



Council Offices, Kiln Road,
Thundersley, Benfleet,
Essex SS7 1TF.
Tel. No: 01268 882200
Fax No: 01268 882455



David Marchant LLB (Hons) BSc (Hons) CEng FICE FCMI
Chief Executive

CABINET AGENDA

Date: Wednesday 21st October 2020

Time: 6.00pm NB Time

Venue: NB Remote Microsoft Teams

This meeting will be webcast live on the internet.

Membership:

Councillor Smith	Chairman - Leader of the Council
Councillor Stanley	Special Projects – Deputy Leader of the Council
Councillor Mrs Egan	Place - Housing
Councillor Hart	Place – Infrastructure
Councillor Isaacs	People – Community
Councillor Johnson	People – Health & Wellbeing
Councillor MacLean	Growth – Strategic Planning
Councillor Sheldon	Environment
Councillor Mrs Thornton	Economic Development Delivery
Councillor Varker	Resources

Cabinet Enquiries:

**Ann Horgan ext. 2413
ahorgan@castlepoint.gov.uk**

Reference:

3/2020/2021

Publication Date:

Tuesday 13th October 2020

AGENDA
PART I
(Business to be taken in public)

- 1. Apologies**
- 2. Members' Interests**
- 3. Minutes**
To approve the Minutes of the meeting held on 16th September 2020.
- 4. Forward Plan**
To review the Forward Plan.
- 5. Planning Policy Update: Planning for the Future: White Paper – Response**
(Report of the Cabinet Member for Growth Strategic Planning)
- 6. Test and Trace Support Payments Scheme:**
(Report of the Cabinet Member for Special Projects; Cabinet Member Resources)
- 7. Budget and Policy Framework 2021/2022**
(Report of the Cabinet Member Resources)
- 8. Housing Scheme Proposals Update**
(Report of the Cabinet Member Housing, Cabinet Member Resources)
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- 12. Matters to be referred from /to Policy & Scrutiny Committees**
- 13. Matters to be referred from /to the Standing Committees**

PART II
(Business to be taken in private)
(Item to be considered with the press and public excluded from the meeting)

There are no matters

INFORMAL
CABINET SESSION

All Councillors are welcome to take part in this informal question time session with Cabinet at the end of the meeting



CABINET



16TH SEPTEMBER 2020

PRESENT:

Councillor Smith
Councillor Stanley
Councillor Hart
Councillor Isaacs
Councillor Johnson
Councillor MacLean
Councillor Sheldon
Councillor Mrs Thornton
Councillor Varker

Chairman – Leader of the Council
Special Projects – Deputy Leader of the Council
Place – Infrastructure
People – Community
People – Health & Wellbeing
Growth- Strategic Planning
Environment
Economic Development Delivery
Resources

APOLOGIES:

Cllr Mrs Egan

Place - Housing

ALSO PRESENT:

Councillors: Acott, Anderson, Mumford, Thomas, Sach and Skipp

119. MEMBERS' INTERESTS:

No declarations were made.

120. MINUTES:

The Minutes of the Cabinet meeting held on 22.07.2020 were approved as a correct record .

121. FORWARD PLAN:

To comply with regulations under the Localism Act 2011, the Leader presented a revised Forward Plan to the meeting which outlined key decisions likely to be taken within the next quarter of 2020. The Plan was reviewed each month.

Resolved – To note and approve the Forward Plan.

122. PLANNING POLICY UPDATE: CHANGES TO CURRENT PLANNING SYSTEM – CONSULTATION ON CHANGES TO PLANNING POLICY AND REGULATIONS

Cabinet considered a report seeking views to inform the response to consultation being undertaken by Government in respect of proposed changes to the current planning system to inform Government on the adoption of a revised planning system.

During discussion of the proposed response, Cabinet members and other Members present asked questions and made observations on the response. In responding to questions, it was confirmed as set out in the report that submission of the Castle Point Local Plan to the Planning Inspectorate was imminent. The Cabinet Member

for Growth reported that all Essex Authorities shared a common view of the propositions within the White Paper.

Resolved:

1. That the Cabinet adopts the proposed recommendations as set out in the Report.
2. That Cabinet approve the actions set out in the conclusion that the Cabinet's views together with the comments outlined in the report be brought together in a single response to the Consultation, the final draft to be approved by the Chief Executive and / or Head of Place and Policy in consultation with the Cabinet Member for Strategic Planning and the Leader of the Council.

123. EAST COAST RECREATIONAL DISTURBANCE AVOIDANCE & MIGRATION STRATEGY (RAMS) SUPPLEMENTARY PLANNING DOCUMENT:

Cabinet considered a report on the outcome of the public consultation on the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMS) Supplementary Planning Document (SPD), recommending that the revised SPD, presented be approved.

Resolved:

1. To approve the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy as set out in Appendix 1 for adoption as a Supplementary Planning Document.
2. That the Chief Executive and Head of Place and Policy be authorised to agree minor changes to the Supplementary Planning Document and supporting documents in Appendices 1 - 3 should it be necessary before adoption/publication, and to undertake all the necessary legal and procedural adoption processes.

124. GETTING BUILDING FUNDING - LABWORTH CAR PARK

Cabinet considered a report on the proposed improvements to the Labworth Car Park and the Council's application to the South East Local Enterprise Partnership (SELEP) for Getting Building funding. Cabinet was asked to approve the Council's funding commitment in order to secure the Getting Building funding.

Resolved:

1. To note the contents of the report;
2. To endorse the funding commitment that the Council is required to give to secure a share of the Getting Building Fund; and
3. Authorise the Council's Section 151 Officer in consultation with the Cabinet Members for Special Projects and Resources and the Head of Environment to approve a draw down from Council reserves to meet any cost overrun once the tenders have been received so that the proposed improvements to the car park can be progressed in a timely manner and in accordance with the Getting Building Fund grant conditions.

125. AUTHORITY TO REPRESENT THE COUNCIL

Cabinet considered a report seeking authorisation to allow a member of the Council's Legal Team employed by the Council to represent the Borough Council in proceedings before the Magistrates' Court and County Court.

Resolved:

That the following member of the Legal Team be authorised to appear before the Magistrates' Court and County Courts to represent the Borough Council in legal proceedings pursuant to Section 223 Local Govt Act 1972 and Section 60(2) County Courts Act 1984: -

David Bland - Chartered Legal Executive (Fellow)

126. CORPORATE PERFORMANCE SCORECARD QUARTER 1 2020/21

Cabinet considered a report on the performance figures for the Corporate Performance Scorecard for quarter 1 2020/21.

The Covid -19 public health emergency had affected performance figures as delivery of certain services had changed, for example closure of leisure centres.

Members took the opportunity to thank council staff for their continuing and extraordinary work during the continuing Covid -19 public health emergency. Members acknowledged the actions being taken to maintain services and performance.

Resolved:

That Cabinet noted the report and continues to monitor performance.

127. FINANCIAL UPDATE AND COVID-19 GOVERNMENT ASSISTANCE

Cabinet received report providing the latest 2020/21 forecast in respect of the General Fund and an update on developments of a financial nature in relation to the impacts of COVID-19 on the Council and the assistance being received from Government.

Cabinet was pleased to note, as set out in Paragraph 7.9 of the report, that it was possible to restore certain projects including the Borough wide upgrade of CCTV; the design element of the Disability Discrimination Act (DDA) improvements at Runnymede Hall and the footpath at Smallgains open space.

Resolved:

1. That Cabinet note the expected financial impact of COVID-19 in 2020/21 and the financial assistance received from Government.
2. That Cabinet approve, in recognition of additional Government support, the reversal of the budget amendments shown in paragraph 7.9 which were previously agreed at June Cabinet within the report titled COVID-19 Public Health Emergency and Recovery.
3. That Cabinet note the financial forecast contained at Appendix 1.

128. ARRANGEMENTS FOR DISPOSAL OF NON-RECYCLABLE WASTE

Cabinet received a report on the arrangements put in place by Essex County Council (ECC) for the disposal of non-recyclable waste subsequent to the operator of the Mechanical Biological Treatment facility at Courtauld Road, Basildon known as the Tovi Eco Plant, suspending deliveries of waste into the plant from 29 June 2020.

Resolved: to note the contents of the report.

129. MATTER REFERRED FROM ENVIRONMENT POLICY & SCRUTINY COMMITTEE REPORT HELD ON 25.8.2020 – CLIMATE CHANGE AND CARBON REDUCTION

Cabinet considered a report back from the Environment PSC, making recommendations for further work in the area of Climate Change and Carbon Reduction and asking Cabinet to further consider a political declaration of a 'Climate and Ecological Emergency' within Castle Point.

Cabinet was of the view that development and implementation of action plan rather than a political declaration was more appropriate to address climate change

Resolved:

1. That Council take a more corporate approach to climate change by the setting up an officer group to act as a discussion forum, sharing of knowledge and resource, and preparation of an action plan of carbon reduction works and other initiatives, to guide the Council's activities going forward.
2. To commend the creation of an action plan with the aim of reducing organisational carbon emissions to 'net-zero', within the Borough to address the threat of climate change.

130. MATTERS TO BE REFERRED FROM / TO THE STANDING COMMITTEES

There were no matters.

Chairman



Castle Point Borough Council

Forward Plan

OCTOBER 2020

CASTLE POINT BOROUGH COUNCIL

FORWARD PLAN

OCTOBER 2020

This document gives details of the key decisions that are likely to be taken. A key decision is defined as a decision which is likely:-

- (a) Subject of course to compliance with the financial regulations, to result in the local authority incurring expenditure which is, or the savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates subject to a threshold of £100,000; or
- (b) To be significant in terms of its effects on communities living or working in an area comprising two or more Wards in the area of the local authority.

The Forward Plan is a working document which is updated continually.

Date	<u>Item</u>	Council Priority	Decision by Council/ Cabinet	Lead Member(s)	Lead Officer(s)
October 2020	<u>Housing Proposals</u>	Housing and Regeneration	Cabinet	Place – Housing Resources	Head of Housing
October 2020/ February 2021	<u>Budget and Policy Framework</u> To make recommendations to Council on the Council tax and budget setting.	All	Cabinet/ Council	Finance, Policy & Resources	Strategic Director (Resources)
October 2020	<u>Planning Policy Update – White Paper response</u>	Housing and Regeneration	Cabinet	Growth – Strategic Planning	Head of Place & Policy
November 2020	<u>Planning Policy Update – Statement of community involvement – approve revision</u> <u>New Local Development Scheme</u>	Housing and Regeneration	Cabinet	Growth – Strategic Planning	Head of Place & Policy
November 2020	<u>Planning Policy Update – Community Infrastructure Levy</u>	Housing and Regeneration	Cabinet	Growth – Strategic Planning	Head of Place & Policy
November 2020	<u>Report on Tenders: Repairs and Maintenance Void Contract</u>	Housing and Regeneration	Cabinet	Place – Housing Resources	Head of Housing
November 2020	<u>Corporate Scorecard Quarter 2</u>	All	Cabinet	Resources	Strategy Policy & Performance Manager
November 2020	<u>Local Council Tax Scheme 2021 /22 Review – for review & approval</u>	Housing and Regeneration	Cabinet/ Council	Resources	Head of Customer and Digital Services
December 2020	<u>Labworth Car Park</u>	Housing and Regeneration	Cabinet	Place – Infrastructure	Head of Environment

CABINET

21st October 2020

Subject: Planning for the Future: White Paper Response

Cabinet Member: Councillor MacLean – Growth – Strategic Planning

1. Purpose of this Report

The Government White Paper; 'Planning for the Future sets out the Government's vision of the reformation of the planning system in England.

This is the most fundamental review of the planning system since its inception in 1947 and its provisions have far reaching consequences for the operation and management of the planning system within Castle Point. It is therefore essential that it be given appropriate and rigorous consideration.

The purpose of this report is to advise Members of the content of the White Paper and provide an opportunity for consideration of the Council's response.

2. Links to Council's Priorities and Objectives

This report links to the Council priorities of Environment, Housing and Regeneration, Health and Community Safety and a Commercially and Democratically Accountable Council.

3. Recommendations

- 1. That Members consider the proposals contained within the Government White Paper in depth prior to finalising comments for submission by the end of October 2020.**
 - 2. That the Chief Executive and / or Head of Place and Policy be authorised to finalise and submit the response following consultation with the Cabinet Member for Strategic Planning and the Leader of the Council.**
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4. Introduction

- 4.1 On the 6 August 2020 the Government published a White Paper Planning for the Future on which responses are required to be submitted by 29 October 2020. This marks a significant review of the planning system in England that could lead to new primary legislation, a revised National Planning Policy Framework, new regulations and planning practice guidance. This in turn will lead to changes in how the Council approaches plan making and decision making of planning applications.
- 4.2 At the same time as the White Paper, the Government published consultation on Changes to The Current Planning System, which was considered by Cabinet at the meeting held on 16 September 2020. That consultation closed on 1 October and the Council's comments have been submitted.
- 4.3 The Government is seeking structured comment on proposals to dismantle the planning system currently operated in England and replace it with a new system which is proposed to be simpler, faster, more predictable and more proactive in delivering housing to meet the needs of the community; opportunities for the expansion of business and the creation of employment; and more engagement by the community on what gets built and where. This will also support combating climate change, improving biodiversity, protecting heritage, delivering opportunities for the construction industry (and particularly small and medium sized development companies), meeting the need for social infrastructure and increasing home ownership.
- 4.4 In order to achieve this it is proposed to introduce a 'rules based' approach to development to replace what is described as the more 'discretionary' approach currently employed, where Local Plans provide long lists of policy and applications are decided on the basis of individual merit.
- 4.5 By introducing a 'rules'-based system, removing uncertainty, reducing risk and delay in decision making, it is the view of Government that more and better-quality development will come forward.
- 4.6 The White Paper examines in depth the various measures to be introduced in the new planning process. In essence it proposes a new system of planning that will be based on a more standardised and automated procedure which will facilitate and release resources for more meaningful public engagement and the creation of high-quality development supported by appropriate infrastructure, through the greater use of master plans and design codes.
- 4.7 The consultation document seeks the answers to a number of questions in order to gauge public confidence in the current system and inform the establishment of the new.
- 4.8 This report provides a brief overview of the principle elements of the new system and Members are strongly advised to read the White Paper and give consideration to the questions asked and, where appropriate, the alternative proposals suggested.

The White Paper can be found at:

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

- 4.9 Attached in Appendix 1 is a set of draft responses to the White Paper. Additional comments from Cabinet will be captured and incorporated into the final submission, which officers will draft and agree in consultation with the Cabinet Member for Strategic Planning and the Leader of the Council.
- 4.10 It is vital that the Council takes this opportunity to respond. The White Paper is light on detail and where that is the case, we need to highlight that back to the Government. Waiting for the proposals to be implemented without raising concerns and issues, or indeed offering suggestions for improvement or the chance to participate in discussions on the detail, will mean that the Council can only accept the proposals and will have missed the chance to influence Government policy.
- 4.11 In addition to the Council's representations, the Essex Planning Portfolio Holders Forum and the Essex Planning Officers Association are also submitting responses. Nothing in the Council's response or indeed the collective responses are prejudicing each other. The EPOA response represents the professional view of the County's chief planning officers.

5.0 Summary of Proposals

- 5.1 The White Paper proposes a new planning regime to be based on three underlying concepts, known as 'Pillars':

Pillar One: Planning for development,

Pillar Two: Planning for beautiful and sustainable place and

Pillar Three: Planning for infrastructure and connected places.

- 5.2 For each a number of sub-sections are provided and questions are asked.
There are some general overarching questions

Question 1. What three words do you associate most with the planning system in England?

Question 2(a). Do you get involved with planning decisions in your local area? [Yes / No]

Question 2(b). If no, why not? [Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]

Question 3. The Government considers its proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? [Social media / Online news / Newspaper / By post / Other – please specify]

Question 4. What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

5.3 The remaining sections are summarised below.

6.0 Pillar One: Planning for development

6.1 Local Plans

6.2 Proposal 1

Simplified Local Plans

6.2.1 Local Plans will be simplified. They will identify:

- 'Growth Areas, suitable for substantial development' (which will be defined in policy to remove debate and will exclude areas in Flood Risk Zones unless the risk can be fully mitigated). Sites annotated in the Local Plan under this category would have automatic outline approval for development.
- 'Renewal Areas' suitable for development including gentle densification and infill of residential areas and development in town centres. There would be a statutory presumption in favour of development being granted for the uses specified as being suitable in each area; and
- 'Protected' Areas. This would include areas such as Green Belt, Areas of Outstanding Natural Beauty (AONBs), Conservation Areas, Local Wildlife Sites, areas of significant flood risk and important areas of green space. At a smaller scale it can continue to include gardens in line with existing policy in the National Planning Policy Framework (NPPF).

6.2.2 Local Plans will be standardised and based on latest digital technology. They would comprise an interactive web-based map of the administrative area where data and policies were easily searchable, with a key and accompanying text. Areas and sites would be annotated and colour-coded in line with their Growth, Renewal or Protected designation, with explanatory descriptions set out in the key and accompanying text, as appropriate to the category. In Growth and Renewal areas, the key and accompanying text would set out suitable development uses, as well as limitations on height and/or density as relevant. Areas within Growth and Renewal Areas should be allocated for self-build, custom and community led housing to assist diversity.

6.2.3 Consultation on Local Plans (and planning applications) will be raised in importance. Public interaction with the plan making process will be facilitated through the greater use of social media and smart phones. Greater use of visual representations will replace the need to read lengthy documents.

- 6.2.4 Although apparently favouring a three-part allocation system set out above, the Government is also seeking comments on the option of combining 'Growth' and 'Renewal' into one category and extending Permission in Principle across both subsets.
- 6.2.5 Views on the option of limiting automatic permission in principle to land identified as Growth Areas, only with other areas of land being identified for different forms of development by the local planning authority as at present are also sought.

Question 5. Do you agree that Local Plans should be simplified in line with Government proposals? [Yes / No / Not sure. Please provide supporting statement.]

6.2.6 Proposal 2

Development management policies will be established at national scale and there will be an altered role for Local Plans

- 6.2.7 Local Plans will comprise a core set of standards and requirements for development instead of detailed policies, including broad height limits and scale and/or density limits for land included in Growth and Renewal Areas. As a consequence, Local Plans will be significantly shorter and greater reliance will be placed on the NPPF as the primary source of development management policies.
- 6.2.8 To provide certainty and reflect local character and preferences about the form and appearance of development, planning authorities and neighbourhoods (through Neighbourhood Plans) would be required to produce design guides and codes. These will be separate documents, but the expectation is that they will twin track the progress of the Local Plan.
- 6.2.9 It is expected that all design guides and code requirements will be written in a machine-readable format so that wherever feasible, they can be used by digital services to automatically screen developments to identify where they align with policies and/or codes.
- 6.2.10 As an alternative to the removal of general development management policies in Local Plans, the Government is seeking views on the proposal that where exceptional circumstances necessitate a locally-defined approach, detailed policies may be included in the Local Plan. Such policies will however be restricted to the control of specific matters only and be standardised in the way they are written.
- 6.2.11 A second alternative is to allow local authorities to set development management policies as under the current Local Plan system, duplication of policies within the NPPF would not be allowed.

Question 6. Do you agree with Government proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.]

6.2.12 **Proposal 3**

Local Plans will be subject to a simpler testing regime.

6.2.13 Local Plans will be subject only to a 'Sustainable Development' Test'. All other tests such as the test for soundness and the 'duty to co-operate' will be abolished. It is proposed that a simplified process for the assessment of the environmental impact of plans and cross boundary issues be developed. In addition all plans should be informed by appropriate infrastructure planning and sites should not be included in the plan where there is no reasonable prospect of any infrastructure that may be needed coming forward within the plan period.

6.2.14 As an alternative, the Government is seeking views on the reformation of the existing soundness test to make it easier for a suitable strategy to be found sound. For example, rather than demonstrating deliverability of particular sites, local authorities could be required to identify a stock of reserve sites which could come forward for development if needed.

Question 7(a). Do you agree with Government proposals to replace existing legal and policy tests for Local Plans with a consolidated test of "sustainable development", which would include consideration of environmental impact? [Yes / No / Not sure. Please provide supporting statement.]

Question 7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

6.2.15 **Proposal 4**

A standard method for establishing housing requirement figures

6.2.16 These changes were set out in the Changes to the current planning system which was considered by Cabinet on 19 September 2020. It is not proposed to set them out again here.

Question 8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? [Yes / No / Not sure. Please provide supporting statement.]

Question 8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? [Yes / No / Not sure. Please provide supporting statement.]

6.3 Development Management

6.3.1 **Proposal 5**

A streamlined development management process with automatic planning permission for schemes in line with plans

- 6.3.2 It is proposed that areas identified as Growth Areas in local plans would automatically be granted outline planning permission for the principle of development, while automatic approvals would be available for pre-established development types in other areas suitable for building. Subsequent reserved matters applications should focus on matters of detail and may not question the principle of development.
- 6.3.3 In areas suitable for development (Renewal Areas), there would be a general presumption in favour of development established in legislation and determined under an improved (faster) planning application process or Development Order.
- 6.3.4 Whilst the new system relies heavily on being plan-led, exceptionally, in both Growth and Renewal Areas it would be possible for a proposal which was different to the plan to come forward (if, for example, local circumstances had changed suddenly, or an unanticipated opportunity arose), but this would require a specific planning application.
- 6.3.5 In areas where development is restricted (Protected Areas) any development proposals would come forward through planning applications to the local authority (except where they are subject to permitted development rights or development orders) and judged against policies set out in the NPPF.

Question 9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth Areas) with faster routes for detailed consent? [Yes / No / Not sure. Please provide supporting statement.]

Question 9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected Areas? [Yes / No / Not sure. Please provide supporting statement.]

Question 9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? [Yes / No / Not sure. Please provide supporting statement.]

6.3.6 **Proposal 6**

Decision-making should be faster and more certain, with firm deadlines, and make greater use of digital technology

- 6.3.7 It is proposed that the planning system become much more digitally enabled and streamlined with strict adherence to the statutory time periods for determination.

6.3.8 To facilitate this:

- Improvements to the validation process are required and more elements of the process, including comparison of the proposal to the provisions of adopted design codes and guidance will be automated to provide faster and more certain decision-making.
- Developers will be required to submit more succinct and machine readable and increasingly standardised supporting documentation.
- Consultation on applications will be streamlined and standardised, with greater emphasis on simplicity and accessibility via digital means.
- Notices will be standardised, simplified and digitised.
- Conditions will be clearer and more consistent with national conditions to cover common issues.
- Data-rich planning application registers will be created so that planning application information can be easily found and monitored at a national scale.
- Data sets that underpin the planning system, including planning decisions and developer contributions, will be standardised and made open and digitally accessible.
- Delegation of detailed planning decisions to planning officers will be increased where the principle of development has been established, as detailed matters for consideration should be principally a matter for professional planning judgment.

6.3.9 In order to encourage the timely determination of applications the Government is considering whether automatic refunds or the automatic approval of applications should occur where applications 'go out of time'. This is particularly in respect of proposals for facilities and infrastructure that communities' value, such as schools, hospitals and GP surgeries.

6.3.10 There will remain a power to call in decisions by the Secretary of State and for applicants to appeal against decisions by the local planning authority. By ensuring greater certainty about the principle of development in Local Plans, fewer appeals are anticipated. However, where the Authority loses an appeal it is proposed that applicants will receive a full refund on their application fee.

Question 10. Do you agree with Government proposals to make decision-making faster and more certain? [Yes / No / Not sure. Please provide supporting statement.]

6.3.11 **Proposal 7**

A new interactive, web-based map standard for planning documents

- 6.3.12 The Government wishes to fully engage in digital technology in order to widen community engagement in local plan preparation.
- 6.3.13 To facilitate this it is proposed that local plans should be visual and map-based, standardised, based on the latest digital technology and supported by a new template. This will allow people to feed their views into the system through social networks and via mobile phones. In pilot schemes, use of digital media has seen a significant improvement in engagement by people under the age of 45.
- 6.3.14 To support the transition to the new format, the Government will publish a guide to the new Local Plan system and data standards and digital principles, including clearer expectations around the more limited evidence that will be expected to support “sustainable” Local Plans, accompanied by a “model” template for Local Plans and subsequent updates.
- 6.3.15 It will also set up a further series of pilots to work with local authorities and ‘tech’ companies (the emerging ‘PropTech’ sector) to develop innovative solutions to support plan-making activities and make community involvement more accessible and engaging.

Question 11. Do you agree with Government proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]

6.3.16 **Proposal 8**

A streamlined, more engaged plan-making process

- 6.3.17 The current Local Plan system has been much criticised for the length of time it usually takes to prepare, publish and adopt a Plan, on average, the period is seven years. This means that once adopted many Local Plans are immediately out of date.
- 6.3.18 The Government seeks to dramatically reduce the time it takes to prepare a Local Plan and local authorities and the Planning Inspectorate will be required to meet a statutory timetable, of no more than 30 months in total, for key stages of the process. Sanctions will be imposed for those who fail to achieve this.
- 6.3.19 The new process will comprise 5 stages:
- **Stage 1** [6 months]: The local planning authority “calls for” suggestions for areas under the three categories.
 - **Stage 2** [12 months]: The local planning authority draws up its proposed Local Plan and produces any necessary evidence to inform and justify the plan.
 - **Stage 3** [6 weeks]: The local planning authority simultaneously submits

the Plan to the Secretary of State for Examination together with a Statement of Reasons to explain why it has drawn up its plan as it has; and publicises the plan for the public to comment on. Comments seeking change must explain how the plan should be changed and why. Responses will have a word count limit.

- **Stage 4** [9 months]: A planning inspector appointed by the Secretary of State considers whether the three categories shown in the proposed Local Plan are “sustainable” and makes binding changes which are necessary to satisfy the test.

The plan-making authority and all those who submitted comments would have the right to be “heard” by the inspector

The inspector’s report can, as relevant, simply state agreement with the whole or parts of the council’s Statement of Reasons, and/or comments submitted by the public.

- **Stage 5** [6 weeks]: Local Plan map, key and text are finalised, and come into force.

6.3.20 To support the transition to the new system, a statutory duty for local authorities to adopt a new Local Plan by a specified date will be introduced. This will be either 30 months from the legislation being brought into force, or 42 months for local planning authorities which have adopted a Local Plan within the previous three years or have submitted a Local Plan to the Secretary of State for examination. Failure to achieve this deadline or to review the Plan at least every five years, will risk Government intervention.

6.3.21 As an alternative proposal, the Government is seeking views on the reform of the existing examination process in order to speed up the process. For instance, the automatic ‘right to be heard’ could be made discretionary and for less complex or controversial plans only written representations would be accepted.

6.3.22 A further alternative could be to remove the examination stage entirely, instead requiring Planning Authorities to undertake a process of self-assessment against set criteria and guidance. Under these conditions the Planning Inspectorate could undertake plan audits to assess whether the requirements of the statutory sustainability test had been met. However, there is a risk that this option wouldn’t provide sufficient scrutiny around whether plans met the necessary legal and policy tests.

Question 12. Do you agree with Government proposals for a 30 month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]

6.3.23 **Proposal 9**

Retention of Neighbourhood Plans and the provision of support to communities to make better use of digital tools

- 6.3.24 Neighbourhood Plans are identified as an important means of engaging the public in how their area is developed. However it is considered that the process of achieving such plans would also benefit from simplification and digitisation, in order to encourage greater use.

Question 13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]

Question 13(b). How can the neighbourhood planning process be developed to meet Government objectives, such as in the use of digital tools and reflecting community preferences about design?

6.3.25 Proposal 10

A stronger emphasis on build out

- 6.3.26 The existence of a planning consent may not equate to development. This may particularly be the case with large schemes, where market absorption can limit the speed at which development comes forward.
- 6.3.27 To limit this potential it is proposed to amend the NPPF to make it clear that masterplans and design codes for sites prepared for substantial development should include a variety of development types by different builders to allow more phases to come forward together.

Question 14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? [Yes / No / Not sure. Please provide supporting statement.]

7.0 Pillar Two: Planning for beautiful and sustainable places.

- 7.1 The establishment of a reformed and simpler planning system with greater public engagement is the prerequisite to the second pillar: the creation of beautiful and sustainable places.
- 7.2 In recent years the complexity of the planning system has prejudiced the creation of a high-quality environment. The reformation of the planning system represents an opportunity to redress this situation.

Question 15. What do you think about the design of new development that has happened recently in your area? [Not sure or indifferent / Beautiful and/or well-designed / Ugly and/ or poorly-designed / There hasn't been any / Other – please specify]

Question 16. Sustainability is at the heart of Government proposals. What is your priority for sustainability in your area? [Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]

7.3 **Proposal 11**

To make design expectations more visual and predictable, the Government will expect design guidance and codes to be prepared locally with community involvement, and ensure that codes are more binding on decisions about development.

7.4 In October 2019 the Government published National Design Guidance which illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice.

7.5 It is now proposed to supplement this document with a National Model Design Code to supplement the guide, setting out more detailed parameters for development in different types of location.

7.6 It is anticipated that these documents will provide the template for locally produced and locally supported design documents. Only documents which can demonstrate effective input from the local community will be given any weight in the determination of planning applications and all planning applications will be expected to be determined in accordance with the provisions of these documents.

7.7 National Model Design Code and Manual for Streets

Question 17. Do you agree with the Government's proposals for improving the production and use of design guides and codes? [Yes / No / Not sure. Please provide supporting statement.]

7.8 **Proposal 12:**

To support the creation of more beautiful places each authority should have a chief officer for design and place-making.

7.9 Years of austerity have resulted in few local authorities now benefiting from the expertise of in-house design teams.

7.10 It is recognised that in order to build this capacity, support will be required from Government and consideration will be given to the establishment of a new expert body to facilitate this and perform a monitoring role.

7.11 In the interim however, in order to create the corporate framework for the achievement of more beautiful places, each authority should have a chief officer for design and place-making.

18. Do you agree that the Government should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making? [Yes / No / Not sure. Please provide supporting statement.]

7.12 **Proposal 13**

To further embed national leadership on delivering better places, the Government will consider how Homes England's strategic objectives can give greater emphasis to delivering beautiful places.

- 7.13 It is the Government's intention to 'lead from the front' and noting progress already made, will require Homes England to give even greater consideration to design quality in its work.

19. Do you agree with the Government's proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? [Yes / No / Not sure. Please provide supporting statement.]

7.14 **Proposal 14**

The introduction of a fast track for beauty through changes to national policy and legislation, to incentivise and accelerate high quality development which reflects local character and preferences.

- 7.15 It is suggested that where proposals come forward which comply with locally pre-established principles of good design, it should be possible to expedite such development through the planning process. It is anticipated that this 'fast track' approach will incentivise attractive and popular development.

- 7.16 This fast track could be achieved in three ways:

- (i) By updating the National Planning Policy Framework to emphasise that schemes which comply with local design guides and codes have a positive advantage in the decision making process.
- (ii) In Growth Areas, masterplans and site-specific codes will need to be agreed as a condition of the permission in principle and in place prior to detailed proposals coming forward.
- (iii) Through legislation to widen and change the nature of permitted development, so that it enables popular and replicable forms of development to be approved easily and quickly. In effect a return to approved 'Pattern Books'. Prior Approval from the planning authority would still be needed for aspects of the design such as materials, flood risk and access.

20. Do you agree with Government proposals for implementing a fast-track for beauty? [Yes / No / Not sure. Please provide supporting statement.]

7.17 Proposal 15

Amendments to the National Planning Policy Framework to ensure it targets areas where a reformed planning system can most effectively play a role in mitigating and adapting to climate change and maximising environmental benefits.

- 7.18 The new planning system will maintain protection of areas of environmental and cultural value at international, national and local level but will proactively engage to mitigate and adapt to climate change and reduce pollution through the location, form and density of development and the provision of more green space and tree cover.

7.19 Proposal 16

The provision of a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species in England.

- 7.20 The current system of assessing environmental impacts is complex and labour intensive and can result in a lack of transparency and delays in decision making. A simpler, but effective process is required. Further specific consultation on this aspect of the new planning regime will be undertaken in the autumn.

7.21 Proposal 17

Conserving and enhancing historic buildings and areas in the 21st century

- 7.22 The planning system has been fundamental in the protection of historic buildings and areas. This role will be enhanced under the new regime. To facilitate this it is proposed to review and update the planning framework for listed buildings and conservation areas, to ensure their significance is conserved while allowing, where appropriate, sympathetic changes to support their continued use and address climate change.

7.23 Proposal 18:

To complement planning reforms, the Government will facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver a world-leading commitment to net-zero by 2050.

- 7.24 It is the ambition of this Government that homes built under the new planning system will not need retrofitting in the future. The Government intends to explore options for the future of energy efficiency standards, beyond 2025.

- 7.25 As part of this process the Government wants to ensure that high standards for the design, environmental performance and safety of new and refurbished buildings are monitored and enforced. It is anticipated that as local authorities

are freed from many planning obligations through the proposed reforms, they will be able to reassign resources and focus more fully on enforcement. It is considered that ensuring that planning standards and building regulations are met will help to ensure the delivery of homes that are fit for the future and cheaper to run.

8.0 Pillar Three – Planning for infrastructure and connected places

- 8.1 Under the current system the infrastructure needs of new development are met through S106 obligations, or Community Infrastructure Levy (CIL). Both forms of obligation are discretionary, and both have their disadvantages.
- 8.2 S106 agreements, due to the need for negotiation (and frequently re-negotiation), invariably delay decision making and the outcome for authorities is generally reliant on the skills of the negotiator, which are varied across authorities. Negotiation also leaves the community with uncertainty as to what infrastructure will actually be achieved from development.
- 8.3 CIL overcomes many of the issues encountered with S106's, being a non-negotiable flat rate levy. However, this is imposed at the grant of consent with payment due on commencement. It is unresponsive to changes in market conditions and the need to pay the levy before any income has been achieved from the site can be a deterrent to smaller developers.
- 8.4 There is concern also that despite early payment, some authorities are slow to spend the contributions received reflecting factors including indecision, competing spending priorities and uncertainty over other infrastructure funding streams.

21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]

8.5 Proposal 19

The Community Infrastructure Levy should be reformed to be charged as a fixed proportion of the development value above a threshold, with a mandatory nationally set rate or rates and the current system of planning obligations abolished.

- 8.6 It is intended to introduce a new Infrastructure Levy to replace the existing mechanisms. This new levy would be based upon a nationally set, flat-rate, valued-based charge, set nationally, at either a single rate or area-specific rates. Although nationally set, revenues would continue to be collected and spent locally.
- 8.7 The new levy would:

- be charged on the final value of a development; above a minimum threshold
 - be levied at point of occupation,
 - include a value-based minimum threshold below which the levy would not be charged, (to prevent low viability development becoming unviable),
 - provide greater certainty for communities and developers on the level of developer contributions expected for new development.
 - be levied against all use classes
 - reduce risk for developers and cashflow difficulties, particularly for SME developers.
- 8.8 To better support the timely delivery of infrastructure, the system would allow local authorities to borrow against Infrastructure Levy revenues so that they could forward fund infrastructure.
- 8.9 As alternatives, the Government is giving consideration to:
- (i) the introduction of the Levy being optional for local authorities and locally set.
 - (ii) the adoption of the national rate approach, but with the aim of capturing more land value. While developers would be liable for paying the levy, the cost of this would be capitalised into land value. This would ensure that the landowners who benefit from increases in value as a result of the grant of planning permission contribute to the necessary infrastructure. In effect, land would become less valuable.

22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold? [Yes / No / Not sure. Please provide supporting statement.]

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]

22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? [Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]

22(d). Should local authorities be allowed to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]

8.10 Proposal 20

The scope of the Infrastructure Levy could be extended to capture changes of use through permitted development rights

- 8.11 Under the new regime the scope of the Infrastructure Levy would be extended to capture changes of use which require planning permission, even where there is no additional floorspace, and for some permitted development rights including office to residential conversions and new demolition and rebuild permitted development rights.
- 8.12 This would allow these developments to better contribute to infrastructure delivery and making development acceptable to the community.
- 8.13 The exemption from the Infrastructure Levy of self and custom-build development will be maintained.

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]

8.14 Proposal 21

The reformed Infrastructure Levy should deliver affordable housing provision

- 8.15 The new Infrastructure Levy will be able to be used to secure affordable housing (unlike the current CIL provisions) and could be used to incentivise provision on-site if applied as an 'in-kind' delivery package, subject to appropriate measures to protect the authority and developers from changes in the market.
- 8.16 High quality in the provision of on-site affordable homes could be achieved by the introduction of a provision which would allow the authority to revert back to a cash payment if no provider were willing to purchase the homes on the basis of poor quality.
- 8.17 Local authorities could also accept Infrastructure Levy payments in the form of land within or adjacent to a site. Through borrowing against further Infrastructure Levy receipts, other sources of funding, or in partnership with affordable housing providers, they could then build affordable homes.
- 8.18 As an alternative: the Government is seeking views on a proposal to create a 'first refusal' right for local authorities to buy up to a nationally determined proportion of on-site units at a discounted price, broadly equivalent to build

costs. The developer would have discretion over which units to make available and the scheme would be subject to a minimum site threshold.

- 8.19 Where dwellings were purchased by the authority, they could be used for affordable housing purposes or sold on to raise money for affordable housing elsewhere. Infrastructure levy funds could be used for the purchase.

24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? [Yes / No / Not sure. Please provide supporting statement.]

24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities? [Yes / No / Not sure. Please provide supporting statement.]

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]

8.20 **Proposal 22**

More freedom could be given to local authorities over how they spend the Infrastructure Levy

- 8.21 At the present time an element of CIL is passed to Parish Councils for spending in the local area. This ensures that part of the levy is spent on local priorities. This will be maintained and enhanced under the new system. However comment is sought in respect of the principle of such flexibility in spending being extended to authorities, so that once core obligations had been met, other policy priorities could be considered, such as improving services, enhancing digital engagement or reducing council tax.

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.] 25(a). If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]

9.0 **Delivering Change**

9.1 **Proposal 23**

As the Government develops its final proposals for this new planning system, it will develop a comprehensive resources and skills strategy for the planning sector to support the implementation of the reforms. In doing so, it proposes this strategy will be developed including the following key elements:

- (i) ensuring a smooth transition to the new system
- (ii) ensuring landowners and developers fund the cost of operating the planning system rather than the taxpayer
- (iii) planning fees will continue to be set at the national level.
- (iv) greater regulation of discretionary pre-application charging to ensure it is fair and proportionate.
- (v) A proportion of developer contributions will be earmarked for the funding of plan preparation and enforcement.
- (vi) A regulatory review to reduce costs within the decision making process
- (vii) The introduction of a new performance framework for planning authorities
- (viii) Planning Inspectorate and statutory consultees will become self-financing.
- (ix) Increased emphasis of workplace planning and skills development
- (x) The enhancement of digital and geospatial capability and capacity.
- (xi) The development of a strong 'PropTech' sector to facilitate data development within the service
- (xii) Stronger enforcement of planning standards and decisions.

10. What happens next?

- 10.1 The Government will consider the responses to the current consultation exercise and will further develop its plans for the reformation of the English planning system. Legislation will be required to bring forward reforms and policy changes would require the NPPF to be updated.

11. Equalities Impact

- 11.1 One of the key objectives of the proposed reform is to widen public engagement in the planning process.

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

* The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex or sexual orientation.

12. Corporate Implications

12.1 (a) Financial Implications

There are potentially significant financial implications arising from the proposed reformation of the planning system. The full extent of which will not be known until a firm basis for the new system has been agreed and primary legislation and revised guidance prepared.

12.2 (b) Legal Implications

It is not considered that there are currently any legal implications for this authority arising from the content of the White Paper.

12.3 (c) Human Resources and Equality Implications

There are potentially significant human resource and equality implications arising from the proposed reformation of the planning system. The full extent of which will not be known until a firm basis for the new system has been agreed and primary legislation and revised guidance prepared.

13. Timescale for implementation and Risk Factors

- 13.1 A response to the White Paper is required by the end of October 2020. A further report to finalise Member's comments will be presented at the next Cabinet meeting and will form the basis of this Council's response to Government.
- 13.2 The risks associated with not meeting this deadline is that any concerns or aspirations this Council may have in respect of the proposed reformation of the planning system will not be considered by Government.

14. Background Papers

Planning for the Future. Government White Paper. August 2020

Report Author – K. Fisher-Bright. Strategic Developments Officer

Suggested responses to the Consultation Document: Planning for the Future.

Question 1. What three words do you associate most with the planning system in England?

THE VIEWS OF CABIENT ARE SOUGHT IN THIS REGARD

Question 2(a). Do you get involved with planning decisions in your local area? [Yes / No]

The respondent is a Local Planning Authority.

Question 3. The Government considers its proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? [Social media / Online news / Newspaper / By post / Other – please specify]

The Council is an LPA, so promotes plans and applications but is interested in the results of this question to assist in how it approaches consultation and engagement in the future.

Question 4. What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

THE VIEWS OF CABIENT ARE SOUGHT IN THIS REGARD

The Castle Point Local Plan identifies 8 Objectives:

Objective 1: To protect and enhance the range of services that support healthy and active communities within Castle Point.

Objective 2: To provide high quality homes in sustainable locations that meet the needs of local people through an appropriate mix of housing sizes, types and tenures.

Objective 3: To make the town centres in Castle Point places where local people want to visit and access community and local facilities.

Objective 4: To create an environment that supports business growth and creates local job opportunities.

Objective 5: To promote more sustainable travel patterns within Castle Point through the location of development, and the provision of public transport and cycling infrastructure to complement the existing highway network.

Objective 6: To protect and enhance the network of high quality, accessible green and open space throughout Castle Point.

Objective 7: To protect and enhance the quality of the natural, built and historic environment within Castle Point, having regard to features of ecological, landscape and heritage importance.

Objective 8: To promote high levels of sustainability and resilience to natural and man-made risks through the location and design of development, having regard to the implications of climate change, including flood risk from all sources.

Question 5. Do you agree that Local Plans should be simplified in line with Government proposals? [Yes / No / Not sure. Please provide supporting statement.]

No objection is raised to simplifying plan making and the principle of the introduction of a form of zoning system replacing the current planning policy framework, however, it is considered that labelling of all land as one of three (or possibly two) types is too simplistic to reflect the mix of land uses that exist in most urban areas.

The Council supports the alternative option that would limit automatic permission in principle to land identified for substantial development in Local Plans (Growth areas); with other areas being identified for different forms of development by the local planning authority (taking account of the NPPF), and subject to the existing development management process.

The Plan Making reforms effectively diminish the Local Planning Authorities ability to design and deliver a locally based strategy beyond the location of new development. It curtails the ability of authorities to integrate plans and programmes to improve their areas and effectively reduces Place Making to design, rather than intervention to deliver change.

This Authority considers the timetable for preparation and publication of Local Plans is ambitious and suggests that additional resources at both local authority and Inspectorate level will be required to secure the timetable proposed.

No objection is raised to the greater use of technology in the preparation of, and consultation on, Local Plans, but this needs to be accompanied by wide education in the use of new technology (both within the authorities and the wider community) and consideration must be given to the needs of those who are unable to access technology in order to avoid the potential disenfranchisement of particular groups within society.

Question 6. Do you agree with Government proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.]

Streamlining plans in the manner proposed would result in the preparation and publication of shorter plans.

The setting of some national development management policies is considered appropriate where national policy has a clear requirement to be consistent, e.g. development within the Green Belt. However, concern is raised that undue prescription and reliance on the NPPF for development management policies will adversely impact on the ability of local residents to influence decision making or take into account unique characteristics of all communities.

It is acknowledged that the intention appears to be that this potential tension should be resolved by the preparation of local design codes, however, concern is raised that the need to comply with the provisions of the National Guidance will limit the ability of local design codes to respond fully to the views and aspirations of local communities.

This concern would be alleviated to some small degree by the alternative suggested option that where exceptional circumstances suggest local authorities should be permitted to draft their own development management policies, this would be allowed, but the scope of such policies would be limited and there is no guidance on what might be considered an 'exceptional circumstance'. Further, this similarly appears to remove the ability of local communities to routinely influence what goes on in their area, and what directly impacts on them.

The third option; that local authorities be provided with a similar level of flexibility to set development management policies as under the current Local Plans system, with the exception that policies which duplicate the National Planning Policy Framework would not be allowed, broadly represents the practice of this Authority and has been successful at achieving the requirements of national policy, whilst retaining a local ability to influence development. This is considered the most appropriate method of retaining local interest and participation in the planning system and is the option preferred by this authority.

Question 7(a). Do you agree with Government proposals to replace existing legal and policy tests for Local Plans with a consolidated test of "sustainable development", which would include consideration of environmental impact? [Yes / No / Not sure. Please provide supporting statement.]

The opportunity to remove detailed and time-consuming assessments of sustainability is welcomed, but there is a lack of clarity over what the 'Sustainable Development Test' might include.

Sustainability appraisals are important in establishing environmental, social and economic acceptability of a plan's proposed approach. If the principals of Sustainability Appraisal are retained in the proposed statutory test, then the Council would support this approach.

With regard to the 'alternative option' which would require the Authority to identify a stock of reserves sites that could come forward' if needed', it is considered that this would only be practicable where the Authority was able to identify alternative sites. In areas the subject of significant constraints it may prove difficult to identify suitable alternative sites.

Furthermore, it is considered that if the 'reserve' sites are identified as being suitable for development, there is likely to be increased debate on what is actually available and increased pressure to release these sites. In order to set a site as a reserve, the Council would have needed to have probably considered them and found them suitable for development. Effectively, they would have the same status as an allocated site. In tightly constrained urban areas, this will increase pressure on further release of land outside urban areas and in the case of Castle Point, the Green Belt.

The potential for increasing the level of debate within the context of a Local Plan Examination is considered likely to delay adoption of the Plan and would appear to be inconsistent with the proposal to streamline the system.

Clarification is required in respect of the 'slimmed down' assessment of the deliverability of the Plan. Details of what this might entail are currently lacking, however, deliverability is key to the success of the Plan and provision needs to be made to ensure that it is appropriately considered.

Question 7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

Cross boundary issues may best be dealt with through sub-regional plans. Castle Point is a partner in the Association of South Essex Local Authorities, which is tasked with the production of a Joint Strategic Plan. The White Paper offers no guidance on strategic planning, and yet proposes the abolition of the duty to cooperate. There is a significant vacuum in guidance.

The Government needs to urgently issue guidance on sub-regional plans, within the context of the white paper, and the Council is happy to participate in discussions with MHCLG officials, on the preparation of guidance.

The Government also need to consider, the question remains as to what happens at the boundaries of sub-regional areas. It is most likely that whilst the duty to cooperate has been removed as a legal compliance test, local authorities will continue the practice, including between sub-regional planning areas.

Question 8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? [Yes / No / Not sure. Please provide supporting statement.]

Whilst there is clearly merit in devising a standard methodology for determining housing needs (we do already have one), reliance on what appears to be an arbitrary figure for the determination of housing provision (the 0.5% of housing stock uplift) is not considered sound.

Under the new methodology the Government will determine the housing figure and the Authority will need to present any evidence for the reduction in that figure based on constraints. No information is provided in respect of how constraints are likely to be considered or what the consequences of any reduction in housing provision may be for others.

This needs to be clarified.

Furthermore, it is not considered that the implications of the new methodology have been sufficiently thought through and take into account urban and non-urban constraints. For example, the new methodology will generate a requirement for the provision of 93,000 additional homes on London over the next Plan period. If this cannot all be accommodated within the boundaries of London will that increase pressure on surrounding authorities to accommodate that growth at a time when most of these authorities are likely to experience difficulty meeting their own needs?

There is no statement on the consequences of this. This needs to be clarified.

Question 8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? [Yes / No / Not sure. Please provide supporting statement.]

It is not agreed that affordability and the extent of the urban area are appropriate indicators of the quantity of development to be accommodated.

Affordability is dependent on more than simply the quantity of housing or housing land available. Low incomes, restricted supply due to the operation of market absorption, and political and physical constraints, ease of accessibility by high earners (for example within commuter belts) and the perception of areas as 'nice' can all inflate house prices, making them unaffordable to significant elements of the population.

The Government's response to address affordability through the provision of more land for housing is a simplistic response that fails to address the underlying causes of a lack of affordability.

There is a need to ensure that identified land comes forward. The Housing Delivery Test does not achieve this and is essentially meaningless in a situation where developers can control the flow of dwellings onto the market.

It is not clear why the extent of an urban area should be a relevant consideration in the assessment of affordability.

Question 9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth Areas) with faster routes for detailed consent? [Yes / No / Not sure. Please provide supporting statement.]

It is considered that this approach should be treated with some caution.

Under the current DM system the opportunity exists to undertake necessary assessments such as those required for Flood Risk, Noise, Contamination, Archaeology, Transport etc. This identifies constraints and potentially capacity.

It is unclear at present whether the proposed system would require the developer to undertake such assessments prior to allocation or whether this would be the role of the planning authority.

If the latter, this has significant implications for the planning authority in terms of the use of resources.

If this is not a requirement, constraints could render the principle of development unacceptable or the amount of development unachievable.

In terms of the delivery of reserved matters consent, details are lacking in respect of a 'reformed' reserved matters process and it is not therefore possible to determine whether such a route would be supported by this Authority.

The principle of having Local Development Orders (LDOs) may be supported, but have significant resource implications. LDOs are lengthy to complete and require landowners to be fully engaged with the process. The resources are not available within planning authorities to undertake this task and management of a multiplicity of landowners can be challenging.

It is considered that the use of Development Consent Orders may be appropriate for dealing with exceptionally large, strategic sites.

Question 9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected Areas? [Yes / No / Not sure. Please provide supporting statement.]

Limited detail is provided in respect of the type of development that might be considered under this element of the new regime it is not clear that this Authority can support these proposals. Significant resourcing will be required for successful implementation.

The principle of Local Development Orders, as stated above, may be supported.

Question 9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? [Yes / No / Not sure. Please provide supporting statement.]

The provision of a new settlement is likely to have significant implications not only for the area hosting the settlement, but also for the adjoining areas and potentially the sub region.

New settlements are not national projects. They are a requirement where locally it has been determined that a new settlement is the most sustainable way to deliver housing growth. Those decisions need to be established in development plans (sub-regional and local) and therefore, consideration on matters such as master plans, design codes and ultimately planning applications remain local.

Question 10. Do you agree with Government proposals to make decision-making faster and more certain? [Yes / No / Not sure. Please provide supporting statement.]

Whilst there appears to be some merit in streamlining the system to avoid unnecessary delay and uncertainty, concern is expressed that such benefits may be gained at the

cost of local involvement. It is the experience of this Authority that most people have difficulty in engaging meaningfully on more strategic matters which and only become actively engaged in the planning process when it impacts on them directly.

The new proposal is currently silent on how individuals may be actively engaged in the more detailed matters that will directly concern them.

In terms of digital enablement of the system, whilst automation will be capable of identifying compliance with policies and guidance, it cannot determine if a proposal is acceptable.

Sometimes, non-compliant schemes can be acceptable as a consequence of circumstance and compliant schemes can be unacceptable due to context or design. Concern is raised that overreliance on digital systems and automation will result in poor design and poor decision making.

However the greater use of digital technology, including via controlled social media discussion, could bring parts of the local communities currently not active in plan making – such as the young – into the process and participating in the planning for the communities, homes, jobs and infrastructure for their future.

Concern is also raised that standardised documentation will lead to a standardised and monotonous response. There is limited evidence that standardisation is a route to good design.

Increased digitisation will disenfranchise some groups within society. For example, the proposal to have machine readable plans will discriminate against householders who may wish to draw their own plans, which are likely to not meet the standards required.

With regard to the potential to remove the necessity for Press Notices, limited detail is provided on this. However, whilst it is acknowledged that such notices are somewhat obsolete, many people engaging in the system do so as a result of site notices and/or neighbour letters. To remove these without communities knowing how/where to engage with the process would be a retrograde step and inconsistent with the stated objective of increase in public engagement in the planning process.

The emphasis on national monitoring could lead to a 'one size fits all' outlook with a consequent loss of local input, identity and public engagement.

With regard to increased delegation of decision making to officers, this is likely to have a significant impact on elected Member's ability to be involved in decision making at the grass roots level.

Too much emphasis is placed on the establishment of 'rules' at the strategic level. In reality greatest engagement with the public on planning matters occurs at grass roots level and that route to influencing how areas are developed is removed by the proposed new regime. The focus on strategic engagement is unlikely to be popular with the local community, although it is recognised that the proposed regime has significant advantages for developers.

In respect of the proposal to refund application fees for those applications which 'go out of time', it is not clear from the consultation paper whether this would be applicable to all forms of development or only strategically important/community valued development.

Suggestions to speed up decision making and a deemed consent if an application is not determined within a defined period, create a number of significant issues:

- (i) It relies on there being an adequate supply of planners within each authority to ensure that applications could be determined within legislative timeframes – at the moment that situation cannot be guaranteed in all authorities.
- (ii) The need to determine applications within a limited timeframe could generate refusals rather than discussion and negotiation in order to avoid refunds. Whilst it is noted that a refund would also be due on any dismissed appeals, the timeframe for determining appeals discourages use (and indeed the appeal system runs the risk of being overwhelmed by appeals from applicants seeking to achieve development and the return of their fee). A consequence of this could be poorer design being accepted.
- (iii) In an attempt to avoid liability for the provision of a refund, Authorities may be encouraged to impose more conditions on consents, resulting in greater need to discharge such conditions, adding to 'delay'.
- (iv) The granting of consent does not guarantee implementation.

The proposal to grant 'deemed consent' for identified classes of development if they go out of time is also considered likely to generate refusals rather than encourage discussion and the achievement of good design and is not supported.

The evidence that delays in the planning system are responsible for the lack of development is not presented within the consultation paper and limited reference is made to the conclusions of the Letwin Report in respect of the non-implementation of consents by developers. No measures are identified to ensure that consents are implemented when granted and the 'bullying' of planning authorities and the Planning Inspectorate which is proposed within the Paper is considered likely to be counter-productive to the objective of achieving the efficient and effective determination of proposals for development of high quality.

The implementation of these measures appear more focussed on the achievement of targets rather than good design and are not supported.

It is further noted that no consideration appears to have been given to the possible impact of loss of fees on the operation of planning authorities. Many planning authorities are already under resourced, the loss of income arising from refunds could be critical to their continued effective operation in some cases and would result in the cost of services rendered being borne by the local community. The proposed measure is not therefore supported.

There needs to be greater emphasis on co-operation between developers and local planning authorities, but instead the new procedure gives significant weight to developers, without clear statement on the commensurate resourcing of planning authorities.

It is noted that particular reference is made to the imposition of the proposed measures in schemes of particular community value, namely schools, hospitals and GP surgeries.

Given that the strategic planning and funding streams for these particular forms of development are usually highly complex and subject to change at short notice, it is considered unlikely that responsibility for delay in the provision of these particular forms of development can be laid at the door of the planning system.

Question 11. Do you agree with Government proposals for accessible, web-based Local Plans? [Yes / No / Not sure. Please provide supporting statement.]

It is proposed to simplify and widen engagement in Local Plan preparation through the use of Interactive, map-based Local Plans built upon data standards and digital principles.

It is stated that increased digitisation will make it easier for people to understand what is being proposed where and how it will affect them.

It is unclear how improved access to data will improve understanding. Furthermore, at the present time the facility to examine plans online and comment electronically, either in free form or via templates already exists. The proposed regime does not appear to significantly add to the opportunity for engagement.

Innovation in the use of presentation of plans and documents may result in wider engagement, however, there is a lack of clarity on who will be responsible for the preparation and adoption of these standards and when they might be resourced and introduced.

Further there is concern that increased standardisation and the use of nationally defined templates for the preparation of Plans will result in an erosion of the potential for the local community to meaningfully engage in the planning process.

Question 12. Do you agree with Government proposals for a 30 month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]

Whilst proposals to streamline plan making are welcomed, there needs to be greater clarity in respect of the plan making process; the use of statutory requirements such as the sustainability assessment and habitats regulations; and the use of proportionate evidence.

A 30-month timeline is ambitious aspiration and it is considered likely to be difficult to meet with existing resources, unless clear guidance from government enable local authorities to divert resources from complex and sometimes underused evidence, and towards plan making resources, including the preparation of master plans. To often

expense is incurred with drawn out evidence documents running into hundreds of pages, when only a small proportion is used. Clarity on evidence is therefore needed.

It is noted that under the new system the LPA will draw up its Plan and submit it to the Secretary of State at the same time that it goes out to public consultation.

Any comments made on the Plan are required to explain how the Plan should be changed and responses will be subject to limits on length.

Concern is raised that the process fails to properly engage the local community in the development of the Local Plan. Consultation at the same time that the plan is submitted to the Secretary of State is a process of informing the Public on the content of the Plan rather than seeking the engagement of the public in its development. The community will not be informing the Plan, it will be responding to it, at a point in time when the planning authority has already expended significant resources in developing and justifying the policy provisions.

The limitation placed on responses also runs the risk of limiting public response.

As presented the new regime is not a collaborative approach and does not appear to offer the community the opportunity for early engagement.

Given that matters such as housing figures are to be determined by Government (currently no comment is made in respect of the determination of the level of other forms of development, such as employment) it is difficult to see how the community may strongly influence planning in their area at an early stage, although it is acknowledged that the potential to appear at any Examination may redress this to some extent, but only after significant levels of work by the Planning Authority.

This appears inefficient and potentially damaging to the process.

The alternative proposal of removing the right to be heard at Examination is not supported as this would serve to further limit the community's opportunity to influence how its area is developed.

Whilst it is noted that contributions may be made by written representation, this can be a less successful method of determining key impacts and rationale.

The further alternative option suggested, that of self-assessment and the consequent removal of the need for Examination is rejected as unsatisfactory, due to its total disenfranchisement of the community and the difficulties it may raise in terms of self-policing. If the system is to have any credibility it must be open to scrutiny by the community.

The new Local Plan process is viewed with some concern as it appears to represent an exercise in community sharing rather than true community engagement and is a reactive rather than formative proposal.

In the race to achieve a Local Plan within 30 months, it is not considered that the new plan-making process delivers on its promise of greater meaningful community engagement.

Question 13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]

Whilst it is recognised that the community may still engage in the plan making process through the development of neighbourhood plans, as these must be in conformity with the local plan, the opportunity to influence development in the area is limited.

There are currently no Neighbourhood Plans in Castle Point.

Question 13(b). How can the neighbourhood planning process be developed to meet Government objectives, such as in the use of digital tools and reflecting community preferences about design?

The Neighbourhood Planning process relies on local volunteers developing community specific plans. They rely on the grant scheme and LPAs to assist them with technical aspects of the work.

In the absence of significant resourcing it is difficult to see how this process may be developed.

Question 14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? [Yes / No / Not sure. Please provide supporting statement.]

This Authority supports the provision of greater emphasis on build out rates, however those measures proposed within the consultation paper are likely to be advisory only and it is difficult to see how they may be enforced.

Given the impact that flooding the market with dwellings may have on the value of housing, it is considered unlikely that developers would voluntarily bring forward significant numbers of new dwellings at the same time, even if they were of different types and provided by different builders. It is considered unlikely that a revised NPPF would be able to insist that developers divide up larger sites and allow areas to be developed by smaller builders in an effort to increase throughput.

Britain has experienced a housing shortage for a number of years, and developers have been demonstrated to have significant banks of land and extant consents throughout this period. Reliance on the development industry to voluntarily meet the housing needs of the country has therefore proved unsuccessful. If developers are to increase build out rates, robust measures must be introduced to secure this. These could include financial penalties for non-delivery and the revocation of consents where targets for completions are not met.

Question 15. What do you think about the design of new development that has happened recently in your area? [Not sure or indifferent / Beautiful and/or well-designed / Ugly and/ or poorly-designed / There hasn't been any / Other – please specify]

It is not considered that the complexity of the planning system has prejudiced the creation of a high-quality environment.

Greater emphasis on design and local context is required, however, this may conflict with restrictions proposed to be imposed on the time available to determine applications. Therefore the pre-application process, the use of master plans and development briefs, plus design codes and guides, will gain in significance.

Question 16. Sustainability is at the heart of Government proposals. What is your priority for sustainability in your area? [Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify]

Within Castle Point, given the limited access to high quality public transport, it is considered unlikely that the planning authority will have a significant impact on the use of private vehicles.

Greater focus on facilitating the use of non-fossil fuel vehicles may however reap some benefits in terms of reducing emissions.

Locally whilst increased use of bicycles for short journeys can be encouraged, topography discourages this as a mode of transport in parts of the Borough and reliance on employment opportunities in large centres beyond Castle Point's boundaries for a significant proportion of the Borough's economic activity limits the practicality of extended use.

In absolute terms the availability of open green space is being reduced by development. Whilst within schemes provision can be made for accessible green space, whether such provision makes development sustainable is debateable.

The Consultation document states that the Government will 'facilitate ambitious improvements in the energy efficiency standards for buildings to help deliver our world leading commitment to net-zero by 2050'.

Despite the inclusion of this aspiration however, it seems that the planning system will have only a limited role to play in achieving the new energy efficiency standards. Instead, they will be implemented through the Future Homes Standard proposed in October 2019, whereby the standards in Part L (Conservation of fuel and power) and Part F (Ventilation) of the Building Regulations for new dwellings will be tightened from 2025.

Government suggests within the consultation document that local authorities will reassign internal resources released from dealing with matters which will be dealt with by the proposed standardisation and increased digitisation to the monitoring and enforcement of Building Regulations and thus facilitate improved energy efficiency.

It is considered that this aspiration is unrealistic given the other demands local authorities face.

In terms of the provision of more trees it must be noted that some Building Societies and most Insurance companies are nervous about the proximity of trees to housing. This may limit the introduction of trees in close proximity to housing, whilst the Highway Authority is reluctant to accommodate trees within the highway.

This is likely to impact on the successful implementation of significant urban tree planting schemes.

Whilst the Consultation is clearly aspirational, it fails to fully consider the practical implications of those aspirations.

Question 17. Do you agree with the Government's proposals for improving the production and use of design guides and codes? [Yes / No / Not sure. Please provide supporting statement.]

The NPPF already requires design policies to be developed with local communities. The key difference is that the new regime expects design codes to be more binding on decisions. This appears to signal a move towards a more prescriptive form of decision making, albeit tailored potentially to particular sites.

The preparation of design codes appears to be one effective way in which the local community can influence the development of its area, given the proposed alterations to the plan making and decision-making processes. It is therefore appropriate that once adopted it should be robustly applied.

However, weight must be given to these codes including for Inspectors on appeals.

Reassurance is required that locally produced and adopted design codes will be given appropriate weight in the determination of appeals.

18. Do you agree that the Government should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making? [Yes / No / Not sure. Please provide supporting statement.]

No objection is raised to the provision of additional resources; however, more details are required on how this body would work alongside planning authorities. It is essential that it not become just become another layer of complexity.

It is recognised that in many areas good design has been lacking. The introduction a specific resource to improve design is welcomed. However it must be recognised that the identification and appointment of some 343 Chief Officers for Design (COD), nationwide, all with particular relevant skills and characteristics, is likely to bring its own challenges and consideration may need to be given to potentially long lead in times before appropriate officers can be appointed. This is could lead to delay in the preparation of design guides, or the need for early review.

To limit the impact of an inevitable shortage of COD during the early period, consideration may need to be given to the 'sharing' of such resource between authorities or establishing place making principles in sub-regional plans.

The Consultation Paper suggests that the COD could be a consultant in any planning proposal. It is considered that this role places the COD at a point too late in the consideration of the proposal and that earlier involvement is required in order to achieve good design with the minimum of delay and abortive cost.

Do you agree with the Government's proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? [Yes / No / Not sure. Please provide supporting statement.]

This Authority has no objection to the consideration of how design might be given greater emphasis by Homes England.

20. Do you agree with Government proposals for implementing a fast-track for beauty? [Yes / No / Not sure. Please provide supporting statement.]

Ideally the logical conclusion of the proposed amendments to the DM process is that increased reliance on design codes will lead to a situation where all proposals are considered 'beautiful', and consequently all would be fast-tracked.

In the interim however, there is a lack of clarity in respect of the word 'beauty' (who is to determine what is beautiful?) and there can be no certainty that making things easier for those who want to build beautifully through the introduction of a fast track system will mean that good development will be achieved

Quality design (beauty?) is about more than just the appearance of a development. As important as that is, it is also necessary to consider how climate change, better health and well-being, greater bio-diversity and necessary supporting infrastructure are also delivered. This needs to form part of any definition of beauty adopted.

Details on how the fast track may operate are missing and there is concern that ongoing arguments between planners and developers on what is 'beautiful' will result in delay. In addition there is concern that 'fast tracking applications would again limit the opportunity for public engagement.

It is considered that rather than focusing on fast tracking development which is "beautiful," which is unlikely to result in significant increases in the numbers of dwelling provided which seems to be the primary objective of the Government, more effort should be applied to "fast tracking" the process.

It is suggested that reliance may be placed on 'pattern books' of popular designs (derived from Design Codes?), the intention being that these would be considered acceptable and could be fast tracked through the planning process. It is considered that this will require extensive public engagement if it is to be accepted by the Community and there is concern that such community acceptance may not reflect the concerns of the individuals directly affected by proposals.

It is proposed to widen permitted development rights so that ‘popular’ forms of development can be approved quickly and easily. Whilst there is some concern in respect of context and spatial considerations, it is noted that prior approval will be required for such schemes and this can offer the opportunity to ensure the provision of contextually appropriate development.

The need for prior approval may not result in significant savings in time for the developer.

21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]

The New Castle Point Local Plan is supported by a detailed Infrastructure Delivery Plan. These two tandem documents need to continue to establish the infrastructure requirements to support growth.

The determination of priorities for individual sites should be set out in plans and considered in detail through Master Plans.

22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold? [Yes / No / Not sure. Please provide supporting statement.]

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]

22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? [Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]

22(d). Should local authorities be allowed to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]

It is proposed to replace the existing system of S106 and CIL payments with a new Infrastructure Levy.

Insufficient information is currently available to determine whether this Authority could support the introduction of a new Infrastructure levy.

The new levy will be a flat rate, value-based charge, fixed nationally, which would remove the need for local determination, or at areas specific rates.

The national rate approach would seek to capitalise the cost into land value, to ensure that landowners who benefit financially from the grant of planning permission contribute to cost the necessary infrastructure.

Given the need to consider viability, the levy would only be imposed above a yet to be identified threshold. Costs and viability across schemes can vary significantly, it is unclear how the costs of development will be addressed and what the specific implications for this authority will be.

The White Paper proposal could set the levy at a level higher than that required to meet the needs of development, the suggestion being that once all necessary infrastructure costs are met, any residual funding can be used to further the objectives of the authority – this could include, for example, reducing council tax.

As the White Paper proposed the Infrastructure Levy would potentially become a tax on development, unrelated to the needs of the development.

Whilst the opportunity to achieve surplus funding is attractive, it is unlikely to be popular with developers and would appear inconsistent with the provisions of regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended) which states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a)necessary to make the development acceptable in planning terms;
- (b)directly related to the development; and
- (c)fairly and reasonably related in scale and kind to the development.

A change in legislation would appear necessary to secure the objectives now suggested and care is needed to ensure that the level of levy identified is not so high that it dissuades developers from undertaking development.

Views are also sought on whether the new Infrastructure Levy should be set locally.

It is considered that local identification of the levy will ensure the provision of appropriate community benefits alongside consideration of viability. The infrastructure requirements in Caste Point are different to anywhere else, and local determination is vital to ensure that investment is appropriately focussed.

At the present time CIL is payable at the commencement of development. This can cause cash-flow difficulties for some developers and it is therefore proposed that the new Infrastructure levy would be payable on completion of development.

The reason CIL is currently paid at commencement is, in part, to ensure that the necessary infrastructure that it is intended to fund will be in place when the development is occupied.

The new Infrastructure Levy will be payable on completion, consequently there is a risk that infrastructure will not be in place at occupation.

In order to address this issue the Consultation paper suggests that local authorities will be allowed to borrow against the levy and use that money to provide the

infrastructure, in the knowledge that it will be obtained from the developer in due course. This is a massive financial burden on the Council and thwart with complexity – for example a trigger for infrastructure may hit, which requires the Council to borrow to implement, with no guarantee of when or if the CIL income will materialise. This applies where infrastructure is required to service a number of different sites – such as new school places.

The additional burden responsibility for arranging and obtaining the appropriate finance would place on existing limited resources within local authorities, this proposal places a considerable risk on the Local Authority, the mitigation of which is not identified.

There is also the fact that values will not be fully known until completion and that prejudices calculation of the amount that may be borrowed.

As developers may not know how much levy will be imposed until completion, the proposal does not remove uncertainty and may prejudice development funding.

The current system creates greater certainty for the Council, the developer, infrastructure provider and local communities.

Unlike the current CIL, the new infrastructure levy will include provision of affordable housing. Concern is expressed that this may provide the opportunity for affordable housing to be negotiated away. Ring fencing affordable housing provision by leaving it outside the Infrastructure levy would avoid this possibility.

Furthermore, S106 agreements can also achieve significant non-financial contributions such as sustainable travel plans, employment of local people, maintenance of open space and providing retail units at affordable rent. It is not clear how these objectives could be secured under the new Infrastructure levy.

S106 agreements are effective tools for securing infrastructure and affordable housing. If terms are agreed during pre-application stages, the use of master plans and development briefs, back by a sound local plan and infrastructure delivery plans, there is no reasons why they should not continue to be used.

The Infrastructure Levy could itself introduce complications on how development is valued, affordable housing is secured and specific mitigation achieved. The delay encountered in S106 agreements are due to poor preparation for the agreements (which are often dealt with too late in the process) and may simply be replaced by delays caused by these new considerations.

Finally, concern is raised that attempts to make land less valuable by capitalising the cost of the levy into land value could dissuade landowners from offering their land for sale, with a consequent adverse impact housing provision.

It is interesting to note that there is no reference to a review of the current S106 arrangements in the Consultation Paper. The Government therefore appears committed to its replacement.

The Infrastructure levy is considered unlikely to make unwanted development acceptable to the community. It should ensure however that existing problems are not exacerbated, by seeking to mitigate the impact of the proposed development.

In the absence of clearer advice on how these issues are to be addressed, the introduction of the new levy is not supported.

23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]

Given that significant permitted development rights have recently been introduced to facilitate the provision of more housing, it is considered appropriate that such permitted schemes should also be the subject to any Infrastructure Levy implemented, in order to ensure that the needs of the permitted development are also met.

Advice is required however on how such a levy might be collected, given that the proposal does not require the consent of the planning authority.

24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? [Yes / No / Not sure. Please provide supporting statement.]

24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a 'right to purchase' at discounted rates for local authorities? [Yes / No / Not sure. Please provide supporting statement.]

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]

Within Castle Point only a limited level of affordable housing is achieved on site.

As larger sites become available following the adoption of the Local Plan, there is the potential for this to change and given the limited opportunity available for off-site provision, provision on site should be encouraged.

If included within the new Infrastructure Levy, it is considered essential that the appropriate level of affordable housing be achieved, be it on site or in the form of offsite contributions.

It is proposed that the cost of any onsite affordable housing would be discounted against the cost of the Infrastructure levy. These dwellings will be identified by the developer.

It is important that measures are put in place to ensure that where local authorities purchase affordable housing as a 'right to purchase' at discounted rates, they do not 'overpay' by discounting values too heavily and are provided with the means to

dispose of the dwellings at a profit where interest in such dwellings is not forthcoming, or are enabled to sell the dwellings back to the developer at the discounted rate, where lack of interest is due to poor quality build.

Given the level of discussion and negotiation likely to accompany proposals of the purchase (and possible resale back) of discounted properties under the Infrastructure levy, one wonders if the new Levy will simply replace negotiation on S106 agreements with negotiations on Infrastructure Levy.

How this will speed up the provision of affordable housing or provide greater certainty, is unclear.

25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.] 25(a). If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]

It is considered that the Infrastructure levy should only be used to make the development acceptable in planning terms.

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

* The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex or sexual orientation.

No.

Delivering Change

The Consultation Paper recognises that planning resources within local authorities are limited and that in most cases, technology is lacking.

The Consultation Paper identifies a new way of working which will address this. However, significant areas of detail are lacking, and it will take time to develop and implement.

There is much to be applauded in recognising the need for and setting out how the planning system can be improved. But the White Paper does not include the details required to fully assess what these changes mean in practice and whether they are fully workable and practical.

The resource burden on local planning authorities cannot be overstated, and it is not clear what skill sets or training requirements will be required. Councils need to start planning for these changes as early as possible, rather than being caught on the hop once the changes are implemented. The Government needs to consider New Burdens funding and work with the RTPI and other associated professional bodies, colleges and higher education providers and local authorities to ensure that there is an adequate supply of officers to support the successful implementation of the changes.

There is a greater focus on enforcement, but the leap to making it a mandatory function has not been taken and no additional resources are to be provided. Enforcement will remain discretionary and the confusion that exists in the community's mind as to when enforcement action should be taken has not been resolved.

It is the view of Government that the reforms proposed in the Consultation Paper and in the White Paper will release existing resources within planning departments for enforcement so that more and better enforcement may be undertaken. There appears to be no clear basis for this assumption.

For implementation significantly more detail is required, and the Government needs to involve local councils in that discussion.

CABINET

21st October 2020

Subject: Budget and Policy Framework for 2021/22

Cabinet Member: Councillor Varker – Resources

1. Purpose of Report

This report sets out the proposed Budget and Policy Framework for 2021/22. It takes account of the requirements of the Constitution, the Financial Planning Strategy and statutory requirements for calculating the budget requirement and setting the Council Tax.

2. Links to Council's priorities and objectives

The agreement of the Budget and Policy Framework provides the Council with a robust framework to improve services to residents by directing resources towards the Council's priorities.

3. Recommendation

That the proposed Budget and Policy Framework for 2021/22 is approved.

4. The Budget and Policy Framework

4.1 The Council's business planning framework consists of a number of plans and strategies. These provide the mechanism through which the Council establishes its aims and objectives. Each plan or strategy should identify how the aims and objectives will be achieved and delivery monitored, as well as provide the link between Council services and financial plans. A list of the Council's corporate outward and inward facing plans and strategies is shown in Annexe B to this report.

4.2 The Council's budget framework is set out at Annexe A. It is based on the requirements of the Financial Planning Strategy. The key steps in the budget process can be summarised as follows:

- draft Service Plans;**
- draft budgets prepared on a no growth basis;**
- identification of growth and efficiency savings (options) linked to Council priorities and plans**
- interpretation of government announcements in respect of acceptable council tax rises and provision of funding;**
- agreement of final Service Plans;**
- budget and Council Tax setting at Full Council.**

5. Consultation

- 5.1 The Council will publish the Policy and Budget Framework for 2021/22.
- 5.2 The subsequent period up to the February Council meeting will be available for final policy considerations by Members.

6. Conclusion

- 6.1 Cabinet are requested to approve the proposed Budget and Policy Framework.

7. Corporate Implications

a. Financial implications

This report sets out the Budget and Policy Framework – financial implications as detailed in the report and annexes.

b. Legal implications

This report is authored by the Strategic Director (Resources) in her capacity as the Council's Section 151 officer – the officer appointed to have responsibility for the Council's financial administration.

c. Human resources and equality

There are no new human resource or equality implications arising from this report.

d. Timescale for implementation and risk factors

The Council should approve the proposed Budget and Policy Framework so that it can be available for public consultation in accordance with the Council's constitution. The approval of the framework also ensures that there are clear accountabilities and timescales in place.

8. Background Papers:

Constitution

Policy Framework and Budget Setting for 2020/21

Report Authors: Chris Mills cmills@castlepoint.gov.uk
Ben Brook bbrook@castlepoint.gov.uk

The Budget Framework for 2021/22

No.	Activity	Date
1.	Develop Service Plan template and distribute to managers setting out timescale for completion.	October 2020
2.	Formation of efficiency savings options linked to Council priorities and identified through Service Planning process.	October 2020
3.	Draft budget prepared on a “no growth” basis	October 2020 - January 2021
4.	Consideration of government announcements in respect of acceptable levels of Council Tax increase and provision of grant funding to the Council.	October 2020 - January 2021
5.	Draft Service Plans reviewed and finalised by each Departmental Management Team.	December 2020
6.	Discussion of priorities, objectives and project work streams in emerging Service Plans with Cabinet members.	January 2021
7.	Budget option appraisal with Cabinet members.	November 2020 - January 2021
8.	<p>Cabinet makes final recommendations to Council on:</p> <ul style="list-style-type: none"> • Corporate priorities and annual objectives • Capital Strategy • Treasury Management Strategy Statement • Investment Strategy • Prudential indicators • The robustness of budgets • Adequacy of reserves • The budget (revenue and capital) and Council Tax <p><i>The Cabinet will now make its recommendations on the allocation of financial resources to services</i></p>	February 2021
9.	<p>Cabinet agrees HRA budget and sets rent levels.</p> <p><i>Council to delegate full powers to the Cabinet. HRA budget subject to compliance with legal and prudential guidelines.</i></p>	February 2021
10.	<p>Council makes statutory budget calculations and sets Council Tax.</p> <p><i>Council will consider the recommendations from Cabinet and will make final decisions.</i></p>	February 2021

Policy Title	Brief Description
Asset Management Plan	Sets out plans and how the Council maintains its corporate assets (land and buildings) in a condition that is fit for the purpose of delivering services to the community and how it will respond to any changes in the way assets need to be used to provide services.
Budget and Policy Framework – see also Constitution	Describes the procedures and principles used by the Council to establish and/or vary a budget and policy framework.
Canvey Town Centre Master Plan Supplementary Planning Document (SPD)	Sets out a plan for the regeneration of Canvey Town Centre that seeks to improve sustainability on Canvey Island generally by providing local residents with a high quality town centre that meets their shopping, leisure and community needs and provides new jobs and homes.
Community Safety Partnership Plan	<p>Achieving a sustainable reduction in crime within the Borough both by tackling crime and by identifying and addressing its causes.</p> <p>Ensuring crime and disorder does not have a disproportionate impact on vulnerable groups.</p> <p>Tackling specific crime and disorder problems and problem areas.</p>
Constitution	<p>Describes how the Council does business includes:</p> <p>Procedural rules for access to information; budget and policy framework; overview and scrutiny; financial; officer employment and contracts.</p> <p>Protocols for Planning and the Monitoring Officer.</p> <p>Codes of conduct for Planning matters; Staff and Members.</p>
Contract Procedural Rules – see also Constitution	Describes how the Council does business on matters relating to the placing and letting of contracts.
Corporate Business Continuity Plan	Generic guidance on how the Council may manage a major corporate incident which restricts the normal day-to-day running of its business.
Corporate Plan	Sets out the Council's Objectives and key milestones and targets. Also includes an annual report on progress towards achieving aims.
Counter Fraud, Bribery & Corruption Policy Statement and Strategy	<p>Sets out how the Council will:</p> <ul style="list-style-type: none"> • acknowledge its responsibility for countering fraud and corruption • identify the fraud and corruption risks • develop an appropriate counter fraud and corruption strategy • provide resources to implement the strategy • take action in response to fraud and corruption.

Policy Title	Brief Description
Counter Money Laundering Policy and Strategy	Sets out the actions the Council will take to mitigate the risk that money could be laundered through its systems.
Customer First Strategy	How the Council aims to serve customers better and reach and serve more people in more ways in more accessible forms, locations and at more convenient times.
Cyber Security Strategy	Sets out the actions taken to safely and securely manage and store our data, systems and network
Data Protection Policy	This document sets out Castle Point Borough Council's policy on the retention and process of personal information.
Developer Contributions SPD	<p>Sets out requirements for the provision of Section 106 Contributions towards affordable housing and other infrastructure requirements related directly to the impacts of development, as part of planning applications.</p> <p>The new Local Plan will set out the infrastructure requirements to accommodate growth and the obligations on allocated sites for funding. In addition, it will provide a framework for the introduction of the Community</p>
Disabled Facilities Grants	This policy document sets out how the Council will use its resources to help those who need disabled adaptations and how decisions will be made about the help that it gives.
Disposal of Council Owned Land	Sets the policies, principles and procedures to be followed when considering whether Council owned land should be disposed of or retained for service provision.
Emergency Planning & Business Continuity Framework	The EP/BC framework describes how the Council will go about its duty to be suitably prepared for dealing with emergencies, as well as disruptions to the organisation's ability to deliver its critical services to the public.
Equality Scheme	Describes the way in which the Council deals with equality and diversity in its corporate activities and the delivery of services.
Financial Procedure Rules and Detailed Financial Regulations – see also Constitution	Describes how the Council does business on financial matters.
Hadleigh Town Centre Master Plan	Sets out a plan for the regeneration of Hadleigh Town Centre that seeks to improve sustainability of Hadleigh generally by providing local residents with a high quality town centre that meets their shopping, leisure and community needs and provides new jobs and homes.
Health & Safety Policy Statement and Strategy	This is a declaration of the Council's intent to establish a safe and healthy working environment for all of its undertakings.
Housing Asset Management Plan	Sets out the policy and plan for capital management of housing stock.
Housing Strategy	Sets out the strategic approach to Housing

Policy Title	Brief Description
HR Strategy	<p>Establishes workforce planning to ensure adequate staff resources and succession planning.</p> <p>Aims to attract and retain high calibre candidates for employment.</p> <p>Train and develop staff to maximise their potential</p> <p>Offer equality of opportunity to all staff and recognise the benefits of diversity.</p>
Information and Communication Strategy (ICT)	This ensures that the IT systems and infrastructures support the business objectives. It covers the planning of new systems, their procurement, and the management and control of implemented systems. It sets out the organisation and management structures, and where responsibilities lie.
Information Security Policy	Sets out responsibilities in relation to Information Security
Internal Audit Charter, Strategy and Audit Plan	<p>The Charter sets out the purpose, authority and responsibility of the Council's Internal Audit function, in accordance with the UK Public Sector Internal Audit Standards (the Standards) and the CIPFA Local Government Application Note.</p> <p>The Strategy sets out how the service will be delivered and developed in accordance with the Charter and how it links to the delivery of the Council's Aims, Targets and Objectives.</p> <p>The Audit Plan sets out the work to be delivered each year, that will inform the Annual Head of Internal Audit Opinion.</p>
Leisure and Recreation Strategy	<p>Overarching document detailing the needs of the community and how leisure and recreation provision can assist in meeting these needs and improve health and well being.</p> <p>Includes the importance of networking with partners and sport national governing bodies.</p>
Local Code of Governance	This statement explains how the Council has complied with the code and also meets the requirements of the Accounts and Audit (England) Regulations 2015, which requires all relevant bodies to prepare an annual governance statement.
Local Plan 1998	Sets out the policies for achieving a balance between appropriate development opportunities and the protection and enhancement of the built and natural environment.

Policy Title	Brief Description
New Local Plan	Sets out a strategic policy to direct the pattern of development within Castle Point over the period 2018 – 2033, and the development management policies required to ensure that planning decisions secure this pattern of development.
Procurement & Commissioning Policy	Defines the Council's policy objectives, the strategy to deliver these and supporting principles. Procurement is defined as the acquisition of goods, services and construction projects from third parties.
Project Management Framework	<p>Defines the Council's Project Management objectives and the principles used in the delivery of the Council's projects.</p> <p>Key operational aspects to be incorporated into 'How it Works' Guidance.</p>
Regeneration Framework	Framework sets out regeneration programme for the Borough, including activities, resources and timeframes.
Risk Management (RM) Policy and Strategy	<p>Sets out how the Council will:</p> <p>maintain robust risk management arrangements that make a positive contribution towards the achievement of its corporate priorities and objectives and maximise the opportunities to achieve its vision</p> <p>proactively manages key external and internal risks, promoting the principles of effective risk management throughout the organisation.</p>
Treasury Management and Investment Strategies	Covers the management of the Council's cash flows, its banking, borrowing and investment activities; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.
Whistle blowing Policy	Sets out the Council's arrangements whereby any serious concerns that employees, workers or contractors have about any aspect of service provision or the conduct of Officers or Members of the Council or others acting on behalf of the Council can be reported under the Whistle blowing Policy

CABINET

21st October 2020

Subject: Housing Scheme Proposals Update (on current plans in relation to the construction of new housing developments)

**Cabinet Members: Councillor Mrs B Egan – Place - Housing
Councillor Varker - Resources**

1. Purpose of Report

- 1.1 To update Cabinet on the current new development projects being proposed**
- 1.2 To seek authority to progress schemes at Linden Way, Link Road and Benderloch and to note further investigation of proposed schemes**

2. Links to Council's priorities and objectives

- 2.1 The work is linked to the priority of Housing and Regeneration.**

3. Recommendations

- 3.1 That Cabinet approves the following recommendations as shown in the attached business cases shown in the attached Confidential Appendices to:**

- Develop a 7 bed HMO at garage site in Benderloch**
- Construct two 3 bedroomed homes and one two bedroomed home at a garage site in 187 – 206 Link Road**
- Develop two 2 bedroomed homes at the previous garage site at Cedar Road.**
- Construct four 2 bedroomed homes at an existing property and adjoining garage site at 54 to 60 Linden Way**
- That a budget of £30k per scheme be allocated to fund initial professional fees and investigation works**

- 3.2 That Cabinet notes the completion of developments at Hatley Gardens and Windsor Gardens.**

- 3.3 That Cabinet notes the proposed schemes currently in the process of review.**

4. Background

- 4.1 There is a significant shortage of properties for temporary accommodation and ongoing affordable housing in the Castle Point Area.
- 4.2 The Housing Service has established a Development Project Team to examine available sites and look to develop more housing on suitable brownfield sites.
- 4.3 There are a number of sites that have been subject to initial evaluation or where projects are underway or recently completed spread around the Borough. Further sites are currently under review.
- 4.4 The Council continues to receive funds from the sale of properties under the Right to Buy which it can retain for a period of 3 years before having to be repaid to the Treasury. The Council has received £2.3m in replacement housing receipts of which £1.7m has been spent, based on current commitments the first repayment to the Treasury would be in October 2021.
- 4.5 Demand for social housing remains high within the Borough with 584 people on the Housing register awaiting homes, as detailed below.

Breakdown of Housing Need

Band	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5 bedroom	Total
A	42	35	28	3	1	109
B	52	35	27	7	1	122
C	120	71	51	6	0	248
D	90	12	2	1	0	105
Total	304	153	108	17	2	584

Dwelling type need as a percentage of total need

Band	1 bedroom	2 bedroom	3 bedroom	4 bedroom	5 bedroom
Band A	39%	32%	26%	3%	1%
Overall	52%	26%	18%	3%	0%

5. Report

- 5.1 Since the last report to Cabinet there has been significant progress on proposed developments despite the delays caused by Covid 19.
- 5.2 Hatley Gardens
- 5.2.1 The nine bed House in Multiple Occupation site has been completed and is now occupied by homeless households.
- 5.3 Windsor Gardens
- 5.3.1 The two 2 bed houses have now been completed and are both now occupied.

5.4 Church Close

- 5.4.1 The construction of four 2-bedroom properties has progressed well despite delays caused by Covid-19 with all properties now nearing completion.
- 5.4.2 It is anticipated that the construction will be complete by the end of October with proposed landscaping complete by the end of December.

5.5 Link Road

- 5.5.1 This is a garage site in poor condition that was identified by the Housing Development Team to be considered in tandem with a site at Benderloch as detailed below.
- 5.5.2 It is proposed to develop two 3 bedroom and one 2-bedroom homes on this site and also create a large surface parking area, the latter to support parking provision in the area with the loss of garages at the Benderloch site.
- 5.5.3 A business case for this project providing greater detail on the proposed scheme is attached as a Confidential Appendix 1 for agreement by Cabinet.

5.6 Benderloch

- 5.6.1 It is proposed to construct a seven room House in Multiple Occupation (HMO) on a garage site, with alternative provision for parking to be provided at the Link Road development.
- 5.6.2 This development will benefit the General Fund (GF) by reducing the use of private temporary accommodation, thus will be financed by the GF from savings made.
- 5.6.3 A business case for this project providing greater detail on the proposed scheme is attached as a Confidential Appendix 1 for agreement by Cabinet.

5.7 Linden Way

- 5.7.1 It is proposed to construct four 2-bedroom homes on site of four existing 1-bedroom bungalows and part of an adjoining garage site.
- 5.7.2 Bungalows 54 to 60 Linden Way are due to be demolished due to severe subsidence at one end of the terrace, so it has been concluded that the site could be redeveloped to offer a significant increase in accommodation by using a small area of the adjoining garage site.
- 5.7.3 A business case for this project providing greater detail on the proposed scheme is attached as a Confidential Appendix 2 for agreement by Cabinet.
- 5.7.4 A further two sites are potentially available in Linden Way comprising of a garage site and corner plot, both of these will be evaluated for their potential to deliver future homes.

5.8 Cedar Road

- 5.8.1 A plot has been identified on a former garage site that could potentially hold two 2-bedroom properties.
- 5.8.2 Development of this scheme is yet to be reviewed by our current architects but has been explored previously with positive results.
- 5.8.3 A business case for this project providing greater detail on the proposed scheme is attached as a Confidential Appendix 3 for agreement by Cabinet.

5.9 Future developments

- 5.9.1 There are number of potential sites that are being investigated but are not at a point that outline plans have been produced.
- 5.9.2 Initial evaluations of these sites will be undertaken to determine the feasibility of development and what mix of accommodation can be achieved.
- 5.9.3 Detailed business cases will be developed to determine the best use of the sites on which reports will be made to Cabinet.

5.10 Funding options

- 5.10.1 The cases highlighted above represent a pipeline of small projects that can be delivered in the medium term, those with business cases attached could be delivered over the next 2 years if suitable funding can be obtained. Below is a summary of the costs of the schemes proposed in the short term.

Scheme	Cost £000's	1 for 1 receipts £000's	Non-HRA Funding £000's	Other capital contribuions £000's	To be funded £000's	Total £000's
Linden way	930	279		-	651	930
Cedar Road	502	150		-	352	502
Link Road	635	191		217	227	635
Benderloch	960	289	671	-	-	960
	3,027	909	671	217	1,230	3,027

- 5.10.2 All the proposed schemes would be part funded by Right to Buy 1 for 1 receipts up to the 30% limit and with the exception of Benderloch, which as Homeless accommodation is not funded by the Housing Revenue Account and so will be funded as determined by the Strategic Director (Resources) once tender valuations are known, all the other schemes would be funded by the Housing Revenue Account. As shown above part of the costs could be met by other capital contributions, the amounts shown are those that are currently held, with a balance of **£58k** remaining.

5.10.3 Further **£231k** of RTB receipts will be required to meet the full **£909k** 1 for 1 receipt shown based on the current balance after the completion of existing schemes. But by way of an example the proposed schemes are due for completion between January 2022 and January 2023 over a similar 2 year period 1st October 2018 to 30th September 2020 we received **£541k** in 1 for 1 receipts and **£169k** in Debt compensation, thus it would be necessary to confirm balances prior to the commencement of the projects, but it is envisaged that receipts would be received to exceed these commitments in the timeframe of the developments. Consequently at the current time **£1.230m** would be needed to fund to these schemes, though capital receipts received over the period of these development may reduce this requirement.

5.10.4 Currently low rates are available from the Government for the development of new homes at 0.8% above gilt rate, rates would vary upon length of the loan. To ensure that the developments were self-financing from the outset the loan payments would need to be aligned to the projected rental income of **£69k**. This would equate to a 25-year maturity loan at a fixed rate of 1.66% currently.

5.10.5 Over the 25 year life of the loan rents would be projected to increase, as an indication if rents were to rise by an average of 2.5% per annum rental income less loan payments would result in a net income to the HRA of **£616k** or an average of **£24.7k** per annum. The cost of repairs over 25 years with inflation of 2.5% applied for nine HRA properties based on the latest stock condition survey would be **£459k** or an average of **£18.4k** per annum, which would make these developments viable. If the highlighted shortfall in 1 for 1 receipts was not met during the life of the developments the increased borrowing costs would result in an average annual net income dropping to **£14.9k**, thus an annual cost including repairs of **£3.5k** per annum, this could be mitigated by looking at extended loan periods.

6. Corporate Implications

a. Financial implications

There are significant financial implications which are summarised in this report and the attached business cases. As part of the procurement exercises required to be undertaken funding options will be fully explored to ensure value for money and ongoing sustainability within the HRA Business Plan.

b. Legal implications

There are legal implications surrounding compliance with procurement guidelines.

c. Human resources and equality

There may be human resource implications as any potential development may result in the appointment of additional staffing. There should be some positive equality implications as people in need will be allocated housing.

d. Timescale for implementation and risk factors

The schemes identified above represent a pipeline of future developments, with larger schemes taking a number of years to complete. Risks exist in terms of both financial and non-financial resources to deliver the projects. Whilst non-delivery

of the schemes risks the handing back of money to the Treasury that could have been used to delivery much needed accommodation.

Due to the nature of the sites there are frequently utilities running through the plots that need to be identified and addressed either by designing around these or by requesting a diversion, Link Road and Benderloch developments are significantly impacted by this.

7. Background Papers:

Business cases as detailed above

Report Author: David Randerson, Housing Development and Finance Manager