

Thursday, 14 December 2023

Report of the Portfolio Holder for Housing and Planning

Publication of planning monitoring reports

Exempt Information

None.

Purpose

The purpose of this report is to seek Cabinet approval for the publication of three monitoring reports that support the Local Plan. In addition the report seeks to delegate the publication of the Monitoring Report, the Housing Delivery Paper in future years. Furthermore, the Neighbourhood Community Infrastructure Levy (CIL) allocation projects require to be determined by Cabinet.

Recommendations

It is recommended that:

1. The report attached as Appendix A and named draft 'Authority Monitoring Report' be approved for publication on Tamworth Borough Council's website;
2. The report attached as Appendix B and named draft 'Housing Delivery Paper' be approved for publication on Tamworth Borough Council's website;
3. Delegate authority to publish future editions of the Authority's Monitoring Report and Housing Delivery Paper to the Assistant Director – Growth & Regeneration in consultation with the Portfolio Holder responsible for planning;
4. The report attached as Appendix C and named draft 'Infrastructure Funding Statement' be approved for publication on Tamworth Borough Council's website;
5. Neighbourhood CIL funding is allocated to the projects within Castle and Wilnecote ward as set out in the report.

Executive Summary

Implementation of the local plan requires performance reviews, which the Authority's Monitoring Report, Housing Delivery Paper and Infrastructure Funding Statement report on. These reports are required to be published in line with legislation and Government guidance and this report seeks approval for the publication of the draft reports contained within the appendices.

The Authority's Monitoring Report and Housing Delivery Paper are both factual in nature and do not require any decisions to be made. It is therefore recommended, in order to improve efficiency, that authority to publish these two reports in future be delegated to the Assistant Director – Growth and Regeneration.

Finally, the Neighbourhood CIL allocation process requires Cabinet to determine which project/s are to be funded from the applications received. Two applications have been received this year with a total value of £11,030. The funds are in place to be able to fund both of these projects, so it is therefore recommended that Cabinet approve the allocation of the funds to these two projects.

Options Considered

Authority's Monitoring Report and Housing Delivery Paper

The council is required to publish an Authority's Monitoring Report and the contents of the report are factual and prescribed by guidance published by Government. The associated Housing Delivery Paper contains additional information associated with the Authority's Monitoring Report.

The alternative options would be to not publish the reports or publish a different version of the reports containing different information. Both of these options would not be in line with the requirements set out by Government and are therefore not considered appropriate.

Delegation of authority to publish future reports

The alternative option would be for publication of these reports to continue to be approved by Cabinet each year. However, the reports contain factual information that is required to be published by Government and in previous years there has been little to no discussion of the reports at meetings of Cabinet. It is therefore considered to be more efficient for authority to publish the reports to be delegated to the relevant assistant director.

Infrastructure Funding Statement

The council is required to publish an IFS by the end of 2023 and most of the content is factual and prescribed by guidance published by Government. The alternative options would again be to not publish the report or publish a different version of the report containing different information. Both of these options would not be in line with the requirements set out by Government and are therefore not considered appropriate.

CIL neighbourhood funding

It is recommended that funding from the neighbourhood element of CIL income be awarded to the two projects set out later in this report. The alternative options would be to not fund one or both of the projects put forward, or to allocate a different sum of money than has been requested to the projects. There are sufficient funds within the CIL neighbourhood pot to fund both of the projects and there are no alternative projects proposed at this time. The money available is only able to be spent on specific things in line with the CIL regulations (as set out elsewhere in this report) and the requests for funding have been submitted in line with the agreed process. It is therefore considered that the proposed approach is the most appropriate option.

Resource Implications

Authority's Monitoring Report and Housing Delivery Paper

There are no resource implications associated with the publication of the reports.

Infrastructure Funding Statement

The draft IFS at Appendix C sets out the income, allocation, and expenditure of planning obligations (both via s106 agreements and CIL) during the period 01 April 2022 to 31 March 2023. There are no resource implications associated with the publication of the Infrastructure Funding Statement.

Legal/Risk Implications Background

Authority's Monitoring Report and Housing Delivery Paper

The publication of the Monitoring Report is set out in The Planning and Compulsory Purchase Act 2004 (as amended). There are no legal/risk implications associated with the publication of the Housing Delivery Paper.

Delegation of authority to publish future reports

There are not considered to be any risks to the delegation of authority to publish future versions of the Authority's Monitoring Report and Housing Delivery Paper. The publication of this information is required by legislation as set out above, and so there likely to be more risk in not publishing the report.

Infrastructure Funding Statement

The relevant legal basis for the collecting and spending of CIL is the Planning Act 2008 and the Community Infrastructure Levy Regulations 2010 (as amended) (the regulations). Section 121A of the regulations sets out the requirement for each receiving authority to publish a report annually that sets out the infrastructure, or types of infrastructure on which the authority intends to spend CIL income; a report relating to CIL for the previous financial year; and a report relating to other planning obligations for the previous financial year.

As regards the strategic element, the regulations state that a charging authority must apply CIL to funding the provision, improvement, replacement, operation, or maintenance of infrastructure to support the development of its area and the act sets out the types of infrastructure to which this element of CIL can be applied. These are:

- (a) roads and other transport facilities,
- (b) flood defences,
- (c) schools and other educational facilities,
- (d) medical facilities,
- (e) sporting and recreational facilities,
- (f) open spaces.

The council has previously determined to spend the strategic element of CIL on public realm works related to the Future High Streets Fund projects. This is considered to be in line with the requirements.

Equalities Implications

There are no equalities implications for the publication of any of the proposed documents.

Environment and Sustainability Implications (including climate change)

The proposals set out relate to the sustainable development of Tamworth in line with the objectives of the adopted local plan. There are no additional sustainability implications as a result of the proposals set out in this report.

Background Information

Authority's Monitoring Report

The Planning and Compulsory Purchase Act 2004 (as amended) sets out the requirement for local planning authorities to make available to the public a report (or reports) which provides information on the implementation of the local development scheme and the extent to which policies set out in local development documents are being achieved. An Authority Monitoring Report has not been published since 2018/19 due to issues with monitoring and collection of data throughout Covid-19, however, the information where appropriate is reflected in the current report.

Housing Delivery Paper

The housing delivery paper complements the Local Plan Monitoring Report and provides additional information on housing delivery in the borough. Information provided in the paper includes progress against the Local Plan housing targets, progress on allocated sites and completions within the financial year. A Housing Delivery Paper has not been published since 2018/19 due to issues with monitoring and collection of data throughout Covid-19, however, the information where appropriate is reflected in the current report.

Delegation of the publication of reports in future

The content of both the Authority's Monitoring Report and the associated Housing Delivery Paper are factual and required to be published by Government. There is therefore no decision to be made in association with the publication of the reports and it is considered that there is therefore no need for Cabinet approval for the publication of the report in future. The Chair of the Infrastructure, Safety and Growth Scrutiny Committee was consulted and was content that the reports did not need to be considered by that committee on that basis. It is

therefore considered that it would be more efficient for authority to publish the reports on an annual basis to be delegated to the Assistant Director – Growth and Regeneration.

The Infrastructure Funding Statement contains additional information on the spending of income from developer contributions and Community Infrastructure Levy payments. This report does include a statement of the Council's intention on what the Community Infrastructure Levy income will be spent on, so it is considered that it would be appropriate for the publication of this report to continue to be authorised by Cabinet at this time.

Infrastructure Funding Statement

In 2019 the CIL regulations were amended to include a requirement for councils to produce an annual Infrastructure Funding Statement (IFS) to give communities a better understanding of how developer contributions have been used to deliver infrastructure in their area. The statement should include details of the money received through s106 and CIL during the previous financial year and information on what projects that money has been allocated to and/or spent on. The statement should also set out the infrastructure projects or types of infrastructure that the authority intends to fund wholly or partly through CIL.

The IFS sets out income and expenditure of both CIL and s106 income each year along with the council's spending priorities for the strategic element of CIL.

Neighbourhood CIL allocation

In accordance with the established process for the spending of the neighbourhood element of CIL councillors were invited to apply for funding for projects within their wards and two such applications were received as follows:

- Cllr Lee Wood, Cllr Peter Thurgood, and Cllr Ben Price (Castle) – £5,850+vat (vat exempt as Grade I listed) towards the renovation of the Grade I listed, 13th century mediaeval crypt at St. Editha's church. The allocation of these funds will allow for the crypt to be transformed into a useable space, as it has fallen into disrepair. The vision is that a new facility can be open to all, for the benefit of the whole community which can be used for many different functions, such as arts installations, heritage tours, children's activities and an exhibition space.
- Cllr Daniel Maycock (Wilnecote) - £5,180 as a contribution towards new community notice boards, flag poles and a bench on Tamar Road. A suggestion was made by the resident's association that it was hard to access information for those with limited social media skills, therefore, a community notice board would make information more accessible to those members of the community. The flag poles and flags are proposed to draw attention to the notice boards and install a sense of civic pride into the area. Residents have suggested having a bench installed at the bus stop on Tamar Road as people with limited mobility are unable to stand for prolonged periods of time waiting for their desired bus to arrive.

In accordance with the established process, it is recommended that the amount allocated to the Castle ward project is £5,850 and the amount allocated to Wilnecote project is £5,180.

Report Author

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List of Background Papers

None.

Appendices

Appendix A – Draft Monitoring Report 2022/23
Appendix B – Housing Delivery Paper 2022/23

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