to support the Staffordshire and Stoke-on-Trent Joint Local Waste Plan (2010–2026), identifies this area as a high quality landscape.

The embankment (11.8m high) past Stockwell Heath and the associated loss of ancient hedgerows and trees would have a locally major impact on the local landscape. In addition to the resulting impacts of HS2 on the community of Stockwell Heath, the route will also dissect the popular Staffordshire Way which has the potential to impact on its amenity value to the local and wider community.

We also have concerns for the residents of Upper Moreton where HS2 proposes to pass over a small watercourse and floodplain on a 140m long viaduct at a height of 7 metres. In addition to the potential impacts on the local community, the height and length of the viaduct will permanently change the landscape, affecting the wider environment. It should be noted that the viaduct over Moreton Brook does not take the route over Lount Farm SBI and Natural England Grassland Inventory site which supports grassland habitats of principal importance and extreme rarity in the county. It is considered that a minor extension of the viaduct could potentially reduce impacts on these habitats.

As outlined in the section above, the current proposal will have a significant impact on the community and environment at Colton and Stockwell Heath. Subject to geology and ground water levels, we believe the height of the proposed embankment can be lowered as illustrated in Figure 1.1.

While this proposal creates a deep cutting (approximately 20m) at CH10100, an engineered solution would need to be explored so as to balance the lower alignment and land take. In lowering the route this could allow Newlands Lane and Moor Lane to pass over HS2 through realignments acceptable to the highway authority.

<sup>1</sup> Staffordshire and Stoke-on-Trent Joint Waste Local Plan (2010–2026) (Adopted March 2013)

<http://www.staffordshire.gov.uk/environment/eLand/planners-developers/landscape/NaturalEnvironmentLandscapeCharacterTypes.aspx>

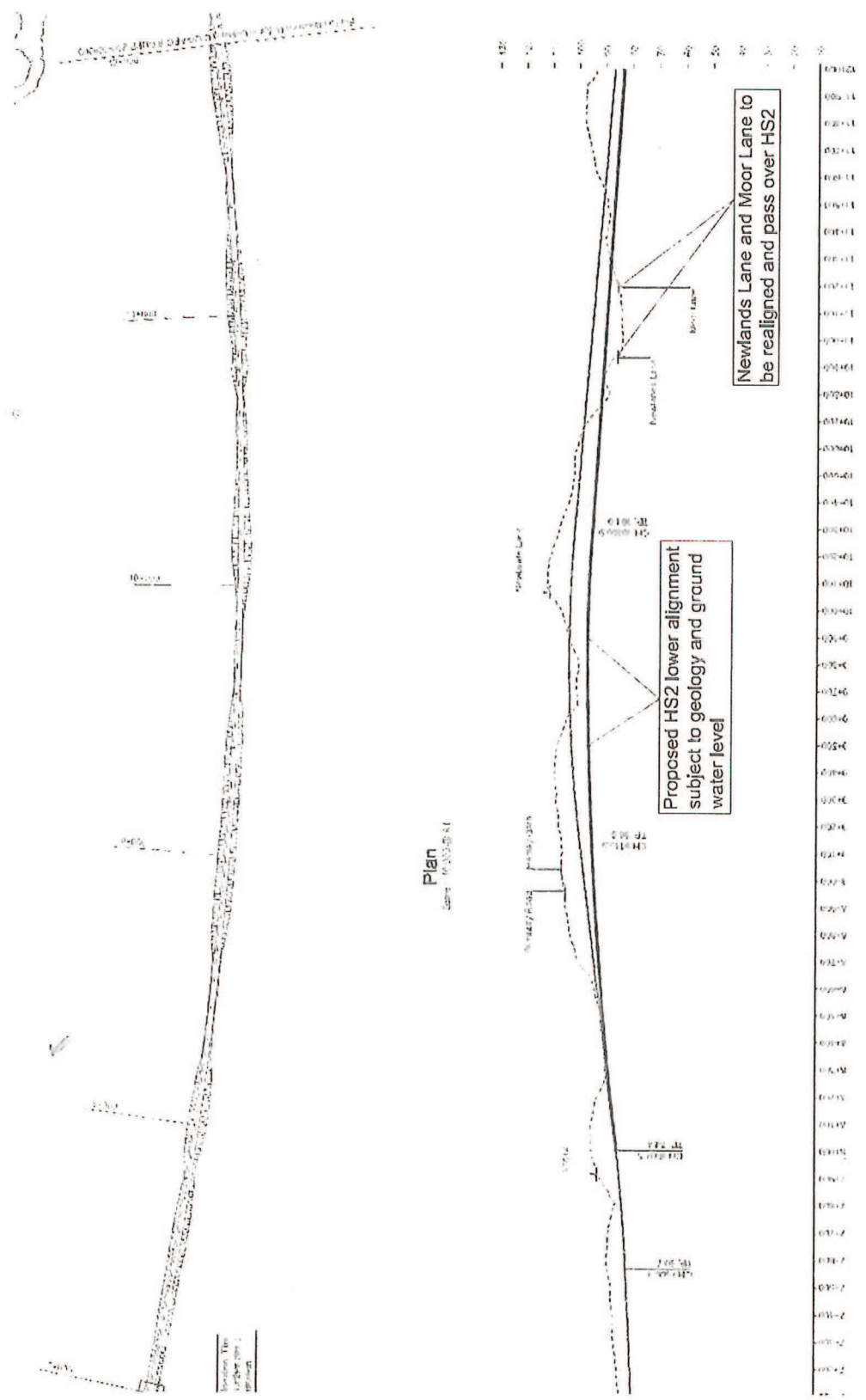


Figure 1.1: HS2 lower alignment at Stockwell Heath



## **Colwich**

The depth of cutting (at its maximum 19m below ground surface) increases the potential for the proposed works to encounter Palaeolithic remains within particularly gravel deposits. The proposed route also crosses the River Trent to the north of Shugborough estate where there is the potential for significant archaeological remains that relate to late prehistoric activity within this area of the river valley.

As the proposed route travels north towards the A51 Stone to Lichfield road, it changes from cutting to embankment followed by viaduct as it crosses both the River Trent and the Trent and Mersey canal. For a distance of some 4km the line is elevated at a height of between 9 and 13 metres. This elevation is a major concern as this is likely to have a significant impact on increased noise levels at Great Haywood and Ingestre. In addition to the potential noise impacts, there are very strong concerns regarding the potentially limited options available to provide effective mitigation to the local communities.

In passing close to Shugborough and Great Haywood, a Conservation Area and Grade I Registered parkland which contains a range of Listed Buildings, it is expected that HS2 Ltd will fully consider approaches to mitigating the constructional and operational impacts of the route on these groups of nationally important buildings and structures. It is expected that these approaches will be developed in consultation with the Local Planning Authority, English Heritage, the National Trust, the County Council and the Staffordshire Parks and Gardens Trust regarding potential impacts to this nationally significant heritage asset.

The proposed route passes through further small woodlands, hedgerows and ponds through this Parish. Passing to the north of Great Haywood, the proposed route affects a site at Great Haywood Marina which has been landscaped for biodiversity and amenity through the development planning process. This will impact on restoration wildflower grasslands, wetlands and water vole habitat. A minor extension of the proposed viaduct over the Trent floodplain could reduce impacts on this site. However, it is expected that through detailed design, the length and height of viaduct over the River Trent floodplain can be developed to provide the optimal environmental and social balance of the proposed route on the surrounding communities and Great Haywood Marina.

## **Tixall with Ingestre**

Moving west, the route passes close to a cluster of Listed Buildings at Ingestre, grouped around a Grade II\* Listed Hall. It is expected that HS2 Ltd will carefully consider approaches to mitigating the constructional and operational impacts of the proposed route on these groups of nationally important buildings and structures.

In moving west the line also passes through undesignated woodlands and Ingestre Park Golf Course whose habitat quality is unknown. The line then enters a landscape of small fields and hedgerows with many scattered ponds where great crested newt populations may be affected.

An area around Ingestre is identified in Planning for Landscape Change<sup>1</sup> as being of high quality and highest sensitivity. It is expected that HS2 Ltd in



developing their detailed design will assess the impacts on Ingestre Conservation Area which will inform the development of meaningful mitigation.

HS2 will have a significant impact on Ingestre both during construction and operation of the proposed route. The height of the embankment (12.9m) will have a permanent change on the landscape and will impact on the small communities of Little Ingestre as well as Ingestre. We are concerned about the potential noise impacts HS2 could have on the hamlet. Ingestre is a small hamlet and HS2 poses significant impacts on the tranquillity of the area as well as loss in amenity value as the route cuts through some of Ingestre Park Golf Club. We expect HS2 Ltd to support the club in remaining functional both during construction and operation of HS2 so that this important recreational and employment venue can continue to function upon completion of HS2.

HS2 cuts through Upper Hanyards farmhouse and associated buildings. In addition to dissecting high quality farmland, the loss of this farm will have an impact on our rural economy. We expect HS2 Ltd to support the affected farmer and develop an approach so that viable farmland remains upon completion of the proposed route. This means suitably sized viable areas of land complete with good soil structure and gradient for natural drainage.

### **Hopton and Coton**

The proposed route passes adjacent to the County Show Ground that will see the loss of land and associated infrastructure owned by the Show Ground. To reduce the impact of the route on the County Show Ground, we believe a 600m cut and cover tunnel as shown in Figure 1.2 will allow the venue to remain functional during operation of HS2.

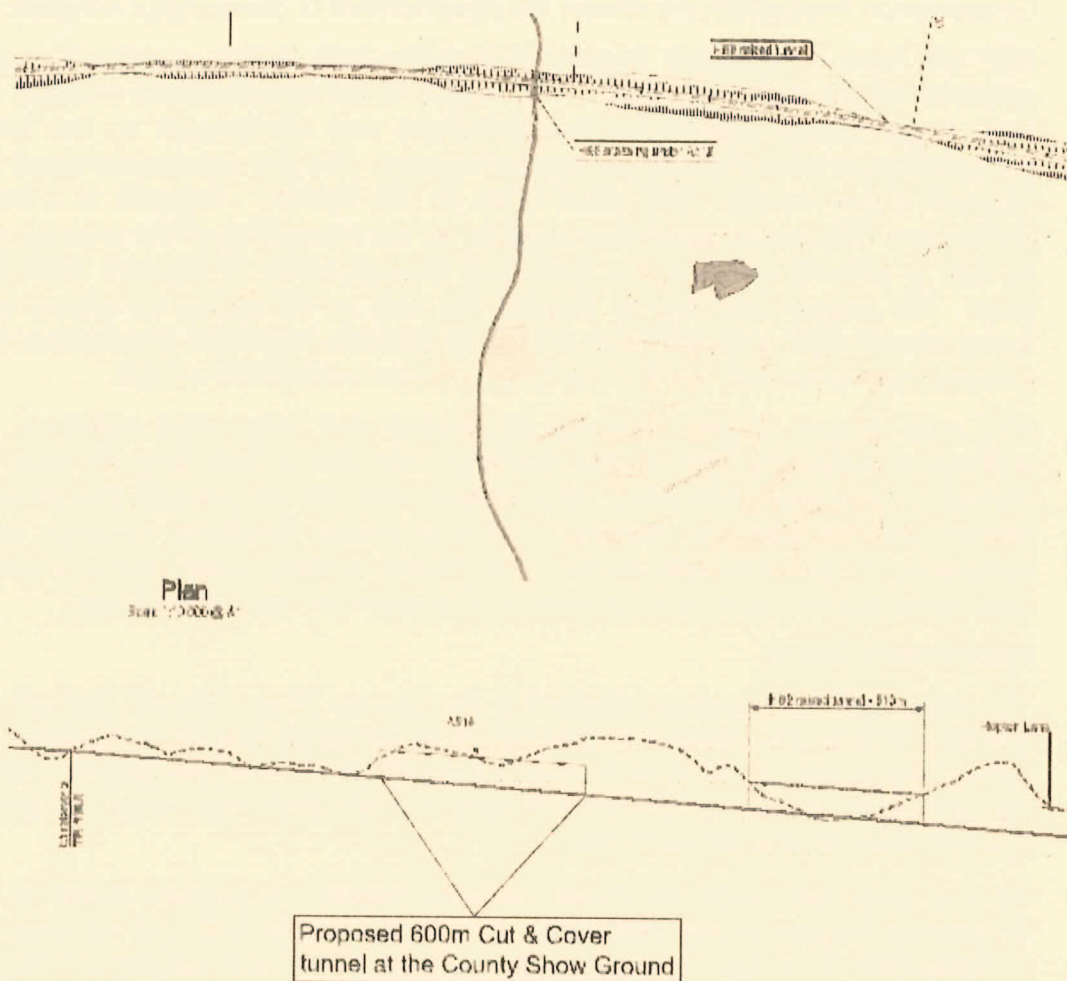
As the proposed route continues towards Hopton, it passes close to the Registered Hopton Heath Battlefield. It is expected that HS2 Ltd will give due consideration to mitigating impacts on this historic site and we expect that the relevant organisations will be consulted in due course. A number of ring ditches and barrows are also recorded in this area suggesting the presence of a Bronze Age burial landscape, and HS2 Ltd should fully consider the potential for further archaeological remains to be present in the area to the north east of Stafford.

At Hopton the proposed line passes through deep cutting and a 'green' tunnel. This combination could assist in screening the noise impact on some areas of the village, although there is significant concern that dwellings to the west in Mount Edge would be exposed to increased levels of noise. We expect HS2 Ltd to take into account the cumulative impacts of noise in the area so as to incorporate meaningful mitigation into the proposals.

We have concerns regarding the impacts, including severance, of the dispersed village of Hopton. We expect that the raised tunnel proposed to the south of Hopton will blend into the landscape sensitively.

It is understood that HS2 Ltd has already considered the impacts of the proposed route on the village of Hopton. However, we believe that the proposed cut and cover tunnel needs to be extended so as to further reduce the impacts of the railway on the village. We believe this tunnel should be extended by a further 400m beyond Hopton Lane. In extending the length of the tunnel we believe it will reduce the noise and visual impacts of the railway on the village and contribute to removing community severance.





**Figure 1.2: Proposed 600m Cut and Cover Tunnel**

### Marston

The proposed route will have a significant effect on the small rural community of Marston as well as affecting its landscape character and setting resulting in visual impacts. On the approach to Marston the line is on an 8 metre embankment for around 700m which is then followed by a shallow 4 metre cutting for around 900m. At this location the line is broadly parallel to Yarlet Lane and we are concerned that there are a number of dwellings which would experience a significant impact in increased levels of noise that will impact on their tranquillity.

We expect HS2 Ltd to consider lowering the route and remove the vertical curve from CH24725.4 to CH26720. By doing this, and subject to detailed design and consultation, we believe the proposal could reduce the proposed 8m embankment by 5m. Through detailed discussion with the highway authority and the local community, Marston Lane could be realigned to pass over HS2 as a result of lowering the proposed route.

The further loss of high quality farmland will have an impact on our rural economy in this area and HS2 in its current form has the potential to see the loss of two farms. The proposed route also cuts through the County Council's



farmland at Yarlet Bank that will affect the operation of the farms both during construction and operation of the proposed route.

We expect that HS2 Ltd will give full consideration to mitigating the constructional and operational impacts of the route on this small community and agricultural businesses through detailed dialogue.

### **Stone Rural**

The 13.7m high embankment at CH29600 has the potential to impact on local farming as a result of the permanent and temporary land take. HS2 in this Parish passes through two farmhouses and is within 500m of three other farmhouses over a distance of 3.4km. In doing so it also dissects high quality farmland and potentially associated farm infrastructure that will have an impact on our rural economy and employment. We expect HS2 Ltd to provide support to affected land/property owners and tenants to ensure those affected receive fair and timely compensation. We also expect that where land is required on a temporary basis that this land is to be returned to its current owner which is of quality that is suitable for farming. This means suitably sized viable areas of land complete with good soil structure and gradient for natural drainage.

In continuing north, the proposed route passes over the B5026 and West Coast Main Line. HS2 also dissects part of Poolhouse Wood SBI that will affect broadleaved semi-natural woodland while severing the two parts of the SBI.

In developing its design, we expect HS2 Ltd to incorporate the proposed embankments between CH32600 and CH33600 into the existing landscape and we do not expect to provide comments on linear planting along the line of the proposed route. We believe planting and environmental enhancement needs to be linked to existing wooded and hedgerow areas in order to promote ecological connectivity and landscape character.

### **Swynnerton**

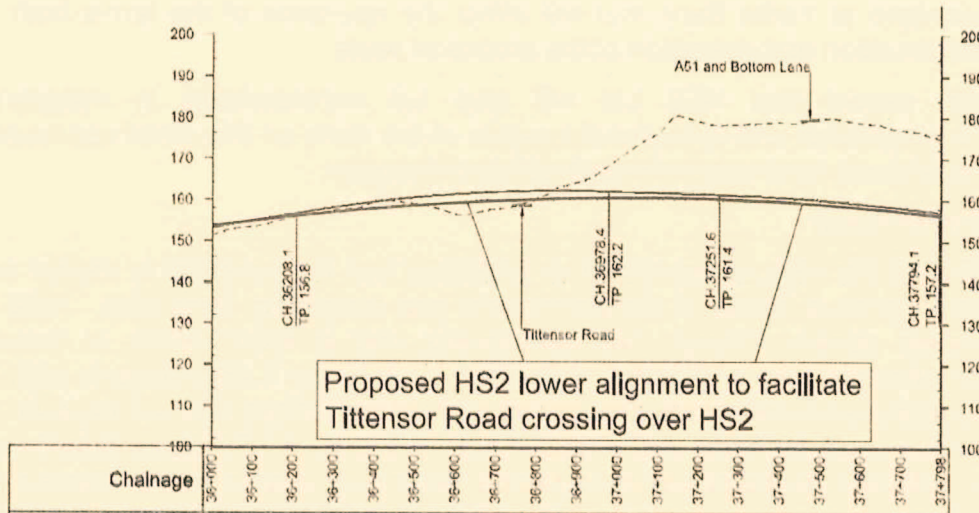
After crossing the M6 the proposed line passes through wet grassland and other habitats within Highlow Meadows SBI. It also passes through several ponds and hedgerows while severing a significant woodland network at Swynnerton which is already affected by the M6.

Due to the 14m high embankment to the east of Swynnerton, it could result in residents in properties on the edge of the village being affected by increased noise levels which is a concern to the local authorities and the local community.

The route passes close to a cluster of Listed Buildings at Swynnerton; we expect HS2 Ltd to develop mitigation so as to reduce the constructional and operational impacts of the route on these groups of nationally important buildings and structures.

As shown in Figure 1.3, we believe the proposed route could be lowered by approximately 5m. Together with a combination of vertical realignment of Tittensor Road to pass over HS2, we believe the route could be lowered. In lowering HS2 through this section, we believe this could reduce the visual and noise impacts of the proposed route from the Tittensor Road approach.





**Figure 1.3: Lower Route at Tittensor Road**

Before passing under the A51, where small woodlands will be lost, the route passes very close to Closepit Planation SBI which supports broadleaved woodland. We expect HS2 Ltd to avoid the impacts of the railway on Closepit Planation during construction works or any ancillary equipment that may be required to support HS2, e.g. access tracks.

As the line passes to the east of the A51 at Stableford generally in cutting with a short 8 metre high embankment over Dog Lane, we are concerned that there are a number of dwellings to the west of the line at Stableford and east of the A53 which could be affected by increased levels of noise which is a concern.

The proposed route continues to pass through a further woodland network, affecting part of Clifford's Wood SBI whose owner won the Elsie Ashley Trophy, awarded by the County Council for conservation work by farmers, for work to enhance the woodland. The line passes through further small woods before running close to Hatton Common SBI. There are a number of barn owl records in this location; we expect HS2 Ltd to develop meaningful mitigation of the impacts on this Schedule 1 species.

The route passes through areas of high sensitivity (identified in Planning for Landscape Change<sup>1</sup>) north of Swynnerton Heath Farm. The route passes through this area approximately at grade which will result in detrimental impacts to the landscape and local community. We expect HS2 Ltd to develop mitigation measures that will take into account the context of the local landscape character type (Sandstone Hill and Heath subtype Forest). There would be potential for increasing woodland cover and a landscape scale approach should be taken that helps to integrate the linearity of the route into the subtle undulations of the landform.

The proposed route through Swynnerton will have an impact on local farming and our rural economy. We expect HS2 Ltd to engage with local landowners at the earliest opportunity so that meaningful mitigation can be developed which allows affected farms to continue operating during construction and operation of HS2. Subject to each business need, we expect agricultural crossings to be provided and HS2 Ltd to provide support in redefining field boundaries. We also expect HS2 Ltd to reduce the width of the proposed cutting by developing engineered solutions so as to reduce the permanent land take.



In addition to the permanent and semi permanent loss of high-quality farmland, we are concerned that HS2 will impact on the open countryside that will impact on the tranquillity of the area. We expect this loss in tranquillity to be taken into full consideration when developing the design and Environmental Impact Assessment (EIA).

Where the proposed route passes under the junction with the A51 and Bottom Lane, we expect highway alignments that are acceptable to the highway authority but also achieve a balance of reduced additional land take. Through discussion with the Parish Council, land owners and the local community we expect an informed design to be incorporated at this location.

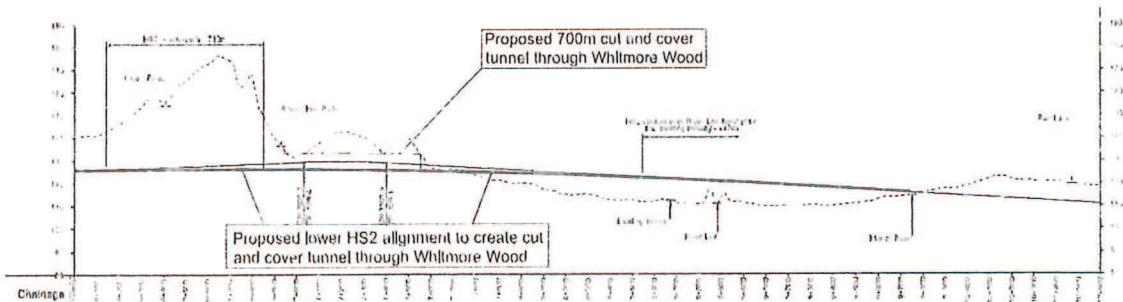
### Whitmore

It is expected that detailed floodplain modelling will take place which could permit a lowering of the proposed viaduct over Meece Brook floodplain.

The route passes under the A53 to the east of Baldwin's Gate in cutting before entering a tunnel under Whitmore Heath for 710m. At Whitmore we are concerned about the combined noise impact on the village from trains exiting the tunnel and also from the existing West Coast Main Line to the west.

In an area of high landscape quality it is acknowledged that the Whitmore tunnel could reduce landscape impacts of HS2 in this area. However, we seek to maximise the length of this tunnel and/or the creation of a cut and cover tunnel under Whitmore Wood ancient woodland as shown in Figure 1.5.

The proposed route passes under Whitmore Heath but then travels through Whitmore Wood Ancient Woodland SBI in cutting. We believe continuance of the tunnel would radically reduce habitat and severance effects for this irreplaceable habitat. Despite coniferous planting, the woodland retains ancient woodland species diversity.



**Figure 1.5: Lower alignment, cut and cover tunnel at Whitmore**

We believe removing the vertical curve at CH7035 and CH7401 could contribute to lowering the HS2 alignment and facilitate the installation of a 700m cut and cover tunnel, if possible, as an extension to the proposed bored tunnel. Through detailed discussion with the local community, Parish Council and local authorities, we expect a balanced mitigation proposal to be developed which reduces the impact of HS2 on the local community, environment and open countryside. This mitigation proposal could reduce the destruction of the ancient woodland currently proposed by the cutting; in proposing this mitigation option, it is recognised that it will have an impact on the ancient woodland during construction but long term there could be improved habitat connectivity as well as reducing the visual and noise impacts on the local community.



Beyond the tunnelled section and cutting to the north of Whitmore Heath, the line is on embankment followed by viaduct as it crosses both the West Coast Main Line and the disused Silverdale to Madeley railway line. With the line being elevated for a distance of around 1000m, there is concern that a significant number of dwellings to the west at Madeley Park could be adversely affected by noise.

### **Madeley**

After crossing the West Coast Main Line and River Lea on viaduct, the line impacts on species-rich woodland road verges within Manor Road Verges BAS.

The route crosses the A525 at Madeley in cutting before entering a tunnel for 720m. A short section of cutting is followed by a 14 metre high embankment for around 1500m as the route moves northwards into Cheshire. We are concerned about the noise impacts in this area on isolated dwellings to the west and on the village of Wrinehill to the east.

After crossing under the A525, the route runs very close to Barhill Wood Ancient Woodland. Though not designated, this is likely to qualify as a Site of Biological Importance and we expect HS2 Ltd to develop robust mitigation proposals so as to limit the impacts of the route on the local environment.

The route passes close to the east of the scheduled remains of Madeley Moated Manor House. HS2 Ltd should carefully consider approaches to mitigating the constructional and operational impacts of the route on this nationally important heritage asset and should consult with English Heritage at an early stage regarding ways to mitigate construction and particularly operational impacts.

The proposed route also passes close to a cluster of Listed Buildings at Madeley. The proposed tunnel at Madeley will substantially reduce impacts on the historic character of Listed Buildings within the settlement, although HS2 should still consider approaches to mitigating the constructional and operational impacts of the route on these groups of nationally important buildings and structures at the southern end of the tunnel.

We expect HS2 Ltd to develop mitigation which complements the existing landscape and does not create linear screening along the route. Noise and visual mitigation needs to have the right balance so as to reduce the impact of the route on local farming.



## QUESTION TWO

***Do you agree or disagree with the Government's proposals for:***

***a. A Manchester station at Manchester Piccadilly?***

Notwithstanding our response to question one, we agree with the logic of the Government's proposals for a station at Manchester Piccadilly, subject to the details contained in response to question three being incorporated into the scheme.

If, as suggested, high speed rail is about linking cities together and bridging the north south divide, then a station at Manchester Piccadilly is potentially a key part of the proposed new network. Notwithstanding our objection in principle against HS2, it appears logical to site a station at Manchester Piccadilly as this provides greater connectivity to the wider north west and makes use of existing intermodal public transport networks.

From a Staffordshire perspective, residents and businesses of Staffordshire are unlikely to travel north to make use of the proposed station at Manchester Piccadilly and in fact would predominately use the 'classic' network to access Manchester Piccadilly and the north west. With this in mind, we believe the classic compatible connectivity package, as outlined in response to question three, should be incorporated in the proposals in order to provide Staffordshire's residents and businesses with frequent reliable services to Manchester and beyond.

***b. An additional station near Manchester Airport?***

Notwithstanding our response to question one, and as above, we agree to the Government's proposals for a station at Manchester Airport, providing the information contained in response to question three is incorporated into the scheme.

If the decision to proceed with HS2 is made, then it would appear logical to link up the UK's major airports into the proposed high speed network. Staffordshire supports the development of regional airports.

From Staffordshire, the rail connectivity to Manchester Airport is currently very poor. At best the rail journey from Stafford to Manchester Airport would take approximately 1hr 30mins – which requires a change at Manchester Piccadilly or Crewe. If the proposals as outlined in our response to question three are incorporated into the scheme, we believe a classic compatible service serving Birmingham Interchange and Manchester Airport provide some of Staffordshire's residents and businesses with improved access to Manchester Airport.

It is considered a reasonable assumption that those arriving at Manchester Airport will be either living or visiting north Staffordshire conurbation and the north west and would have deliberately chosen to fly to that airport for proximity of their final destination. It seems unlikely that significant numbers of inbound passengers would fly into Manchester Airport then make use of the high speed network to travel to Birmingham or London. Having considered the costs and travel time, it is highly likely that passengers would fly direct to the areas closest to their final destination – and vice versa.



It is expected that, as a result of released capacity and the introduction of classic compatible rail services, access to Manchester Airport and beyond from Staffordshire can be improved. This would support Staffordshire's ability to attract inward investment, create employment and economic prosperity. Improved rail access from Staffordshire to Manchester Airport also links into their future aspiration of increasing its rail modal share of arrival and departure journeys<sup>2</sup>, i.e. a greater number of passengers using rail services to access the airport.

<sup>2</sup> Manchester Airport, Ground Transport Plan: Part of the Manchester Airport Master Plan to 2030.

[http://www.manchesterairport.co.uk/manweb.nsf/AttachmentsByTitle/TransportStrategy/\\$FILE/Grndtrans-screen.pdf](http://www.manchesterairport.co.uk/manweb.nsf/AttachmentsByTitle/TransportStrategy/$FILE/Grndtrans-screen.pdf)

### QUESTION THREE

***Do you think there should be any additional stations on the western leg between the West Midlands and Manchester?***

In considering the consultation information, and having an awareness of the aspirations of other organisations in Staffordshire, we believe that there should be no additional stations on the western leg between the West Midlands and Manchester. On reviewing the proposed route, we believe there appears to be no clear location that could lend itself to a site suitable for an intermediate station. Whilst no detailed analysis has been carried out, this is based on the location of the proposed route in relation to existing road and intermodal transport networks as well as the proximity of Stafford and Crewe being served by a 'classic compatible' service. However, if HS2 is to be imposed on us we do ask for the following:

- A package of intermodal connectivity measures to provide Staffordshire's residents and businesses with improved access to the proposed high speed rail network
- Modifications to the proposed infrastructure at Crewe to maximise connectivity between classic compatible and high speed services
- Greater use of classic compatible rail services that can serve Staffordshire stations on the West Coast Main Line to provide improved rail connectivity to both the north and south

The rationale behind the above 'asks' are outlined in the following text.

#### **Modifications to the proposed infrastructure at Crewe**

As shown in Figure 3.1, we believe that through making use of the proposed junction at Handsacre under the Phase One proposals, both Stafford and Stoke-on-Trent could make use of the existing and proposed infrastructure to provide improved rail services than those currently available. Through modifications to the proposed HS2 infrastructure at Crewe, there is potential for classic compatible trains to use the proposed HS2 route north of Crewe to serve Manchester Airport and Manchester Piccadilly as illustrated in Table 3.2, without further impacting on Staffordshire. Modifications to the proposed infrastructure at Crewe also provide the potential for other stations on the West Coast Main Line (such as Lichfield Trent Valley and Tamworth) to access the proposed high speed rail network north of Crewe. We believe modifications to the proposed infrastructure at Crewe could provide improved integration of the HS2 network and the existing classic rail network should the scheme go ahead.

In order for north Staffordshire to compete on a national level, it is important that the current rail services from Stoke-on-Trent to London do not diminish from 29 to 19 as suggested in the current documentation. HS2 is already having a significant impact on Staffordshire and we need to ensure our existing good connectivity to London is maintained should the scheme go ahead.



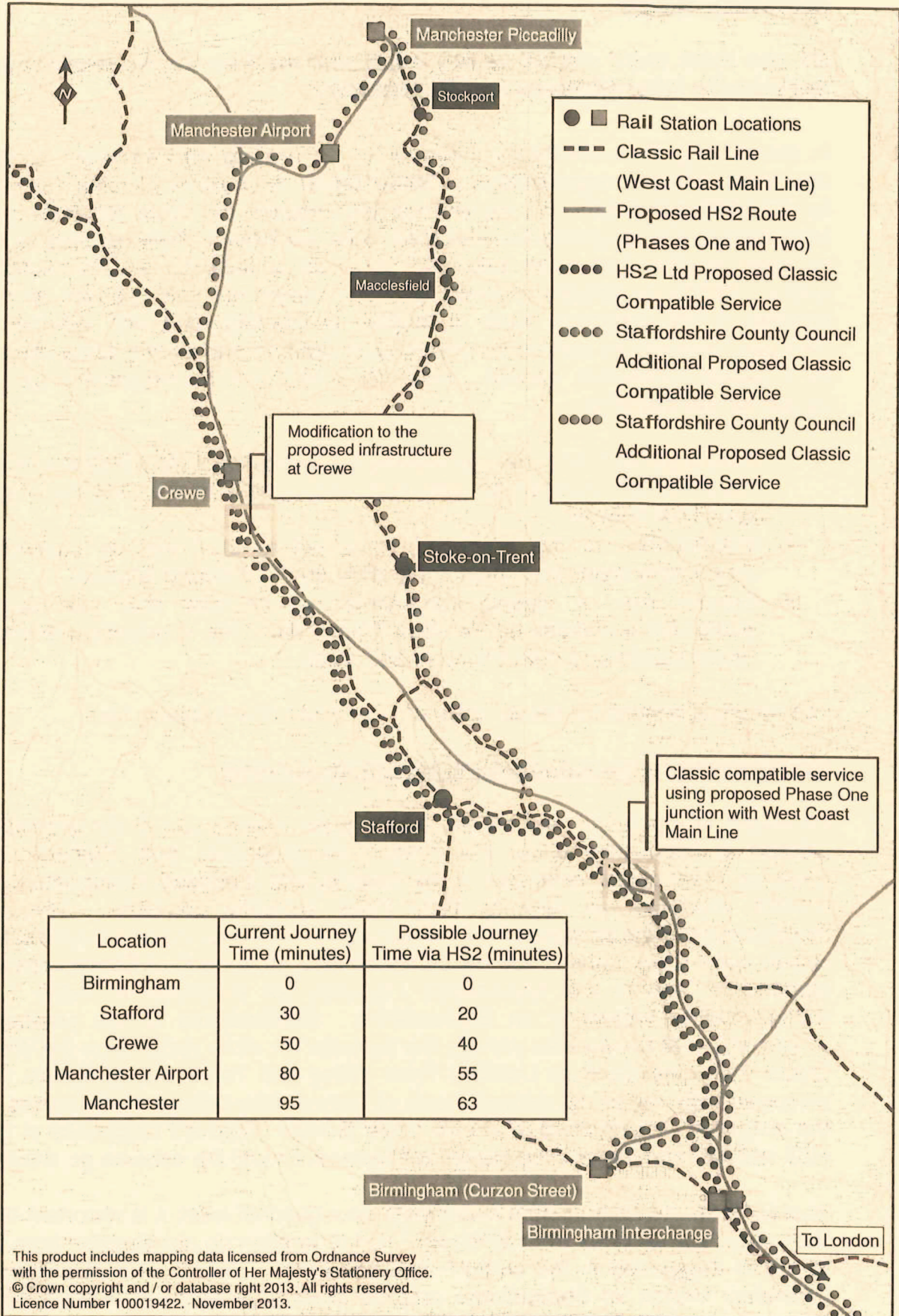


Figure 3.1: Proposed classic compatible rail services utilising existing rail infrastructure and the proposed HS2 route



Table 3.3 illustrates a possible service pattern that provides Staffordshire's residents and businesses with the best possible opportunity to gain access to the proposed high speed passenger network. It should be noted that both Tables 3.2 and 3.3 suggest possible service patterns and are subject to further detailed analysis to determine frequency in addition to other service patterns and freight movements as a result of any released capacity.

In addition to modifications to the proposed infrastructure at Crewe, we believe there should be a package of intermodal connectivity schemes incorporated into the proposals. A package of intermodal connectivity measures that would be of interest to Staffordshire could include:

- Road improvements to provide improved access to Crewe
- Rail and bus service enhancements from Stoke-on-Trent and Newcastle-under-Lyme to Crewe
- Appropriate scheduling of high speed/classic compatible rail services to minimise interchange time at Crewe and other rail stations

If modifications to the proposed infrastructure at Crewe are considered along with a package of intermodal connectivity schemes, we believe it could provide some of Staffordshire's residents and businesses with a choice of rail services along with the local authority's ability to attract further inward investment.

<b>HS2 Ltd proposed service to Liverpool Lime Street</b>					
<b>Service Type</b>	<b>Serving the following suggested stations</b>				
Classic compatible service - London to Liverpool Lime Street	London Euston	Birmingham Interchange	Stafford	Runcorn	Liverpool Lime Street

**Table 3.1: HS2 proposed classic compatible service through Stafford utilising existing and proposed HS2 infrastructure**

<b>Modifications to the proposed junction south of Crewe</b>						
<b>Service Type</b>	<b>Serving the following suggested stations</b>					
Classic compatible service - Airport Express	Birmingham Interchange	Birmingham Curzon Street	Stafford	Crewe	Manchester Airport	Manchester Piccadilly

**Table 3.2: Suggested classic compatible service through modifications to the proposed junction at Crewe**

<b>Stoke on Trent service utilising proposed junction at Handsacre</b>						
<b>Service Type</b>	<b>Serving the following suggested stations</b>					
Classic compatible service - London to Manchester	London Euston	Birmingham Interchange	Stoke-on-Trent	Macclesfield	Stockport	Manchester Piccadilly

**Table 3.3: Suggested classic compatible service through Stoke-on-Trent services utilising existing and proposed HS2 infrastructure**



### **Greater use of classic compatible rail services**

We believe that Staffordshire's prosperity is better served through maintaining and maximising our existing regular and reliable rail services currently operating on the West Coast Main Line. While recognising that Government sees HS2 as a project of national importance, and notwithstanding our objection in principle to the proposals, we believe that should HS2 become operational Staffordshire should seek to maximise opportunities for classic compatible services using a combination of the existing West Coast Main Line and the proposed HS2 infrastructure. We believe the network of classic compatible services serving Staffordshire could operate as outlined in Tables 3.2 and 3.3 in addition to the proposed Liverpool Lime Street classic compatible service as outlined in Table 3.1.

With one of the principal objectives of HS2 providing increased capacity on the classic rail network, we believe that Staffordshire's intermodal connectivity to the rest of the UK should be improved. Drawing on the types of rail service currently operating on High Speed 1 (HS1), we believe that there is the potential for a network of classic compatible services that could operate from stations such as Stafford and Stoke-on-Trent; while rail stations in Lichfield and Tamworth could utilise released capacity for improved rail services to both Manchester and London.

#### QUESTION FOUR

***Do you agree with the Government's proposed route between West Midlands and Leeds? This includes the proposed alignment, the location of tunnels, ventilation shafts, cuttings, viaducts and depots as well as how the high speed line will connect to the East Coast Main Line?***

Disagree for the same reasons as outlined in response to question one.

Whilst recognising and welcoming that the proposed route is actually only in Staffordshire for a very short distance and therefore has a limited impact on Staffordshire's communities and environment, it does run alongside the county boundary and has potential impacts on the local landscape, a loss in amenity and more significantly the local economy.

We are concerned that the major changes to the M42/A5 junction will have an economic impact on Centurion Park during construction. The extensive highway remodelling works to accommodate the proposed route will have a negative impact on the efficiency of the network, resulting in delays. Such delay is expected to last for some time during construction. The economic impact locally appears to be exacerbated through the loss of the service area and other employment venues. Environmentally, the realignment may also affect the Kettle Brook Biodiversity Alert Site (BAS) and Local Nature Reserve, declared by Tamworth Borough Council. This is not acknowledged in the Sustainability Statement.



## QUESTION FIVE

***Do you agree or disagree with the Government's proposals for:***

***c. A Leeds station at Leeds New Lane?***

Notwithstanding our response to question one, we agree to the Government's proposals for a station at Leeds New Lane. If, as suggested, high speed rail is about linking cities together and bridging the north south divide, then a station in Leeds is a key part of the proposed network.

Drawing on our response to question three, a proposed station at Leeds New Lane has the potential to provide Staffordshire's residents and businesses with improved access to Leeds by making use of the proposed Birmingham Interchange Station. However, it is expected that the timetabling of future high speed rail services will reduce interchange waiting times.

***d. A South Yorkshire station to be located at Sheffield Meadowhall?***

Notwithstanding our response to question one, we agree to the Government's proposals for a station at Sheffield Meadowhall. If, as suggested, high speed rail is about linking cities together and bridging the north south divide, then a station in Sheffield Meadowhall is a key part of the proposed network.

Drawing on our response to question three, a proposed station at Sheffield Meadowhall has the potential to provide Staffordshire's residents and businesses with improved rail access to Sheffield by making use of the proposed Birmingham Interchange Station. However, it is expected that the timetabling of future high speed rail services will reduce interchange waiting times. We also expect clear and well planned inter-modal connectivity packages to be developed to allow a continuation of journeys into Sheffield and beyond.

***e. An East Midlands station to be located at Toton?***

Notwithstanding our response to question one, we agree to the Government's proposals for a station at Toton subject to the content of question three being incorporated into the scheme. Providing a network of classic compatible rail services provides Staffordshire's residents and businesses with the ability to access Derby and Nottingham with improved rail services. As outlined above, to access the eastern leg of HS2, Staffordshire's residents and businesses will have to change trains at Birmingham Interchange. It is expected that the timetabling of future high speed rail services will reduce interchange waiting times.

In addition to the proposed classic compatible services as outlined in question three, HS2 Ltd should explore opportunities for improved intermodal services, particularly from east Staffordshire to Derby, Toton and Nottingham. Together with the opportunity for improved intermodal connectivity to the aforementioned cities, we would support the need for improved infrastructure to connect to the proposed HS2 station, particularly the development of the A50 given the potential increased demand on this road from the HS2 development and other known potential developments along this corridor.



## QUESTION SIX

### ***Do you think that there should be any additional stations on the eastern leg between the West Midlands and Leeds?***

If the decision to proceed with HS2 is made, then it would appear logical to link up the UK's major airports into the proposed high speed rail network. Staffordshire supports the development of regional airports as a method of attracting inward investment. We believe where there is potential for connecting HS2 to regional airports, it could present advantages in terms of increased air capacity and rebalancing national infrastructure investment across the region.

Despite our objection in principle to HS2, we believe an additional station in the vicinity of East Midlands Airport could be incorporated in the scheme. Through the development of classic compatible rail services, and change at Birmingham Interchange, a station in the vicinity of East Midlands Airport has the potential to provide improved rail access for Staffordshire's residents and businesses to this airport. It is expected that the timetabling of future high speed rail services will reduce waiting times at Birmingham Interchange to provide a viable alternative to the transport network currently available.

As illustrated in Figure 8.1, we believe there is potential to improve classic rail services along the north Staffordshire line between Crewe and Derby. Together with upgrades to existing infrastructure, intermodal connectivity improvements with effective timetabling to reduce interchange times are also required from Derby to East Midlands Airport and the suggested additional HS2 station.

Together with the above, an additional interchange station in the vicinity of East Midlands Airport could provide an opportunity for Staffordshire's residents and businesses with access to the proposed high speed passenger network.

If the Secretary of State is minded to incorporate an additional station in the vicinity of East Midlands Airport, we would expect HS2 Ltd and the Department for Transport to develop associated infrastructure to provide intermodal access to the station which could comprise:

- Improved bus services from east Staffordshire
- Road access improvements particularly along the A50
- Intermodal connectivity improvements from Derby to Toton and the suggested station at East Midlands Airport
- Improvements to the classic rail network (which includes effective timetabling) to enable rail journeys from Staffordshire to Long Eaton and East Midlands Parkway with improved connections from those stations to East Midlands Airport.



## QUESTION SEVEN

***Please let us know your comments on the Appraisal of Sustainability (as reported in the Sustainability Statement) of the Government's proposed Phase Two Route, including the alternatives to the proposed route as described.***

### **Employment and Housing**

HS2 will dissect many farms which has the potential to impact on our rural economy and these will need to be carefully mitigated. We believe there should be opportunities to capture the indirect economic benefits of HS2 during construction. The creation of links to Staffordshire's supply chain and workforce needs to result in the training and development of the local workforce.

There is also potential for wider economic benefits to be obtained in linking the operation and maintenance of a high speed line through the county. We expect detailed dialogue with the Department for Transport and HS2 Ltd so as to further understand how Staffordshire could benefit from wider economic benefits.

### **Property and Community Integrity**

HS2 has the potential to displace home-owners and tenants, and could see the loss of some community assets – particularly the loss of open countryside. HS2 dissects farmland and associated infrastructure that will have an impact on our rural economy. It is expected that this loss and impact will be detailed within the formal Environmental Statement (ES).

The impacts of HS2 on property and affected communities are likely to be significant, not just during operation but also through many years of construction. It is expected that the formal ES will detail these impacts and the ways in which it will be avoided or reduced.

Whilst the introduction of the Exceptional Hardship Scheme is welcomed, this appears to be doing very little for property owners who are blighted by the Phase Two route since its announcement. Experience of Phase One has shown the stress and strain imposed on individuals and small communities who are impacted by the proposals, and we expect the formal compensation scheme to become operational at the earliest opportunity.

### **Access**

The impact on Staffordshire's road network is likely to be felt most during construction, with delays caused by constructing road diversions and increased construction traffic on local roads. We expect HS2 Ltd, in developing its assessment of the impacts, to be in detailed dialogue with the local authorities so that these impacts are reduced and eliminated where possible.

To provide economic prosperity and create employment, it is important that Staffordshire's residents and businesses can utilise the highway network with little delay as a result of increased HS2 related traffic during construction.

Detailed discussion with the local authority in relation to public rights of way is welcomed but it is requested that HS2 Ltd discuss impacts on public rights of way with the local access forum. Experience to date indicates that HS2 Ltd is primarily concerned with perceived important routes rather than local ones. We



do not consider this an acceptable approach or methodology and request that all public rights of way are included in the desktop and field surveys.

### **Noise and Vibration**

We expect HS2 to fully engage with the affected local authorities on all noise and vibration issues and to provide appropriate technical information as the route design is developed.

HS2's approach to Phase Two appraisal is to follow on from the methodology developed for Phase One. The County Council and Lichfield District Council have the benefit of working as part of the Planning Forum Acoustics sub-group for Phase One and have had the opportunity to examine the noise methodology and associated matters such as the Code of Construction Practice. The outcome of the liaison process is an action tracker of issues raised and a register of candidate issues where local authorities have fundamental concerns about the noise appraisal methodology. We are concerned that the issues raised and logged with HS2 Ltd still remain outstanding and we seek assurances that these will be fully addressed and resolved before the noise appraisal work commences for Phase Two.

We seek to ensure that HS2 Ltd develops the highest level of mitigation to reduce the impact where increases in noise are identified in the appraisal process. It is vitally important that the whole community is included in the process and that all dwellings subjected to noise impact will benefit from mitigation measures and not just at locations where there are clusters of properties.

We also seek assurances that detailed baseline noise surveys are carried out and that the general level of 45 dB LAeq, 18 hr as given in the Sustainability Statement is not used in the appraisal process.

### **Air Quality**

We are extremely concerned with the increased levels of emissions and pollutants associated with construction activities, equipment and road traffic. Construction activities will generate dust and emissions from construction traffic which could have an impact on human and sensitive receptors as well as ecological receptors.

Whilst mechanisms to control these potential impacts would be set out in and rigorously applied through the Code of Construction Practice (CoCP), we expect the CoCP to have suitable control measures in place so as to monitor and review the effectiveness of those measures.

### **Health, Well-being and Equality**

There appears to be little detail provided on the negative health impacts along the Phase Two route in Staffordshire. It is expected that details of potential negative impacts relating to displacement of employment, noise and demolition of housing and loss of community amenity will be included in a future health impact assessment. It is expected that this will include the effects caused during construction.



The loss of community facilities can have an impact not only on those most deprived but on those that are house-bound, less mobile or older, particularly in rural areas.

There needs to be recognition of the emotional attachment that can be attached to a home, particularly if an individual has lived there a long time or it is near family and friends. The impact from severance from that home and the community should not be under-estimated. Moving away or being forced to leave your home can also lead to depression, not just stress and anxiety as stated, affecting the mental health of those being displaced. This negative impact on mental health will lead to increased health and social care costs. Any replacement housing should be of the same standard and offer the same or higher standard of living for those moving.

### **Landscape and Visual**

The Sustainability Statement refers to Natural England National Character Area Profiles and correctly identifies that these are being updated. Many of these are now available and it would be expected that these will be used to inform assessment and mitigation. Planning for Landscape Change – Supplementary Planning Guidance to the Staffordshire and Stoke-on-Trent Structure Plan, 1996-2011 is also under review. The Landscape and Visual Impact Assessment will be expected to refer to Planning for Landscape Change or its successor document when describing landscape character and incorporate current/emerging guidance.

### **Cultural Heritage**

One of the principal concerns within the HS2 Phase Two Appraisal of Sustainability lies within the Landscape, Townscape and Visual (LTV) technical report. The Built Heritage Technical Report correctly considers the broad aspect of the built heritage while the Archaeology technical report identifies Scheduled Monuments and Registered Battlefields clearly stating that undesignated below ground remains will not be considered at this stage. Throughout the Archaeology report and the Landscape, Townscape and Visual report there is no clear indication where the assessment of historic landscape character lies.

It is therefore advised that the historic landscape character (HLC) should be considered under both the Cultural Heritage report and the Landscape, Townscape and Visual technical report. The HLC project has identified the historic components of the landscape which informs an understanding of the processes that have affected the way the landscape looks today. Consequently, the HLC provides a context to the historic and archaeological data contained with the Historic Environment Record (HER), through an understanding of the process of landscape change. As part of the landscape assessment, the HLC provides, at the very least baseline evidence, for an understanding of historic development as well as the recognition of continuity and survival of extant historic fabric and how this contributes to current landscape character.

It is concerning that the LTV report identifies Swynnerton Park (HSM03: Marston to Swynnerton) as one area of woodland which borders the parkland but makes little mention of the parkland character itself. In a similar vein, the study does not consider the Grade I Registered landscape park at Shugborough which lies less than 1km to the south of the proposed route. This is a nationally



important landscape complete with a Grade I mansion house and a range of eighteenth century garden monuments and as such must be considered in such a preliminary landscape study. Again, the Built Heritage report does consider the Registered Park but there must be crossover between these disciplines.

### **Biodiversity and wildlife**

The Sustainability Summary lacks consideration of sites designated for county importance which are identified as being of fundamental importance for biodiversity conservation by the Natural Environment White Paper. There is no reference in the Statement to information obtained from local records centres, including Staffordshire Ecological Record that includes that information.

The loss of ancient semi natural woodlands should be avoided as removal of this precious asset cannot be mitigated against as the soils and species composition and maturity cannot be replaced. However, in developing mitigation proposals we would expect HS2 Ltd to incorporate the optimal balance of social and environmental cost.

The loss of ancient or veteran trees, which are acknowledged in the National Planning Policy Framework (NPPF) as being of “exceptional value for wildlife, in the landscape, or culturally” has not been included for assessment. Presence of these valuable trees needs to be recorded as part of the survey data collection.

It is expected, that as a major development, HS2 Ltd will carry out a Tree Survey which records the trees affected by development, in order to offer suitable mitigation planting options, or consider the potential off site mitigation planting that will be required.

We understand that HS2 Ltd is in dialogue with the Community Forest groups to see if suitable sites can be found for mitigation planting. Further information on this and the potential community benefits should be collated.

### **Water Resources and Flood Risk**

The introduction states that this report places emphasis on the key impacts only. Whilst this may be necessary at the early stages, there is no mention of surface water flooding or its mitigation throughout Appendix E5, not even in any ‘Exclusions and Assumptions’ paragraphs.

The Environment Agency estimated that two thirds of the flooding in summer 2007 was due to surface water flooding – more recent events since, in particular the flooding in 2012, followed a similar pattern.

In order to ensure that surface water is managed effectively, that existing surface water flooding issues are not exacerbated and that new surface water flooding issues are not created, the Council expects above surface sustainable drainage to be utilised. If sustainable drainage systems are to be utilised, we expect an acceptable maintenance regime and funding (to the operator of HS2) to be secured to ensure its long-term effectiveness.

We expect that HS2 Ltd will engage with Staffordshire County Council as Lead Local Flood Authority (LLFA) in the same way as it engages with the Environment Agency, and non-main rivers will be afforded the same consideration, both in terms of flooding and ecology, as main rivers.



As part of the detailed Flood Risk Assessment (FRA), it is expected that all sources of flood risk are included and considered rather than just the fluvial risks. Where local communities or authorities have highlighted known flooding issues along the route, or where the route crosses a watercourse (including ordinary watercourses), these should also be considered in the FRA, detailing whether there are any existing issues on the watercourse, and how the construction will affect this.

It is the Council's expectation, that as part of the detailed design stage, full hydrological and hydraulic models are created and shared, not only to include fluvial flooding, but also considering surface water, ground water, potential reservoir inundation and possible flooding from canals being breached.

It is essential that all bridges and other structures associated with HS2 Phase Two (including temporary works) crossing watercourses are subject to Flood Defence Consent from the Environment Agency (where crossing a main river) and Staffordshire County Council (where crossing an ordinary watercourse), so that the risk of exacerbating fluvial flooding is avoided.

The screening of viaduct crossings has been undertaken with reference to Flood Zone 2. Flood Zones only show flood risk in catchments greater than 3km<sup>2</sup>. Surface water flooding and fluvial flooding can also occur on catchments smaller than 3km<sup>2</sup>.

It is expected that in the next iteration, crossings are considered with reference to the 1 in 200 year shallow Flood Map for Surface Water layer, as well as Flood Zone 2.

### **Land Use Resources**

HS2 Phase Two will see the loss of high quality agricultural land that will dissect farms. That could leave some farmers with land that is no longer viable to farm with resultant impact on their business. This will need to be carefully considered by HS2 Ltd and we expect appropriate mitigation to be provided in order to retain suitable farm holdings. As well as farmland on the permanent way of the HS2 route, further farmland will be lost during construction, for example for worksites and the construction of embankments and other development.

Extensive earthmoving operations associated with the proposals are likely to result in risk of damage to soil quality and structure across the project area which will take years to remedy. It is expected that HS2 Ltd will incorporate mature landscaping features in order to provide the maximum opportunity of its intended purpose from the start.

### **Excavated Material and Waste Production**

The construction of HS2 will generate large volumes of excavated material. We understand that some could be used for suitable back fill and mitigation earthworks but we are concerned that the remaining material will be transported for disposal. The proposal will also have an impact on underlying mineral resources and generate demand for minerals, particularly aggregate minerals.

Details should be provided regarding the amount of waste requiring disposal off site so that options for disposal can be assessed. Whilst it is indicated that 16.7 million cubic metres of excavated material will result from constructing the



western leg of the railway, no indication is given as to how much material will be used within the construction scheme. In relation to this issue, there should be consideration of local planning policies 1.1, 1.2, 1.3, 1.4 and 1.5 of the Staffordshire and Stoke-on-Trent Joint Waste Local Plan.

Details indicate a requirement for 3.1 million tonnes of concrete on the western leg and 3.6 million tonnes of concrete on the eastern leg. This will generate extra requirements on the need for aggregates and in particular place demands on those quarries supplying plant that manufacture concrete and concrete products. In addition, in spite of the intention to re-use excavated materials, there may be sections of the proposed scheme where there is a need to supply fill material. Locations for borrow pits should be identified at the earliest opportunity. With regard to saved policies 51 and 52 of the Staffordshire and Stoke-on-Trent Minerals Local Plan 1994–2006 early discussion with the local planning authority is encouraged where there is a need for borrow pits/disposal.

Proposals to re-use and recycle materials are anticipated but it will be important to identify suitable sites along the project area where this type of waste treatment and stockpiling of materials can be acceptably undertaken. In relation to this issue, there should be consideration of local planning policies 3.3, 3.4, 4.1 and 4.2 of the Staffordshire and Stoke-on-Trent Joint Waste Local Plan.

No existing permitted quarries within Staffordshire will be affected but sections of the western leg will affect land with sand and gravel resources. In particular, there are river gravels around Kings Bromley; bedrock deposits around Hopton and Swynnerton; and glacial deposits at Madeley. The proposed route, therefore, would affect areas where there are potentially valuable sand and gravel resources.

It is expected that opportunities to use inert spoil to restore quarries should be investigated. Opportunities for disposal in Staffordshire quarries may arise in association with construction works for the eastern leg as well as the western leg.

With regard to policy 1.1 of the Waste Local Plan and saved policy 5 of the Minerals Local Plan, opportunities for the use of aggregate minerals excavated as part of the construction scheme should be exploited particularly where aggregate minerals can be processed to manufacture concrete.

With regard to policy 1.2 of the Waste Local Plan, opportunities should be undertaken to use alternative aggregates, e.g. recycled construction wastes from the construction area and those generated in the local area.



## QUESTION EIGHT

***Please let us know your comments on how the capacity that would be freed up on the existing rail network by the introduction of the proposed Phase Two route could be used***

It is very important to Staffordshire's residents and businesses that there is no reduction in the existing level of rail services; we believe these should be maintained and improved wherever possible. The Network Rail *Better Connections: Options for the integration of High Speed 2*<sup>3</sup> document already recognises that stakeholders do not wish to see existing services being diverted with extended journey times to the detriment of existing passengers, which is a view we share.

Staffordshire County Council has recently undertaken a rail survey questionnaire to inform its emerging Rail Strategy; of the 428 responses received, the key themes emerging from the comments received in relation to released capacity include:

- Improved local rail services with the West Midlands
- Increased direct rail services from a greater range of destinations to Stafford and Crewe – which will be served by a classic compatible service under the current proposals
- Improved services at evenings and weekends including higher frequencies and longer operating days
- Good interchange links to and from the proposed HS2 hub stations
- Improved rail links to airports including Birmingham, Manchester, East Midlands, Stansted, Luton and Gatwick

At the time of writing, the above data is emerging and will be analysed further to understand the long-term aspirations of Staffordshire's rail connectivity. However, we believe the above summary provides early thought which can be used to develop informed rail use planning.

As illustrated in figure 8.1 Staffordshire already has a network of classic compatible rail infrastructure. If HS2 is to become operational we believe any released capacity on the classic rail network should seek to provide improved rail links from the towns in which the classic rail station serves to regional airports and the proposed high speed network. This should be accompanied by well-planned intermodal connectivity schemes to facilitate efficient and reliable end to end journey's.

We are aware that Network Rail is currently engaged in a study looking at options for the integration of High Speed 2 with the existing network, and has held a number of stakeholder workshops to look at how the capacity released by HS2 could be used, for services on the West Coast Main Line, East Coast Main Line (ECML) and Midland Main Line (MML). A number of rail connectivity gaps have been highlighted to Network Rail which could improve Staffordshire's rail connectivity, and it is encouraging to note that a number of these have been included within the 'Better Connections' document. We believe the aforementioned document includes new direct services from Lichfield to the East Midlands, and improves the connectivity from Staffordshire to the East Midlands.

<sup>3</sup> Better Connections: Options for the integration of High Speed 2. Network Rail, July 2013

Faster services between Birmingham and Nottingham are also highlighted which could provide improved rail connectivity for Tamworth and Burton-on-Trent. Subject to journey times, this is something which is welcomed.

As outlined in response to question three, if the decision to proceed with HS2 is made we believe having the existing national rail network integrated with the proposed HS2 network is important. If HS2 becomes operational, it is important that all HS2 stations, whether served by a classic compatible or dedicated high speed services, are better connected wherever possible.



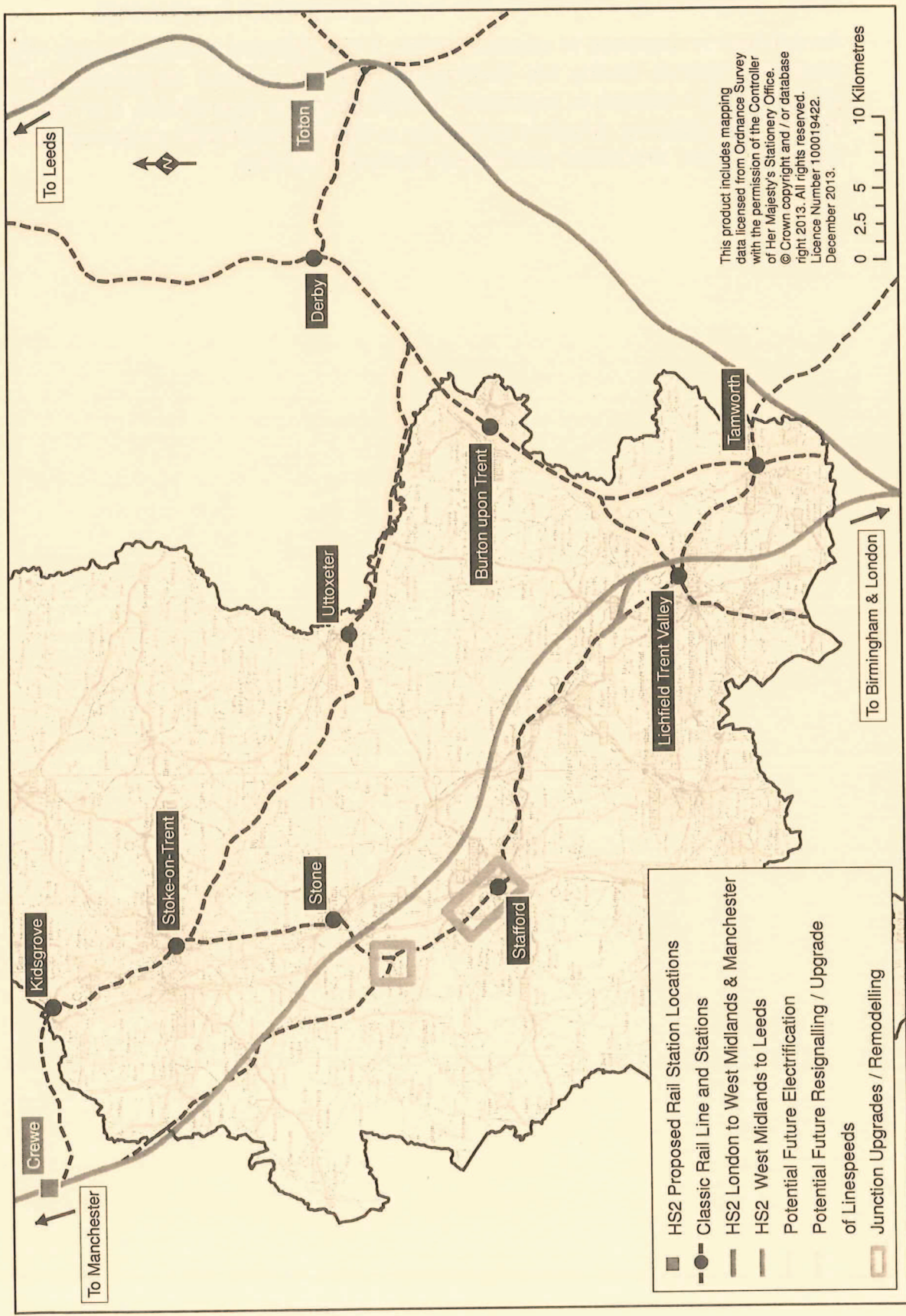


Figure 8.1: Suggested improvements to the classic rail network



## QUESTION NINE

***Please let us know your comments on the introduction of other utilities along the proposed Phase Two line of route***

Staffordshire's landscape is marked by a range of utility equipment both above and below ground. It would appear logical for Government to think about the inclusion of utility apparatus along the proposed Phase Two line of route to further reduce the impact of future utility equipment on our landscape.

We expect Government and the Department for Transport to consult with the relevant utility companies so as to develop an understanding of their long-term aspirations and planning. This joined up approach would ensure an opportunity is not missed and potentially reduce any further impacts on Staffordshire's landscape.

However, in supporting the proposal in principle to introduce other utilities along the proposed Phase Two line of route, we feel there is insufficient information at this stage to understand the wider impacts of what the introduction of utilities along the proposed route would mean. If the introduction of utilities results in a wider footprint of the proposed railway, and ultimately greater permanent land take, then we would need to understand what the alternative option is, i.e. a new network of overhead power lines and associated pylons compared to a 2m wide underground service trench as part of HS2.

With this in mind, we expect Government to provide further details of what utilities are expected to be incorporated along the proposed Phase Two line of route and consult on the options available.

This page is intentionally left blank

23<sup>RD</sup> JANUARY 2014**REPORT OF THE PORTFOLIO HOLDER FOR PUBLIC HOUSING AND VULNERABLE PEOPLE****LANDLORD SERVICES HIGH RISE FIRE SAFETY****EXEMPT INFORMATION**

None

**PURPOSE**

To set out the Council's response to the Coroners recommendations issued in 2013<sup>1</sup> concerning the retro-fitting of sprinkler systems to high rise flats, namely the 6 high-rise blocks in Tamworth's town centre.

To set out the options available and estimated costs, noting that the subsequent expenditure will be built into the capital budget setting process as appropriate for 2014/15.

**RECOMMENDATIONS**

Cabinet are recommended to:-

- 1. Approve retrofit installation of automatic sprinkler system to individual flats and communal landings in the Town Centres 6-high rise blocks as shown at option 3 in the report.**
- 2. Delegate the decision on the final design and product specification to the Director of Housing & Health and the Director of Assets and Environment in conjunction with the Portfolio Holder of Public Housing & Vulnerable People**
- 3. A further report to Cabinet, should the total capital costs of the scheme differ significantly from current estimates and therefore not be met from the £1.1m funding included within the provisional 2014 – 2019 HRA Capital Programme, in the 2014 budget process, for fire upgrades to high rise flats.**

**EXECUTIVE SUMMARY**

The council's landlord already has robust and effective controls in place to mitigate against fire risks. In March 2012 Cabinet approved investment of £135k to further minimise the risk of fire carrying out various fire stopping and compartmentalisation works to the basement areas of each of the 6 tower blocks. In response to good practice guidance issued at the time, this investment alongside other actions has continued and is checked independently by the council's contractor for fire risk –

---

<sup>1</sup> 04/2/13 – Rule 43 Issued by Coroners Office

Graham Environmental, as well as through internal audit procedures.

Notwithstanding that, high-rise social housing blocks create a number of specific fire safety and fire-fighting challenges that may not exist in other properties. Following the Lakanal fatalities in 2009, H.M. Coroner issued a recommendation, known as rule 43<sup>2</sup>, stating that Social housing providers should be encouraged to consider the retro-fitting of sprinklers in all existing high rise buildings in excess of 30 metres in height, particularly those identified by Fire and Rescue Services as having complex designs that make fire-fighting more hazardous and/or difficult. (Shown at annex one). The DCLG followed this up in April 2013 reminding the Council of its obligations under the Housing Act 2004, the Regulatory Reform (fire safety) Order 2005 and the Housing Health & Safety Rating System (HHSRS). For information this report details the response to the retro-fitting of sprinklers as the other relevant recommendation referred to in the Coroners letter concerned the removal of all surface mounted plastics which Tamworth has already done and continues to be standard practice.

Staffordshire Fire & Rescue Service (SFARS) support the retro-fitting of fire suppression sprinkler systems generally as referenced here - <http://www.staffordshirefire.gov.uk/1576.asp> In fact SFARS report a sprinkler system is *'like having the equivalent of a fire-fighter, ready and waiting, in your own home'*. Key benefits generally accepted are:-

- ✓ Fire sprinklers protects the individual and not just the property, as with traditional fire stopping protection
- ✓ There have been no reported fatalities where Sprinkler systems have been fitted and maintained properly
- ✓ With fire sprinkler systems the damage is contained and significantly reduces the spread of fire
- ✓ Sprinkler systems are required in new build properties above 30metres
- ✓ Legislation is likely going forward

Landlord Services have a good relationship with Staffordshire Fire & Rescue Service (SFARS) and in 2013 a multi-agency workshop was held to discuss the cost benefits of fitting sprinkler systems. At the time SFARS confirmed Tamworth was the only landlord having the conversation, so there remains limited evidence to compare with others. Consequently Staffordshire FARS has since written to the Council supporting the retro-fitting of sprinklers and this correspondence is shown at appendix two.

Whilst there is no legislative and/or statutory requirement to retro fit sprinkler systems in the high rise the profile of the tenants and leaseholders in the block was assessed to help inform this report and data suggests there *could* be a greater risk of fire and retro-fitting would be prudent.

When looking at Tamworth specifically, the additional benefits were highlighted:-

- ✓ The age and vulnerability of some of the residents in the high rise in Tamworth does potentially increase the risk of fire, i.e. estimated that 45% are smokers, 65% have reduced mobility and there is an increased use of mobility scooters resulting in residents charging batteries
- ✓ Additional fire stopping work would be required if Sprinklers were not fitted at around £40k. This is not needed if sprinklers are fitted.

---

<sup>2</sup> Rule 43 – requires that a Coroner who believes that actions should be taken to prevent the re-occurrence of fatalities...

- ✓ Tamworth has a proactive approach to health and safety management and does not support a passive approach to fire risk management.

The British Automatic Fire Sprinkler Association (BAFSA), following the Lakanal disaster and in response to the Coroners recommendation have produced a DVD illustrating the benefits and considerations when fitting fire sprinklers. The Callow Mount Project in Sheffield is particularly useful as the South Yorkshire Fire Service not only highlights the success of these systems in a fire-fighting sense, but tenants also dispel the myths about difficult installations and report increased confidence and higher levels of re-assurance post the works.

The following video clip captures all the key messages and Cabinet are urged to view this short commentary. Areas to note are the stark contrast between two bedrooms with fires started - 1 with a sprinkler and 1 without; additionally the reassurance to tenants and leaseholders that installation can be done whilst they remain at home; likelihood of sprinklers operating accidentally is estimated at 16million to 1 and fire suppression occurring within minutes – time otherwise that would potentially lead to fatalities.

<http://www.bafsa.org.uk/publications/sprinklers-for-safer-high-rise-living.php>

It is considered that all flats should have sprinklers installed, including Leasehold to ensure the blocks are fully protected. Therefore it is essential consultation is carried out with Leaseholders to obtain consent to install the system into individual Leasehold properties and identify potential refusals at an early stage.

This issue has been considered by the Tenant Consultative Group (TCG) and they initially felt that the additional works were not necessary for the reasons outlined later in the report. Primarily because they already have a high level of confidence in the fire measures the council has already put in place. But having watched the video clip from the South Yorkshire pilot, understanding that disruption during installation can be minimised and in fact the water suppression would protect their property as well as themselves are now happy to support the recommendations.

## **RESOURCE IMPLICATIONS**

Cabinet know that preparations are underway to update the HRA Business Plan. Latest stock condition data has been assessed & the HRA base budget makes provision for this investment. Whilst the capital expenditure, estimated at c£1m, could be diverted elsewhere the HRA can sustain this level of expenditure whilst continuing to meet its wider obligations and ambitions. Details of the HRA business plan which will be reported to Cabinet in March 2014.

### **Estimated Capital & installation costs**

Costs are based on the British Automatic Fire Sprinkler Association (Bafsa) project to retrofit sprinklers at Callow Mount Sheffield and costs quoted in the 2004 BRE study which are similar to installations in South Ayrshire and Wales.

There are 14 floors and 58 flats to each of the six high-rise blocks making a total of 348 flats. The cost of installation for option 3 has been estimated at c£145k per block giving an estimated installation cost of c£870k. This allows for up to £2,500 per flat including decoration and other residual works. Clearly final and actual costs are



subject to the procurement and final tender submissions. As part of the budget setting process, the provisional HRA Capital Programme for 2014 -2019 includes an amount of £1.18m for fire upgrades to flats. Should this funding be insufficient then a further report will be submitted to Cabinet once costs are known.

The costs identified above relate to option 3, which is full implementation of sprinklers however, should it be decided that an alternative option be implemented the costs can still be met from the provisional HRA Capital Programme for 2014-2019 with any surplus allocation being returned to the HRA resources for future projects.

**Revenue & Maintenance Costs**

The sprinkler system would have a life expectancy of at least 30 years without replacement of major components. Routine checks will have to be performed by specially trained members of staff and these will normally be confined to checking water pressures and intervention only if there is a loss of pressure or actuation

The installation will require ongoing maintenance which is estimated to be c£300 per year, per block. The annual maintenance liability is therefore assessed as c£1,800. Based on the assumption that because the system can be designed so access to individual flats is rarely going to be required the cost may be lower, full costing’s will be known when the procurement is concluded. Maintenance costs are therefore estimated to be £54,000 over a 30 year period.

Actual costs of sprinkler installation will only be available once the work has been tendered. The above estimated costs are based on information currently available for similar installations and may or may not be indicative of actual costs. If there is a significant difference from the estimate then details will be reported to cabinet as necessary

The Service Charges (Consultation Requirements) (England) Regulations 2003 introduced by Section 151 of the Common hold and Leasehold Reform Act 2002 will be followed to ensure correct consultation and allow Leaseholders share of the costs to be recovered (where the lease allows for recovery of costs for improvement works). The amount to be recovered from each leaseholder will equate to 1/58<sup>th</sup> of the total installation cost for the block in which their flat is located; this will be recovered in accordance with the terms of the lease. Leaseholders will be invoiced annually for their proportion of the annual servicing costs again equating to 1/58<sup>th</sup> of the total cost per block. The exact figures will only be known once the works have been tendered and a contract awarded. There are currently 39 leaseholders across the 6 blocks that will be affected by this which could be potentially offset this installation cost by c£97.5k

**LEGAL/RISK IMPLICATIONS BACKGROUND**

Currently there is no legal obligation to retro-fit sprinkler systems. If Cabinet approve the recommendation then it will be going beyond its statutory duty.

If the project continues then partners will be involved in the production of a detailed risk assessment, headline risks are summarised below

Risk	Response
Estimated costs significantly less than actual	These are based on a realistic assessment of the market and projects

	undertaken in Yorkshire. Significant variations in cost will be reported back through to Cabinet if appropriate.
Longer-term disinvestment of the high rise	The Town Centre Strategy is currently being developed and there are no short term plans to disinvest. Any subsequent decision will take account of all cost/benefits
Disruption to the tenants and leaseholders	Officers' will risk assess and manage this using the tenant regulatory and involvement team to oversee works has been successfully done elsewhere
Criticism that the Council has undertaken unnecessary works	The council has taken a reasonable and balanced judgement with its partners. Sadly it is only when a fire occurs that this system will ever be fully tested and its value known
Investment of £1m for fire sprinklers does not guarantee the safety of all occupants in the block	Retro-fitting sprinkler fire suppression systems is an option open to the council. Whilst there is no guarantee with any system the council by fitting sprinklers would be doing it all it could to prevent a fatality
Unable to recover costs from leaseholders estimated at c£97.5k	Procedures will be followed in order to maximise the opportunity to recover costs

## **SUSTAINABILITY IMPLICATIONS**

Intrinsic to Tamworth's vision – "one Tamworth perfectly placed" – are its corporate objectives for everyone to aspire, prosper and be healthier and safer. Not only will the letting of this contract bring about added value and secure a social return on its investment through stimulating the local economy but it will ensure a safer living environment for our high rise community.

## **MATTERS FOR CONSIDERATION**

The high-rise blocks which include Strode House, Weymouth House, Harcourt House, Stanhope House, Peel House and Townshend House had extensive fire protection and compartmentalisation works completed in 2012 inline with the recommendations from Staffordshire Fire and Rescue Service (SFRS) fire officer. A recent assessment by a chief fire officer indicated the condition of the high-rise blocks regarding fire safety to be generally satisfactory.

Current fire risk assessments (involving invasive inspection) completed by Graham Environmental indicate some areas of high risk relating to missing fire-stopping between floor levels and access panels into individual flats with some minor recommendations regarding additional fire stopping works. Staffordshire Fire and Rescue Service have indicated that if sprinkler systems were to be fitted it would negate the need to provide fire stopping around access panels into individual flats. If sprinklers are not fitted the fire stopping would be required and has been estimated

at between £30k to £40k. Additional low level signage has been requested by the fire service and this has been completed.

Members should be aware there is no legislative requirement for the retrospective fitting of sprinklers in any of our blocks, however since the Lakanal House fire and subsequent investigations the following recommendations are contained in the Rule 43 letter dated 4 February 2013, this letter made the following statement -

*Social housing providers should be encouraged to consider the retro-fitting of sprinklers in all existing high rise buildings in excess of 30 metres in height, particularly those identified by Fire and Rescue Services as having complex designs that make fire-fighting more hazardous and/or difficult. It is noted that current legislation requires that all newly built high rise buildings in excess of 30 metres in height must be fitted with sprinkler systems.*

## OPTIONS

Retrofitting of sprinklers was considered by the Tenant Consultative Group (TCG) last year and initially was not supported on the basis that:-

TCG View	Councils Response
Installation of sprinkler systems is not a legislative requirement	It is recommended best practice and is actively supported by Staffordshire FARS
Robust procedures already exist in relation to “stay-put” and high rise fire safety	This will continue, the sprinklers will provide further protection and time to affect rescues
Significant investment was made in 2012 (£130k) to improve fire safety and included controlled access and compartmentalisation of the basement areas in all blocks	Annual fire safety inspections are undertaken coupled with the council’s statutory risk assessment undertaking. The sprinklers will act as a further control measure.
The design of the blocks are traditional and differ from blocks where fatalities have occurred such as Lakanal	Whilst it is not retrospective all current building regulations for high-rise blocks above 30metres require sprinklers. The 6 high rise blocks in Tamworth exceed this height.
There is no guarantee that fire sprinklers would prevent a fatality occurring from a fire	Research indicates there is no recorded fatality where a correctly installed & maintained sprinkler system is fitted.
The blocks are all electric and occupied by an ageing tenant base who feels the likelihood of a fire is therefore more remote.	The survey undertaken shows that there is a greater degree of risk of fire due to age group, disability, smoking and use of mobility scooters.
Legislation could follow which would mean additional investment in subsequent years	Any additional investment is likely to be proportionate to any already spent.
There could be a risk that sprinklers would be activated and could be abused causing damage to flats	Statistics highlighted elsewhere suggest this occurs in 1:500,000. This will be mitigated by robust inspection and testing regime which will be a requirement

Taking on board the comments from TCG a survey was undertaken over Christmas to assess the level of risk in the blocks and the following identified

Average Age	72 years
Registered Disabled	25%
% with reduced Mobility	65%
% Smokers	45%
Use of mobility Scooters	35%
% Charging batteries in the flats	35%

When balancing risk the following conclusions were also drawn when considering the above

- From the survey the % smoking and/or with limited mobility is such that this presents a higher degree of risk in the event of a fire.
- Under the Regulatory Framework, the Home standard requires all landlords to ensure the health and safety of all its tenants and leaseholders and pay particular attention to risk
- Tamworth FARS actively support the fitting of sprinkler systems following Lakanal and the workshop held in Tamworth
- There is a history of attempted arson within the blocks and whilst this has not re-occurred since the controlled access to the basements was installed, town centre blocks inevitably attract opportunist crime
- Should there be a fire, then the fitting of sprinklers together with the other package of measures adopted, means the council has done all it can to protect its residents, even if that subsequently results in a fatality

**As a result the TCG considered the report again early January 2014 and having seen the video from the Sheffield Project, and learned the results of the survey done over Christmas, are more minded to support the recommendations before Cabinet.**

Options Table Option	Estimated Cost	Advantages	Disadvantages
1.Do not fit sprinkler system	£0	Zero cost for sprinklers but note that £30k - £40k of fire stopping works would be required	Insurance premiums remain the same. Difficult for SFARS to tackle fires on the upper floors Greater risk to residents on upper floors in the event of fire Greater potential for fire to spread to adjoining flats and stairwell Damage in the event of fire is likely to be major Extensive repair and refurbishment costs following a fire No reduction in the need to re-house tenants following a fire

			Should there be a fire then the council would face adverse publicity around its decision to not install sprinklers
2. Fit sprinkler system to all flats with one head inside front door	£626,500	<p>Lower cost than full system.</p> <p>Stops spread of fire onto landing / lobby area</p> <p>Reduces the risk of death and injury to fire-fighters</p> <p>Potential for reduced insurance costs</p> <p>Minimum impact of fire which would reduce the need to re-house tenants following a fire</p> <p>Tenants feel safer knowing they are better protected</p> <p>Note that £30k - £40k of fire stopping would still be required</p>	<p>Offers protection to landing / lobby area only</p> <p>Only protects front door / hall and not other areas in the flat</p> <p>Would not extinguish fire at source so considerable damage could occur</p> <p>Offers limited protection to residents</p>
3. Fit sprinkler system to all flats with multiple heads	£870,000	<p>All main areas covered by sprinklers so reduction in damaged caused in the event of fire</p> <p>Greater protection for residents</p> <p>Greatly reduces risk to fire-fighters</p> <p>Potential for reduced insurance costs</p> <p>Minimum impact of fire which would reduce the need to re-house tenants following a fire</p> <p>Tenants feel safer knowing they are better protected</p> <p>Relaxation of the need to fit heat</p>	<p>Some increase in installation and maintenance costs</p>



		detectors in kitchens Relaxation of the need to fit and maintain intumescent door seals on those leading to escapes routes Note that the £30k - £40k of fire stopping would not be required	
4. Fit sprinkler system to floors nine (9) to fifteen (15)	£390,000	Reduced cost Covers floor levels that SFRS cannot reach by access ladders etc Note reduced level of fire stopping works would still be required for all flats not sprinklered	Not all areas covered Tenants on protected floors still at risk of fire on lower floors as with disadvantages above

Research indicates that automatic sprinkler systems are used more than any other fixed fire protection system and over 40 million sprinklers are fitted world-wide each year.

The provision of a sprinkler system not only provides benefits in terms of life safety and protection of property it can also reduce the impact a fire has on the environment by limiting the production of carbon dioxide and other products of combustion.

Inherent in the environmental benefit of quick and reliable suppression of fires is the prevention of the need to replace and repair buildings, resulting in significant savings in respect of the energy and resources that have to be expended in buildings, which could include the following:

- Extent of post-fire demolition or refurbishment and repair to buildings
- Extent of fire-resisting glazing / windows and external panelling
- Exposure to harmful materials and substances that can be released in large fires
- Risk of polluting ground, air and water sources
- Cost and impact of treating water used by the fire and rescue service which could be 20 times more than the water used by a sprinkler
- Removes the need to relocate residents to temporary or permanent accommodation by preventing major destructive fires
- Facilitating the continued use of the building
- Reduction in the exposure of fire-fighters to danger
- Less water damage using sprinkler than conventional method
- In the event of a fire, life threatening conditions are greatly reduced in sprinklered buildings

Evidence shows that while sprinklers are primarily intended to contain or control fires, they can also be instrumental in saving the lives of people in the room of origin of a fire. There are no cases on record where multiple fire deaths have occurred in buildings with working sprinkler systems, where those systems have been appropriately designed for the intended purpose and have been properly installed and maintained. The evidence provided by the fire and rescue service and confirmed 17/12/13 also shows that no lives have been lost in the UK due to fire in homes fitted with domestic sprinkler systems.

Moreover, where a sprinkler system has been installed:

- Fire deaths (including fire-fighter deaths) have been almost eliminated
- Fire injuries reduced by 80%
- Significant improvement in fire-fighter safety achieved
- Property damage reduced by over 80%
- Effects of arson reduced
- Reduction in the environmental impact of fire
- Reduction to the economic cost of fire

The average time taken for the fire and rescue service to reach an incident and be in a position to intervene is 10 minutes. Most people will have succumbed to the effects of fire within the first five minutes. A sprinkler will activate within the first three minutes and have the fire controlled by the fifth minute. Smoke damage is a major cause of loss in fires and in serious cases smoke is the main cause of death. Sprinklers wash the larger particles out of smoke reducing its density and toxicity. In addition the water cools the smoke making it less harmful.

Losses (life, income, uninsured contents/structure and insurance excess) from fires in buildings protected with sprinklers are estimated to be 1/10 of those in unprotected buildings.

In buildings fully protected by sprinklers:

- 99% of fires were controlled by sprinklers alone
- 60% of fires were controlled by the spray from no more than 4 sprinklers

*Source: European statistics over 10 year period*

- Accidental discharge of water from all causes is 1 in 500,000 (per year of service)

*Source: LPC*

- Accidental discharge of water due to manufacturing defects is 1 in 14,000,000 (per year of service)

*Source: FM (USA) and LPC (UK) statistics*

## **Next Steps**

If approved then the capital allocation will be built into the 2014 medium term financial budget setting process and it is envisaged works would be completed over 2

year period. The necessary works would have to be procured and works tendered in line with the councils standard financial regulations and procurement rules. Update and progress will be reported via the Portfolio Holder for Public Housing & Vulnerable People with delegated decisions in relation to the design and final specification to ensure value for money.

## **REPORT AUTHOR**

*If members would like further information or clarification prior to the meeting please contact Tina Mustafa on Ext 467 or John Murden Ext 406.”*

## **LIST OF BACKGROUND PAPERS**

1. Shirley Towers Letter 4<sup>th</sup> February 2013
2. Rule 43 Covering Letter 10<sup>th</sup> April 2013
3. Riverside High Rise Flats Health and Safety Guide

## **APPENDICES**

**Annex one – Coroners Recommendation**

**Annex Two – Tamworth fire officer recommendation**

**Annex Three – Major Incident log country wide**



Department for  
Communities and  
Local Government

10 April 2013

**To:**

***Housing Directors of stock-owning local authorities  
Chief executives of Private Registered Providers***

In April 2010, two Hampshire FRA firefighters – Alan Bannon and James Shears - died fighting a fire on the 9<sup>th</sup> floor of Shirley Towers, a council-owned high rise block of flats in Southampton. The Coroner has written to the Chief Fire and Rescue Adviser and to DCLG Ministers to highlight actions which he considers should be taken to prevent a similar tragedy occurring in the future.

The Coroner's letter included two recommendations directed particularly at social housing providers, along with a recommendation that the Minister should disseminate the Coroner's recommendations to every social housing provider. I am therefore attaching a copy of the Coroner's letter and would ask you to actively consider them.

The relevant recommendations are numbered 5 and 7 in the Coroner's letter. You will wish to consider these recommendations carefully when considering your responsibilities under the Housing Act 2004, the Regulatory Reform (Fire Safety) Order 2005, and the Housing Health and Safety Rating System (HHSRS).

**Yours sincerely,**

A handwritten signature in cursive script that reads "Terrie Alafat".

**Terrie Alafat  
Director  
Housing Growth and Affordable Housing**

## **Annex Two**

Email correspondence from Dave Thorpe (FRS Fire Safety Officer)

Good morning John,

I refer to your email below and would like to clarify the position regarding sprinklers in the high rise blocks in Tamworth.

As you are aware there is no legislative requirement for the retrospective fitting of sprinklers in any of the blocks. Our original discussions took place on 13 June 2013 following the recommendations contained in the Rule 43 letter dated 4 February 2013 this letter made the following statement -

*Social housing providers should be encouraged to consider the retro-fitting of sprinklers in all existing high rise buildings in excess of 30 metres in height, particularly those identified by Fire and Rescue Services as having complex designs that make fire-fighting more hazardous and/or difficult. It is noted that current legislation requires that all newly built high rise buildings in excess of 30 metres in height must be fitted with sprinkler systems.*

During our discussion on 19 September 2013 the issue of cost effectiveness was raised and the figures contained in the report on the retro-fitting of sprinkler in the Callow Mount development were also discussed (Attached). It is my experience locally that the costs have been quoted at around £2,500 per flat. However, this was for a much smaller number of flats. I would expect the cost to be lower for the high rise in Tamworth where I understand that there are approximately 400 flats.

I am also aware that locally sprinklers have been installed retrospectively into smaller blocks. This proved to be a cost effective solution due to their age and condition, and when compared with additional work that was required to bring them up to a satisfactory standard the cost of retro-fitting sprinklers was favourable.

With regards to the condition of the high rise flats in Tamworth, the general condition appears to be satisfactory; however this is based on my visit to one block only (Harcourt House) on the 7 August 2013. Although, some items were identified (copy of email attached with items noted) that do require attention.

**However, this should not distract from the Rule 43 letter that encourages the retro-fitting of sprinklers** and one we would generally support in Tamworth.

To assist you with any decisions Staffordshire Fire & Rescue employs a fire engineer, his name is Andy Brown, and can be contacted through myself in the first instance.

Regards,

Dave Thorpe  
Fire Safety Officer  
Eastern Service Delivery Group  
Lichfield Community Fire Station  
Birmingham Road



### Appendix Three

#### Major high rise incidents noted during the Callow Mount Sprinkler Retrofit project between November 2010 and November 2011

Time/Date	Location	Building Height	Floor of Origin	Rescues/Injuries/Fatalities
30 November 2010 – 1825hr	Marie Curie House Southwark	14 floors	13 <sup>th</sup> floor	60 people self evacuated
20 December 2010 – 1450hr	Omega Way Somers town Portsmouth	8 floors	5 <sup>th</sup> floor	One male fatality, other residents evacuated to local community centre by police
19 January 2011 – 0540hr	Adamson Court Lochee Dundee	15 floors	14 <sup>th</sup> floor	One male fatality and one other person treated for smoke inhalation. Fire-fighters evacuated 12 people from six nearby flats
29 January 2011 = 2340hr	Acre Road Maryhill Glasgow	8 floors	5 <sup>th</sup> floor	Elderly couple and adult son died
4 February 2011 – 1445hr	Marine Tower Abinger Close Deptford	16 floors	16 <sup>th</sup> floor	Two female residents died, paramedics treated 4 other residents one of whom taken to hospital. ^ people rescued and 35 had to move out
10 February 2011 – 0645hr	Overtoun Court Swinton Street Clydbank	14 floors	4 <sup>th</sup> floor	1 male fatality
14 July 2011 – 1620hr	Tinwald Path Cardonald Glasgow	7 floors	5 <sup>th</sup> floor	1 female fatality, 2 others taken to hospital and residents trapped on top floor affected by smoke
15 July 2011 – 0300hr	Salamanca Place Lambeth	17floors	4 <sup>th</sup> floor	Nine people rescued externally, ten more led to safety down internal staircase and five fire-fighters treated for smoke inhalation
2 August 2011 – 2215hrs	Parkfield Calow Mount Sheffield	13 floors	12 <sup>th</sup> floor	Limited structural damage, no injuries or loss of life
12 August 2011 – 0030hr	Andrew Reed House Linsted Way Wandsworth	15 floors	9 <sup>th</sup> floor	One person taken to hospital. Fire crews rescued five people using stairs and four people from 10 <sup>th</sup> floor using turntable ladder. 150 people evacuated
13 September 2011 – 1340hr	Clem Attlee Estate Fulham	17 floors	6 <sup>th</sup> floor	25 residents evacuated

18 September 2011 – 0800hr	Cambria House Lerner Road Erith	14 floors	14 <sup>th</sup> floor	Nine people rescued
26 September 2011 – 1100hr	Markham Tower Bowers Avenue Norwich	10 floors	8 <sup>th</sup> floor	Residents from all 44 flats had to move to temporary accommodation

This page is intentionally left blank



K. St. J. Wiseman  
H.M. CORONER for the Southampton  
City and New Forest District

Date: 04 February 2013

Dear Sirs

**INQUEST INTO THE DEATHS OF ALAN BANNON AND JAMES SHEARS**

I am writing to you concerning the Inquest into the tragic deaths of Firefighters Alan Bannon and James Shears.

Both men died on the 6<sup>th</sup> of April 2010 when fighting a fire in a high-rise block of flats in Southampton. The Jury brought a narrative verdict as follows:

Death by misadventure in each case in conjunction with the following narrative:

“Firefighters Alan Bannon and James Shears died from sudden exposure to initially intense heat from 20.38 to 20.41 and thereafter to excessive heat while dealing with a fire in a flat on the 9<sup>th</sup> floor of the high-rise tower block Shirley Towers. Obvious precautions to prevent the fire occurring were not taken in addition, operating conditions for all firefighters involved became extremely difficult and dangerous and this significantly contributed to the deaths of Firefighters Alan Bannon and James Shears. Numerous factors have been identified as being relevant in the chain of causation which could have affected the eventual outcome and which, where appropriate, will form the basis of recommendations to improve safety in the future.”

I am writing to you under the provisions of Rule 43 of the Coroner’s Rules which reads “a Coroner who believes that actions should be taken to prevent the recurrence of fatalities similar to that in respect of which the Inquest is being held, may announce at the Inquest that he is reporting the matter in writing to the person or authority who may have power to take such action and he may report the matter accordingly”.

I received a number of very helpful reports that assisted me at the Inquest and at its conclusion I have agreed with all the advocates representing those entitled to be heard that I should make the following recommendations under Rule 43 to these primary recipients:

- a) Sir Ken Knight, Chief Fire and Rescue Advisers Unit (CFRAU) with responsibility for disseminating these recommendations to every Fire and

Coroner’s Office  
12-18 Hulse Road, Southampton, SO15 2JX  
Tel: 023-80-674266/7 Fax: 023-80-674479  
Email: Elaine.Palmer@hants.gov.uk

- Rescue Service (FRS) in the UK
- b) Eric Pickles MP, the Secretary of State for the Department for Communities and Local Government, with responsibility for considering any legislative changes required to implement any of these recommendations,
  - c) Brandon Lewis MP, Parliamentary Under Secretary of State for the Fire & Rescue Service, with responsibility for disseminating these recommendations to every FRS
  - d) Mark Prisk MP, the Minister of State for Housing (and Local Government), with responsibility for disseminating these recommendations to every social housing provider in the UK.

All these primary recipients listed above should disseminate these recommendations to every FRS and social housing provider in the UK so that they shall promptly consider these recommendations in relation to high-rise buildings within their locality, decide what to do about them and inform the primary recipient of such decisions.

**Rule 43 Recommendations for Consideration in relation particularly to the risk of fire in High-Rise Buildings**

- 1 Guidance and clarification is required with regard to search procedures as set out in Technical Bulletin 1/97 (Breathing Apparatus Command and Control Procedures), to ensure that:
  - e) Thermal imaging cameras are used to search for fire in smoky conditions
  - f) Fire-fighters understand the importance of fully extinguishing fires before proceeding past or above the fire scene
  - g) Methodical search patterns are undertaken e.g. area by area, room by room or floor by floor.
  - h) Search patterns are standardised across every FRS in the UK so that there is common understanding and procedure when fire-fighters from different FRSs are engaged in joint working.
- 2 It is recommended that a review is undertaken to ensure that the teaching and training of those fire-fighting techniques used to contain and cool compartment fires, on the one hand, fully complement techniques designed to attack and extinguish fires, on the other. A review should be undertaken into the training provided in relation to the circumstances and manner in which each technique should be used. For example, a pulse spray technique should not be used in a fully ventilated compartment fire, the severity of which will not be controllable by pulse spraying and gas cooling approach.
- 3 It is recommended that a review is undertaken to ensure the adequacy of teaching and training of tactical ventilation procedures in compartment fires to highlight the effect ad-hoc ventilation can have on fire development and to confirm the associated dangers.
- 4 It is recommended that all FRSs should consider the implementation of measures to reduce the risks associated with fallen cables. In particular consideration should be given to:
  - a) Providing insulated wire cutters, or other means of severing cables, to all breathing apparatus teams;



- b) Modifying breathing apparatus sets to reduce the risk of cables becoming caught between the wearer's back and the cylinder (as introduced by Hampshire Fire and Rescue Service – please contact HFRS for more details);
  - c) Training all breathing apparatus wearers in the risks presented by fallen cables and how to reduce those risks.
- 5 It is recommended that all FRSs and social housing providers consider the Rule 43 recommendations made by HM Coroner for Hertfordshire Mr Edward Thomas<sup>1</sup> following the inquest into fire-fighter fatalities at Harrow Court in particular Recommendation 8 made by the FBU which is here repeated for ease of reference:

“8. That SBC should remove all the surface mounted plastic trunking/conduit used to protect and support the Fire Alarm and Automatic Fire Detection System in the Common Areas of all their premises, and replace them with a method of cable support which as a minimum conforms to BS 5839- Part 1 : 2002; clause 26.2 (f);

Methods of cable support should be such that circuit integrity will not be reduced below that afforded by the cable used, and should withstand a similar temperature and duration to that of the cable, while maintaining adequate support.

Note 7. In effect, this recommendation precludes the use of plastic cable clips, cable ties or trunking, where these products are the sole means of cable support.”

- 6 It is recommended that Building Regulations are amended to ensure that all cables, not just fire alarm cables, are supported by fire-resistant cable supports. This could be achieved by an amendment to BS 7671 (2008) Institute of Electrical Engineers Wiring Regulations.
- 7 Social housing providers should be encouraged to consider the retro-fitting of sprinklers in all existing high rise buildings in excess of 30 metres in height, particularly those identified by Fire and Rescue Services as having complex designs that make fire-fighting more hazardous and/or difficult. It is noted that current legislation requires that all newly built high rise buildings in excess of 30 metres in height must be fitted with sprinkler systems.
- 8 It is recommended that a review of training given to control staff is undertaken by all FRSs in UK in light of the guidance given in recent GRAs including GRA 3.2 of September 2008.

All FRS should further consider the implementation of measures to ensure that control staff are properly supervised when taking calls and are trained to capture and relay relevant information likely to assist operational firefighters.

- 9 It is recommended that there should be an obligation to:
- a) provide signage to indicate floor levels both in stairwells and lift lobbies in

---

<sup>1</sup> The Rule 43 Recommendations from HMC Thomas' Inquest into the Harrow Court fatalities can be obtained from the Office of the Lord Chancellor.

- high rise premises, to assist the emergency services;
- b) ensure that signage indicating flat numbers and emergency exits in high rise premises are placed at a low level to increase visibility in smoke conditions.

This could potentially be achieved by amending Article 38 of the Regulatory Reform (Fire Safety) Order 2005, which relates to maintenance of measures provided for the protection of fire-fighters. Alternatively new legislation may be required.

I am sure that due consideration will be given to all these recommendations and policies formulated to ensure the safety of firefighters and the minimalisation of risks to the occupiers of high-rise flats.

Many thanks for your anticipated attention to this matter. Rule 43A requires that you give a written response within 56 days of the day the report is sent. If you are unable to respond within that time, you may apply to me for an extension. The response is to contain details of any action that has been taken or which it is proposed will be taken whether in response to this report or otherwise, or an explanation as to why no action is proposed.

Yours faithfully

**K St J Wiseman**  
**HM Coroner for Southampton &**  
**New Forest**

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

Document is Restricted

This page is intentionally left blank