

27 November 2017

Dear Sir/Madam

CABINET MEETING

A meeting of the Cabinet has been arranged to take place on **TUESDAY 5 DECEMBER 2017** at **6.00 PM** in **THE COMMITTEE ROOM, DISTRICT COUNCIL HOUSE, LICHFIELD** to consider the following business.

Access to the Committee Room is via the Members' Entrance.

Yours faithfully



Neil Turner BSc (Hons) MSc
Director of Transformation & Resources

To: **Members of the Cabinet**

Councillors: Wilcox (Leader), Pritchard (Deputy Leader), Eadie, Pullen, Smith and Spruce.

-
1. Apologies for Absence
 2. Declarations of Interest
 3. Money Matters: 2017/18 Review of Financial Performance
Against the Financial Strategy (copy attached)
 4. Money Matters: Council Tax and National Non Domestic Rates (copy attached)
 5. Business Rates Rateable Value Review - Spend in Excess of £50,000 (copy attached)
 6. Property Investment Strategy (copy attached)
 7. Local Development Scheme Update (copy attached)
 8. Local Plan Allocations Publication Document
(Regulation 19 consultation) (copy attached)



9. High Speed Rail (West Midlands - Crewe) Bill - Petitioning (copy attached)
10. Governance Procedures Associated with Secured and Future Section 106 monies to Support Infrastructure Delivery (copy attached)
11. Designation of a New Conservation Area in Drayton Bassett (copy attached)
12. Lichfield City Neighbourhood Plan – Referral to Referendum (copy attached)

13. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED: “That as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted, the public and press be excluded from the meeting for the following items of business, which would involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972”

14. Expenditure in Excess of £50,000 on Consultants for a Planning Appeal (copy attached)
15. Leisure Facilities (copy attached)
16. Friarsgate (copy attached)
17. Procurement of Minor Civil Engineering Works (copy attached)

(A copy of the Council's 'Strategic Plan at a Glance' is attached for information).



Money Matters : 2017/18 Review of Financial Performance against the Financial Strategy

Cabinet Member for Finance and Democratic Services

Date:	5 December 2017
Agenda Item:	3
Contact Officer:	Anthony Thomas
Tel Number:	01543 308012
Email:	Anthony.thomas@lichfielddc.gov.uk
Key Decision?	YES
Local Ward Members :	Full Council

1. Executive Summary

- 1.1 The report covers the financial performance from April to September (Quarter Two) for 2017/18.
- 1.2 The Net Cost of Services is projected to be below the Approved budget by **(£108,820)** and Corporate Budgets are projected to be **(£8,000)** below budget, a total of **(£116,820)**.
- 1.3 A large proportion of the Efficiency Plan target of **(£250,000)** has been identified totalling **(£152,300¹)** and **(£97,700)** remains to be identified during 2017/18.
- 1.4 The Council on 21 February 2017 approved a transfer to general reserves of **£1,060**. However on 17 October 2017 Council approved a series of changes impacting on general reserves. The Approved Budget therefore shows a contribution from general reserves of **(£828,820)**.
- 1.5 The projected below budget performance detailed in 1.2 means a lower transfer of **(£712,000)** is currently projected from general reserves.
- 1.6 The Capital Programme is projected to be below budget by **(£665,000)** resulting from profiling updates.
- 1.7 The Council is projected to receive capital receipts of **(£442,000)** compared to the Approved Budget of **(£250,000)**. This projection now includes **(£190,000)** of Right to Buy Receipts from Bromford Housing.
- 1.8 In terms of Council Tax, Business Rates and Sundry Debtors:
 - The Council's collection performance on Council Tax based on debt covering all years is **57.44%** and this is consistent with previous years.
 - There is a projected surplus for Council Tax and the Council's share of **(£42,410)** will be included in the 2018/19 budget.
 - Overall invoices outstanding have reduced by **(£309,087)** or (15.95%) with a reduction in those outstanding for less than 6 months by **(£268,593)** or (21.39%). This is due to no Section 106 Invoices being raised in 2017 due to the implementation of Community Infrastructure Levy and a reduction in Housing Benefit Overpayment invoices.
 - The Council is projected to be paying Business Rate levy of **£665,000** to the GBS pool and will receive **(£216,000)** of returned levy. This is **£152,000** more net levy than the Approved Budget (after taking account of the budgeted volatility allowance) although this is offset by projected additional Section 31 Grants of **(£152,000)**.
 - Overall Retained Business Rate Income is projected to be in line with the Approved Budget.
 - The Council's collection performance on Business Rates based on debt covering all years is **57.08%** and this is consistent with previous years.
 - There is a projected surplus for Business Rates and the Council's share of **(£591,300)** will be included in the 2018/19 budget.
- 1.9 The Council's investments achieved a risk status that was more secure than the aim of **A-** and yield exceeded all four of the industry standard LIBID yield benchmarks.

¹ This is the recurring savings of (£26,000) from 2016/17, (£20,440) in virements and (£65,500) in 2017/18 Three Months and (£40,360) in this report at **APPENDIX B**.

2. Recommendations

- 2.1 To note the report and issues raised within.
- 2.2 To note that Leadership Team with Cabinet Members will continue to closely monitor and manage the Medium Term Financial Strategy 2016-21.
- 2.3 To approve the transfer of **£167,000** of additional car parking income to the Friarsgate earmarked reserve due to car parks impacted by the Friarsgate remaining open during 2017/18.
- 2.4 To approve the recommended budget virements where the total virement is in excess of **£50,000** detailed at **APPENDIX A**.
- 2.5 To note the legislative change related to the removal of credit card / debit card surcharges for payment of Council Tax, Business Rates and leisure activities in early 2018.

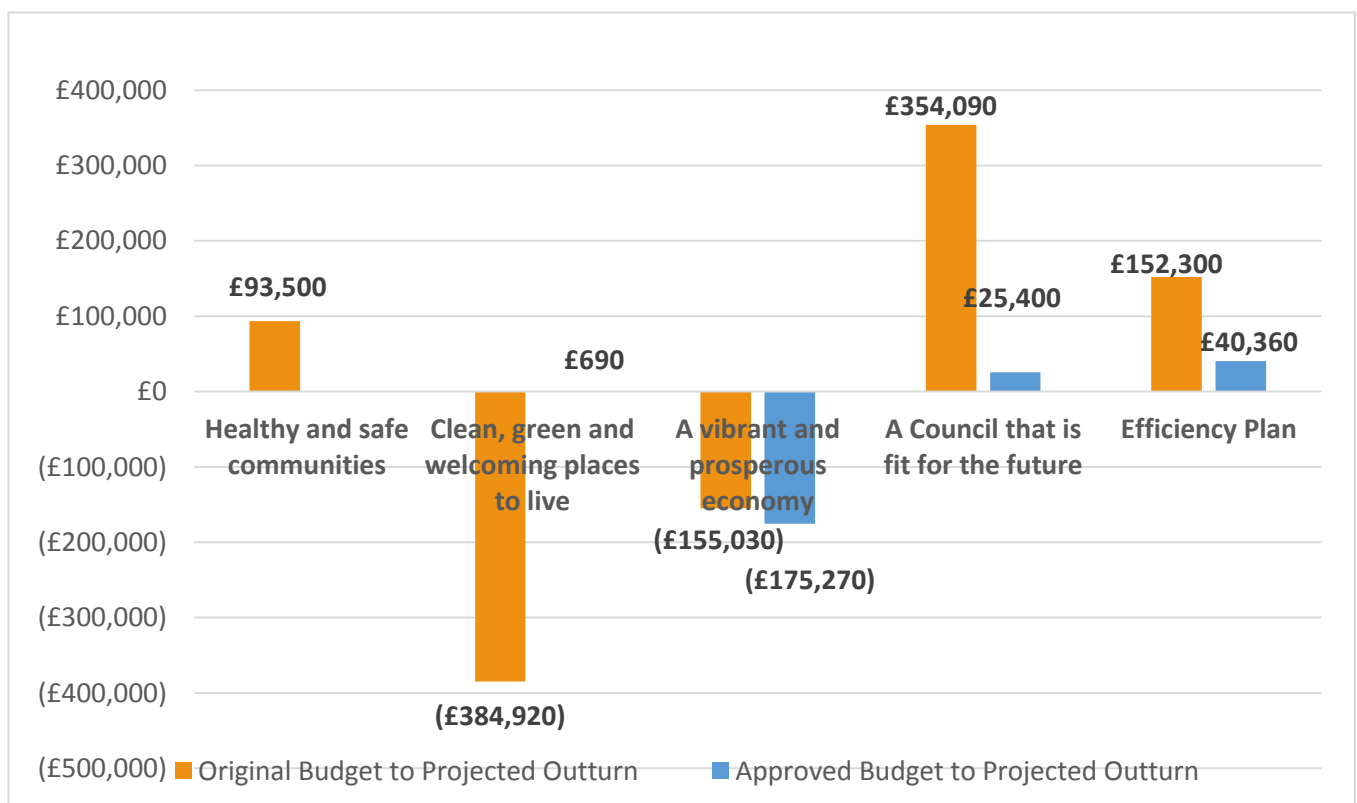
3. Background

Budget Management

- 3.1. The MTFs 2016-21 approved by Council on 21 February 2017 included the Original Budget for 2017/18 and sets out the allocation of resources and the policies and parameters within which managers are required to operate.
- 3.2. Throughout the financial year, Money Matters reports will be provided to Cabinet and Briefing Notes to Strategic (Overview and Scrutiny) Committee at 3, 6 and 8 months intervals to monitor financial performance.
- 3.3. The Money Matters reports update the Approved Budget to reflect latest projections and the 8 month Money Matters report will form the basis of the Revised Approved Budget for 2017/18 and will be approved by Council on 20 February 2018.

The Revenue Budget

- 3.4. The detailed financial performance is shown in **APPENDIX B** and in summary in the graph below:



Performance compared to the Approved Budget

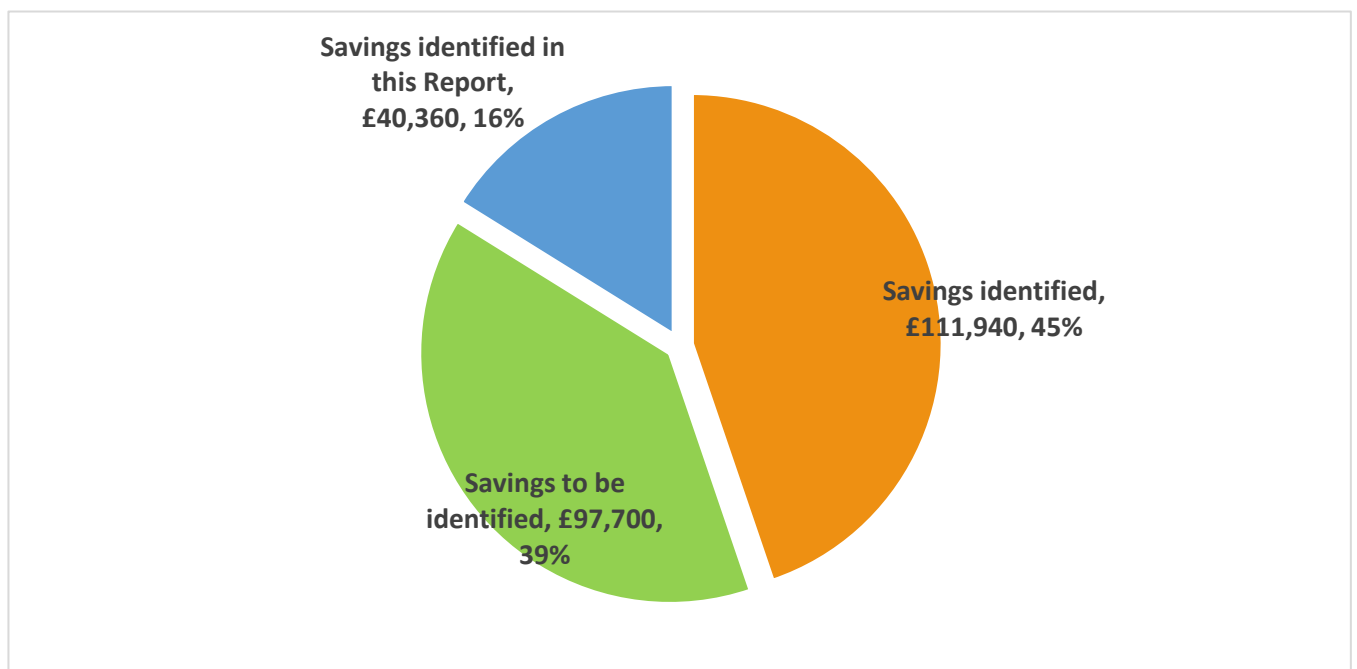
3.5. The projected variance to the Approved Budget related to 'one off' items of **(£116,820)** is shown in summary in the table below and in more detail in **APPENDIX B** by Service Area.

	Approved Budget	
	Virements	Variance
Healthy and Safe Communities		
Clean, green and welcoming places to live		
• Savings/income found in this quarter	690	
A vibrant and prosperous economy		
• Savings/income found in this quarter	(11,350)	
• Net increased Rental Income from Three Spires		(30,720)
• Business Rates Refund – Friary Outer Car Park		(133,200)
• Additional net income from car parks remain open during 2017/18 when the MTFS assumed they would close due to the Friarsgate Programme	(167,000)	
• Income set aside into Friarsgate Earmarked Reserve	167,000	
A Council that is fit for the future		
• Savings/income found in this quarter	(29,700)	
• Other One-off pressures		27,640
• Card Charges – loss of income (see below)		3,000
• Lichfield Garrick – loss of income for ICT		24,460
Efficiency Plan		
• Savings/income found in this quarter	40,360	
Total – Net Cost of Services	£0	(£108,820)
Net Treasury		(8,000)
Additional Transfer (to) / from General Reserves	£0	(£116,820)

The Efficiency Plan

3.6. The Council approved an Efficiency Plan Target of **(£250,000)** for 2017/18 with **(£111,940)** already identified in the Three months Report.

3.7. This report identifies a further **(£40,360)** of ongoing savings/additional income (**APPENDIX B**). The progress to date on the Efficiency Plan is shown in the graph below:

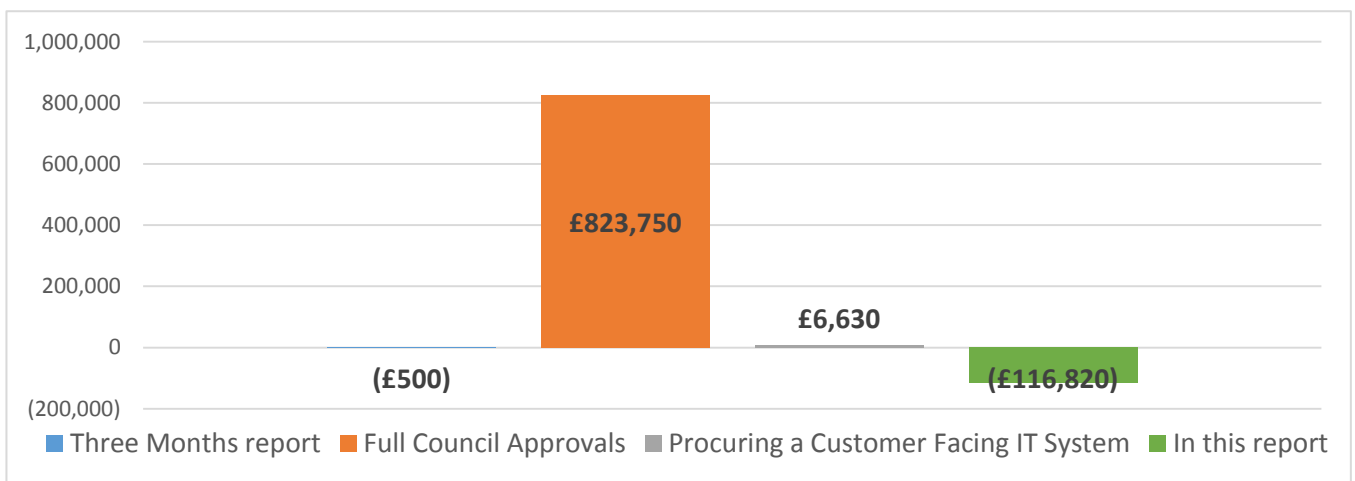


Card Charges

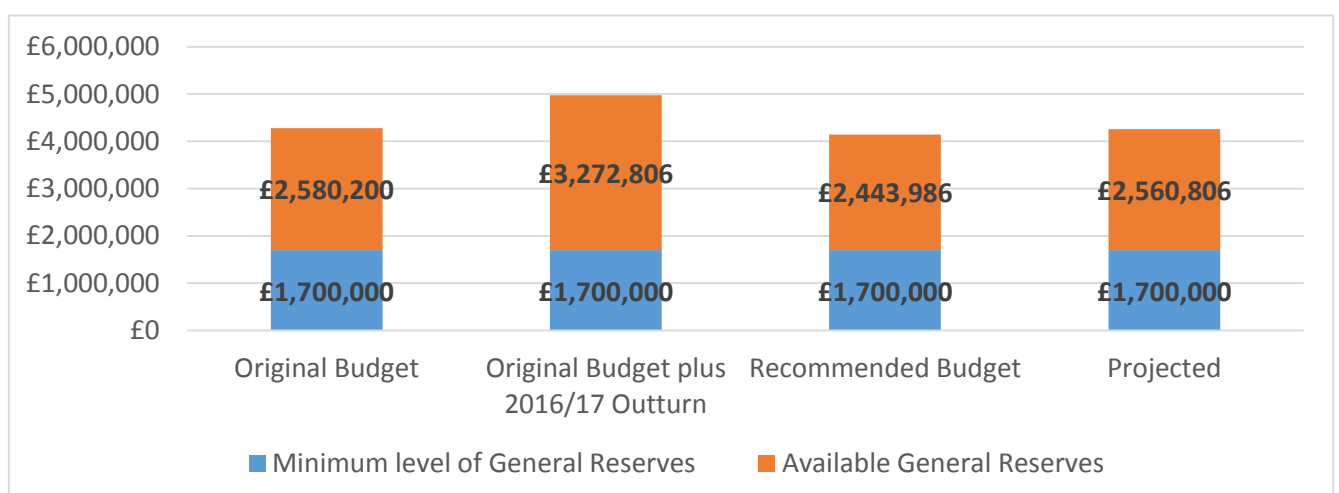
- 3.8. In February 2013 the Council implemented a **2%** cost recovery surcharge for the payment of Council Tax and Business Rates using a credit card. The budgeted income from this surcharge is **(£7,000)** per annum.
- 3.9. In addition, leisure activity payments are subject to a card payment administration fee of 50p if the transaction is below £10 when either a debit or credit card is used to make payment. The three Leisure Centres budgeted income from this fee is **(£2,440)** per annum.
- 3.10. In July 2017, the Government announced that 'card charging' will be outlawed from 13 January 2018 although at this stage the scope is not entirely clear.
- 3.11. The transfer of the Leisure Centres management later this year will mean the decision and the financial implications of this change will be the responsibility of the School and the Leisure Operator.
- 3.12. However, the charge related to use of credit and debit cards to make payment for Council Tax, Business Rates and other Leisure activities such as parks will impact on the Council.
- 3.13. To comply with legislation, the Council intends removing these surcharges in early 2018.

Revenue General Reserves

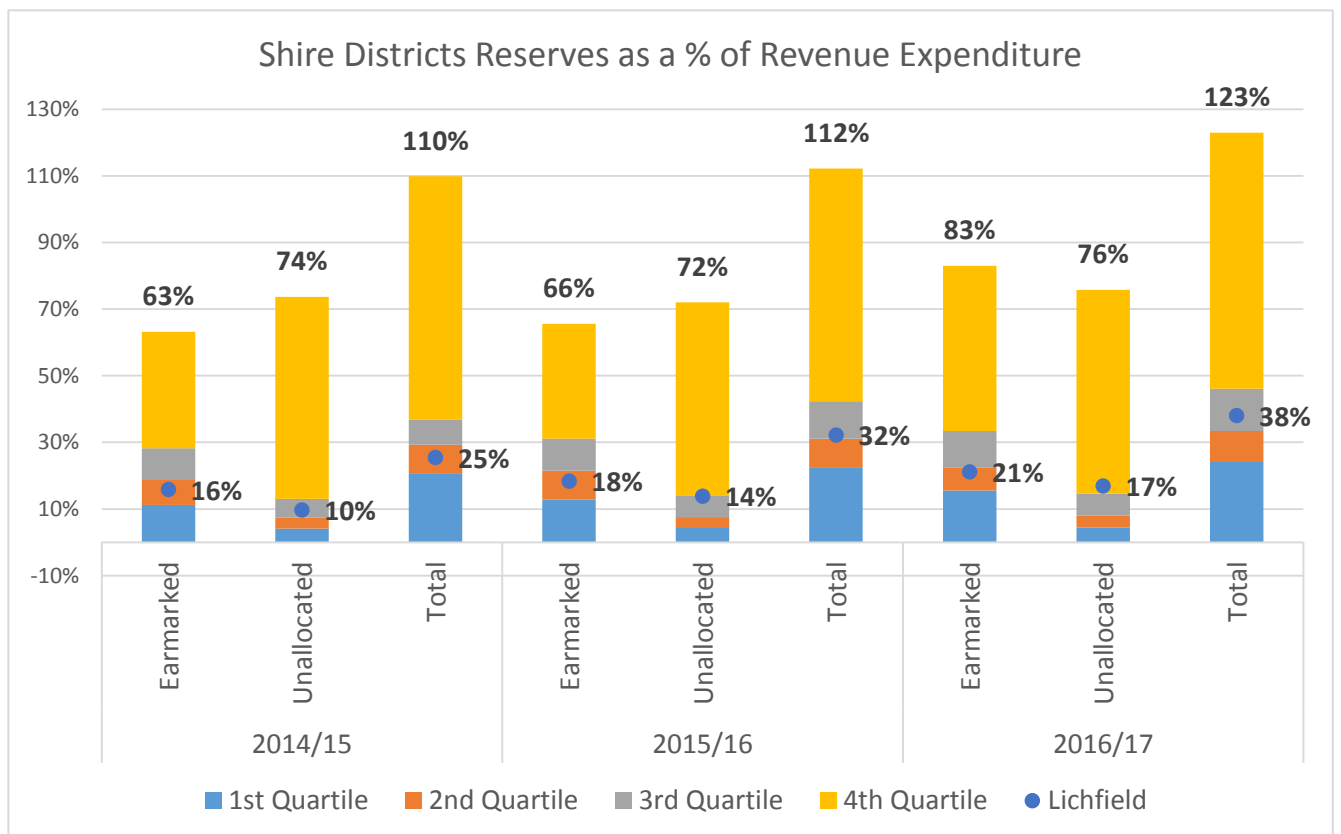
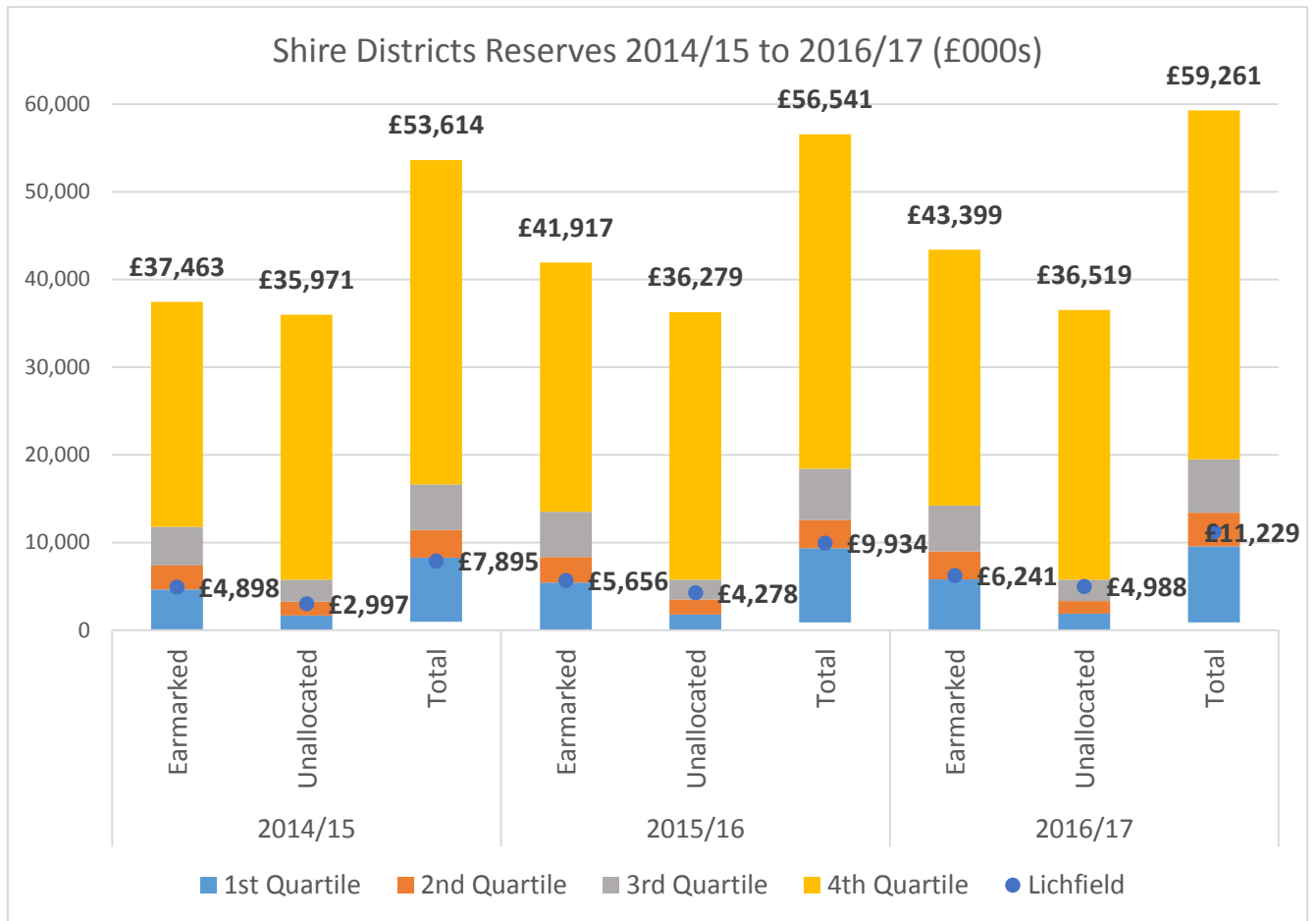
- 3.14. The Council's Original Budget approved a contribution to General Reserves of **£1,060**. The Approved Budget following approvals by Council currently shows a contribution from General Reserves of **(£828,820)**.
- 3.15. This report identifies **(£116,820)** of below budget performance and therefore the contribution from general reserves will reduce to **(£712,000)** and this is shown in the graph below:



- 3.16. The following Revenue general reserves are available to assist the Council in meeting General Fund expenditure as part of the Medium Term Financial Strategy:



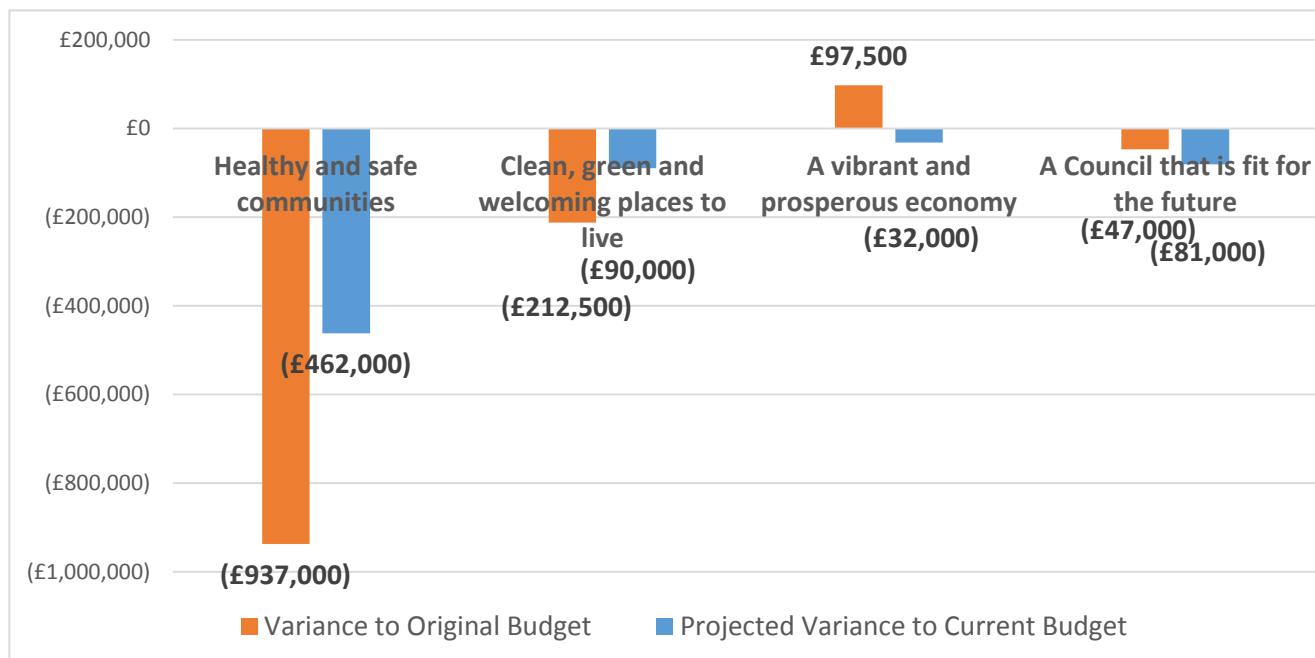
3.17 To determine how the level of Council's reserves compare to other District Councils, the level of General (unallocated) and Earmarked Reserves in relative terms and as a percentage of Revenue Expenditure (as defined in the Revenue Outturn Form) is shown for the last three years in the graphs below:



The Capital Programme

3.18. The budgetary changes from the Original Budget of **£5,332,000** to the Approved Budget of **£4,898,000** is related to slippage from 2016/17 of **£426,000** and updates from Money Matters quarter one of **(£860,000)**.

3.19. We are projecting that the Capital Programme performance will be below budget by **(£665,000)** or **14%** compared to the Approved Budget. This below budget performance compared to both the Original and the Approved Budgets is shown by the Strategic Plan's priorities in the graph below and in detail at **APPENDIX C**:



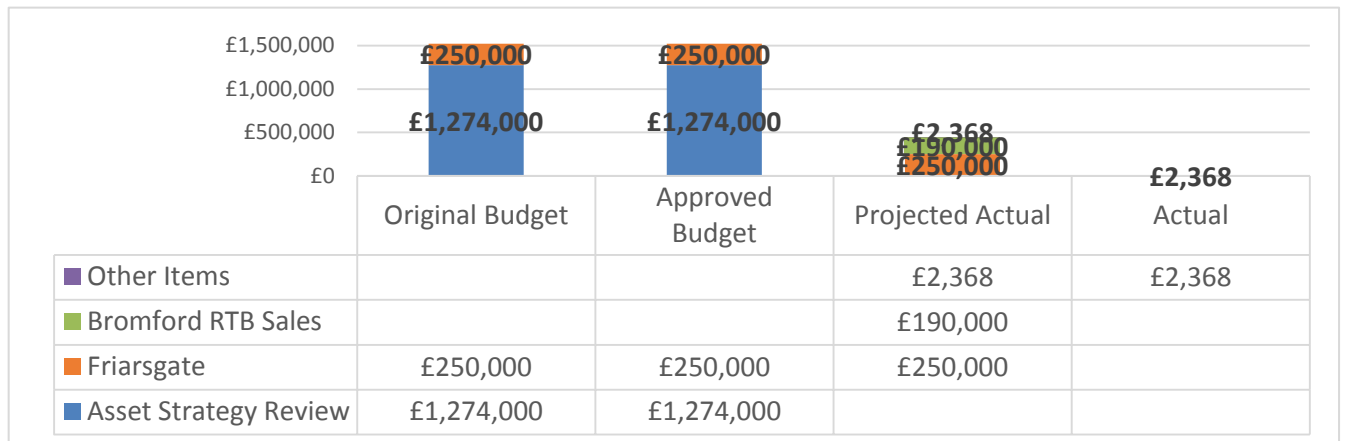
Performance compared to the Original and Approved Budgets

3.20. There are projected variances compared to the Original and Approved Budgets related to:

	Approved Budget Variance
Healthy and Safe Communities	
• Disabled Facilities Grants – reduction in funding required from the Council to reflect lower overall spend and additional funding from the Better Care Fund.	(62,000)
• Unallocated S106 Affordable Housing Monies – a report will be presented to Community, Housing and Health Overview in Scrutiny Committee and Cabinet in January 2018 on the process in advance of Registered Providers submitting bids in spring 2018.	(400,000)
Clean, green and welcoming places to live	
• Canal Culvert at Huddlesford– this project requires external support and therefore the budget is rephased.	(90,000)
A vibrant and prosperous economy	
• Car Parks: Variable Message Signing– this project is related to Friarsgate and therefore the budget is rephased to reflect the latest project plans.	(32,000)
• At this stage Friarsgate is projected to be on budget however this will need to be reviewed based on latest project plans and the progress on the Police Station acquisition because this is £1.409m of the project budget.	0
A Council that is fit for the future	
• Asset Management: District Council House Condition Survey – this budget is influenced by the plans for the future of the Council House and therefore the budget is rephased.	(81,000)
Total	(£665,000)

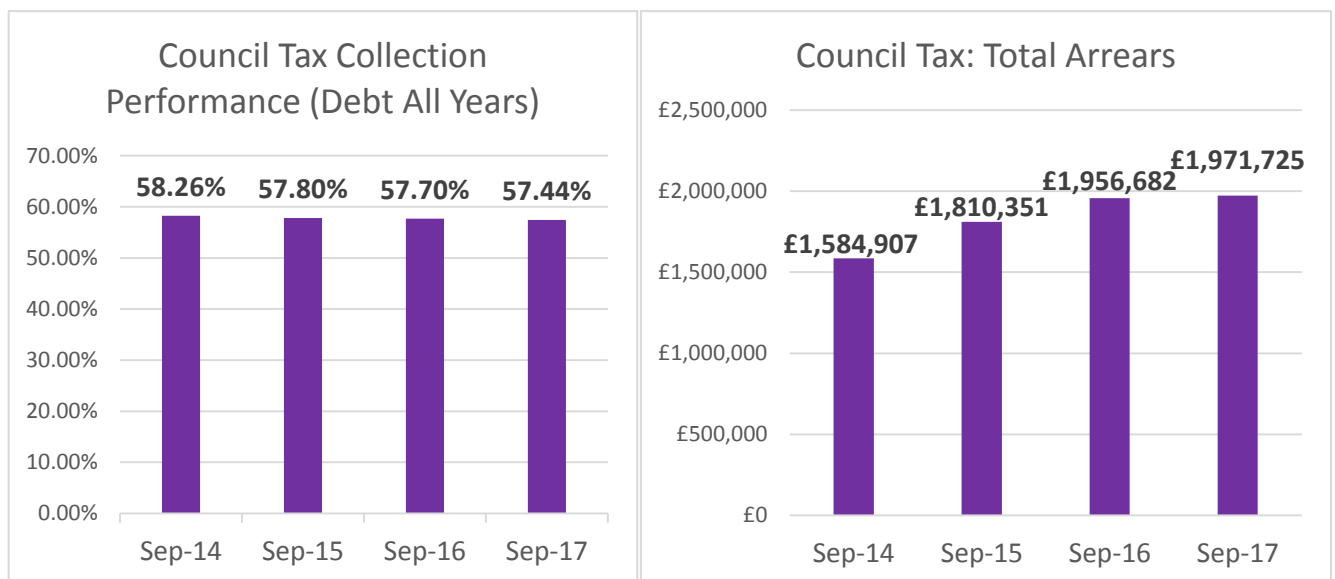
Capital Receipts

- 3.21. There have been **(£2,368)** of capital receipts from a housing grant repayment received during the first six months of 2017/18 compared to the Original and Approved Budgets of **(£1,524,000)**.
- 3.22. The projected actual now takes account of the Council decision to retain the Bore Street Shops (Asset Strategy Review) and reduction in capital receipts of **£1,274,000**.
- 3.23. The **(£250,000)** capital receipt related to Friarsgate is not currently committed in the Council's Medium Term Financial Strategy because it is related to a specific milestone in the Friarsgate development.
- 3.24. We are currently projecting capital receipts of **(£442,000)** including a further **(£190,000)** from the Council's share of Bromford Housing's sales.
- 3.25. The Original Budget, Approved Budget, projected capital receipts and actual capital receipts received in the first six months are shown in the graph below:



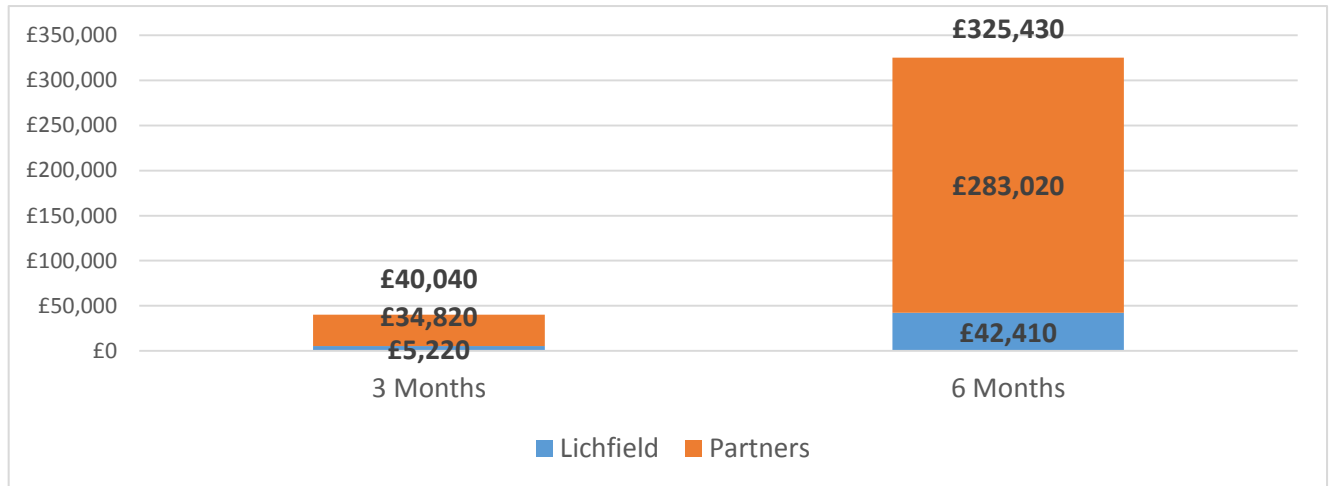
Council Tax

- 3.26. The Council is responsible for the collection of Council Tax for all precepting authorities in 2017/18 totalling **£59m**.
- 3.27. The collection performance for Council Tax for the first six months of the last four financial years is shown in the graph below:



- 3.28. The collection performance has remained consistent with the same period in previous financial years although the total level of arrears is increasing. This can be attributed to several factors including the impact of the Local Council Tax Support Scheme, more properties to collect Council Tax from and the introduction of the Adult Social Care Precept.

3.29. A summary of the Projected Council Tax Collection Fund performance (The Budget assumed a breakeven position) is shown in the graph below and is based on Lichfield's (including Parishes) current share of Council Tax of **13%**:



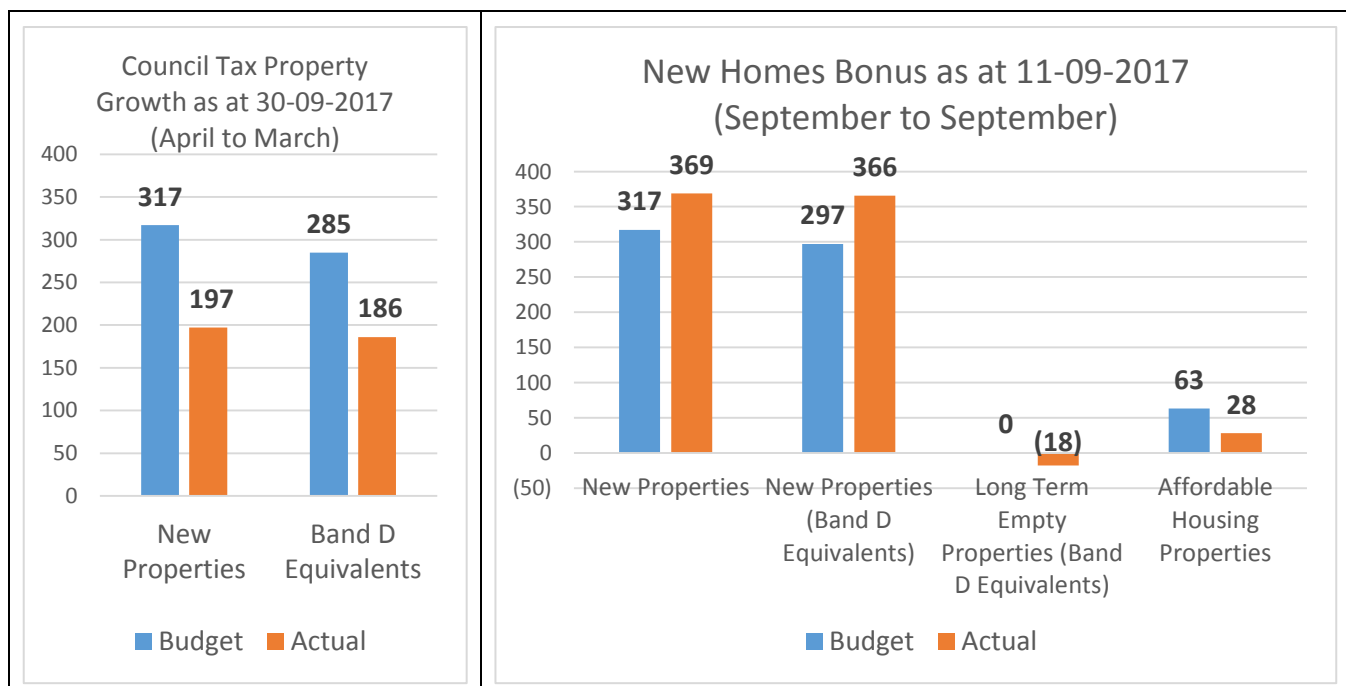
3.30. The main reasons for the projected surplus of **(£325,430)** are:

- The net yield from Council Tax in 2017/18 is projected to be **(£362,231)** higher than estimated. This is due to lower Local Council Tax Support discount and higher Council Tax income net of other discounts and exemptions. This will include additional income following the recent project undertaken by Revenues and Benefits to review the status of all Empty Property exemptions and reduce the number in receipt.
- There was a lower surplus than projected in 2016/17 of **£36,801**.

3.31. The projected surplus in 2017/18 includes the actual surplus in 2016/17 together with performance related to 2017/18. The Council's share of the projected surplus of **(£42,410)** will be included in the 2018/19 Budget and will therefore also impact on the Funding Gap in that financial year.

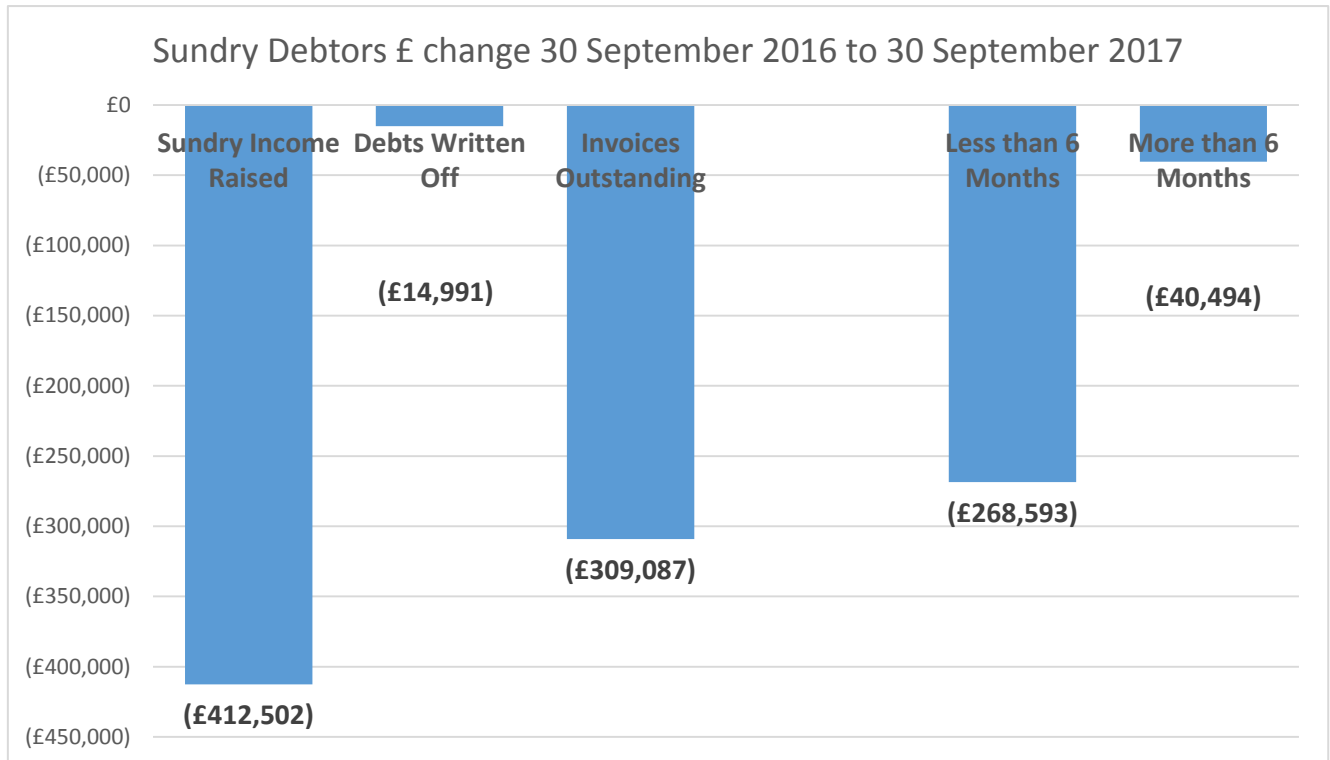
Housing Supply

3.32. Housing supply is one of the key assumptions in the Medium Term Financial Strategy because it impacts on the income we receive from both Council Tax and New Homes Bonus. The targets for the year (budget) and progress to date using information on housing completions and empty homes from Council Tax and affordable housing from the Housing Team is shown in the graphs below:



Sundry Debtors

3.33 A summary of key transactions levels and collection performance for Sundry Debtors in 2017/18 compared to 2016/17 is shown in the graph below:



3.34 The Sundry Debtors performance is shown in detail at **APPENDIX D** and is summarised below:

- The value of income raised by invoices has reduced by **(£412,502)** or (24.02%).
- The value of write offs has reduced by **(£14,991)** or (49.38%).
- Overall invoices outstanding have reduced by **(£309,087)** or (15.95%) with a reduction in those outstanding for less than 6 months by **(£268,593)** or (21.39%) and a reduction in those outstanding for more than six months by **(£40,494)** or (5.62%).
- The reduction in invoices raised and outstanding for less than six months is due to no Section 106 Invoices being raised in 2017 due to the introduction of Community Infrastructure Levy. In addition there is a reduction in Housing Benefit Overpayment Invoices. This is because less people are claiming incorrectly (or less committing fraud). The introduction of the Payment Deduction Programme means any overpayments are initially collected from ongoing benefit rather than by raising an invoice.

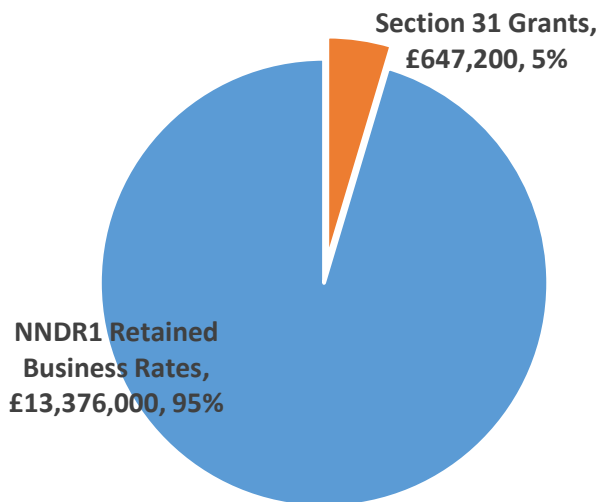
Business Rates

3.35. The Council will collect Business Rates for all partners in 2017/18 totalling **£36m**.

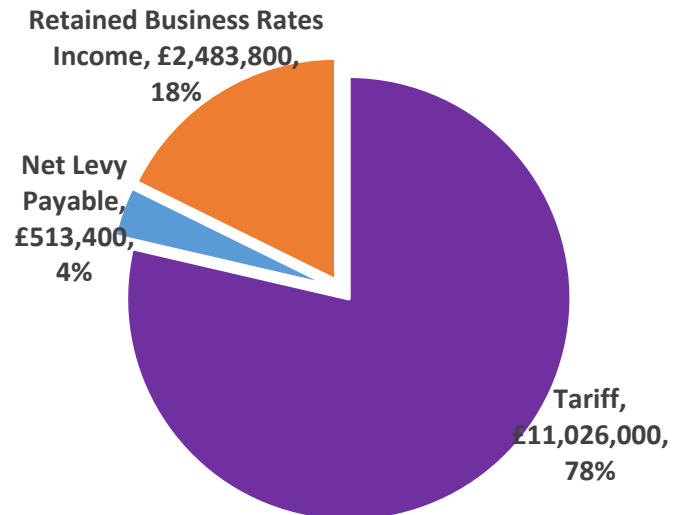
3.36. The Council receives a **40%** share of Business Rates income. The Council's share included in its budget is based on the NNDR 1 estimated level together with Section 31 grants for certain reliefs granted. The Council must then pay the Government set tariff and any net levy based on growth above the Government set baseline (or receive safety net in the event that business rates have reduced more than a set percentage below the baseline).

3.37. The Retained Business Rate income for 2017/18 is projected to be **(£2,483,800)** in line with the Approved Budget. There is projected to be (£152,000) of additional income however this is offset by additional net levy payments to the Greater Birmingham and Solihull Business Rates Pool. The detail of the Council's actual and budgeted share of Business Rates income, the tariff and net levy and retained Business Rates in 2017/18 is shown in detail at **APPENDIX D** and in the graphs below.

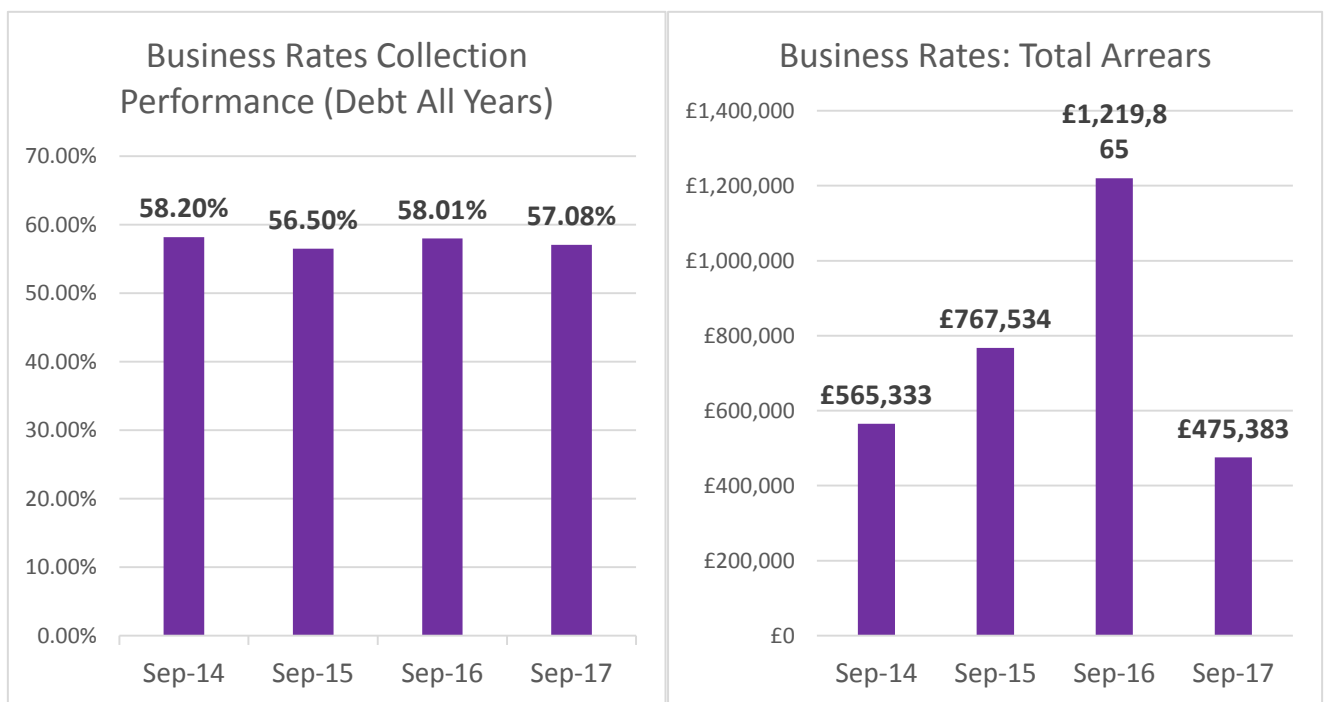
The makeup of the Council's share of Business Rate Income



The use of the Council's share of Business Rates Income



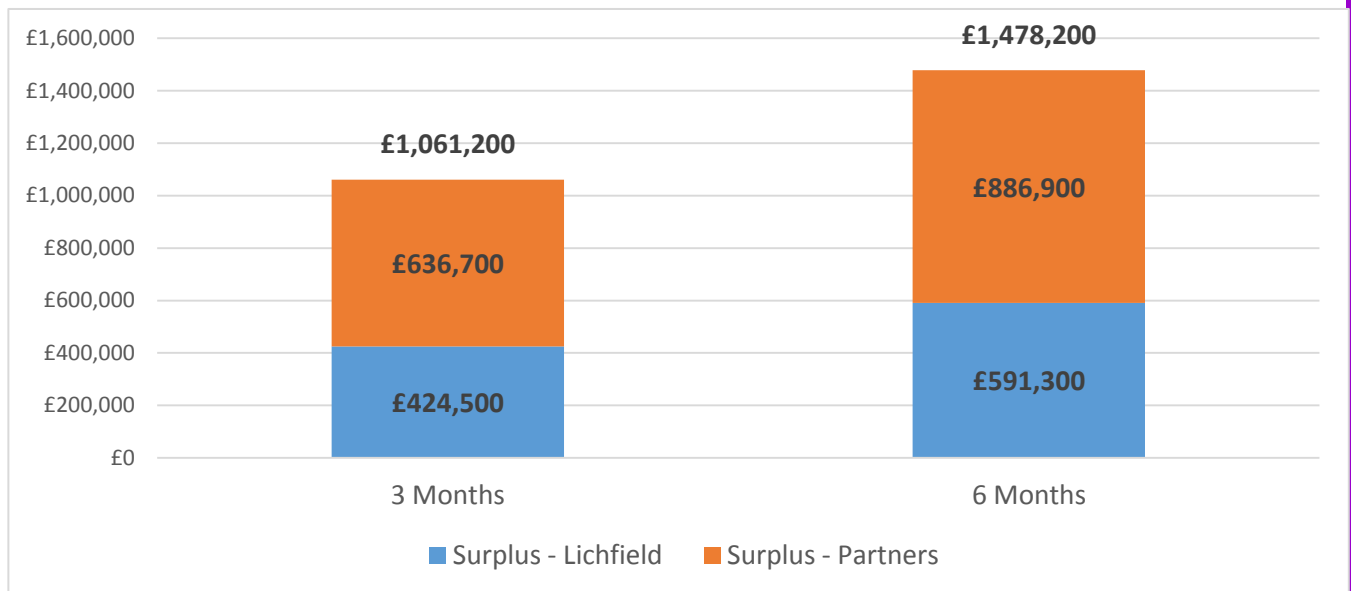
3.38 The collection performance for Business Rates for the first six months of the last four financial years is shown in the graph below:



3.39 The collection performance has remained consistent with the same period in previous financial years.

3.40 The reduction in arrears at September 2017 is due to arrears in September 2016 including several large businesses that were subject to recovery and in arrears and this year are now paying as billed. In addition the figures at September 2016 included **£325,000** of write offs awaiting approval that were actioned in November 2016.

3.41 A summary of the projected Business Rates Collection Fund performance is shown in the graph below (the budget assumed a breakeven position) and is based on Lichfield's prescribed share of **40%**:



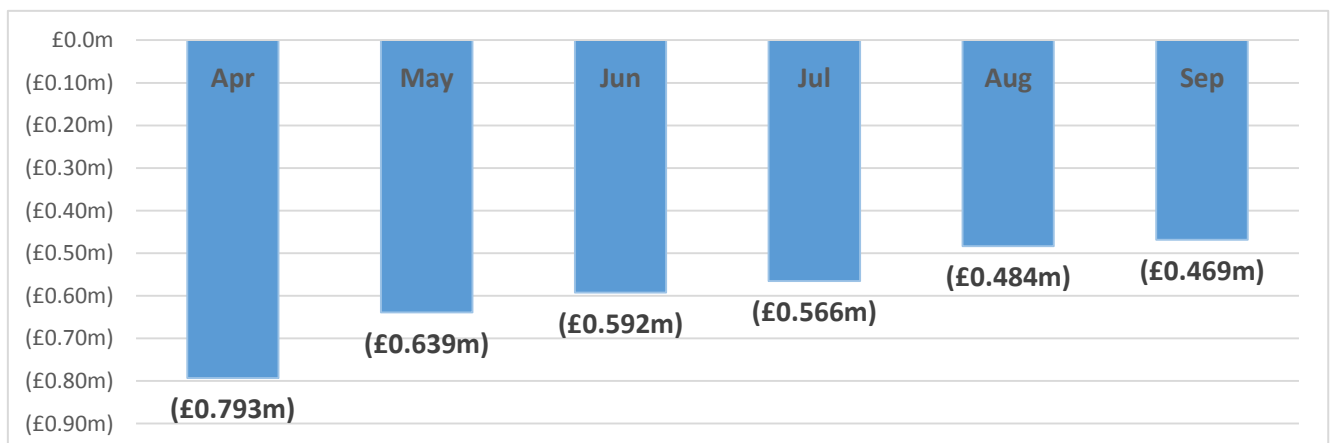
3.42 The main reasons for the surplus of **(£1,478,200)** are:

- There was a higher surplus than projected in 2016/17 of **(£729,325)**.
- The projected net yield from Business Rates in 2017/18 after taking account of reliefs is projected to be **(£211,000)** higher than estimated. This additional income is in part due to the inclusion of part year income from the new large unit in Fradley.
- The allowance for Bad Debts is projected to reduce by **(£349,000)** due to lower levels of arrears.
- The allowance for appeals at this stage is projected to reduce by **(£188,875)** although projections now have even more complexity and risk with the introduction of the Check, Challenge and Appeal process.

3.43 Therefore the Council's share of the projected surplus in 2017/18 is **(£591,300)** compared to the budget where breakeven was assumed. This surplus will be included in the 2018/19 Budget and will therefore either reduce the Funding Gap in that financial year or be transferred to general reserves.

3.44 Another key assumption in the Medium Term Financial Strategy is the level of growth or decline in Business Rates. The Original Budget assumed an average Rateable Value of **£88.699m** with the only reduction in Rateable Value during 2017/18 related to properties impacted by the Friarsgate development.

3.45 The Rateable Value in the first six months is lower than projected in the Approved Budget and is shown in the graph below. The Rateable Value is one key component of calculating income and should this be an ongoing trend the Business Rates income could be lower than projected.

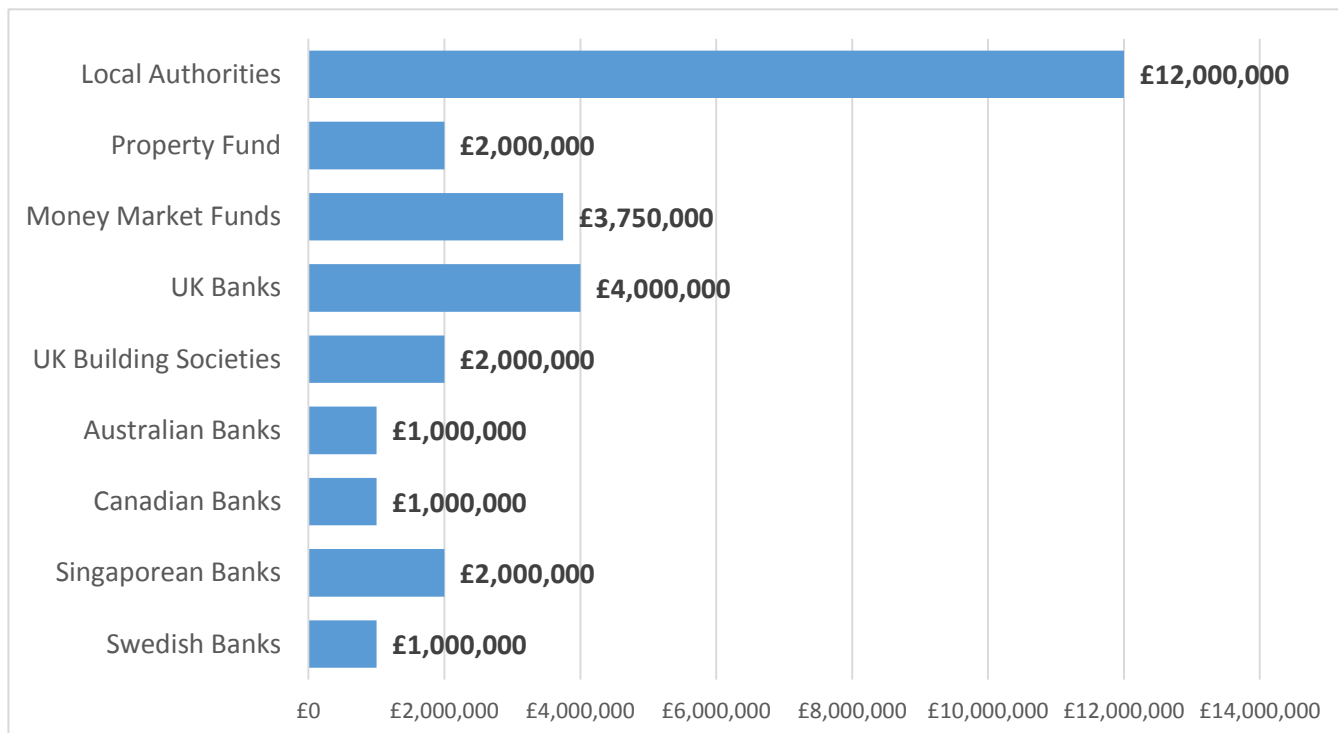


Treasury Management

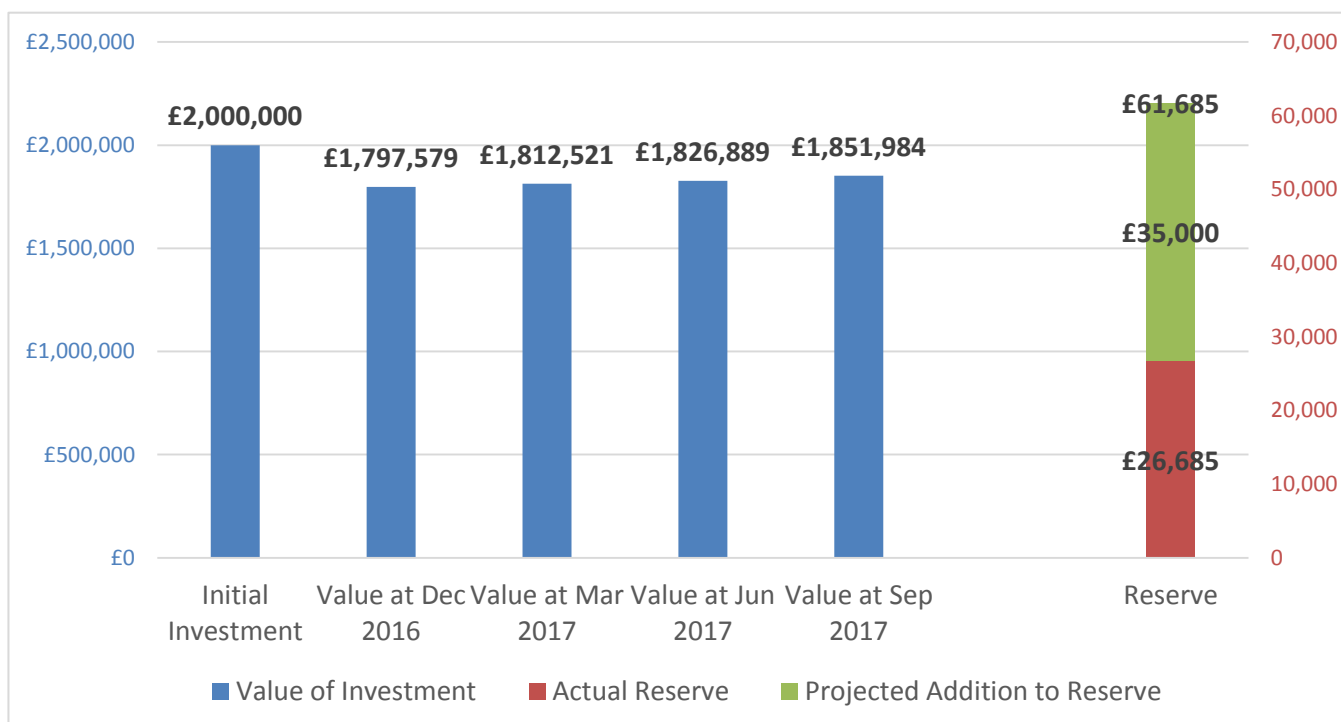
3.46 The performance of the Treasury Management function should be measured against the investment objectives of Security (the safe return of our monies), Liquidity (making sure we have sufficient money to pay for our services) and Yield (the return on our investments).

The Security of Our Investments

3.47 The investments the Council had at the 30 September 2017 of **£29,750,000** by type and Country are summarised in the graph below and in more detail at **APPENDIX E**:

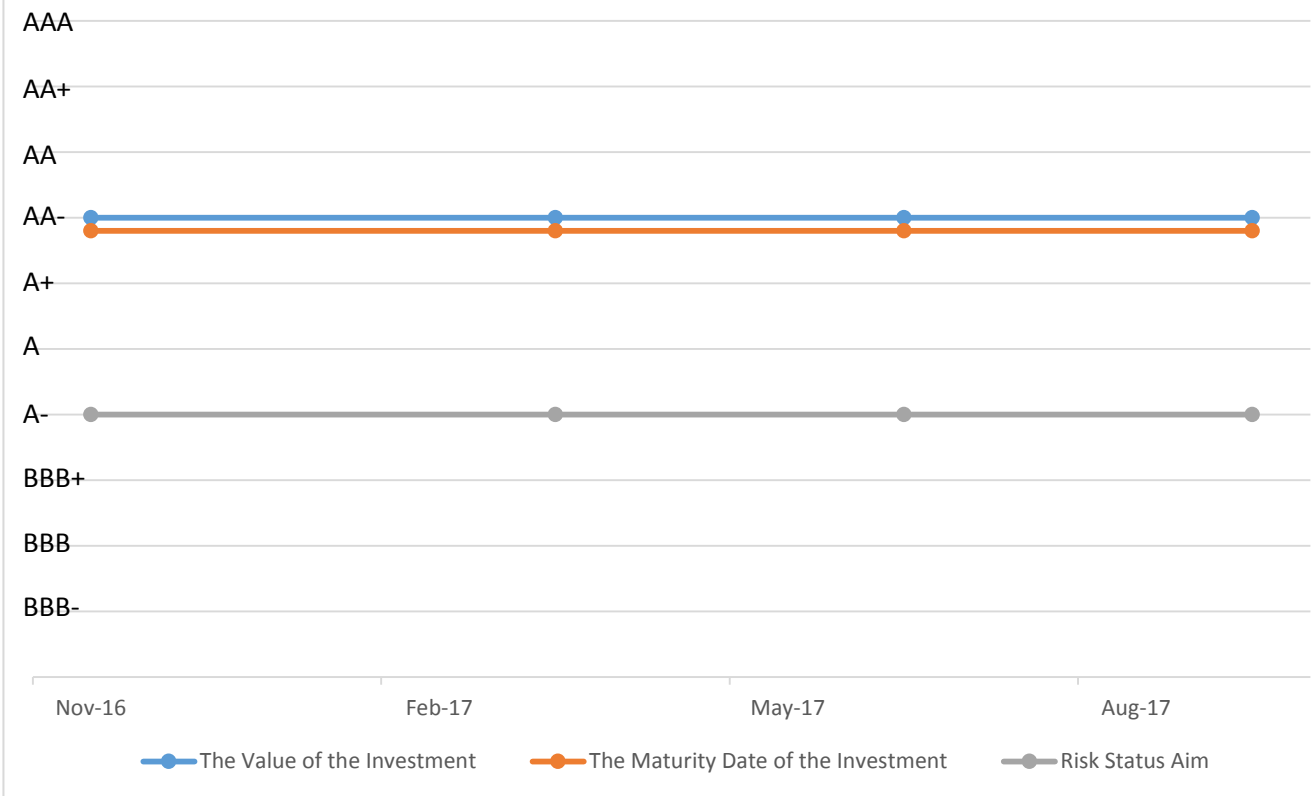


3.48 The current value of the Property Fund investment together with the projected value of the earmarked reserve at the end of 2017/18 intended to offset reductions in value is shown in the graph below:



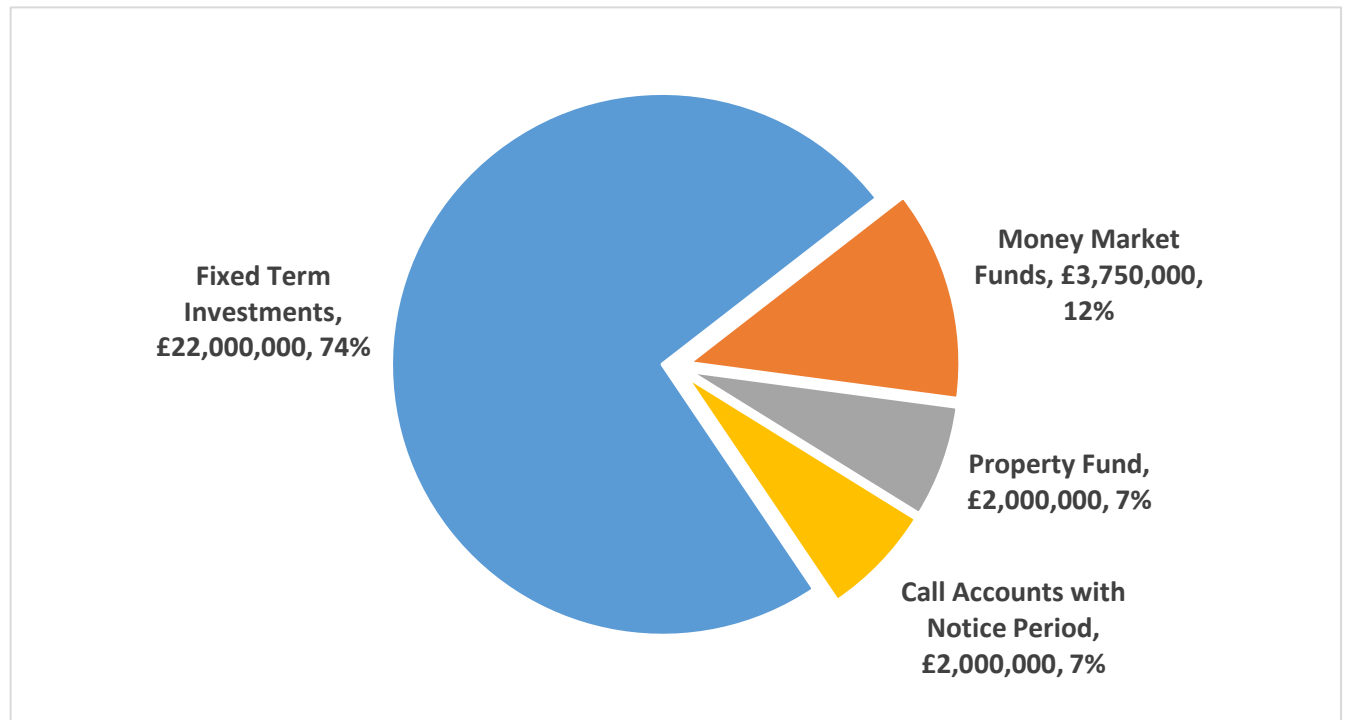
3.49 Our aim for the risk status of our investments was **A-**. The risk status based on the length of the investment and the value for a twelve month period is summarised in the graph below:

Risk Status of Investments



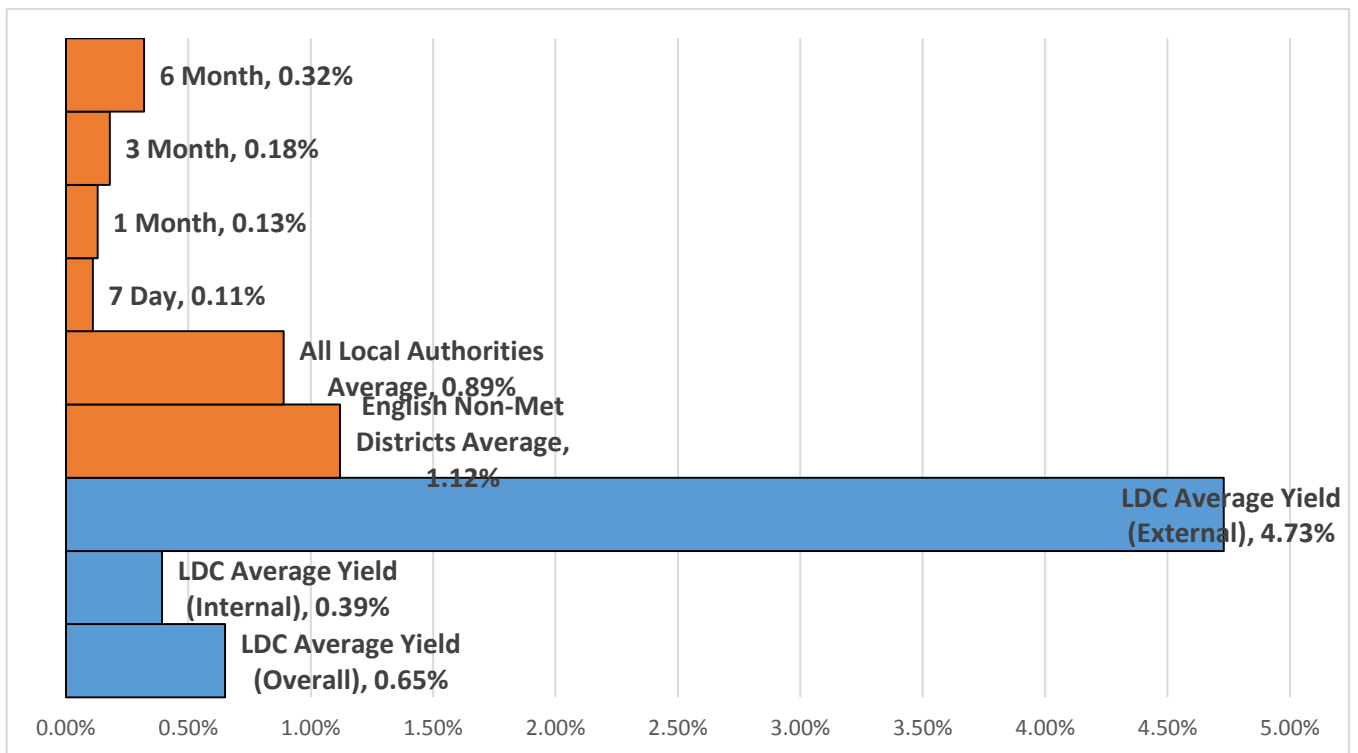
The Liquidity of our Investments

3.50 The Council has not had to temporarily borrow during 2017/18 and retains a proportion of its investments in instant access Money Market Funds to ensure there is sufficient cash available to pay for goods and services. The proportion of investments (with the Property Fund shown with its original investment value of £2m) of this type is shown in the graph below:



The Return or Yield of our Investments

3.51 The graph below shows the yields the Council achieved (internal investments, external investments i.e. the Property Fund and the overall yield) compared to a number of industry standard benchmarks (including our preferred benchmark of the 7 day LIBID rate) and the overall yield for Arlingclose clients.



3.52 The yield achieved for an investment will reflect credit risk and therefore a lower yield will reflect a lower risk investment portfolio.

3.53 On average, English Non Metropolitan District Councils have **£9.3m** and All Local Authorities have **£10.3m** in external funds compared to Lichfield District Council's investment in the property fund of **£1.9m** and this has an impact on yield.

3.54 The investment activity during the financial year is projected to generate **(£148,500)** of net investment income compared to a budget of **(£140,500)** and overall the Net Treasury position is projected to generate additional income of **(£8,000)**.

Alternative Options

There are no alternative options.

Consultation

Consultation is undertaken as part of the Strategic Plan 2016-20 and with Leadership Team.

Financial Implications

At this six months stage in the year, for the period up to September 2017, we forecast a contribution from general reserves of **£712,000** will be made, against a budgeted contribution of **£1,060** to general reserves.

Further detailed analysis on the Financial Performance up to September 2017 is shown in the attached Appendices.

Contribution to the Delivery of the Strategic Plan

The MTFs underpins the delivery of the Strategic Plan 2016-20.

Equality, Diversity and Human Rights Implications	There are no additional Equality, Diversity or Human Rights implications.
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Crime & Safety Issues	There are no additional Crime and Safety Issues.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Management of the Council's Revenue and Capital budget is critical to the successful delivery of key Council's priorities, and control measures need to be in place to manage the re-scheduling or re-profiling of projects and to respond to the changing financial climate including the impact of the EU Referendum result	Close monitoring of expenditure. Maximising the potential of efficiency gains. Early identification of any unexpected impact on costs, for example, central Government policy, movement in the markets, and changes in the economic climate. Prioritisation of capital expenditure. Project management of projects.	Red – Severe
B	Counterparty default	This current Strategy utilises more counterparties and financial instruments to diversify the portfolio and reduce this risk.	Yellow – Material
C	Actual cash flows are different to those that are planned	The Council maintains a comprehensive cash flow model that is updated on a daily basis to reflect actual and planned cash flows. An element of the Council's investment portfolio will be invested in instant access accounts.	Yellow – Material
D	Planned capital receipts are not received	Capital Receipts are only included in the MTFS projections either following a Governance Approval or where the money is legally committed to be received.	Green – Tolerable
E	New Government policies including the level of cuts to Communities and Local Government	To ensure any new policies such as those related to Business Rates and New Homes Bonus are evaluated and the impact is incorporated into the MTFS.	Red – Severe

Background Documents	<ul style="list-style-type: none"> • CIPFA Code of Practice for Treasury Management in the Public Services • The Prudential Code for Capital Finance in Local Authorities • Fit for the Future Leisure Review Leisure Services Options Appraisal – Cabinet 8 March 2016. • Money Matters: Council Tax, National Non Domestic Rates and Pension Contributions – Cabinet 17 January 2017. • Money Matters: Medium Term Financial Strategy (Revenue and Capital) 2016-21 Cabinet – Cabinet 7 February 2017. • The introduction of a Garden Waste Subscription Service – Cabinet 4 April 2017. • Development of Land adjacent to Milestone Way and rear of 29-39 Cannock Road, Burntwood – Cabinet 25 May 2017. • Money Matters: 2016/17 Review of Financial Performance against the Financial Strategy – Cabinet 13 June 2017. • Money Matters: 2017/18 Review of Financial Performance against the Financial Strategy – Cabinet 5 September 2017.
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Relevant web link	Cabinet – Lichfield District Council
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Audit Trail – The Approved Revenue Budget

	Original Budget	Quarter 1 Approved Budget	Cabinet Reports ²	Virements below £50,000	Approved Budget	Virements above £50,000 ³	Recommended Budget
Strategic Priority							
Healthy and safe communities	1,814,520	1,765,480	120,000	2,090	1,887,570	20,450	1,908,020
Clean, green and welcoming place to live	3,882,240	3,582,880		(5,340)	3,577,540	(80,910)	3,496,630
A vibrant and prosperous economy	(709,990)	(595,950)	(97,910)	(10,110)	(703,970)	14,220	(689,750)
A council that is fit for the future	5,653,680	5,732,220	199,570	4,340	5,936,130	46,240	5,982,370
Efficiency Plan	(250,000)	(155,800)	8,720	9,020	(138,060)		(138,060)
Net Cost of Services	10,390,450	10,328,830	230,380	0	10,559,210	0	10,559,210
Service Area							
Chief Executive	767,480	547,100	212,000		759,100	38,240	797,340
Finance and Procurement	1,489,630	1,450,380			1,450,380	1,800	1,452,180
Legal, Property and Democratic Services	281,610	345,130	(111,250)	(9,020)	224,860	27,270	252,130
Revenues, Benefits and Customer Services	701,630	748,680			748,680	(19,050)	729,630
Corporate Services	2,313,110	2,428,460	6,630	10,110	2,445,200	800	2,446,000
Leisure & Operational Services	2,514,620	2,559,730	120,000		2,679,730	(39,080)	2,640,650
Regulatory, Housing & Wellbeing	1,279,760	1,230,500			1,230,500	(16,940)	1,213,560
Development Services	39,360	46,870		(10,110)	36,760		36,760
Economic Growth	30,530	(35,460)	(5,720)		(41,180)	6,960	(34,220)
Waste Services	1,222,720	1,163,240			1,163,240		1,163,240
Efficiency Plan	(250,000)	(155,800)	8,720	9,020	(138,060)		(138,060)
Net Cost of Services	10,390,450	10,328,830	230,380	0	10,559,210	0	10,559,210
Net Treasury Position	(15,600)	(42,600)			(42,600)		(42,600)
Revenue Contributions to the Capital Programme	154,000	154,000	600,000		754,000		754,000
Net Operating Cost	10,528,850	10,440,230	830,380	0	11,270,610	0	11,270,610
Less : Transfer (from) / to General Reserve	1,060	1,560	(830,380)		(828,820)		(828,820)
Less : Transfer to Earmarked Reserves	504,840	592,960			592,960		592,960
Amount to be met from Government Grants and Local Taxpayers:	£11,034,750	£11,034,750	£0	£0	£11,034,750	£0	£11,034,750
Revenue Support Grant	(236,000)	(236,000)			(236,000)		(236,000)
Business Rates	(2,484,000)	(2,484,000)			(2,484,000)		(2,484,000)
Transition Grant	(51,750)	(51,750)			(51,750)		(51,750)
Local Council Tax Support	87,000	87,000			87,000		87,000
New Homes Bonus	(1,422,000)	(1,422,000)			(1,422,000)		(1,422,000)
Returned New Homes Bonus	(5,000)	(5,000)			(5,000)		(5,000)
Council Tax Collection Fund	(40,000)	(40,000)			(40,000)		(40,000)
Business Rates Collection Fund	(789,000)	(789,000)			(789,000)		(789,000)
Council Tax	(6,094,000)	(6,094,000)			(6,094,000)		(6,094,000)

² Cabinet Reports relate to Procuring a Customer Facing IT System – Cabinet 11 July 2017; Money Matters 2017/18: Review of Financial Performance Against the Financial Strategy (as further approved by Full Council 17 October 2017), Procuring a Revenues and Benefits Forms Package, Car Parking Enforcement – Award of Contract – Cabinet 5 September 2017 and Procuring a Committee Management System – 10 October 2017.

³ Recommended virements relate to the Management Restructure.

Revenue Financial Performance – Projected Variance to Budget 2017/18

Area	2017/18						
	Original Budget £	Recommended Budget £	Projected Outturn £	Projected Variance £	Projected Variance ● = adverse ☑ = favourable	Variance to Original Budget £	2017/18 Target Variance (+/-) £
Strategic Priority							
Healthy and safe communities	1,814,520	1,908,020	1,908,020	-		93,500	
Clean, green and welcoming places to live	3,882,240	3,496,630	3,497,320	690	●	(384,920)	
A vibrant and prosperous economy	(709,990)	(689,750)	(865,020)	(175,270)	☑	(155,030)	
A council that is fit for the future	5,653,680	5,982,370	6,007,770	25,400	●	354,090	
Efficiency Plan	(250,000)	(138,060)	(97,700)	40,360	●	152,300	
Net Cost of Services	10,390,450	10,559,210	10,450,390	(108,820)		59,940	0
Service Area							
Chief Executive	767,480	797,340	789,110	(8,230)	☑	21,630	4,000
Finance and Procurement	1,489,630	1,452,180	1,480,180	28,000	●	(9,450)	7,000
Legal, Property and Democratic Services	281,610	252,130	226,280	(25,850)	☑	(55,330)	10,000
Revenues, Benefits and Customer Services	701,630	729,630	729,630	-		28,000	19,000
Corporate Services	2,313,110	2,446,000	2,447,960	1,960	●	134,850	22,000
Leisure and Operational Services	2,514,620	2,640,650	2,640,650	-		126,030	53,000
Regulatory, Housing and Wellbeing	1,279,760	1,213,560	1,213,560	-		(66,200)	16,000
Development Services	39,360	36,760	24,900	(11,860)	☑	(14,460)	24,000
Economic Growth	30,530	(34,220)	(167,420)	(133,200)	☑	(197,950)	27,000
Waste Services	1,222,720	1,163,240	1,163,240	-		(59,480)	68,000
Efficiency Plan	(250,000)	(138,060)	(97,700)	40,360	●	152,300	-
Net Cost of Services	10,390,450	10,559,210	10,450,390	(108,820)		59,940	250,000
Net Treasury Position	(15,600)	(42,600)	(50,600)	(8,000)		(35,000)	
Revenue Contributions to the Capital Programme	154,000	754,000	754,000	-		600,000	
Net Operating Cost	10,528,850	11,270,610	11,153,790	(116,820)		624,940	
Transfer (from) / to General Reserve	1,060	(828,820)	(712,000)	116,820			
Transfer to Earmarked Reserves	504,840	592,960	592,960	-			
Net Revenue Expenditure	£11,034,750	£11,034,750	£11,034,750	0			
Financed by:							
Revenue Support Grant	(236,000)	(236,000)	(236,000)	-			
Retained Business Rates	(2,484,000)	(2,484,000)	(2,484,000)	-			
Transition Grant	(51,750)	(51,750)	(51,750)	-			
Parish Local Council Tax Support	87,000	87,000	87,000	-			
New Homes Bonus	(1,422,000)	(1,422,000)	(1,422,000)	-			
Returned New Homes Bonus	(5,000)	(5,000)	(5,000)	-			
Council Tax Collection Fund (Surplus)	(40,000)	(40,000)	(40,000)	-			
Business Rates Collection Fund (Surplus)	(789,000)	(789,000)	(789,000)	-			
Council Tax	(6,094,000)	(6,094,000)	(6,094,000)	-			

The projected variance compares projected actual (outturn) to recommended budget.

☑ = projected favourable variance and ● = projected adverse variance

Reasons for the 6 Months Budget Performance

Projected Variance £		Expenditure		Income	
		One Off £	Recurring £	One Off £	Recurring £
(8,230)	Chief Executive	(2,230)	(6,000)	-	-
28,000	Finance and Procurement	25,000	-	3,000	-
(25,850)	Legal, Property and Democratic Services	4,870	-	(30,720)	-
-	Revenues, Benefits and Customer Services	-	-	-	-
1,960	Corporate Services	-	(22,500)	24,460	-
-	Leisure and Operational Services	-	-	-	-
-	Regulatory, Housing & Wellbeing	-	-	-	-
(11,860)	Development Services	-	(11,860)	-	-
(133,200)	Economic Growth	-	2,500	(133,200)	(2,500)
-	Waste Services	-	-	-	-
(8,000)	Net Treasury Position	(2,000)	-	(6,000)	-
(£157,180)	Net Operating Cost	£25,640	(£37,860)	(£142,460)	(£2,500)

Chief Executive

Projected Variance £	Service Area	Expenditure		Income	
		One Off £	Recurring £	One Off £	Recurring £
(8,230)	Identified efficiency savings and previous years chair and vice chair underspent allowance	(2,230)	(6,000)	-	-
(£8,230)	Total	(£2,230)	(£6,000)	-	-

Finance and Procurement

Projected Variance £	Service Area	Expenditure		Income	
		One Off £	Recurring £	One Off £	Recurring £
3,000	Loss of Credit card surcharge income from January 2018	-	-	3,000	-
25,000	Pensions deficit timing alignment – savings in future year	25,000	-	-	-
£28,000	Total	£25,000	-	£3,000	-

Legal, Property and Democratic Services

Projected Variance £	Service Area	Expenditure		Income	
		One Off £	Recurring £	One Off £	Recurring £
4,870	CCTV Policy Review	4,870	-	-	-
(30,720)	Additional Net Rental income for Three Spires following the recent provision of audited financial statements	-	-	(30,720)	-
(£25,850)	Total	£4,870	-	(£30,720)	-

Corporate Services

Projected Variance £	Service Area	Expenditure		Income	
		One Off £	Recurring £	One Off £	Recurring £
24,460	Loss of income from ICT Service Level Agreement for services provided to the Garrick after August 2017	-	-	24,460	-
(22,500)	Identified efficiency savings	-	(22,500)	-	-
£1,960	Total	-	(£22,500)	£24,460	-

Development Services

Projected Variance £	Service Area	Expenditure		Income	
		One Off £	Recurring £	One Off £	Recurring £
(11,860)	Identified efficiency savings	-	(11,860)	-	-
(£11,860)	Total	-	(£11,860)	-	-

Economic Growth

Projected Variance £	Service Area	Expenditure		Income	
		One Off £	Recurring £	One Off £	Recurring £
(133,200)	Business Rates Refund for the Friary Outer Car Park	-	-	(133,200)	-
-	Promotion of District Activities realigned	-	2,500	-	(2,500)
(167,000)	Additional net income due to Car Parks remaining open for the full year				(167,000)
167,000	Multi Storey Car Park net income set aside into Friarsgate Earmarked Reserve		167,000		
(£133,200)	Total	-	£169,500	(£133,200)	(£169,500)

Net Treasury Position

Projected Variance £	Service Area	Expenditure		Income	
		One Off £	Recurring £	One Off £	Recurring £
(8,000)	Increased Interest Receipts	(2,000)	-	(6,000)	-
(£8,000)	Total	(£2,000)	-	(£6,000)	-

Capital Programme Performance in 2017/18

Projects	Original Budget	Approved Budget	Actual	Projected Actual	Projected Variance
Community Building at Hawksyard	320,000	320,000	319,574	320,000	
Oakenfield Play Area (Sinking Fund)	0	9,000	0	9,000	
BLC Enhancement Work	42,000	74,000	2,493	74,000	
Other Burntwood Leisure Centre Projects	128,000	128,000	0	128,000	
Play Area at Hawksyard	0	1,000	0	1,000	
Squash Court and Sports Hall Floors (FGLC)	0	50,000	0	50,000	
Accessible Homes (Disabled Facilities Grants)	850,000	912,000	428,467	850,000	(62,000)
DCLG Monies	212,000	0	0	0	
Decent Homes Standard	437,000	0	0	0	
Energy Insulation Programme	10,000	30,000	0	30,000	
Home Repair Assistance Grants	15,000	15,000	0	15,000	
Housing Redevelopment Scheme - Packington	80,000	80,000	40,000	80,000	
Unallocated S106 Affordable Housing Monies	400,000	400,000	0	0	(400,000)
Healthy and Safe Communities	2,494,000	2,019,000	790,535	1,557,000	(462,000)
Ancient Monument (Friary)	0	1,500	1,500	1,500	
Canal Culvert at Huddlesford	100,000	100,000	0	10,000	(90,000)
Fazeley Crossroads Environmental Improvements	0	4,000	3,971	4,000	
Darnford Park	0	13,000	0	13,000	
Shortbutts Park, Lichfield	0	33,000	0	33,000	
Stowe Pool Improvements	100,000	0	0	0	
Vehicle Replacement Programme	167,000	93,000	0	93,000	
Clean, Green and Welcoming Places to Live	367,000	244,500	5,471	154,500	(90,000)
Cannock Chase SAC	0	37,000	37,311	37,000	
Car Parks Variable Message Signing	32,000	32,000	0	0	(32,000)
City Centre Strategy and Interpretation	0	1,500	0	1,500	
Friarsgate Support	1,830,000	1,904,000	163,965	1,904,000	
Friarsgate: Castle Dyke/Frog Lane Enhancement	50,000	97,000	10,371	97,000	
Garrick Square	58,000	0	0	0	
Old Mining College: Refurbish access and signs	0	14,000	0	14,000	
Sankey's Corner Environmental Improvements	0	3,000	0	3,000	
Data Management System	0	11,000	0	11,000	
A Vibrant and Prosperous Economy	1,970,000	2,099,500	211,647	2,067,500	(32,000)
Asset Management: District Council House	301,000	372,000	55,867	291,000	(81,000)
IT and Channel Shift Programme	200,000	152,000	34,539	152,000	
Depot Sinking Fund	0	11,000	0	11,000	
A Council that is Fit for the Future	501,000	535,000	90,406	454,000	(81,000)
Capital Programme Total	5,332,000	4,898,000	1,098,059	4,233,000	(665,000)

Key:

- Variance projected to be more than £100,000
- Variance projected to be less than £100,000

Council Tax

	Council Tax				In year Debt 30-Sep-17
	Debt Covering All years				
	30-Sep-16	30-Sep-17	Change		
Amount Collected as a %	57.70%	57.44%	0.26%	●	64.50%
In year arrears outstanding at 30th Sept	£916,692	£840,819		☑	£840,819
Previous years arrears at 30th Sept	£1,039,989	£1,130,906		●	
Total arrears outstanding at 30th Sept	£1,956,682	£1,971,725	0.8%	●	
Write offs as at 30th Sept	£34,282	£52,523	53%	●	

Sundry Debtor Performance

Details	30-Sep-16	30-Sep-17	All Debts Change (%)	Variance
	All Debts £	All Debts £		
Value of sundry income raised in quarter	1,717,277	1,304,775	(24.02%)	☑
Value of debts written off	30,356	15,365	(49.38%)	☑
Value of all invoices outstanding	1,938,321	1,629,234	(15.95%)	☑
Aged Debt Analysis				
Less than 6 months	1,255,868	987,275	(21.39%)	☑
More than 6 months	682,453	641,959	(5.62%)	☑

Business Rates

The Council's Retained Business Rates Income

The Council's Budget in 2017/18				
	Budget £	30-Sep-17 £	Projected Outturn £	Projected Variance £
NNDR 1 Based Retained Business Rates				
Retained Business Rates	(£13,376,000)	(£13,376,000)	(£13,376,000)	£0
<u>Section 31 Grants (Lichfield's 40% Share)</u>				
Small Business Rates Relief	(£495,200)	(£621,600)	(£629,600)	(£134,400)
Long Term Empty Properties	£0	£800	£800	£800
In lieu of transitional relief	£0	(£19,200)	(£19,200)	(£19,200)
Retail Relief	£0	£800	£800	£800
Less : Tariff Payable	£11,026,000	£11,026,000	£11,026,000	£0
Pre Levy or Safety Net Income	(£2,845,200)	(£2,989,200)	(£2,997,200)	(£152,000)
Less : Levy Payable @ 50%	£432,600	£431,000	£665,000	£232,400
Volatility Allowance	£69,800	£214,400	£64,400	(£5,400)
Levy from the Business Rates Pool (32.5%)	(£141,000)	(£140,000)	(£216,000)	(£75,000)
Post Levy or Safety Net Income	(£2,483,800)	(£2,483,800)	(£2,483,800)	£0

Collection Performance

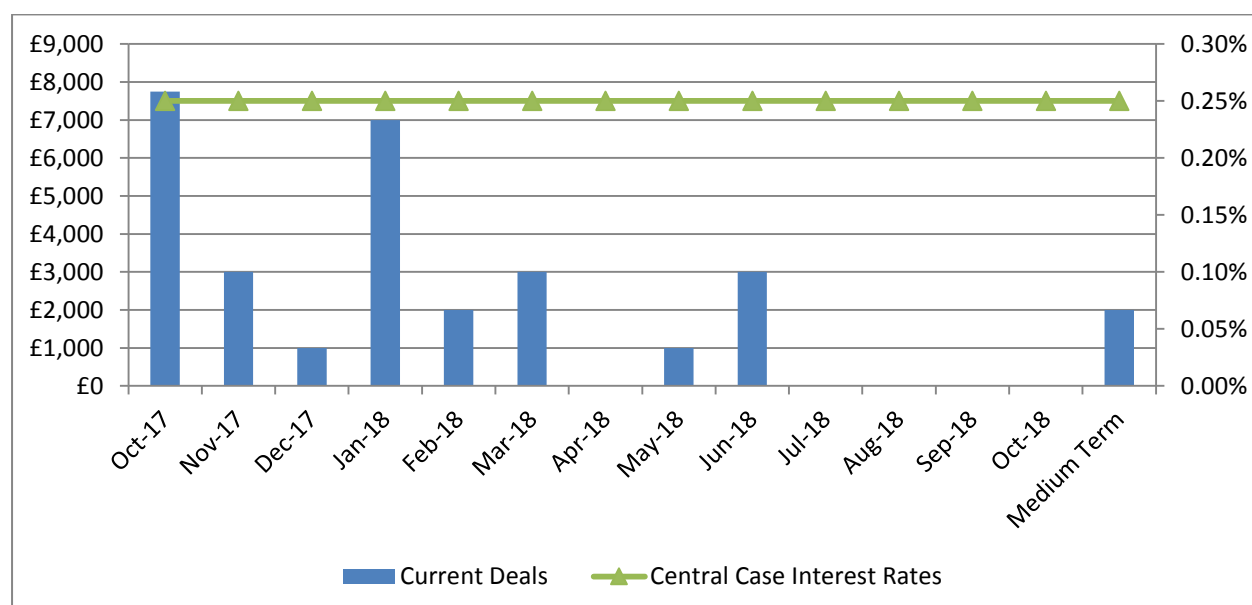
	Non Domestic Rates				In year Debt 30-Sep-17
	Debt Covering All years				
	30-Sep-16	30-Sep-17	Change		
Amount Collected as a %	58.01%	57.08%	0.93%	●	62.50%
In year arrears outstanding at 30th Sept	£772,795	£205,397		☑	£205,397
Previous years arrears at 30th Sept	£447,071	£269,986		☑	
Total arrears outstanding at 30th Sept	£1,219,865	£475,383	-61.0%	☑	
Write offs as at 30th Sept	£103,595	£61,327	-41%	☑	

Investments in the 2017/18 Financial Year

The table below shows a breakdown of our investments at the end of September 2017:

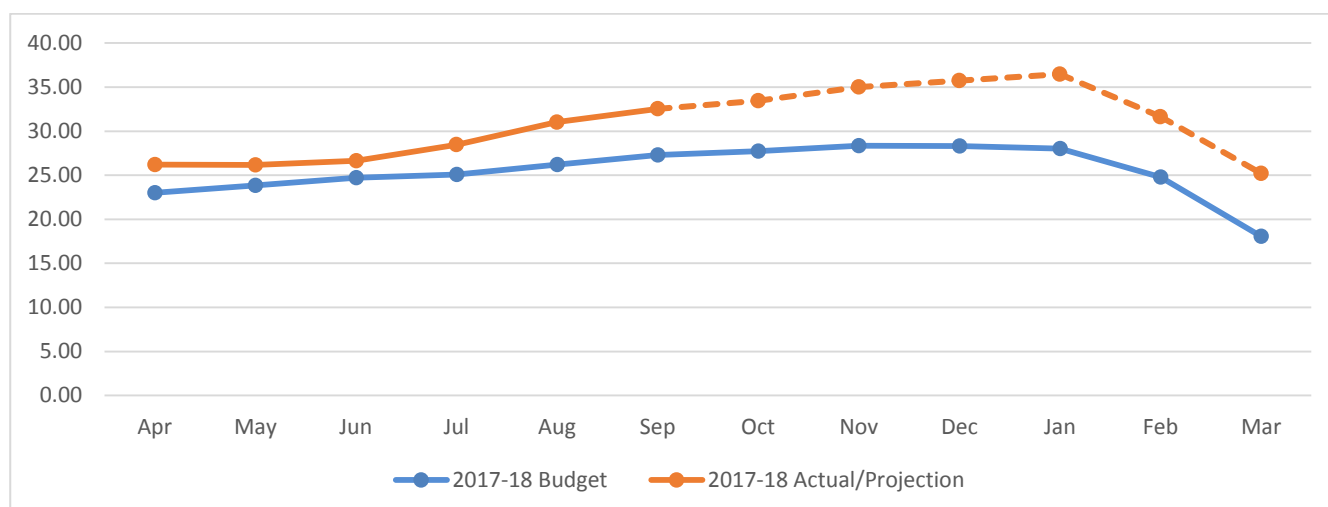
Counterparty	Principal	Matures	Days to Maturity	Rate	Credit Rating	Foreign Parent
Money Market Funds						
Invesco Aim	£1,000,000	01-Oct-17	Instant Access	0.22%	A+	N/A
Legal & General	£1,000,000	01-Oct-17	Instant Access	0.22%	AA-	N/A
Federated	£750,000	01-Oct-17	Instant Access	0.26%	A+	N/A
BNP Paribas MMF	£1,000,000	01-Oct-17	Instant Access	0.27%	A+	N/A
Property Fund						
CCLA Property Fund	£2,000,000	N/A	N/A	4.73%	N/A	No
Fixed Term Investments						
Lancashire County Council	£2,000,000	31-Oct-17	31	0.37%	LOCAL	No
Lloyds	£1,000,000	15-Nov-17	46	1.00%	A	No
Broxtowe Borough Council	£2,000,000	19-Feb-18	142	0.45%	LOCAL	No
Thurrock Council	£2,000,000	11-Jan-18	103	0.43%	LOCAL	No
Coventry Building Society	£1,000,000	05-Oct-17	5	0.44%	A	No
Nationwide	£1,000,000	15-Nov-17	46	0.37%	A	No
Australia and New Zealand Banking Group	£1,000,000	12-Dec-17	73	0.40%	AA-	Yes
Landesbank Hessen-Thüringen (Helaba)	£1,000,000	08-Jan-18	100	0.38%	A	Yes
Rugby Borough Council	£2,000,000	29-Jun-18	272	0.35%	LOCAL	No
Close Bros	£1,000,000	29-Jan-18	121	0.60%	A	No
United Overseas Bank	£1,000,000	18-May-18	230	0.39%	AA-	Yes
DBS Bank	£1,000,000	01-Jun-18	244	0.39%	AA-	Yes
Telford & Wrekin Council	£2,000,000	22-Mar-18	173	0.29%	LOCAL	No
Moray Council	£2,000,000	22-Jan-18	114	0.32%	LOCAL	No
Call Accounts with Notice Period						
Santander	£1,000,000	29-Mar-18	180	0.55%	A	Yes
Goldman Sachs International Bank	£1,000,000	03-Jan-18	95	0.44%	A	Yes
Svenska Handelsbanken AB	£1,000,000	04-Nov-17	35	0.25%	AA-	Yes
Certificates of Deposit						
Canadian Imperial Bank of Commerce	£1,000,000	10-Oct-17	10	0.56%	A+	Yes
Total Investments	£29,750,000					

The maturity profile of these investments at 30 September 2017 compared to our Treasury Management advisor Arlingclose interest rate forecasts is shown in the graph below:



Cash Flow for 2017/18

The graph below compares the budget for average investment levels in 2017/18 with the actual levels.



Performance of the Treasury Management Function

The performance of the Treasury Management function should be measured against the investment objectives of Security (the safe return of our monies), Liquidity (making sure we have sufficient money to pay for our services) and Yield (the return on our investments).

	Target	Actual
<u>Security</u>		
Risk Status (length of Investment)	A-	AA-
Risk Status (Value of the investment)		AA-
<u>Liquidity</u>		
Length of Investments (days)	N/A	117 days
Temporary Borrowing	£0	£0
<u>Yield</u>		
Average amount we had available to invest (£m)	£29.80m	£30.70m
Average Interest Rate (%)	0.61%	0.65%
7-day London Inter-bank Bid (LIBID) rate	0.11%	
1 month London Inter-bank Bid (LIBID) rate	0.13%	
3 month London Inter-bank Bid (LIBID) rate	0.18%	
6 month London Inter-bank Bid (LIBID) rate	0.32%	
Net Investment Income (£)	(£140,500)	(£148,500)
Net Treasury Position (£)	(£42,600)	(£50,600)

Money Matters : Council Tax and National Non Domestic Rates

Cabinet Member for Finance and Democratic Services

Date:	6 December 2017
Agenda Item:	4
Contact Officer:	Anthony Thomas
Tel Number:	01543 308012
Email:	Anthony.thomas@lichfielddc.gov.uk
Key Decision?	YES
Local Ward Members	Full Council



Cabinet

1. Executive Summary

- 1.1 To approve the calculation of the Council Taxbase for Lichfield District, as required under Section 67 of the Local Government Finance Act (LGFA) 1992.
- 1.2 In accordance with the LGFA 1992, the Council is required to estimate the surplus/deficit on the Collection Fund for both Council Tax and Business Rates. The dates these estimates must be made are:
 - Council Tax – **15 January** (or in the event this a Saturday, Sunday or Bank Holiday, the next working day). In 2017/18 the relevant date will be **15 January 2018**.
 - Business Rates (NNDR) – **31 January** using the NNDR1 Form.
- 1.3 The Council as the Billing Authority must then notify each relevant major Precepting Authority of their share of any estimated surplus or deficit within seven days of making the estimate.
- 1.4 The Council must submit its estimates for Business Rates to the Department for Communities and Local Government using the NNDR1 form. This form includes:
 - An estimate of the Business Rates Collection Fund surplus/deficit for the current year.
 - Estimates of the level of Business Rates to be collected for the forthcoming financial year.
- 1.5 The timing of receipt of the NNDR1 form due to updates to the software to reflect the Revaluation and the Autumn Statement is uncertain. To enable completion by the statutory deadline, a delegation to the Cabinet Member for Finance and Democracy and the Chief Financial Officer is recommended.

2. Recommendations

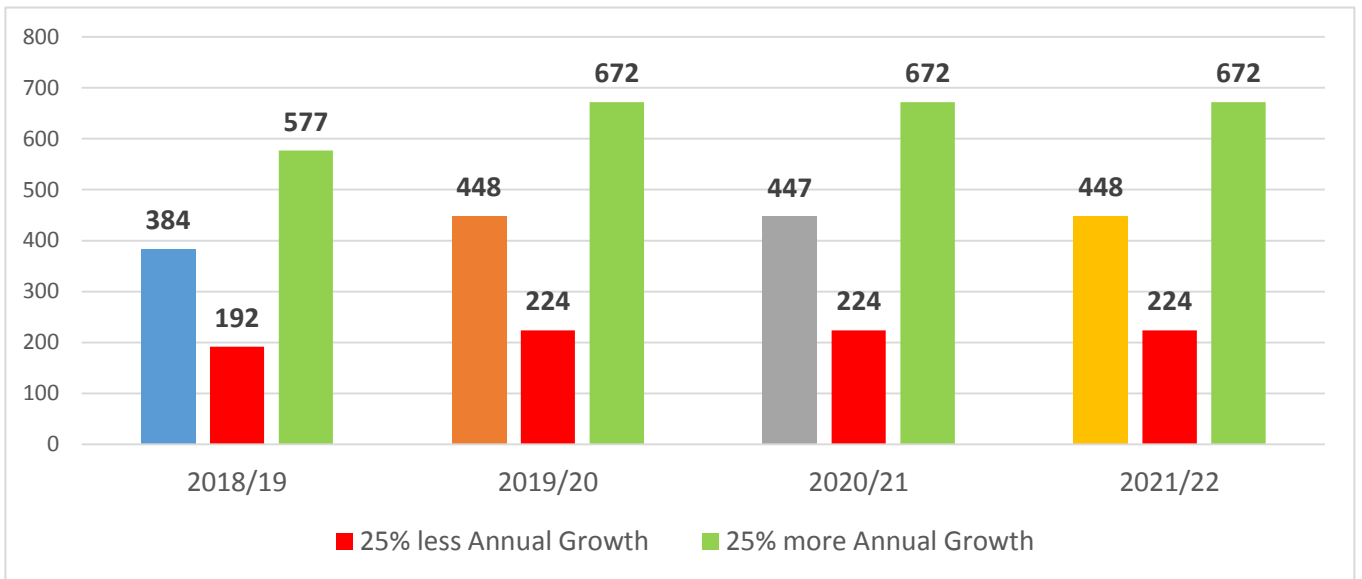
- 2.1 To approve in accordance with the relevant legislation and regulations, the Council Taxbase for Lichfield District for the financial year 2018/19 of **37,359.5**.
- 2.2 To note the estimated Council Tax Collection fund Surplus of **(£325,430)** and the estimated Business Rates Collection Fund surplus of **(£1,478,120)** for 2017/18.
- 2.3 To delegate authority to the Cabinet Member for Finance and Democracy and the Chief Financial Officer (Section 151) to complete and certify the NNDR1 for 2018/19 on behalf of the Council.

3. Background

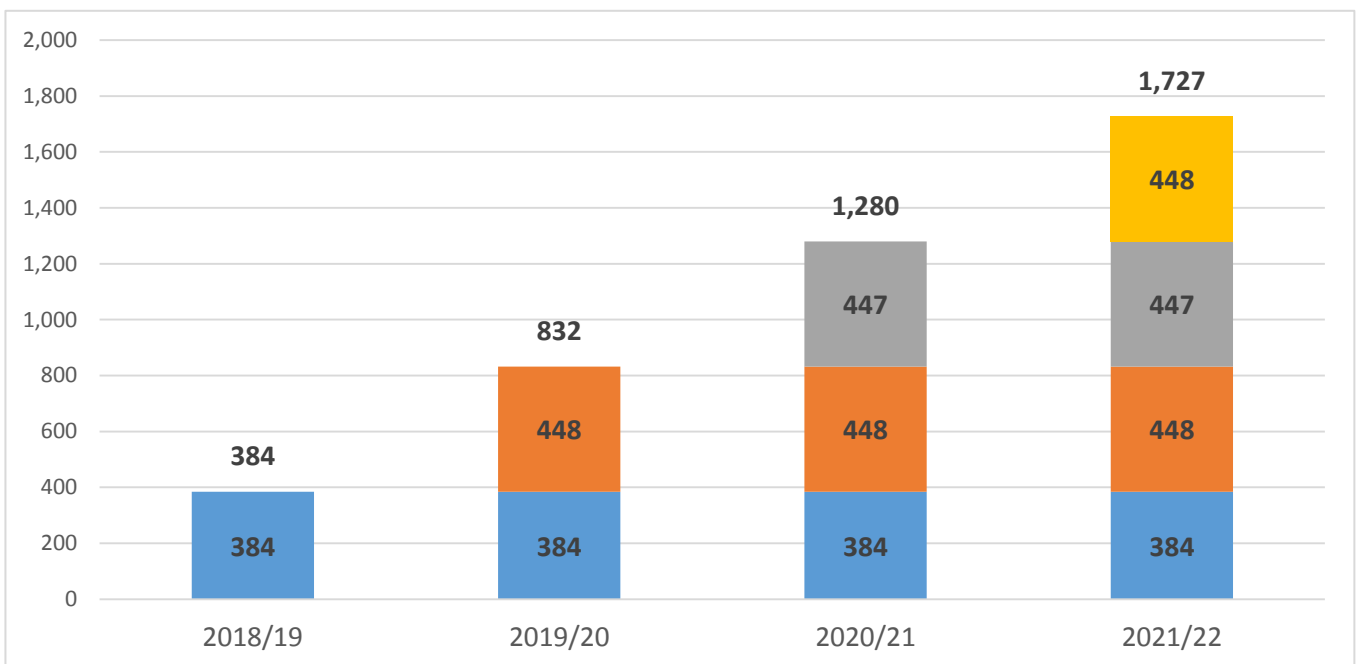
Council Taxbase

- 3.1 The Council Taxbase represents domestic properties within the District for Council Tax purposes.
- 3.2 The calculation includes an allowance for property growth. The starting point is the Five Year Housing Supply 2017 and this is adjusted by factors for risks such as delays or non-delivery and to convert growth to Band D equivalents.

3.3 The property growth (Band D Equivalent) estimated for the period of the Medium Term Financial based on the Mid-Point or central scenario **50%** of planned property growth (shown as leftmost column for each year) being delivered plus two alternatives (25% and 75% of planned property growth) is shown in detail at **APPENDIX A** and in summary in the graph below:



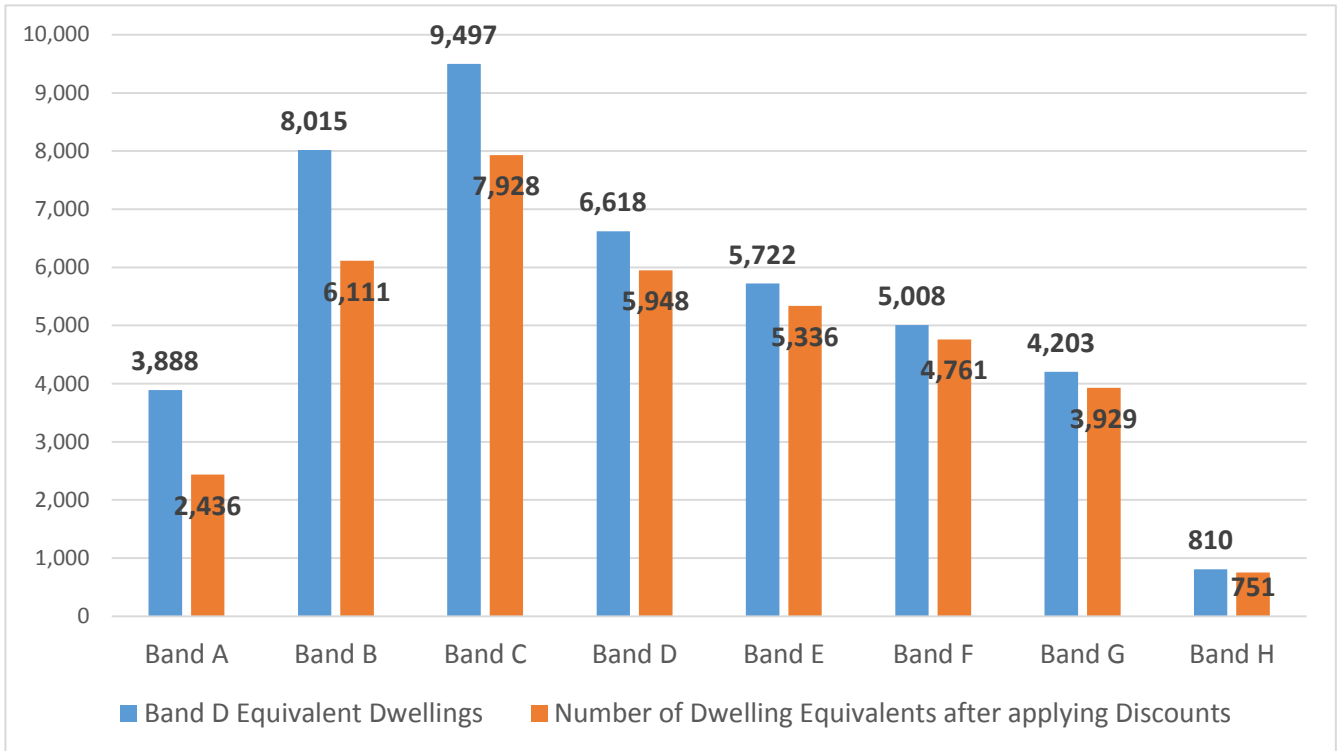
3.4 The central scenario is also shown on a cumulative basis in the graph below. These growth projections will also be used as part of the calculation of New Homes Bonus income.



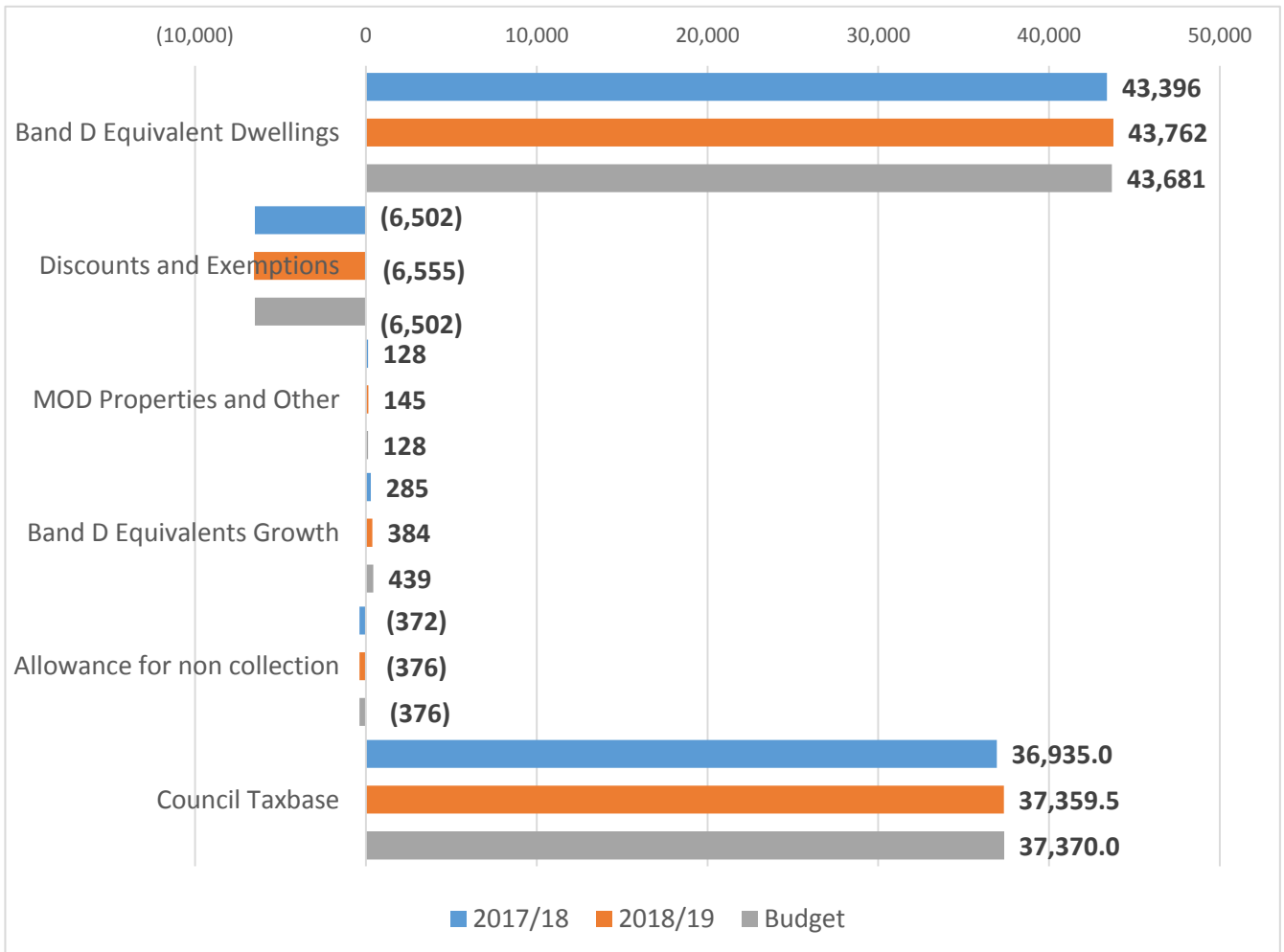
3.5 The Council Taxbase is calculated as follows:

- The Band D equivalent dwellings (the dwellings in each Council Tax Band multiplied by the Band D ratio).
- The Band D equivalent dwellings are reduced by discounts such as single person discount or Local Council Tax Support and exemptions.
- An allowance is made for contributions in lieu of Council Tax for Ministry of Defence Properties.
- An estimate is made for property growth during 2018/19.
- A projection is made for non-collection/in year change of **1%**. This reflects the risks and opportunities related to in year changes in properties, exemptions and discounts together with the collection rate (2015/16 was **98.79%** and for 2016/17 was **97.49%**).

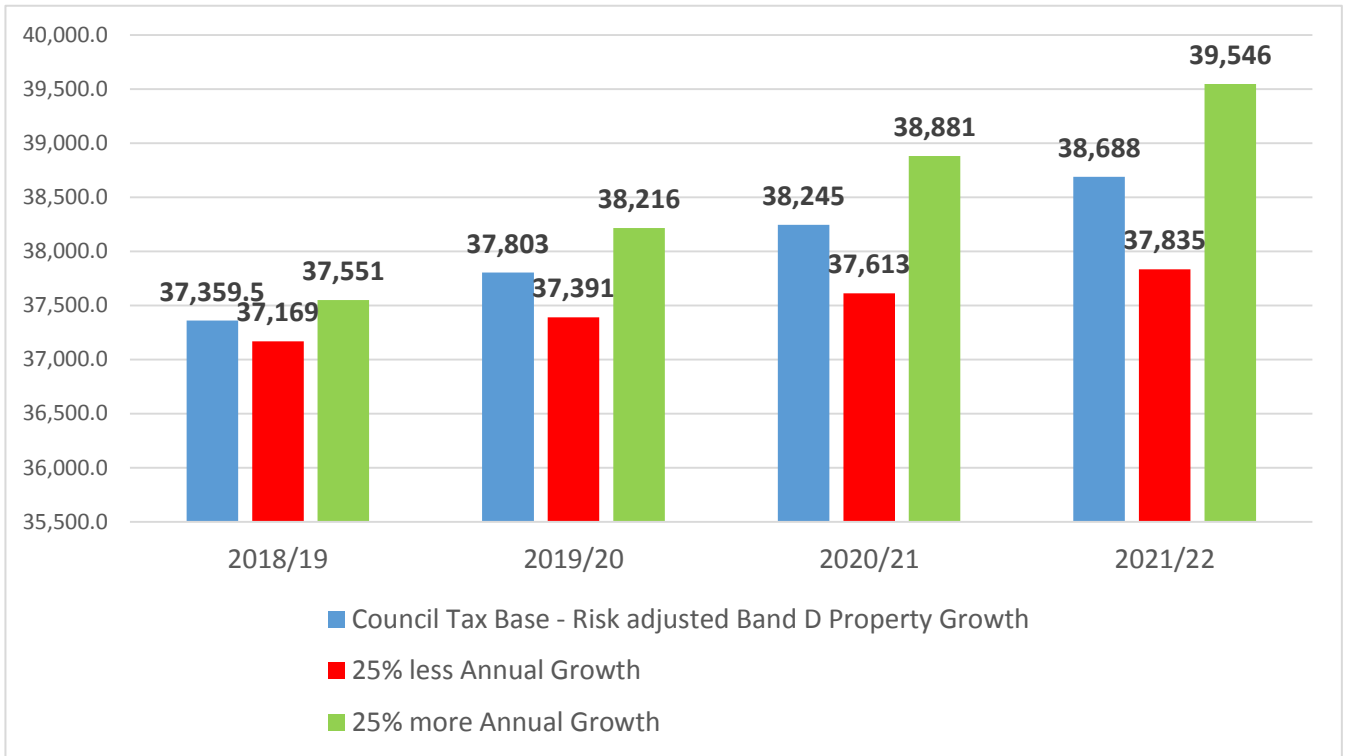
3.6 The Council Taxbase (Band D equivalents) by Council Tax band for the District in 2018/19 prior to and after discounts and exemptions is shown in the graph below and in detail at **APPENDIX B**.



3.7 A comparison of the figures used in the calculation of the Council Taxbase for 2018/19 of **37,359.5** compared to the calculation for 2017/18 of **36,935.0** and the Approved Budget for 2018/19 of **37,370.0** is shown in the graph below:

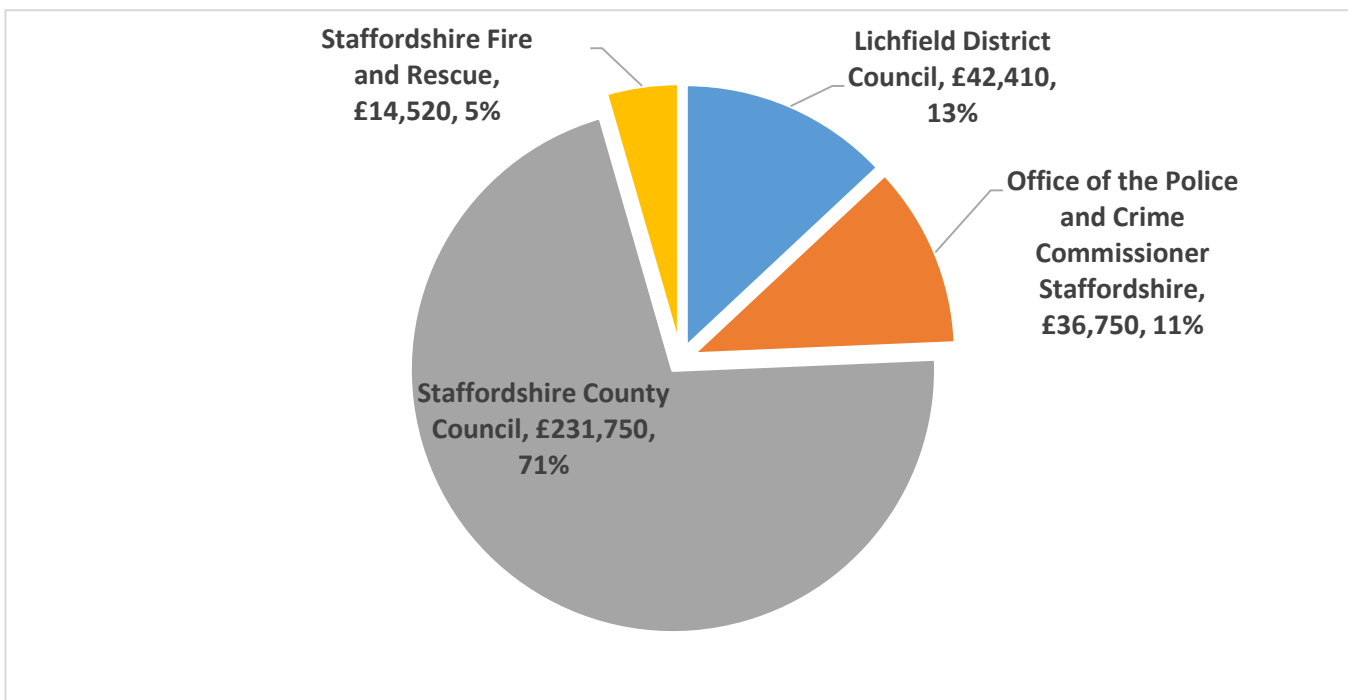


- 3.8 The Council Taxbase will be used by this Council, Parish Councils, Staffordshire County Council, the Office of the Police and Crime Commissioner and Staffordshire Fire and Rescue to calculate their element of the Council Tax for 2018/19.
- 3.9 The Council Taxbase for 2018/19 by Parish area is shown at **APPENDIX C**.
- 3.10 In addition, to the Council Taxbase for 2018/19, the graph below shows the Council Taxbase for 2018/19 to 2021/22. This information will be used in the Medium Term Financial Strategy for the calculation of Council Tax.



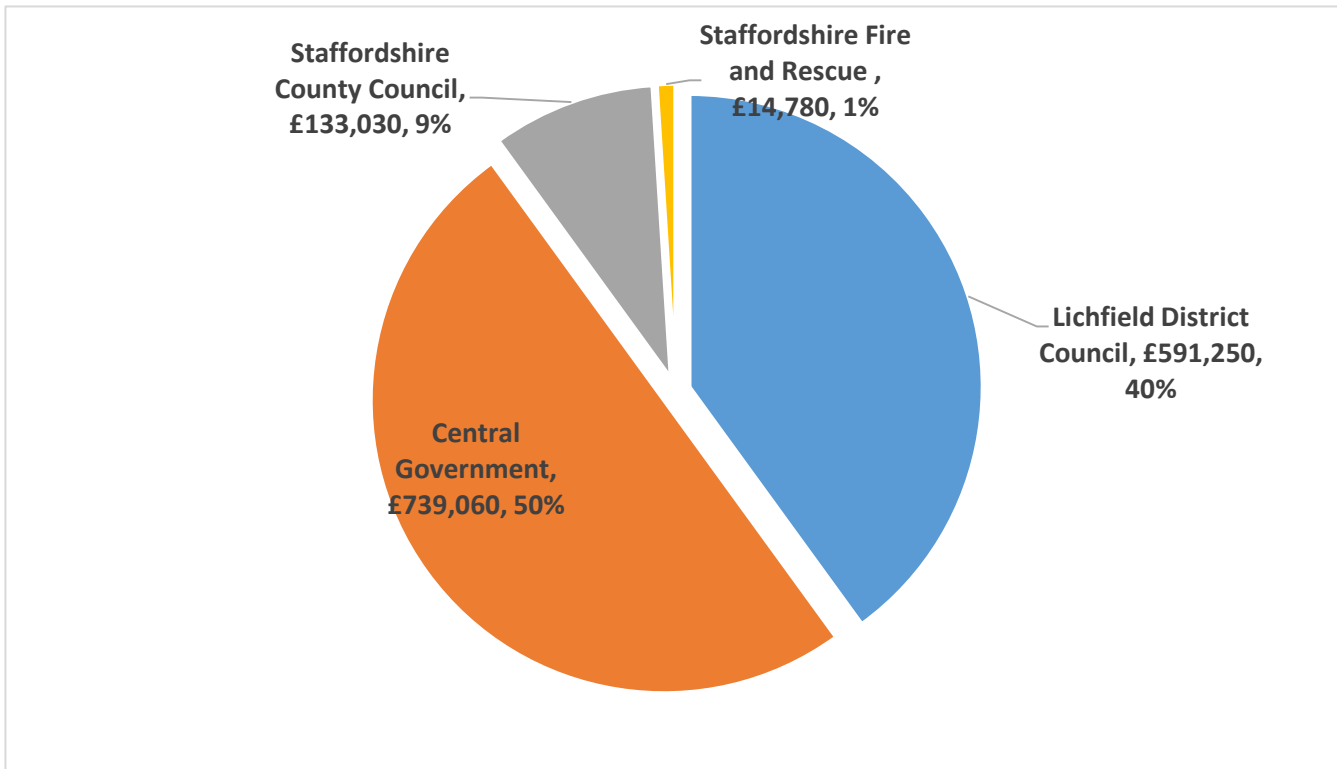
The Projected Council Tax Collection Fund Surplus for 2017/18

- 3.11 The six months projected Council Tax Collection Fund Surplus for 2017/18 of (£325,430) and its distribution to partners in 2018/19 is shown in the graph below (Lichfield’s share of 13% includes Parish Councils):



The Projected Business Rates Collection Fund Surplus for 2017/18

3.12 The six months projected Business Rates Collection Fund Surplus for 2017/18 of (£1,478,120) and its distribution to partners in 2018/19 is shown in the graph below:



Alternative Options	1. The calculation of the Council Taxbase and Collection Fund surpluses and deficits must be undertaken in line with statutory requirements and therefore there are no alternative options.
Consultation	1. There has been no consultation specifically about this Report due to the statutory nature of calculations.
Financial Implications	1. These are identified in the background section and the Appendices.
Contribution to the Delivery of the Strategic Plan	1. The Medium Term Financial Strategy (MTFS) underpins the delivery of the Strategic Plan 2016-20.
Equality, Diversity and Human Rights Implications	1. None identified in this report.
Crime & Safety Issues	1. None identified in this report.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Decrease in the Collection rates for Business Rates (NNDR) and Council Tax.	The periodic Money Matters Reports to Cabinet and Strategic (Overview and Scrutiny) Committee provide information on collection rates.	Yellow – Material
B	The assumed level of growth included in the calculation of the Council Taxbase is not achieved.	The periodic Money Matters Reports to Cabinet and Strategic (Overview and Scrutiny) Committee provide information on housing growth.	Yellow – Material
C	The assumed level of discounts and exemptions increases.	The periodic Money Matters Reports to Cabinet and Strategic (Overview and Scrutiny) Committee provide information on the projected surplus or deficit in the Council Tax Collection Fund.	Yellow – Material
D	Failure to calculate the Council Taxbase and Collection Fund Surplus or Deficit	These are calculated in accordance with the Local Government Finance Act 1992 and relevant regulations.	Green - Tolerable

Background documents

- Local Government Finance Act 1988.
- Local Government Finance Act 1992
- Local Authorities (Calculation of Council Taxbase) Regulations 1992 (as amended).
- Local Government Act 2003.
- Council Taxbase (CTB) Return at October 2017.
- Money Matters : Council Tax, National Non Domestic Rates and Pension Contributions Cabinet – 17 January 2017
- Money Matters: Medium Term Financial Strategy (Revenue and Capital) 2016-21 Cabinet - 7 February 2017.
- Money Matters : 2017/18 Review of Financial Performance against the Financial Strategy – Cabinet 5 September 2017
- Money Matters : 2017/18 Review of Financial Performance against the Financial Strategy – Cabinet 5 December 2017

Relevant web links

Provision for Housing Growth

	2017/18	Medium Term Financial Strategy			
		2018/19	2019/20	2020/21	2021/22
Provision for Growth					
Housing Completions per Five Year Housing Supply 2017	633	855	996	994	995
Risk Allowance for Non-Completions and timing differences	50%	50%	50%	50%	50%
Housing Completions Projection	317	428	498	497	498
Band D Ratio	0.90	0.90	0.90	0.90	0.90
Band D Equivalents	285	384	448	447	448

25% less Annual Growth
25% more Annual Growth

192	224	224	224
577	672	672	672

The Council Taxbase Return and the Council Taxbase for the purposes of setting the Council Tax in 2018/19

	Band A Disabled Relief	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total 2018/19	Total 2017/18
Total Number of Dwellings on the Valuation List	0.0	5,832.0	10,305.0	10,684.0	6,618.0	4,682.0	3,467.0	2,522.0	405.0	44,515.0	44,146.0
Ratio to Band D	5/9	6/9	7/9	8/9	9/9	11/9	13/9	15/9	18/9		
Band D Equivalent Dwellings	0.0	3,888.0	8,015.0	9,496.9	6,618.0	5,722.4	5,007.9	4,203.3	810.0	43,761.6	43,396.0
<u>Discounts and Exemptions</u>											
Exempt Dwellings	0.0	(89.3)	(115.9)	(153.8)	(93.0)	(42.8)	(36.1)	(41.7)	(6.0)	(578.6)	(536.2)
Disabled Relief	13.9	26.7	12.4	(38.2)	0.0	(6.1)	11.6	(41.7)	(32.0)	(53.4)	(55.1)
Single Person Discount - 25%	(2.2)	(519.7)	(722.6)	(740.4)	(398.8)	(264.3)	(185.6)	(140.4)	(20.5)	(2,994.5)	(2,903.7)
Discount - 50%	0.0	(6.0)	(1.9)	(0.9)	(0.5)	(3.1)	(2.2)	(10.8)	(1.0)	(26.4)	(28.1)
Local Council Tax Support Discount	(5.2)	(858.8)	(1,047.3)	(606.6)	(160.0)	(65.5)	(24.4)	(27.8)	(1.2)	(2,796.8)	(2,888.3)
Other Discounts	(0.3)	(5.3)	(28.8)	(29.3)	(17.5)	(4.9)	(10.1)	(11.7)	2.0	(105.8)	(90.9)
Sub Total - Discounts and Exemptions	6.2	(1,452.4)	(1,904.1)	(1,569.2)	(669.8)	(386.7)	(246.8)	(274.1)	(58.7)	(6,555.6)	(6,502.3)
Number of Dwelling Equivalents after applying Discounts	6.2	2,435.6	6,110.9	7,927.7	5,948.2	5,335.8	4,761.1	3,929.2	751.3	37,206.0	36,893.7
Contributions in Lieu (MOD Properties)										145.4	128.0
Council Taxbase Return (CTB) Taxbase										37,351.4	37,021.7
Provision for Growth										384.0	285.0
Provision for Non Collection @ 1%										(375.9)	(371.7)
Total Council Taxbase for Council Tax Setting Purposes										37,359.5	36,935.0

Council Taxbase for the purposes of setting the Council Tax in 2018/19 by Parish Area

Parish Areas	2018/19 Apportioned Taxbase	2017/18 Apportioned Taxbase
Alrewas	1,193.8	1,169.4
Armitage with Handsacre	2,065.2	2,046.3
Burntwood	8,275.6	8,147.8
Clifton Campville with Thorpe Constantine	358.4	360.6
Colton	327.0	321.5
Curborough and Elmhurst and Farewell and Chorley	245.3	241.2
Drayton Bassett	429.4	439.6
Edingale	270.2	267.8
Elford	284.8	285.1
Fazeley	1,468.2	1,458.9
Fradley and Streethay	1,466.9	1,356.5
Hammerwich	1,352.0	1,348.6
Hamstall Ridware	145.2	145.1
Harlaston	184.3	182.2
Hints and Canwell	179.4	175.1
King's Bromley	548.1	535.0
Lichfield	11,866.2	11,795.2
Longdon	747.5	741.0
Mavesyn Ridware	440.4	439.3
Shenstone	3,456.0	3,456.6
Swinfen and Packington	130.5	138.0
Wall	196.1	193.9
Weeford	93.6	95.4
Whittington and Fisherwick	1,131.9	1,118.9
Wigginton and Hopwas	503.6	476.0
Total Council Taxbase for Council Tax Setting Purposes	37,359.5	36,935.0

Business rates rateable value review - Spend in excess of £50,000

Report of Cabinet Member for Corporate and Customer Services, Revenues
and Benefits



Date:	5 December 2017
Agenda Item:	5
Contact Officer:	Pat Leybourne
Tel Number:	01543 308921
Email:	Pat.leybourne@lichfielddc.gov.uk
Key Decision?	YES
Ward Members	None affected

CABINET

1. Executive Summary

- 1.1 In November 2014 Inform CPI, using their product known as Analyse Local, was contracted to assist the local authority in 2 areas:
 - To assist with forecasting the outcomes of appeals against business rates valuations to allow for better budget preparation.
 - To identify business premises where no rateable value (RV) was in place, or where changes to business premises had been made that had not been reported and as a consequence had a change in rateable value.
- 1.2 Appeals data is vital to enable the council to estimate the income from business rates. For each business where a new RV, or an increase in an RV, is identified, the local authority gains additional income.
- 1.3 The fee for the appeals forecasting was £6,000 per annum, rising to £7,500 from 2017.
- 1.4 The fee for the RV finder service was reward driven and represented 10% of the additional RV.
- 1.5 Between November 2014 and June 2017 the additional RV confirmed totals £585,080. This translates into a fee payable of £58,508. This is over £50,000 so Cabinet endorsement is retrospectively sought to this level of expenditure.
- 1.6 The contract with Inform CPI to deliver the RV finder service has now been ended.

2. Recommendations

- 2.1 It is recommended that Cabinet endorses the contract with Inform CPI to bring it in compliance with the council's contract procedure rules.
- 2.2 The expenditure will be reported to Audit and member standard committee.

3. Background

- 3.1 Business rates are calculated taking the rateable value of a premises (set by the Valuation Office Agency (VOA)) and multiplied by a rate in the pound, referred to as the multiplier. The multiplier is set by the government.

- 3.2 New, and changes to, business premises should be reported to the VOA and this can be done by the business owner or the local authority. Whilst the local authority will make best use of the information available it can be resource intensive to visit businesses where changes are suspected.
- 3.3 In 2013, the government introduced business rate retention with Districts keeping 40% of the income generated. As a significant source of income, changes in business rates affect the authority's financial forecasting. Inform CPI were contracted in November 2014 to provide information about appeals that had been submitted to the VOA so that we could assess the level of risk, and also to identify any additional income achievable via new, or changes to, rateable values.
- 3.4 Inform CPI were asked to assess properties in the district to identify where there ought to be a new RV or where the RV should be increased. Their findings were reported to the VOA. The VOA may take a few months to consider the cases before the council is told of the outcome. The account is then updated and a bill issued to the ratepayer. The fee is then due to Inform CPI.
- 3.5 Between 2014 and 2017, Inform CPI identified 59 properties that required a readjusted RV and the increases totalled some £585,080 in RV. This has given rise to a commission based fee of £58,808.
- 3.6 Business owners can appeal their business rates liability via the VOA.
- 3.7 Inform CPI were unable to predict what they might find with regards to RV changes but it was not anticipated when the contract was agreed that the sum payable would reach such a level but now that it has done, Cabinet endorsement is retrospectively sought to this level of expenditure.
- 3.8 The contract with Inform CPI to deliver the RV finder service has now been ended and this work is now being conducted in-house. They continue to be retained by the council to provide advice on the risk of appeals.

Alternative Options	There are no alternative options as we are seeking retrospective endorsement.																																				
Consultation	None.																																				
Financial Implications	<p>The fee for Inform CPI has been funded with New Burdens Funding from the DCLG.</p> <p>Annual income and fee paid</p> <table border="1"> <thead> <tr> <th></th> <th>Annual Income £</th> <th>40% Income £</th> <th>Related Fees exc Vat £</th> <th>Annual Fee £</th> <th>Total Spend £</th> </tr> </thead> <tbody> <tr> <td>2014/15</td> <td>19,098</td> <td>7,639</td> <td>775</td> <td>6,000</td> <td>6,775</td> </tr> <tr> <td>2015/16</td> <td>1,791</td> <td>716</td> <td>370</td> <td>6,000</td> <td>6,370</td> </tr> <tr> <td>2016/17</td> <td>534,863</td> <td>213,945</td> <td>49,713</td> <td>7,500</td> <td>57,213</td> </tr> <tr> <td>2017/18</td> <td>20,626</td> <td>8,250</td> <td>7,650</td> <td>7,500</td> <td>15,150</td> </tr> <tr> <td>Total</td> <td>576,378</td> <td>230,550</td> <td>58,508</td> <td>27,000</td> <td>85,508</td> </tr> </tbody> </table>		Annual Income £	40% Income £	Related Fees exc Vat £	Annual Fee £	Total Spend £	2014/15	19,098	7,639	775	6,000	6,775	2015/16	1,791	716	370	6,000	6,370	2016/17	534,863	213,945	49,713	7,500	57,213	2017/18	20,626	8,250	7,650	7,500	15,150	Total	576,378	230,550	58,508	27,000	85,508
	Annual Income £	40% Income £	Related Fees exc Vat £	Annual Fee £	Total Spend £																																
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2017/18	20,626	8,250	7,650	7,500	15,150																																
Total	576,378	230,550	58,508	27,000	85,508																																
Contribution to the Delivery of the	Business rate income is an income stream to fund the services that the council provides.																																				

Strategic Plan	
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Equality, Diversity and Human Rights Implications	None identified.
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Crime & Safety Issues	None identified.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	The council could potentially lose out on income from changes to business rates.	Ensure resources are put in place to check RVs.	Green

Background documents

Relevant web links

Property Investment Strategy

Report of the Leader of the Council

Date:	5 December 2017
Agenda Item:	6
Contact Officer:	Billy Webster
Tel Number:	01543 308225
Email:	billy.webster@lichfielddc.gov.uk
Key Decision?	YES
Local Ward Members	N/A



Cabinet

1. Executive Summary

- 1.1. The Council has set a Strategic Plan for 2016-2020 which includes a priority to be financially sustainable. To achieve this, the Council wishes to become more commercial in how it operates.
- 1.2. In other Local Authorities there has been significant success in generating income streams through property investment. The return on investment in this area is currently significantly higher than other investments, such as; bonds or investment funds. However, this does come with a higher level of risk that can be mitigated through ongoing due diligence and a balanced property portfolio.
- 1.3. In addition, a growing number of Councils are also creating successful housing companies to; retake control over local development, generate additional sources of income and help meet the increasing demand for affordable and private rental housing. These are challenges that are relevant to the District of Lichfield.
- 1.4. The Property Investment Strategy learns from the success of others and offers a direction of travel that will assist the Council in achieving its strategic objectives by; promoting economic growth, facilitating development, shaping communities and enabling financial sustainability.
- 1.5. A new income stream will be achieved through the creation and management of a diverse property portfolio and the development and management of housing. A significant increase in borrowing will be required to acquire and build properties, the level of which will be the focus of a separate report in the New Year.
- 1.6. It proposed that an additional delivery vehicle is needed to allow the development and management of housing and that a Local Authority Trading Company should be set-up to do this.
- 1.7. Finally, there is an acknowledgement that the Council currently has a lack of in-house property expertise to support property investment and management, and so has begun a functional review of physical assets which aims to address this matter.
- 1.8. In the meantime, the Council has obtained funding from the Local Government Association (LGA) to provide expert advisors, and a dialogue is underway with CIPFA, to support this work and provide ongoing assurance and validity.

2. Recommendations

- 2.1. Cabinet accept and adopt the Property Investment Strategy.
- 2.2. Cabinet approve the set-up of a Local Authority Trading Company (also known as a Local Authority Housing Company).

2.3. Cabinet acknowledge relevance and progress of the Functional Review of Physical Assets.

3. Background

- 3.1. Lichfield District Council (LDC) like many other Local Authorities (LAs) across the Country, faces a significant financial challenge as the grants from Central Government reduce and pressures on services increase. In addition, there is a growing need for property to meet housing needs and support economic growth.
- 3.2. To help overcome these challenges, and enable long-term financial sustainability, the Council has chosen to learn from the success of others, and create a prudent investment strategy that aligns to its desire to be more commercial.
- 3.3. LDC has currently holds 73 physical assets with a NET book value of almost £38m, which does not include parks and open spaces. The portfolio includes 32 commercial assets attracting an average gross yield of 6% and is predominantly comprised of retail properties (such as; shops, kiosks, a café and restaurant).
- 3.4. In 2016 Councils across the Country invested more than £1.3bn with much of this being in commercial or residential property. Many Councils used different delivery vehicles, such as Local Authority Trading Companies (LATCs or 'Housing Companies'), to undertake this activity due to the ability to; remove legislative risks, generate profit, and allow more agile decision making.
- 3.5. Having reviewed the investment opportunities available, it is clear that the most lucrative prospect available to the Council is that relating to property, as the yields are higher and the market buoyant with little signs of this abating in the medium-term. This would appear to provide an opportunity to create additional income streams while supporting the ambitions in the Strategic Plan
- 3.6. Therefore, the strategy looks to maximise the use of existing physical assets, growing an investment portfolio, and developing property within the local economic geography. The strategy sets out a framework, including principles and drivers, within which future investment will take place.
- 3.7. The yield on property from across the market has been consistently achieving between 4.5% and 7%. In addition, the Council has access to borrowing at fixed rates of between 1% and 3%. The Council can therefore benefit from the differential between the interest and yield.
- 3.8. Setting a conservative ambition to achieve a 7% gross yield on investment, the Council would obtain £70,000 for each £1m invested. The NET yield would be significantly reduced due to the management costs and debt repayment, however, it would be reasonable to assume the NET yield would be around 4% and so provide £40,000 for each £1m invested.
- 3.9. Managing the level of investment within each of the asset classes that comprise the property portfolio could be prioritised and focused to realise even greater returns, for example; housing and office accommodation offer higher yields and are currently in greater demand within the District.
- 3.10. However, to do so it will be necessary to set up a Local Authority Trading Company for the reasons outlined in 3.4, a process that is likely to cost up to £50k (based on costs presented by other Local Authorities) and would be funded by existing budgets, such as that allocated to the Fit for the Future Programme.
- 3.11. The Council has almost £3m in usable reserves and assets of around £38m (see 3.3) which could be uses as equity to offset the level of borrowing and so increase the potential income.
- 3.12. The Council could leverage existing property or land to deliver its own developments. Such ventures would realise the higher level of returns seen by private developers, and allow the Council to meet its

broader strategic objectives in shaping places, meeting housing demand and providing greater numbers of affordable homes.

- 3.13. Developing not only enables the build and sale of property to reduce borrowing liabilities or fund future investments, it also provides ongoing income streams through the retention and rental of properties, along with additional council tax, business rates and new homes bonus receipts.
- 3.14. One challenge is the Council's lack of in-house property expertise in both estates and facilities, with only partnership arrangements providing specialist input. A functional review of physical assets is currently underway and will look to address this matter and determine how the Council can acquire the relevant skills and expertise to pursue property investment in line with any agreed strategy.
- 3.15. In the meantime, the Council has obtained funding from the Local Government Association (LGA) to provide expert advisors, and a dialogue is underway with CIPFA, to support this work and provide ongoing assurance and validity.

Alternative Options	<ol style="list-style-type: none"> 1. Utilise other investment routes, such as money markets or funds. This achieves much lower yields and would not therefore provide a return on investment, especially where borrowing is required. 2. Do nothing and retain current approach. This would require the Council to fund the medium to long-term funding gap through other means which are not currently identified, or use reserves to meet them.
Consultation	<ol style="list-style-type: none"> 1. Leadership Team 2. Cabinet
Financial Implications	<ol style="list-style-type: none"> 1. Direct cost of up to £50k to establish an LATC and permit development and management of housing, coming from existing budgets. 2. Potential increase in borrowing and a requirement to repay interest at a level between 1% and 3%.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. This will support the Council's Strategic Objectives to; become financially sustainable, create more jobs, regenerate the District, provide affordable homes, and support delivery of our local plan.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. There is no foreseen impact.
Crime & Safety Issues	<ol style="list-style-type: none"> 1. There is no foreseen impact.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Risk that investment strategy will not deliver the financial returns needed to provide financial sustainability.	Ongoing monitoring of market and returns through existing monitoring arrangements.	Green
B	Risk of market volatility reducing the liquidity and performance	Ongoing monitoring of the market and contingency planning.	Amber
C	Legislative or regulatory changes, that reduce the opportunity for investment by Councils (e.g. prudential code)	Monitoring the decisions being made to ensure they remain prudent while monitoring ongoing feedback from Government and CIPFA.	Green

D	Inability to obtain the right skills and capabilities to deliver the investment strategy and development proposals.	Different recruitment methods will be used to attract the right candidates, roles and responsibilities will be reviewed and reorganised, expertise will be brought in from other organisation to fill gaps.	Green
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Background documents

Relevant web links

Lichfield District Council

Property Investment Strategy

2018-2023

It is clear that Lichfield District Council, like many other Local Authorities (LAs) across the Country, face a significant financial challenge in the future, as the grants from Government reduce and pressures on services increase.

In order to overcome this challenge and enable long-term financial sustainability, the Council has chosen to learn from the success of others; and create a prudent investment strategy that aligns to our desire to be more commercial. This has been made possible by the Localism Act 2011, which introduced the General Power of Competence, providing Councils greater opportunities to; trade, charge, borrow and invest.

Councils across the Country have since invested more than £1.3bn in 2016, much of this being in commercial or residential property. Local Authorities have increased the development and delivery of their own housing stock, often through different delivery vehicles such as Local Authority Trading Companies (LATCs) and the Government has expressed a desire for LAs to help address the broken housing market and help shape the Private Rental Sector (PRS).

Through reviewing the investment opportunities, it is clear that the most lucrative prospect available to the Council is property, as the yields are higher and market buoyant, with little signs of this abating in the medium-term within certain asset classes. Therefore, this presents an opportunity to create an additional revenue stream, particularly when combined with the Council's access to favourable borrowing rates, and this strategy will look take advantage of this.

Objective

To develop a prudent investment property portfolio that will provide an ongoing source of income while supporting the strategic objectives of the Council by; promoting economic growth, facilitating development, shaping communities and enabling financial sustainability.

Current Position

The Council currently holds 73 physical assets with a NET book value of almost £38m, which does not include parks and open space. The portfolio is split as follows;

- 20 x Operational Assets (offices, depots, toilets, etc.)
- 32 x Commercial Assets
- 14 x Car Parks

Our commercial assets attracting an average gross yield of 6% and predominantly comprised of retail properties (including; shops, kiosks, a café and restaurant). Within this asset type we have a gross yield as high as 9%, and a low of 4%.

The Council does not have an in-house team and currently relies on services contracted from others. Estate management is delivered through a contract with an existing supplier, and a Limited Liability Partnership (LLP) was developed with Public Sector Plc. (PSP) to investigating asset optimisation.

Property Investment

Investment in property will provide a return on investment which, at higher levels, could assist the Council in reducing or eradicating the future budget deficit. However, examples from across the country have shown such investments have to be viewed in the longer-term, and the Council would need to retain them to optimise the benefits and realise an ongoing income stream.

Investments decisions will require a significant level of due diligence to ensure they meet the requirements outlined in this strategy. For example, in regards to the purchase of properties, there will be a need to make an assessment of; the security and strength of covenant, the yield, and the underlying potential for capital growth. Similar considerations and financial assessment will also be required where the council seek to develop property either alone or in partnership with others.

In addition to the financial benefits, there are other opportunities provided by the investment in property, including; the ability to shape places, promote regeneration, enhance communities, supporting economic growth and meet local housing needs.

Funding Investment

The Council has a significant level of useable reserves that could be made available to support investment in property. In addition, the current economic conditions provide an opportunity for the Council to obtain borrowing from the Public Works Loan Board (PWLB) at fixed rates between 1% and 3% over longer terms (e.g. 40 years).

It can be seen that the gross yield on property from across the market has been consistently achieving between 4.5% and 7%, therefore, the Council can benefit from the differential between the interest and yield (for example from rental income) over the term. The added benefit of this approach will be that at the end of the term the Council will have an asset which will likely have grown in value.

Where acquisitions are being made, it would be considered unwise to fully fund property investment through borrowing due to the associated risks, and so the proposed approach is for borrowing to be limited to between 65-75% of the cost. Therefore, it is anticipated that available money, land or property, could be used as equity to reduce the financial risks and increase the anticipated level of return.

Where the Council invests in building property there will be different considerations as it is likely that each development will be separately financially assessed. This could lead to higher levels of borrowing and result in a variety of different tenure and asset mixed schemes that maximise income while limiting risk liabilities.

Investment Drivers

The Council must give due consideration to the drivers for investment (below), along with the guidance from the Department of Communities and Local Government. The latter is a clear steer to look at investments as listed below, where yield is the last consideration after security and liquidity, so that a focus on the potential return on investment does not hamper the need for appropriate due diligence and assessment of risk.

1. **Security** – ensure capital sums are largely protected from loss
2. **Liquidity** – ensure money is available when required to meet ongoing needs
3. **Yield** – ensure there is a viable and sustainable return on investment

Investment Principles

It is important for any investment to be clearly aligned to the principles and priorities the Council has set. There are many different approaches being used across the country, with some Council's purchasing property based on yield irrespective of location, while others have set clear geographic limits to these portfolios.

To ensure the maximum number of benefits are achieved, that public perception is considered and that management cost are optimised, the following principles have been selected by the Council to govern any decisions made on property investment;

- **Local** – property will be within the District of Lichfield, or within the economic geography (i.e. Local Enterprise Partnership, or LEP, Boundaries). It should be close enough to allow it to be effectively managed and maintained, as well as being appealing to tenants or purchasers now and in the future.
- **Diversified** – property investment will be diversified to broaden the portfolio and so reduce the risk, with a focus given to particular groups, such as housing and offices, when justification is clear and evidenced
- **Strategic** – property investment should be for the long-term and be regularly rebalanced to support our strategic priorities as well as being acceptable to our community
- **Prudent** – property investment will be appropriately risk assessed. Where acquisition is being considered, the current tenancy should offer some security in relation to the length of tenure, strength of the covenant and ongoing viability of the tenant. Where development is being considered, likely tenancies and pre-lets would need to be leveraged to support any financial assessment.
- **Profitable** – property investment will provide a return on investment, either through lettings or sales. The yield on the property should exceed the ongoing costs for management, maintenance and borrowing, while considering the full costs of acquisition or development (e.g. Stamp Duty, legal fees, external valuations and structural surveys).

To ensure these principles are considered in each case any decision to invest will be supported by the introduction of an assessment methodology, considering the key aspects of the property, such as; location, tenancy strength, tenure, lease length, repairing terms and size. This could be done through an assessment matrix, an example of which is provided in Appendix A, which would provide a level of assurance and objectivity to decision making.

Risk Management

The investment market has shown investment in direct property to be the second lowest risk after financial bonds, as measured by volatility. However, investment always attracts a level of risk and higher returns are often associated with higher risks. This is one of the reasons for every decision to be appropriately risk assessed, while the overall portfolio should be adequately managed to reduce the overall risk attached to it.

Risk will come from a number of factors, including;

- **Economic** – periods of rental decline or lack of income, the costs of maintaining the property
- **Political** – changes to national government or local priorities
- **Customer** – reputational damage from resident perception of investment
- **Legislative** – changes to ownership, investment or borrowing legislation

Ongoing risk, will be managed through standard risk management policies and procedures, ensuring appropriate transparency and challenge.

Delivery Models and Governance

The Council currently has a lack of in-house property expertise, with only partnership arrangements providing specialist input. Therefore, any delivery model will require the Council to acquire the relevant skills and expertise to maximise the opportunities in regards to investment decisions and ongoing property management. It will also need to put in place any necessary governance arrangements to allow the strategy to be delivered.

It is feasible that the investment strategy could be delivered and skills obtained through existing arrangements, for example through established services, departments, or our LLP. However, it is also likely that other delivery models will be required such as a LATC. The reason for this is due to the need for investments to be done at pace to take advantage of opportunities as they arise, while also sitting outside the legislative limitation placed upon Local Authorities, thereby allowing the generation of profit and investment in the housing market (by removing the right-to-buy).

The Council has no preferred delivery models and understands that the chosen model will likely be determined by the types and level of property investment being made. However, to enable the full range of opportunities, the council will create LATCs to supplement, or replacement, existing arrangements. This differentiated approach will allow the Council to use the most advantageous vehicle for every investment opportunity, reduce costs and maximise return.

Ambitions

The Council is clear in its ambition to be financially sustainable, with an aspiration to remove any reliance on Central Government grants. Therefore, investments would be expected to focus on this this need above others, albeit consideration will still be given to other priorities as the investment demands.

The Council will set thresholds relating to the level of investment and required yields expected. It would seem practical for this to start at lower levels to enable capacity and expertise to be developed and success to be achieved, before growing to a level which provides for ongoing financial sustainability.

There will also be initial costs related to implementing the operational and delivery models required to begin investing and managing property in line with this strategy. Performance targets should be set, monitored and managed, and will reflect the requirements of the council as well as the state of the property market.

Appendix A:

Property Investment Assessment Matrix

This is an example of an assessment matrix that could be used to objectively determine investment decisions. A threshold could then be set below which the Council would not wish to invest in such properties (for example properties scoring less than 100 points).

Criteria (Weighting)	Score				
	Excellent (4)	Good (3)	Acceptable (2)	Marginal (1)	Unacceptable (0)
Location (12)	Major prime	Micro prime	Major Secondary	Micro Secondary	Tertiary
Tenancy (10)	Single tenant with strong financial covenant	Single tenant with good financial covenant	Multiple tenants with strong financial covenant	Multiple tenants with good financial covenant	Tenants with poor financial covenant
Tenure (9)	Freehold	Lease 125 years or longer	Lease between 50 and 125 years	Lease between 20 and 50 years	Lease less than 20 years
Occupiers' Lease (5)	Greater than 10 years	Between 7 and 10 years	Between 4 and 7 years	Between 2 and 4 years	Less than 2 years or vacant
Repairing terms (4)	Full repairing and insuring	Initial repairing – 100% recoverable	Initial repairing – partially recoverable	Internal repairing – non-recoverable	Landlord
Lot Size (2)	Between £6m and £12m	Between £4m and £6m or £12m and £18m	Between £2m and £4m or £18m and £20m	Between £1m and £2m or £20m and £25m	Less than £1m or more than £25m
Property Type (1)	Residential	Mixed / Office	Industrial / Logistic	Commercial / Retail	Other

Lichfield District Council Local Development Scheme update

Report of the Cabinet Member for Economic Growth, Environment & Development Services

Date: 5th December 2017

Agenda Item: 7

Contact Officer: Ashley Baldwin/ Maxine Turley

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Key Decision? YES

Local Ward All

Members



CABINET

1. Executive Summary

- 1.1 The Planning and Compulsory Purchase Act 2004 introduced the requirement for local planning authorities to prepare and maintain a Local Development Scheme (LDS). The LDS is a project plan that sets out a timetable for the production of new or revised Development Plan Documents (such as a Local Plan) by the publishing council.
- 1.2 This report seeks to agree and publish an updated Local Development Scheme (LDS) for the progression of the Local Plan Allocations in light of the additional consultation proposed associated with the Local Plan Allocations (See separate report on this agenda). In addition the updated LDS identifies a timetable for a Local Plan Review.

2. Recommendations

- 2.1 That the Cabinet approves the revised Local Development Scheme as set out in **APPENDIX A** to this report and agrees to its publication.

3. Background

- 3.1 Councils are required to produce a Local Development Scheme (LDS) under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS must specify the documents which when prepared will comprise the Local Plan for the area. The Local Plan will be accompanied by other planning documents which are not Local Plan Documents and for which inclusion within the LDS is not required.
- 3.2 The LDS includes the following information as required by legislation:
 - which documents form the Local Development Plan,
 - each documents subject matters and geographical coverage,
 - if any documents have been prepared jointly with another authority,

- where the authority agrees to the constitution of a joint committee and a timetable for the preparation and revision of the Local Plan Documents.

3.3 The LDS sets out the timetable for the production of documents that will form the Lichfield District Local Plan over the next three year period.

3.4 The proposed LDS supersedes the previous LDS published in September 2016 which was based on the date of adoption of the Local Plan Strategy in February 2015 and the timetable of the Local Plan Allocations that was envisaged at that point in time. The Local Development scheme requires updating for the following reasons:

- Higher than average responses being received to the consultation has required more officer time than normal to analyse responses
- Re-consideration of the District’s housing supply situation has meant that the need to release Green Belt sites is no longer required. This change is a major modification to the proposed Site Allocations Document and requires a period of public consultation.
- The result of the two bullet points above means that an unanticipated consultation is now required. This consultation (See separate report on this agenda) means that the original timetable for submission, Examination in Public and adoption are no longer realistic.
- The Authority is committed to undertake a review of the Local Plan, in order to meet the timescales identified within the Birmingham Inspectors Report there is a need to consult on the early stages of this document early 2018. This Local Plan Review will be a full Local Plan Review and provides the opportunity to review all components of the Council’s ‘Local Plan’. The initial consultation proposed in table 2 will identify the proposed scope of the Local Plan, however it is intended to cover all components of the Local Plan. However the Local Plan Allocations policies are unlikely to be reviewed given that they will have recently been subject to Examination.

3.5 The proposed timetables for the Local Plan Allocations document and subsequent Local Plan Review are set out below:

Table 1: Local Plan Allocations

Stage	Date
Focused changes consultation	January – February 2018
Submission	May 2018
Examination in Public	July 2018
Adoption	December 2018

Table 2: Local Plan Review

Stage	Date
Local Plan review scoping consultation	April 2018
Preferred Options	January 2019
Publication	September 2019
Submission	January 2020
Examination in Public	March 2020
Adoption	December 2020

3.6 The Local Plan Review timetable addresses a number of responses raised during the consultation period relating to the Lichfield District Council’s need to deal with the shortfall arising from the Greater

Birmingham Housing Market Area (GBHMA). In relation to the Plan Review there is still a significant level of uncertainty associated with the quantum of growth the District will be dealing with. This requires clarification in order to effectively progress with a Plan Review. Therefore the timetable above may need amending were there any delays associated with clarification over the quantum of growth.

Alternative Options	<ol style="list-style-type: none"> 1. Cabinet recommends an alternative timetable for the Local Plan Allocations 2. Cabinet recommends an alternative timetable for the Local Plan Review.
Consultation	<ol style="list-style-type: none"> 1. Consultation has taken place with the Economic Growth, Environment and Development (Overview and Scrutiny) Committee (September 2017) regarding the approach taken towards the development of the Local Plan Allocations and Local Plan Review Development Plan documents. 2. There is no requirement to undertake further consultation on the Local Development Scheme
Financial Implications	<ol style="list-style-type: none"> 1. There will be no cost implications with regard to the production of the LDS as this is solely a document detailing how the development plan for the District will be progressed. 2. There will be cost implications associated with taking forward the Local Plan Allocations and Local Plan Review. Costs will be minimised by using expertise in house, however there will be a need to commission specialist expertise on certain matters. Cost implications in respect of the Local Plans will be the subject of separate reports to Cabinet. However the MTFS identifies the following costs as part of the Plan Review: <ol style="list-style-type: none"> a. Preparatory work 2018/19 £30, 000 b. Consultancy support 2019/ 20 £80, 000
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. Supports the priority of a vibrant and prosperous economy as it assists in the delivery of the planning function of the Council. 2. Supports the priority of Healthy and Safe communities by ensuring the provision of housing. 3. Supports the priority of Clean, green and welcoming places to live by assisting in allocating land for affordable housing, as well as supporting the delivery of residential and commercial developments.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. It is important that local communities and interested parties can keep track of the progress of Development Plan documents. This opportunity is provided through the LDS which will be published on the District Council's website. 2. The development of the Development Plan documents, through a process of engagement and consultation, ensures that all sectors of the local and wider community have an opportunity to input into the planning process.
Crime & Safety Issues	<ol style="list-style-type: none"> 1. There are no crime and safety issues.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	If we do not have an up-to-date LDS our procedures may be found unsound at Public Examination of local development documents.	Ensure that an up to date LDS exists to support the development of Development Plan documents.	Yellow
B	The risk of changing legislation during the preparation of the Local Plan is a challenge. Publication of national policy statements can generate new issues that the Local Plan or its preparation must address.	Ensure that a review of the LDS is undertaken to ensure it remains up to date LDS to support the development of Development Plan documents.	Green
C	Not meeting the timetable proposed within the LDS	Timetable should be set on realistic basis taking into account the staff resources available	Yellow
D	Matters associated with the GBHMA are not resolved which delay the progression of the Local Plan Review	Officers will continue to engage in the GBHMA work through the Duty to Cooperate mechanism	Yellow

Background documents

Local Pan Strategy 2015

Local Development Scheme 2016

Relevant web links

[Local Pan Strategy 2015](#)

[Local Development Scheme 2016](#)

Appendix A – Local Development Scheme

2017



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Local Development Scheme 2017

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1 The Purpose of the Local Development Scheme

1 The Purpose of the Local Development Scheme

What is the Local Development Scheme

1.1 Councils are required to produce an LDS under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011). The LDS must specify the documents which when prepared will comprise the Local Plan for the area. It must be made publicly available on the Council's website and be kept up to date to enable local communities and interested parties to keep track of progress.

1.2 This Local Development Scheme (LDS), sets out the timetable for the production of documents that will form the Lichfield District Local Plan over the next three year period (*December 2017 to November 2020*) and supersedes the Council's previous LDS published in late 2016. It will be subject to annual review linked to the District Council's Authority Monitoring Report which is published on the District Council's website. The amendments made to the LDS are listed at **Appendix 5**.

1.3 The National Planning Policy Framework (NPPF) and the associated [Planning Practice Guidance \(PPG\)](#) sets the national context. The District Council must take account of this national policy in preparing plans. This national policy may also be relevant to decisions on individual planning applications and appeals.

1.4 Community involvement in plan making and determination of planning applications is at the heart of modern day planning. The detailed arrangements we have set in place for planning in Lichfield District are set out in the Statement of Community Involvement adopted in June 2016. Further details can be found at www.lichfelddc.gov.uk/sci

1.5 The Lichfield District Local Plan will be made up of a number of documents which together will guide development in the District. The Local Plan Strategy (2015) provides the strategic context, allocates strategic sites for residential development, and sets local planning policies for the area. This was adopted by Lichfield District Council in February 2015. The Local Plan Allocations is the second part of the District's strategic plan and deals with:

- Determining remaining housing land requirements to deliver the overall 10,030 homes to 2029 in line with the adopted spatial strategy, including allocations of sites within the Broad Development Location (BDL) to the north of Tamworth, for housing in rural areas and the 'Key Rural' settlements;
- Consideration of 'infill' boundaries for Green Belt villages
- Sites to meet the identified Gypsy and Traveller requirements;
- Land allocations to meet the Employment Land requirements, including an additional 10 hectares to ensure flexibility of provision;
- Lichfield City and Burntwood Town Centre retail and office requirements, including the identification of primary and secondary retail areas;
- A review of any remaining Local Plan(1998) Saved policies, listed in **Appendix 1**.

- Consider Green Belt boundaries including the integration of the developed area of the former St Matthews hospital into Burntwood and development needs beyond the plan period; and
- Consider any issues arising through 'Made' and emerging Neighbourhood Plans where communities have sought the support of Lichfield District Council to progress with matters outside the scope of the Neighbourhood Plan.

1.6 Additional localised detail is provided by Neighbourhood Plans. Under the provisions of the Localism Act 2011, communities can also prepare their own Neighbourhood Plans. The timescales for these are at the discretion of the communities themselves, but if 'made' become part of the Development Plan for the local area. The District currently has four made Neighbourhood Plans.

1.7 The Local Plan is also supported by a range of Supplementary Planning Documents (SPDs):

- Sustainable Design
- Historic Environment
- Developer Contributions
- Rural Development
- Biodiversity and Development
- Trees Landscape and Development

1.8 The Local Plan will be accompanied by other planning documents which are not Local Plan Documents and for which inclusion within this LDS is not required. However these documents, including Supplementary Planning Documents (SPD) Statement of Community Involvement (SCI) and the Authority Monitoring Report (AMR) are referenced in Chapter 4 to give context to their relationship with the Local Plan.

Why do we need a Local Development Scheme

1.9 This LDS provides a public statement of documents that will be prepared by the District Council to guide development at the local level and enables the District Council to prioritise and plan resources for the preparation of Local Development Documents. It gives local residents and interested parties information about those documents which have been adopted and those to be produced over the three year period from the point of this Scheme's approval by Full Council; how the documents interrelate and how monitoring and review of the LDS will take place.

1.10 The scheme must include the following information:

- Which of the Local Development Documents (LDD) are to be Local Plan Documents;
- The subject matter and geographical area to which each Local Plan Document relates;

1 The Purpose of the Local Development Scheme

- Which Local Plan Documents (if any) are to be prepared jointly with one or more other local planning authorities;
- Any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee;
- The timetable for the preparation and revision of the Local Plan Documents.

1.11 The LDS is available in hard copy from the District Council and can also be viewed electronically at www.lichfielddc.gov.uk/localplan.



2 Local Plan Resources & Management

2 Local Plan Resources & Management

2.1 The broad resources and management arrangements for each Local Development Document are set out within the table at **Appendix 2**. Staff resources will come primarily from the Spatial Policy and Delivery team, but there will be significant involvement of other officers across the District Council and assistance from the County Council, for example in relation to transportation and education issues. The use of external resources may also be necessary, such as specialist consultants to prepare evidence.

2.2 The Spatial Policy and Delivery team, led by a Spatial Policy and Delivery Manager, includes policy planners and technical and administrative support whose principal task is to prepare documents contributing to the Local Plan. The officer input will be provided by:

- Lichfield District Council Spatial Policy and Delivery team (technical and policy development);
- Lichfield District Council Leadership Team.

2.3 The arrangements for managing each document, preparing technical work and decision making are set out below:

2.4 Officer Input:

- Liaison with Stakeholders (production and commissioning of evidence and consultation);
- Regular production and monitoring of team project plan;
- Joint working and consultation with Duty to Cooperate Partners;
- Supporting the examination.

2.5 Member Involvement:

- Member Sub Committee;
- Economic Growth, Environment and Development (Overview and Scrutiny) Committee;
- Joint Member / Officer Infrastructure Working Group;
- Cabinet;
- Full Council.

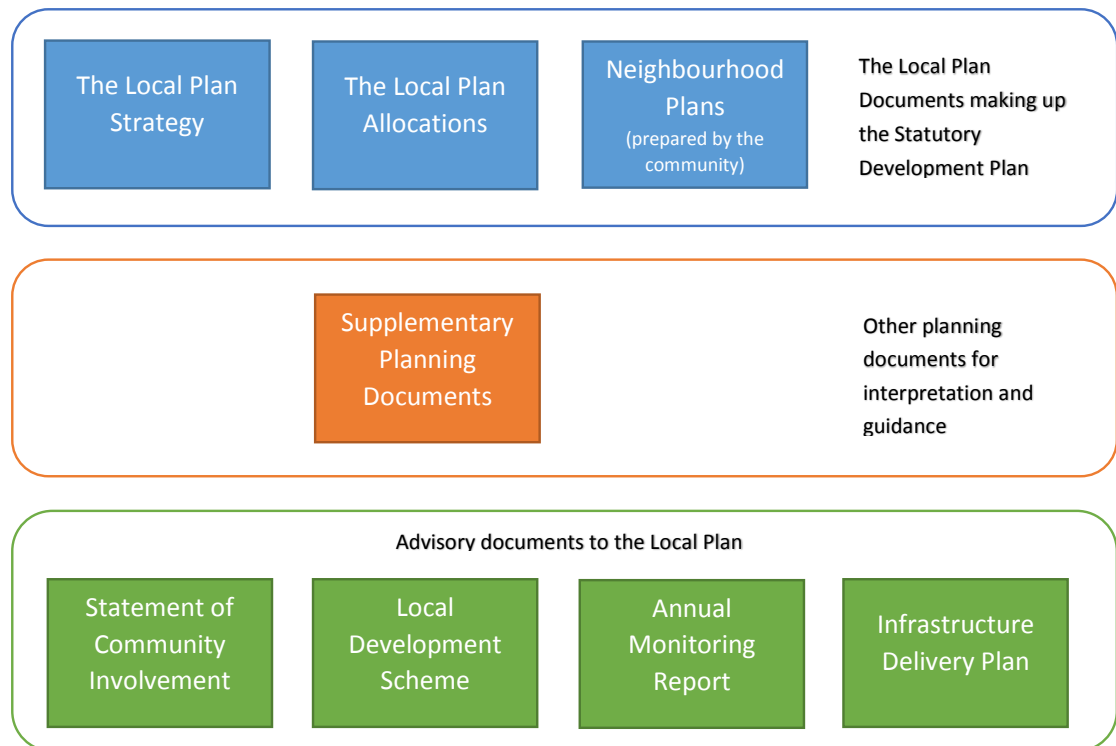


3 Content of the Local Development Scheme

3 Content of the Local Development Scheme

Local Plan Documents

3.1 The Lichfield District Local Plan comprises a Strategy and an Allocations document with a number of supporting documents. Together these will provide the framework for managing development, addressing key planning issues and guiding investment across the District. An overview of the different documents which make up the Lichfield District Local Plan is shown in Diagram 1 below along with those that provide support (upon completing the Local Plan Review the below framework would be altered to incorporate the Review document):



Picture 3.1

Local Plan Strategy & Local Plan Allocations

3.2 Following the adoption of the Local Plan Strategy in February 2015, the District Council proposes to also adopt the Local Plan Allocations document which will be submitted to the Secretary of State in May 2018 and will be subject to an independent Public Examination by a Planning Inspector.

3.3 The Council is aware, and is committed to reviewing its Plan in full to address the Greater Birmingham Housing Market Area issues, specifically the shortfall in addressing the housing needs within this area. The Council continues to work proactively with partners to identify the appropriate amount of growth to be accommodated within the boundaries of

Lichfield District. In addition, as part of this review the Council will continue work with other Neighbouring Authorities through the Duty to Cooperate, as well as undertaking a comprehensive review of its evidence base. The Council will commence review early 2018, focusing on a scoping consultation process.

3.4 It is not proposed to prepare any joint Local Plan Documents with other authorities requiring adoption by all parties.

Neighbourhood Plans

3.5 The Localism Act 2011 enables local communities to produce a neighbourhood plan to support the development of their area. A neighbourhood plan becomes part of the statutory development plan once it has been agreed at a referendum and is made (brought into legal force) by the local planning authority. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

3.6 The District Council supports the development of Neighbourhood Plans that will form part of the Local Plan for Lichfield District. At present there are 16 designated Neighbourhood Areas where Neighbourhood Plans are being progressed. Currently 4 Neighbourhood Plans have been 'made' namely Stonnall, Shenstone, Little Aston and Wiggington, Hopwas & Comberford with a further 2 (Lichfield City and Whittington & Fisherwick) due to go to referendum early in 2018. The remaining designated neighbourhood areas are: Alrewas, Longdon, Armitage with Handsacre, Colton, Burntwood, Wall, Hammwerwich, Fradley, Streethay.

3.7 Details of the neighbourhood areas being designated by the District Council is published on the District Council's website at www.lichfielddc.gov.uk/neighbourhoodplans. This also provides details of the status and progress of these plans. The LDS will be updated as applicable.

Other Supporting Documents:

Supplementary Planning Documents

3.8 Supplementary Planning Documents (SPDs) expand on policies and proposals contained in the Local Plan. They do not form part of the statutory development plan and are not subject to formal independent examination.

3.9 A number of new SPDs were identified as a priority in the adopted Local Plan Strategy. These were completed and adopted during 2015 and early 2016. As such these SPD's are a material consideration in the determination of planning applications, although they are not be part of the statutory development plan. The status of the SPDs is shown in the table at **Appendix 4**. In addition a draft Rugeley Power Station Development Brief SPD is being taken forward with the consultation running from 24th July until 4th September 2017. The representations received during the consultation period are being considered by the Council and will inform the final joint document produced by Lichfield District Council and Cannock Chase District Council.

Statement of Community Involvement

3.10 The District Council adopted its Statement of Community Involvement (SCI) in May 2016. It sets out the standards that the District Council intends to achieve in relation to involving the community in the preparation, alteration and continuing review of all local development documents and in development control decisions. The SCI goes beyond the statutory minimum requirements for consultation. All documents are required to be prepared in accordance with the SCI, although it identifies the potentially different approaches between statutory documents and Supplementary Planning Documents.

Sustainability Appraisal

3.11 Where required Development Plan documents will be subject to a Sustainability Appraisal (SA) that fully meets the requirements of the Strategic Environmental Assessment (SEA) Directive. The main purpose of an SA is to appraise the social, environmental and economic effects of strategies and policies from the outset of the preparation process, so that decisions can be made that accord with the objectives of sustainable development. SA process will be completed to support the various plan making stages as required by the legislation.

Habitats Regulations Assessment

3.12 A Habitats Regulations Assessment identifies whether a plan is likely to have a significant effect on a European site, either alone or in combination with other plans or projects. This assessment must determine whether significant effects on a European site can be ruled out on the basis of objective information. It has already been established that the Cannock Chase Special Area of Conservation (SAC) could potentially be affected by land-use proposals within the Lichfield Local Plan in combination with residential development contained within the Local Plans of other neighbouring authorities. Studies to consider the potential impact were undertaken and a mitigation strategy has been developed by the Cannock Chase SAC Partnership.

Authority Monitoring Report

3.13 Local planning authorities are required to publish an annual report that monitors the progress and implementation of each Local Plan Document. It must specify whether adopted policies are meeting their stated objectives. Whilst in the past Annual Monitoring Reports (AMR) have been produced as part of the Government's changes to the planning system, the Council is now required to produce an Authority Monitoring Report. The District Council's [AMRs](#) are available on the website with the latest version published in July 2017.

Community Infrastructure Levy

3.14 The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. It came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010 (as amended) and based on a £ per sqm charge.

3.15 Lichfield District Council adopted its CIL on 19th April 2016 and commenced charging on 13th June 2016. A CIL charge will apply to all relevant applications determined on or after this date. A number of policies to support the CIL were also adopted including an Instalment Policy, In Kind Policy and Exemptions and Relief Policy. The Regulation 123 (revised list adopted February 2017) of the Community Infrastructure Levy Regulations provides for charging authorities to set out a list of those projects or types of infrastructure that it intends to fund in whole or in part through the levy.

4 Background Evidence



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4 Background Evidence

4.1 A range of background work needs to be undertaken or taken into account when preparing the Local Plan Allocations document and the full review of the Local Plan. This background work, including the Sustainability Appraisal, will be the evidence base that supports the strategy and policies of the Local Plan. Some of the evidence base studies will be undertaken in house, however specialist knowledge will be required for other studies and as such are likely to be undertaken by consultants. Depending on the subject matter each evidence base study will be published at draft stage to allow for public involvement and duty to cooperate discussions. This has been factored into the timetable for plan preparation.

4.2 It is recognised that further evidence, including some updates of the documents below are required to underpin the policies and proposals to be contained within the Local Plan Allocations document and the full review of the Local Plan. The supporting documents will be prepared using information from a wide range of sources and documents developed both by the District Council and by external partners including national guidance, community engagement and external technical documents. Some of these studies have/will involved engagement with other local authority partners to provide cross-boundary studies where this is necessary.

4.3 There is a range of existing strategies, policies and background technical studies that have been important in developing the Local Plan Strategy and many of these will also be important in the preparation of the Local Plan Allocations document and the full review of the Local Plan. The evidence base can be viewed at www.lichfielddc.gov.uk/evidence. Some examples include:

- National Planning Policy Framework and Planning Practice Guidance
- A Plan for Lichfield District 2016-2020
- Sustainable Community Strategy for Staffordshire (Our County, Our Vision)
- Transport evidence
- Strategic Housing Land Availability Assessment
- Strategic Housing Market Assessment
- Gypsy & Traveller Accommodation Assessment
- Rural Settlement Sustainability Study
- Rural Masterplanning Project
- Employment Land Review
- Historic Environment Landscape Character Assessment
- Conservation Area Appraisals
- Ecological Assessment
- Strategic Flood Risk Assessment
- Water Cycle Study
- Surface Water Management Plan
- Biodiversity Strategy
- Playing Pitch Strategy
- Open Space Assessment
- Indoor Sports & Facilities Assessment
- Play Strategy

4 Background Evidence

- Retail Evidence
- Climate Change & Renewables evidence
- Rural Housing Needs Survey
- Affordable Housing Viability Assessment
- Green Belt Review
- Tamworth Future Development & Infrastructure Study
- Local community/neighbourhood studies and plans



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5 Schedule of Local Plan Documents

5 Schedule of Local Plan Documents

5.1 A table detailing the Local Plan Documents to be prepared is contained within **Appendix 2**. This table summarises each document by providing:

- A document reference and title
- A brief synopsis of its content
- Details of the area to which it relates
- The status of the document
- The chain of conformity
- Management arrangements
- Resources

5.2 The programme for the preparation of the Local Plan Documents is set out in **Appendix 3**.



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6 Monitoring & Review

6 Monitoring & Review

6.1 The following factors will be assessed in each Authority Monitoring Review:

- Progress against specified milestones for each Local Plan and supporting document
- Reasons for any progress issues and necessary actions
- Any new technical information that warrants changes or review
- The impact of any other reviews
- Any other unforeseen circumstances that may have occurred



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7 Risks to Production

7 Risks to Production

7.1 There will always be a degree of uncertainty associated with preparing a Local Development Scheme. The Council has carried out a Risk Assessment of the projects contained in this document as set out in the table below.

Risk	Impact	Mitigating Actions
New National Policies published	Additional work to comply with new requirements	<ul style="list-style-type: none"> Respond to changes as early as possible
Level of public engagement proves greater than the assumption made	Increased time required for public and stakeholder involvement. Possible programme slippage	<ul style="list-style-type: none"> Build in some flexibility in programme Monitor progress Consider drawing in additional resources
Staff turnover and difficulties in recruitment	Reduced capacity may cause slippage in Local Plan preparation	<ul style="list-style-type: none"> Fill vacancies promptly where possible Consider re-deployment to meet key targets and milestones Consider recruitment incentives Consider using consultants where specific expertise is required.
Unforeseen pressures on staff time for other work	Staff diverted to other work may cause slippage in Local Plan preparation	<ul style="list-style-type: none"> Local Plan to be Strategic Plan priority Closely manage staff tasks and consider re-deployment
Insufficient financial resources, including lower levels of grant than anticipated	Danger that quality of evidence base is compromised and/ or key milestones unable to be met	<ul style="list-style-type: none"> Closely monitor costs
IT systems unreliable or inadequate for consultation and Examination processes	Possible delays in consultation administrative processes causing slippage	<ul style="list-style-type: none"> Ensure corporate liaison on IT and communications issues Invest early in IT systems and GIS
LDS programme too ambitious	Key milestones may not be met	<ul style="list-style-type: none"> Use experience already gained to ensure programme is realistic

Risk	Impact	Mitigating Actions
		<ul style="list-style-type: none"> • Monitor progress of the LDS through the AMR • Prioritise documents
Planning Inspectorate unable to meet post submission process timescales	Examination and/ or report is delayed and key milestones not met	<ul style="list-style-type: none"> • Close liaison with PINS to ensure problems identified
Local Plan Allocations/Local Plan Review document found unsound	Document requires additional work and repetition of specific stages of the process	<ul style="list-style-type: none"> • As far as possible ensure evidence base is robust and up-to-date on submission • Engage with the community and stakeholders • Critical friend analysis prior to submission
Legal Challenge	Possible quashing of document or requirement to repeat work	<ul style="list-style-type: none"> • Ensure Regulations complied with and processes audited • Carefully consider Inspector's recommendations

Table 7.1 Risks to Production

Appendix 1 Saved Development Plan Documents & Local Plan Policies

Document Title	Status	Brief Description
Lichfield District Local Plan 1998	Adopted June 1998. Replaced by Local Plan Strategy February 2015 however a number of policies have been saved and are set out in Table 1.2 below. These are under review and will be replaced by the Local Plan Allocations document.	Detailed planning policies for the District.
Supplementary Planning Guidance/ Supplementary Planning Documents	(See Appendix 3)	Detailed planning guidance and planning documents.

Table 1.1 'Saved' Development Plan Documents & Policies

Local Plan Policy Number	'Saved' Policy Name
E2	Forest of Mercia
C2	Conservation Areas: Development Proposals
C7	Conservation Areas: Buildings out of scale or character
C9	Protected Open Space
EMP2	Existing Industrial Areas
EMP5	Major Developed Sites in Green Belt
EMP11	Wyrley & Essington Canal
T6	Rail Transport
S2	Neighbourhood Shopping Centres
L7A	Housing - Buffer Depot, Streethay
L9	Employment - Extension to Boley Park Industrial Estate
L10	Employment - Britannia Way
L12	Office Development - Sandford Street
L13	City Centre Redevelopment

Local Plan Policy Number	'Saved' Policy Name
L15	Primary Retail Area
L16	Secondary Retail Area
L17	Bird Street
L18	Dam Street
L19	Business Areas
L21	New Roads
L22	Road Line Safeguarding
L23	Road & Junction Improvements
L24	Traffic Management
L26	Rear Servicing
L27	Pedestrian Access to the City Centre
L31	Lichfield Railway Stations
L35	Recreation Zones
L36	Recreation Zones
L37	Lichfield Linear Park
L42	Environmental & Housing Improvements
L46	Shopfronts
L47	Cathedral Close
L49	Framework Open Space
L50	Landscape Improvements in Framework Open Space
B1	Burntwood - Existing Residential Areas
B5	Sankey's Corner - New Shopping Development
B6	Indoor Leisure
B9	Redevelopment & Town Square
B13	Redevelopment & Expansion of Neighbouring Centres

Appendix 1 Saved Development Plan Documents & Local Plan Policies

Local Plan Policy Number	'Saved' Policy Name
B15	Road & Junction Improvements
B21	Chasetown Industrial Estate
B22	Recreation Zones
B24	Chasewater Area & Country Park
NA1	Cannock Chase - Area of Outstanding Natural Beauty
NA12	Employment - Lea Hall Colliery
NA13	Employment - Rugeley Power Station
NA20	Public Open Space - Longdon
EA1	Fradley Airfield Industrial Proposals
EA13	Hotel at Fradley
EA14	The Tame & Trent Valley
EA16	The National Forest
SA3	Laurel House, Fazeley
SA6	Little Aston Park
SA7	Canal Facilities at Fazeley

Table 1.2 List of 'Saved' Local Plan Policies from Lichfield District Local Plan (1998)

Appendix 2 Local Plan Document Profiles

Local Plan Documents

Appendix 2 Local Plan Document Profiles

Document title	Status	Role and Content	Geographical Coverage	Chain of Conformity	Management Arrangements	Resources
Local Plan Allocations	DPD	To produce a document that: <ul style="list-style-type: none"> Identifies development sites and proposals Identifies specific designations and policies relevant to those designations; Sets the framework for realising, managing and implementing sites 	District Wide	<ul style="list-style-type: none"> General conformity with national planning policy Consistent with the Local Plan Strategy Influenced by local strategies 	<p>Head of Economic Growth/ Place and Community Director ▲</p> <p>Leadership Team ▲</p> <p>Cabinet Member for Economic Growth, Environment and Development Services</p> <p>▲ Economic Growth, Environment & Development (Overview & Scrutiny) Committee ▲</p> <p>Cabinet Full Council</p> <p>Evidence agreed by Local Plan Sub-Committee</p>	<ul style="list-style-type: none"> Spatial Policy and Delivery Team; Cost of production: e.g. printing, delivery, postage costs; Cost of mapping: production, printing and copyright; Consultants fees: e.g. retail consultant; Technology and Research costs: e.g. consultation software; Examination costs: Planning Inspectorate, administrative and legal fees.
Local Plan Review (Full Review)	DPD	To produce a document that will review the Local Plan in totality. The initial consultation in 2018 will set out the intended scope of the Review.	District Wide	<ul style="list-style-type: none"> General conformity with national planning policy Influenced by local strategies documents 	<p>Head of Economic Growth/ Place and Community Director ▲</p> <p>Leadership Team ▲</p> <p>Cabinet Member for Economic Growth,</p>	<ul style="list-style-type: none"> Spatial Policy and Delivery Team; Cost of production: e.g. printing, delivery, postage costs;

Document title	Status	Role and Content	Geographical Coverage	Chain of Conformity	Management Arrangements	Resources
				relating to the Greater Birmingham Housing Market Area	<p>Environment and Development Services</p> <p>► Economic Growth, Environment & Development (Overview & Scrutiny) Committee ► Cabinet ► Full Council</p> <p>Evidence agreed by Local Plan Sub-Committee</p>	<ul style="list-style-type: none"> • Cost of mapping: production, printing and copyright; • Consultants fees: e.g. retail consultant; • Technology and Research costs: e.g. consultation software; • Examination costs: Planning Inspectorate, administrative and legal fees.

Table 2.1 Local Plan Document Profile

2.1 Please note Neighbourhood Plans are not included in the above as their production is not within the control of the District Council.

Appendix 3 Local Plan Document Programme

Stage	Date
Focused changes consultation	January-February 2018
Submission	May 2018
Examination in Public	July 2018
Adoption	December 2018

Table 3.1 Local Plan Allocations

Stage	Date
Local Plan review scoping consultation	April 2018
Preferred Options	January 2019
Publication	September 2019
Submission	January 2020
Examination in Public	March 2020
Adoption	December 2020

Table 3.2 Local Plan Review

Appendix 3 Local Plan Document Programme

3.1 The Local Plan Review timeline addresses a number of responses raised during the consultation period relating to the Lichfield District Council's need to deal with the shortfall from the Greater Birmingham Housing Market Area (GBHMA). In relation to the Plan Review there is still a significant level of uncertainty associated with the quantum of growth the District will be dealing with. This requires clarification in order to effectively progress with a Plan Review . Therefore the timeline above may need amending were there any delays associated with clarification over the quantum of growth.

Appendix 4 Status of SPDs

Supplementary Planning Document	Adopted	Withdrawn
Staffordshire Residential Design Guide	2000	
Re-use of Rural Buildings SPD	July 2005	December 2015
Planning Obligations SPD	May 2006	May 2016
Trees & Development SPD	July 2005	May 2016
A Planning Guide to Residential Extensions SPD	July 2005	December 2015
Residential Design Guide SPD	Dec 2007	December 2015
Open Space, Sport and Recreation Assessment Paper and Annex	2005	May 2016
Developer Contributions	2006	May 2016
Trees and Landscape SPD	May 2015	
Rural Development SPD	December 2015	
Historic Environment SPD	December 2015	
Sustainable Design SPD	December 2015	
Biodiversity SPD	May 2016	
Developer Contributions SPD	May 2016	
Rugeley Power Station Development Brief SPD	Draft 2017	

Table 4.1 SPD status

Appendix 5 Amendments to LDS

In summary this LDS has been amended in the following ways:

- Updated narrative to reflect the current situation.
- Section 3, Content of the Local Development Scheme, inclusion of the Commitment to Review.
- Appendix 2, Local Plan Document Profiles, Table 2.1 Local Plan Document Profile, inclusion of 'Local Plan Strategy Full Review'.
- Appendix 3, Local Plan Document Programme, Table 3.1: Local Plan Document Programme, inclusion of 'Local Plan Strategy Full Review'.
- Appendix 3, Local Plan Document Programme, Table 3.1: Local Plan Document Programme, updated timeline associated with the Local Plan Allocations
- Appendix 4, Status of SPDs, inclusion of Rugeley Power Station Development Brief SPD.

Local Plan Allocations Publication document (Regulation 19 consultation)

Report of the Cabinet Member for Economic Growth, Environment & Development Services

Date: 5th December 2017

Agenda Item: 8

Contact Officer: Ashley Baldwin/ Craig Jordan

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Key Decision? YES

Local Ward Members All



CABINET

1. Executive Summary

- 1.1 Consultation on the Draft Local Plan Allocations document (Regulation 19 Consultation) took place between 20th March 2017 and 12th of May 2017. Approximately 5000 representations were received in response to the consultation. These representations have been analysed and the main issues raised are now presented for the Cabinet to consider. The implications for the next stages of the Plan as a result of consultation are set out.
- 1.2 The document together with the 'Policies Map' attached at [APPENDIX A](#) and [APPENDIX B](#) respectively represent the proposed Publication version which needs to be subject to a minimum of six weeks consultation prior to submission to the Secretary of State for Communities and Local Government. Subject to approval it is proposed to consult on the aforementioned document 8th January – 19th February 2018.
- 1.2 Subject to successful adoption of the Plan the Local Plan Allocations ([APPENDIX A](#)) would result in the deletion of the 1998 approved Local Plan and form part 2 of the adopted Local Plan Strategy (2015), although Policies Lichfield 3 and Burntwood 3 of the Strategy would be superseded by the revised policies in the Local Plan Allocations. Likewise, subject to successful adoption the Policies Map ([APPENDIX B](#)) would supersede the existing 'Policies Map'.

2. Recommendations

- 2.1 That Cabinet approves the Local Plan Allocations Publication document ([APPENDIX A](#)) and the accompanying Policies Map ([APPENDIX B](#)) for the purposes of undertaking Regulation 19 public consultation.
- 2.2 That Cabinet approves the accompanying Sustainability Appraisal and Non-technical summary ([APPENDIX C - Part 1, Part 2 & Part 3](#)) & [APPENDIX D](#) respectively), Habitat Regulations Screening Assessment ([APPENDIX E](#)) and Infrastructure Delivery Plan ([APPENDIX F](#)) which accompany the Local Plan Allocations for the purposes of public consultation.
- 2.3 That Cabinet note the consultation responses received as part of the previous Regulation 19 consultation and approve the summary documents for publication ([APPENDIX G](#) and [APPENDIX H](#)).

- 2.4 That Cabinet note the consultation responses received as part of the previous Regulation 19 Sustainability Appraisal consultation and approve the summary document for publication ([APPENDIX I](#)).
- 2.5 That Cabinet note the review of the housing land supply position ([APPENDIX J](#)).
- 2.6 That Cabinet note and approve the Schedule of Proposed modifications document ([APPENDIX K](#)).
- 2.7 That Cabinet approve the consultation periods and methods proposed at paragraphs 3.15 – 3.17 of this report for the purposes of the Local Plan Allocations consultation.

3. Background

- 3.1 The purpose of this report is to outline to Members the proposed next steps for the Local Plan Allocations document following consultation undertaken between March – May 2017. The Allocations document covers:
 - Proposed employment and housing allocations.
 - Policy on Lichfield City Centre including demarcating primary and secondary retail frontages.
 - Policy on Burntwood Town Centre.
 - Policy on accommodating the needs of Gypsy, Traveller and Travelling Show people.
 - A review of previously saved policies emanating from the previous adopted Lichfield District Local Plan June 1998.
 - Policy as regards development at/near Burntwood
- 3.2 Members will recall that the Council consulted on the proposed scope and nature of the Local Plan Allocations document (Regulation 18) from August 2016 – October 2016.
- 3.3 In total 98 responses were received by the Council at this stage, there were not considered to be any showstoppers identified by the responses. Officers assessed each comment made as part of preparing the Local Plan Allocations. In summary the key issues raised during the consultation were:
 - A number of comments indicated that it would be preferable to deal with the Birmingham housing numbers and review Lichfield District's own housing numbers now. In addition the level of employment land requirements were also recommended to be updated.
 - Suggested Core Policies 1 and 6 were challenged in particular. This was primarily associated with the perceived need to review the Local Plan Strategy (2015) to deal with Birmingham's housing needs. However, other responses indicated that strategic changes to Core Policy 1 could create investment uncertainty, particularly in the retail sector.
 - In relation to settlement policies such as Arm4 (Armitage with Handsacre Housing), Shenstone4 (Shenstone Housing) Whit 4 (Whittington Housing) it was suggested these should be amended to take account of unmet housing needs arising from Birmingham.
 - Policy NR3 was challenged in terms of its perceived conflict with the NPPF.
 - Policy CP4 was cited as being an issue because of the lack of infrastructure that has come forward aligned to what was set out in the Infrastructure Delivery Plan associated to the Local Plan Strategy (2015).
 - Saved Policy NA.1 relating to the AONB was put forward for retention by the Cannock Chase AONB.

- Policy SC1 was highlighted as being in conflict with National guidelines due to the withdrawal of the Code of Sustainable Homes.
- In relation to Burntwood Town Centre, a general point of allowing a level of flexibility of uses on specific land identified in the town centre was made.
- The Council's housing trajectory identified within the Local Plan Strategy (2015) was challenged.
- A total of 76 representations proposed sites for development, however the bulk of these sites had already been received by the Council through the Strategic Housing Land Availability Assessment (SHLAA). Any new information was considered by officers.

3.4 The Regulation 18 consultation helped to inform the most recent consultation on the draft Local Plan Allocations which concluded on the 12th May 2017. This consultation (Regulation 19) saw a significant rise in responses, with over 50 times more representations received compared with the Regulation 18 consultation.

3.5 The key issues raised during the consultation along with officer analysis and comments are outlined below:

Table 1: Key Issues and proposed responses to Regulation 19 consultation

Key Issue	Response
Line of Lichfield and Hatherton canal contains an inaccuracy	Noted. Proposals map to be amended to accurately plot the Lichfield and Hatherton canal line
Lack of information pertaining the status of Land at Watery Lane, Curborough	Land at Watery Lane, Curborough was not considered to be in line with the spatial strategy by the Council. However the Secretary of State, while agreeing that the proposal is not in line with the adopted Local Plan Strategy, determined to approve the Call in due to wider material considerations. The Council challenged this in the High Court, this challenge was unsuccessful.
Development within Green Belt objected to due to policy protection associated with the sites.	The proposed Green Belt allocations were identified due to the need to identify land outside of settlement boundaries in order to meet the numbers associated with the Local Plan Strategy. A further analysis of the housing supply has been undertaken, taking into account any potential windfalls to re-assess the need for Green Belt release.
Need to look at brownfield sites first before releasing any Green Belt for development	The Local Plan Allocations is supported by its evidence base, including the SHLAA and Urban Capacity Assessment which outlines sites, including brownfield sites that are available and deliverable within the plan period. Further, the Council has prepared a Brownfield Register which identifies brownfield land that is suitable for residential development.
Site boundaries require amendment, for example the boundary associated with land at Dark Lane, Alrewas was cited as an allocation which required review.	Site boundaries have been reviewed and where appropriate such as at Dark Lane, Alrewas they have been amended.
Policy BE2 (Heritage Assets) is in conflict with National Policy	Officers have worked with stakeholders to agree appropriate changes seeking compliance with the NPPF
Policy IP2 (Lichfield Canal), drafting of line is incorrect wording of policy requires minor alteration	Noted. Amend line of canal, and amend policy wording as appropriate.

Key Issue	Response
Additional key development considerations requested by statutory bodies for a number of the allocations	Following further discussions with statutory bodies, where appropriate additional key development considerations have been added into the document.
Development industry questioned the deliverability of a number of the allocations, such as Rugeley Power Station.	The proposed allocated sites are being promoted through the Local Plan process and are considered deliverable within the plan period. In relation to Rugeley Power Station, the Council has worked closely with the landowner to prepare a Development Brief SPD to guide the future redevelopment of the site.
The need for a vision/ plan within Burntwood was identified	Noted, this is a matter that should be addressed through the Local Plan Review.
Local Plan Allocations document undermines the Neighbourhood Plan process, particularly in relation to the Shenstone Neighbourhood Plan	The Neighbourhood Plan for Shenstone seeks to contribute toward addressing the housing needs for the development area by providing a minimum of 50-150 new dwellings within the plan period. The Neighbourhood Plan allocates Land at Lynne Lane for 50 units (Policy HA1). This site is allocated within the Local Plan Allocations (Site Reference S1) which makes specific reference towards Policy HA1 in the Key Development Considerations, alongside two additional sites to take the quantum of development in Shenstone up to 150 dwellings. The proposed Green Belt allocations were identified due to the need to identify land outside of settlement boundaries in order to meet the numbers associated with the Local Plan Strategy. A further analysis of the housing supply has been undertaken, taking into account any potential windfalls to re-assess the need for Green Belt release.
The proposal to protect the Borrowpit at Rugeley Power Station was challenged given its allocation in the Local Plan Strategy.	Rugeley Power Station is allocated to deliver a minimum of 800 dwellings within the plan period. Whilst the Borrowpit is allocated as part of the Local Plan Strategy, the Council consider it is worthy of retention as landscape/ water feature and acknowledge within the document there will be a net gain of 350 units on the former Power Station site.
Development industry challenged the approach to calculating housing supply, such as allocations with permission.	The approach towards calculating supply is considered consistent across the District and as such all sites with permission have been included within the allocations as they are intended to come forward within the plan period and contribute towards meeting the housing provision of 10,030 dwellings set out in the Local Plan Strategy.
Development industry argue the Local Plan Allocations document makes no allowance for 'safeguarded land' to be taken out of the Green Belt	The Council is committed to reviewing its Plan in full to address the Greater Birmingham Housing Market Area issues. As part of this review a full Green Belt review will be undertaken to inform the evidence base and therefore at this stage it is not considered necessary for 'safeguarded land' to be taken out of the Green Belt for future plan periods.
Local concerns over the impact development will have on local infrastructure, services and facilities.	The Local Plan Allocations document is supported by its evidence base including the Infrastructure Delivery Plan (IDP). The IDP ensures the allocations are robust and deliverable by identifying key strategic infrastructure requirements. Further, the Local Plan Allocations document has been informed by

Key Issue	Response
Need to deal with neighbouring authority's shortfall in housing provision within the allocations rather than review was cited by numerous respondents	statutory bodies including Staffordshire County Council. The Council is committed to reviewing its Plan in full to address housing shortfall issues within the Greater Birmingham Housing Market Area. The outcome of the GL Hearn and Amec Foster will feed into a future full Local Plan Review.
The need for additional information associated with the following was cited (notably these matters were not considered showstoppers): <ul style="list-style-type: none"> • Flood Risk • Highways England Network • Historic Heritage • HSE 	These matters have been addressed where appropriate within the Key Development Considerations associated with each of the site allocations.
Duty to Cooperate was cited as an issue by numerous parties including Parishes, a neighbouring Local Planning Authority, local residents and the development industry.	The Council considers it has fulfilled its Duty to Cooperate as part of the Local Plan Allocations process. The Duty to Cooperate Statement prepared as part of the Council's evidence base discusses this further. The Council is committed to ongoing Duty to Cooperate discussions.

3.6 Within the representations received, certain comments (10 in total) were submitted after the deadline. Whilst these comments are not formally taken into consideration they have been noted and summarised for completeness. A full summary of consultation responses can be found at [APPENDIX G](#) and [APPENDIX H](#). Due to the similarity of a number of the representations, officers have where possible grouped representations in the summary document.

3.7 Within the representations received, comments (29 in total) were made which related directly to the Sustainability Appraisal that accompanied the Local Plan Allocations Regulation 19. The majority of the comments received focused on requesting changes to sustainability objectives scores allocated against individual sites, some of which were supported by site specific studies. A number of representations then go on to compare and contrast sites with a view to supporting the development sites selected or recommending alternative development options. A number of representations argued that the Sustainability Appraisal failed to assess all of the reasonable alternatives available for development. Representations focusing on sites in and around Shenstone raised the relationship between the Sustainability Appraisal that accompanied the recently made Neighbourhood Plan and the Local Plan Allocations Suitability Appraisal. Representations received and focused on Burntwood sites offered alternative sustainability objectives scores and commentary taking the opportunity to add a local dimension to the scoring. A full summary of consultation responses can be found at [APPENDIX I](#).

Review of housing supply position

3.8 Comments in Table 1 make reference to a review in the Housing supply position. [APPENDIX J](#) sets out this review in full, however the key outputs of the review are set out in table 2 below:

Table 1: Housing Supply Position at 1st October 2017

Settlement	Completions 2008-2017 (Gross)	Net committed supply at 1 st October 2017	Strategic Development Allocations/Neighbourhood Plan allocations	Additional identified capacity	TOTAL
Lichfield City	660	761	2097	409	3927
Burntwood	389	271	241	154	1055
East of Rugeley	573	0	49	800	1422
North of Tamworth	36	0	129	1000	1165
Fradley	34	85	1302	0	1421
Armitage with Handsacre	84	207	0	0	291
Alrewas	46	147	0	0	193
Fazeley, Mile Oak & Bonehill	128	14	0	107	249
Shenstone	48	2	50	0	100
Whittington	19	1	0	18	38
Other Rural	314	1084	0	0	1398
Demolitions/conversions away (2008-2017)	128				
TOTAL (net)	2203	2564	3868	2488	11,259
LPS Housing requirement				10,030	1229

3.9 In summary the review has identified that from an overall housing land supply perspective there is enough capacity within the District to deliver the 10, 030 dwelling requirement in the adopted Local Plan Strategy without releasing Green Belt allocations as part of the Local Plan Allocations. However Members should be aware of the following in relation to the numbers associated with houses:

- The figures identified for each settlement in table 2 mean some settlements will not deliver the quantum of growth originally envisaged in the adopted Local Plan Strategy;
- The Council is committed to undertaking a full review of the Local Plan. As part of this review there will be a need to consider a range of growth options which will include a Green Belt review. This Plan Review will inter alia address the Greater Birmingham Housing Market Area (GBHMA) shortfall which at this point in time has not been resolved;
- Land at Arkall Farm on the edge of Tamworth in Lichfield District is subject to a Public Inquiry in January 2018, the numbers associated with this site are part of the above supply position.
- HS2 Limited have indicated some land take requirements at the Rugeley Power Station site, this may have an impact on the land supply position. At present it is assumed that the site will deliver 800 dwellings
- It is good practice to have a buffer of around 10% as part of your emerging Plan. The review of supply identified that the emerging Plan has a buffer of 10%, however Members should notes the risks set out in this paragraph.
- The removal of the formally proposed Green Belt sites amounts to circa 500 dwellings.
- St Matthews estate is still proposed for release from the Green Belt. This was identified within the Local Plan Strategy and the review of the land identifies that it does not fulfil the purposes of Green Belt. However its release does not result in any allocation of land for housing.

- 3.10 Notwithstanding the above officers have prepared a revised Publication document ([APPENDIX A](#)) which is reflective of the Schedule of Proposed Medications ([APPENDIX K](#)). This revised consultation does not propose any additional Green Belt release further to what was already adopted in the Local Plan Strategy. This would be in line with Government policy of exploring all options before releasing designated Green Belt land. There is a need to consult on the modified Publication document before submitting to the Planning Inspectorate because the changes are defined as ‘major’. The revised Publication is entitled ‘Focused Changes’ consultation on the basis that while the Allocations Plan is being modified the changes are still considered to be very ‘focused’. These Focused changes will also identify the other suggested changes set out in the summary table 1.
- 3.11 An updated Sustainability Appraisal ([APPENDIX C - Part 1, Part 2 & Part 3](#)) has been prepared following the regulation 19 consultation. A non-technical summary accompanies the document ([APPENDIX D](#)).

Gypsy Traveller and Travelling Showpeople

- 3.12 The Local Plan Strategy identifies a requirement for 14 permanent pitches and 5 transit pitches. In total 7 permanent pitches have been delivered during the Plan period. This leaves a requirement of 7 permanent pitches and 5 transit pitches to be identified within the Local Plan Allocations.
- 3.13 The SHLAA and ‘Call for Sites’ does not contain any site submissions for the above purposes. The Regulation 18 consultation resulted in no site submissions being made to the Council. Officers have sought to identify the potential of sites that are broadly in line with Local Plan Strategy policy H3 but were submitted for alternative uses. In addition sites on the public register and previous planning applications for pitches have been assessed.
- 3.14 The assessment has identified a 1 pitch allocation ([APPENDIX A](#)). While over 20 potential sites were assessed the conclusions were that these sites were either unsuitable in planning policy terms or were lacking in deliverability. It is proposed therefore that the 1 pitch allocation be confirmed and that policy criteria are used to determine the suitability of proposals if and when they come forward in due course.

Consultation proposals

- 3.15 The Council has an adopted Statement of Community Involvement (SCI) which sets out the process for engagement at different stages of Plan making. Consultation on the Local Plan Allocations will represent the Publication stage which requires us to undertake the following as a minimum:
- 6 weeks of consultation.
 - Publish the document on the Councils website.
 - Publish at the Council’s principal office.
 - Make available in alternative formats if requested.
 - Issue a press release.
 - Engage with stakeholders using a range of methods set out within the SCI.
- 3.16 In addition to the above, it is proposed that the following methods be utilised:
- Contact known action groups to request meeting
 - Contact Parish Council’s to offer presentation
 - Drop in opportunity at Council house

3.17 To avoid the Christmas holiday period it is proposed that the consultation runs from 8th January – 19th February 2018.

Alternative Options	<ol style="list-style-type: none"> 1. Cabinet recommends a full review of the Local Plan now and wait for the issue of Birmingham's/ Greater Birmingham Housing Market Area shortfall to be addressed. 2. Cabinet recommends the original draft version of the Local Plan Allocations document (Publication version) be submitted to the Planning Inspectorate for the purposes of Examination.
Consultation	<ol style="list-style-type: none"> 1. Consultation is required on the Local Plan Publication document and accompanying documents for a minimum of six weeks
Financial Implications	<ol style="list-style-type: none"> 1. Officer time will be needed to run the consultation on the Local Plan Allocations. 2. The costs of consultation will be met within approved budgets. 3. The cost of any future Examination in Public has been estimated along with the need to seek Counsel support, this is reflected in the MTFs as follows: <ol style="list-style-type: none"> a. Local Plan Allocations Examination in Public costs 2018/19 £60, 000 b. Earmarked Reserves to cover legal fees and consultancy support £30, 000.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. Supports the priority of a vibrant and prosperous economy as it assists in the delivery of the planning function of the Council. 2. Supports the priority of a Healthy and Safe communities by ensuring the provision of housing. 3. Supports the priority of Clean, green and welcoming places to live by assisting in allocating land for affordable housing, as well as supporting the delivery of residential and commercial developments.
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. An Equality Impact Assessment has been undertaken as part of preparing the Local Plan Allocations (APPENDIX L)
Crime & Safety Issues	<ol style="list-style-type: none"> 1. There are no crime and safety issues.

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	New sites/ policies are proposed during the consultation that have merit in inclusion within the Local Plan Allocations	Officers will review consultation responses received and this will be reported to Members ahead of submitting the Plan.	Yellow
B	The housing supply work is undermined by the loss of figures associated with Arkall Farm and/ or Rugeley Power Station	Officers will continue engagement on both sites and were the current situation change a review of the implications would be undertaken	Yellow
C	The settlements with a shortfall in provision will not meet the level of growth envisaged within the adopted Local Plan Strategy	As part of the Plan Review the settlement hierarchy will need to be reconsidered, this will include a review of infrastructure needs and settlement sustainability	Red

Background documents

Local Pan Strategy 2015
Statement of Community Involvement
Local Development Scheme
Regulation 18 consultation
Previous Regulation 19 consultation

Relevant web links:

[Local Pan Strategy 2015](#)
[Statement of Community Involvement](#)
[Regulation 18 consultation](#)
[Previous Regulation 19 consultation](#)

Appendix A - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-A-Local-Plan-Allocations-Focused-Changes.pdf>

Appendix B - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-B-Policies-Maps.pdf>

Appendix C, Part 1 - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-C-Sustainability-Appraisal-Part-1.pdf>

Appendix C, Part 2 - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-C-Sustainability-Appraisal-Part-2.pdf>

Appendix C, Part 3 - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-C-Sustainability-Appraisal-Part-3.pdf>

Appendix D - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-D-SA-Non-technical-summary.pdf>

Appendix E - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-E-HRA-Focused-Changes-Document-Jan-2018.pdf>

Appendix F - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-F-Infrastructure-Delivery-Plan.pdf>

Appendix G - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-G-Summary-of-Representations.pdf>

Appendix H - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-H-Summary-of-late-representations.pdf>

Appendix I - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-I-Summary-of-representations-SA.pdf>

Appendix J - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-J-Housing-Supply-Update-2017.pdf>

Appendix K - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-K-Schedule-of-Modifications.pdf>

Appendix L - <http://lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Appendix-L-Equalities-Impact-Assessment.pdf>

High Speed Rail (West Midlands – Crewe) Bill – Petitioning

Cabinet Member for Economic Growth, Environment and Development

Date:	5 th December 2017
Agenda Item:	9
Contact Officer:	Craig Jordan
Tel Number:	01543 308202
Email:	craig.jordan@lichfielddc.gov.uk
Key Decision?	No
Local Ward Members	Cllrs Mrs Barnett, Pritchard, Rayner, Mrs Stanhope, Wilcox, Cox, Marshall, Tittley

Lichfield
district council
www.lichfielddc.gov.uk

CABINET

1. Executive Summary

- 1.1 As part of its commitment to developing a High Speed rail network in the United Kingdom, the Government is proposing to further extend the Phase 1 line from the West Midlands to respectively the north-west and Yorkshire (Phase 2). On the 17th July 2017 a Hybrid Bill relating to High Speed 2 Phase 2a – a route from the West Midlands to Crewe - was introduced in Parliament. This report addresses the issue of petitioning against the Hybrid Bill and follows on from a report presented to Cabinet on 5th September.

2. Recommendations

- 2.1 It is recommended that the Cabinet:
- agrees to objecting to the High Speed Rail (West Midlands-Crewe) Bill by way of petition, based on the issues of concern raised in this report and recommends to Full Council that this decision be endorsed; and,
 - delegates authority to the Cabinet Member for Economic Growth, Environment and Development in consultation with the Head of Economic Growth to coordinate the petitioning against the Hybrid Bill before Parliament.

3. Background

- 3.1 High Speed 2 is a Government backed and promoted proposal to develop a high speed rail line between London and the West Midlands (Phase 1) with later spurs to Manchester and Leeds (Phase 2).
- 3.2 Phase 2a relates to the proposals to develop an extension of Phase 1 from Lichfield District in the West Midlands to Crewe in Cheshire. Phase 2b is the route which will extend from Phase 1 up to Leeds via Nottingham and Sheffield. Plans for Phase 2a have been brought forward in advance of those for Phase 2b.
- Hybrid_Bill
- 3.3 On 17th July the Government introduced in Parliament a Hybrid Bill setting out plans for Phase 2a – see **Appendix A**. The Bill has been given a formal first reading in the House of Commons, and will progress through the Commons and then the Lords. As part of the Bill deposit a consultation exercise also commenced on an associated Environmental Statement (ES) supporting the proposed route design and

planned mitigation. The Cabinet received a report on this consultation on 5th September where it agreed a response and also separately confirmed the intention to appoint a parliamentary agent to assist in any subsequent petitioning against the Bill. Following those decisions a formal response to the consultation prepared jointly with Staffordshire County Council, Stafford Borough Council and Newcastle-Under-Lyme Borough Council was submitted by the deadline of 30th September and Sharpe Pritchard were appointed as the Council's Parliamentary Agents.

- 3.4 The next stage of the parliamentary procedure will be for the second reading of the Hybrid Bill to take place at which point Members of the House of Commons (MPs) will decide whether or not the principle of the Bill is acceptable and if confirmed, the proposals can go forward for detailed scrutiny. It is understood that the Bill will receive its second reading before the end of the current calendar year. If MPs do decide to progress the Bill – which is extremely likely, a Select Committee of MPs will be set up to determine whether the Bill is appropriate as deposited or needs to be changed in any way by Parliament. Following the second reading of the Bill a period will follow during which petitions can be lodged by interested parties. Parliament is currently in the process of considering rule changes which are likely to mean that the petitioning period will be 25 calendar days from the date of second reading.

Petitioning

- 3.5 From the original announcements in January 2012 of the Government's intentions to progress with proposals for a High Speed rail network the District Council has maintained a strong and principled objection. It is not considered that the project will deliver economic benefits to residents and businesses in the District and more so will result in harm to the local environment and amenity. Whilst of this view the Council has accepted that ultimately decisions over Phase 1 and Phase 2 are not ones being made locally but by Parliament and therefore local concerns may well be overridden. In the circumstances it has been recognised that the most appropriate approach is to seek to maximise any benefits that could come for HS2 and minimise the adverse impacts. It is in this context that officers of the District Council have worked with partners to engage with HS2 Limited to ensure that the detailed aspects of Phase 1 and now Phase 2a take account fully of social, environmental and economic concerns relevant to the project and Lichfield District.
- 3.6 Although much effort and time has been expended to influence the route design and proposed mitigation measures for Phase 2a, as with Phase 1a the proposals contained in the Hybrid Bill do not fully address the concerns articulated by local residents, this Council or Staffordshire County Council.
- 3.7 The Hybrid Bill offers the main opportunity for local authorities, local communities, individuals and other interested parties to challenge the Government's proposals and seek to have changes made to the proposed scheme. This process is known as 'Petitioning' which involves a formal document being drafted and sent to Parliament by an affected party and then subject to the affected party establishing that it has sufficient standing, that party duly presenting its case to the Select Committee in the Houses of Parliament.
- 3.8 In April 2014, the District Council took the decision to formally petition against the HS2 Phase 1 Hybrid Bill. In doing so members will recall that the process delivered some positive results with the line of route now planned to go under rather than over the A38, West Coast Main Line in a cutting at Streethay, a lowering of the height of the route generally through the District and changes meaning the protection of the Trent and Mersey Canal and its surrounds.
- 3.9 In the report considered by the Cabinet on 5th September 2017 the concerns regarding the current Bill and associated proposed mitigation were identified. [Cabinet sep 2017 - hs2.doc](#). It is these matters that need to be considered having regards to petitioning.

3.10 In deciding whether or not to petition the Council will have to consider the nature of its concerns but also why it has an interest in these matters. This latter point is important as when the Select Committee comes to deciding whether or not to hear a petitioner's case it will want to establish that the petitioner is "specially and directly affected". If the Committee does not believe that a petitioner is so affected, it can prevent the petitioner being heard if its standing is challenged by the promoter. Parliamentary Agents have advised that this 'rule' applies to any prospective petitioner and is intended to ensure the process of petitioning is not abused. Regarding HS2 and the Hybrid Bill the proposals impact upon individual landowners, local communities and local services and infrastructure. Parliamentary Agents have also advised that if the Council petitioned, it would be extremely unlikely that its standing would be challenged.

How can the District Council Petition?

3.11 Petitioning against a Parliamentary Bill requires specialist knowledge and expertise in drafting the petition and if necessary presenting this to the Select Committee. Parliamentary Agents are solicitors approved by the House of Commons and Lords to undertake this work on behalf of bodies seeking to petition.

3.12 The District Council has appointed Sharpe Pritchard as its Parliamentary Agents to advise and assist on HS2 Phase 2a. The same agents were used on Phase 1.

3.13 There is a statutory requirement under Section 239 of the Local Government Act 1972 for local authorities to obtain the authority of Full Council to object to a local bill and deposit a petition in Parliament against it. A Hybrid Bill is considered to fall within the remit of Section 239.

3.14 There is also a requirement for the Full Council meeting to be advertised and for at least half the members of the Council to vote in favour of the resolution (note half the Council membership not half of those attending the meeting). The advert has to be placed in the local press at least 10 clear days before the meeting and notify interested parties of the intention of the Council to consider whether to object to the Bill by petitioning.

3.15 As mentioned above, following the second reading the petitioning period (which is likely to be 25 days) will start running. The latest information that the Parliamentary Agents have is that the second reading will not take place before 4 December, but that the government hopes that it will happen before the end of the year.

Petitioning issues

3.16 The Hybrid Bill provides details of a route which will in Lichfield District run from a point close to Fradley (the Fradley Spur) across open countryside to the south of Kings Bromley through the Ridwares and then onward to Colton & Stockwell Heath before crossing into Stafford Borough. As proposed the design will include for large parts a raised line on embankments and viaducts, consequently the railway will be prominent in the landscape and impact on a number of settlements and environmental features. To facilitate the construction of the railway, temporary works will also have an impact including the extraction and movement of materials and the provision of works compounds.

3.17 Attached at **Appendix B** to this report is a list of potential petitioning points prepared on the basis of the response to the earlier Environmental Statement consultation. This identifies both route wide issues which apply both within Lichfield District but also in other areas subject to Phase 2a and specific matters relevant to Lichfield District itself.

3.18 In comparison with Phase 1 the route alignment and design of Phase 2a appears to be generally less controversial and raises fewer significant concerns. This is not to say however that there are no major concerns or scope for improvements in terms of the design, appearance and impacts of the scheme. Although the Hybrid Bill has been deposited in Parliament the full details of the scheme have yet to be worked up. HS2 Limited is continuing to refine its proposals and carry out work to inform these. As a consequence, those organisations and individuals seeking to petition may wish to identify aspects of the scheme which are known already and which raise concern but also potential concerns which relate to future elements of the project.

3.19 Taking the above into account the key concerns include the following:

- The height of the line in and around Kings Bromley
- The impact on the landscape and amenity of planned viaducts close to Kings Bromley & the Ridwares
- The proposed closure of Common Lane, Kings Bromley
- The potential sterilisation of development land forming part of the former Rugeley Power Station site and impact on the timing of delivery of future housing/employment
- The potential impact of construction traffic on Colton, Hill Ridware and Pipe Ridware
- The loss of important trees and hedgerows and adverse impacts on key nature conservation habitats
- Noise impacts on specific properties

Alternative Options	<ol style="list-style-type: none"> 1. The Council could decide not to formally petition Parliament. 2. Alternatively it could give support to other bodies who do decide to petition though this would not allow the Council to make any formal representations to Parliament directly.
Consultation	<ol style="list-style-type: none"> 1. Consultation with members and other interested parties took place in respect of the response to the Hybrid Bill Environmental Statement. The Economic Growth, Environment and Development (Overview and Scrutiny) Committee has also received reports and briefing papers on HS2 Phases 1 and 2 with the most recent presented in September 2017.
Financial Implications	<ol style="list-style-type: none"> 1. A general reserve to support petitioning of HS2 was established in connection with Phase 1. The current balance of the reserve is approximately £44,000 considered sufficient to meet the costs of petitioning Phase 2a.
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. The development of High Speed 2 Phase 2a would not accord with the objectives of the Strategic Plan for Lichfield District unless as a consequence of its development the scheme would generate jobs and wealth creation in the District and have no adverse environmental impacts.

<p>Equality, Diversity and Human Rights Implications</p>	<p>1. HS2 Phase 2a will impact upon individual residents, businesses and local communities in the District. As part of the Bill an Equalities Impact Assessment has been prepared and published and within the Environmental Statement socio-economic impacts are also addressed. This report identifies particular social and economic effects alongside environmental concerns which could be the subject of petitioning if this is the decision of the Council.</p>
<p>Crime & Safety Issues</p>	<p>1. There may be crime and safety issues linked to both the construction and operation of High Speed 2 Phase 2a however the nature of these issues is not known at this stage. These will only become apparent as the Bill progresses through Parliament and more details emerge of the planned works and operation of the railway itself. Such details will be reported to members in due course as and when relevant information becomes available</p>

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Failure to petition the Bill	LDC officers and members continue to support Staffs. CC and other local interested parties in their petitioning of the Hybrid Bill and engage with HS2 Limited to seek resolution of matters prior to Select Committee stage.	Yellow

Background documents:
The High Speed (West Midlands - Crewe) Bill July 2017 and associated documentation
LDC Cabinet Report – September 2017

Relevant web links:

High Speed Rail (West Midlands- Crewe) Bill: The Bill and Procedures

The Hybrid Bill was presented to Parliament and had its first reading on the 17th July 2017. The second reading is expected to take place before the end of the calendar year.

The Bill sets out proposals for the development of a high speed rail line between Fradley in Lichfield District and Crewe in East Cheshire. The Bill provides for the necessary powers to construct and subsequently operate the proposed rail line. If approved at second reading stage Parliament will consider the principles of Phase 2a and the detailed impacts of this on affected communities, organisations and individuals and decide whether or not the Bill should be duly enacted. Parliament could decide that in its present form the Bill should not progress or after a successful second reading, if it is to be enacted what changes to the Bill need to be made.

The Bill and accompanying material:

- The Hybrid Bill includes the Bill itself setting out schedules which detail the proposals and the land that will need to be acquired and/or used to facilitate the development and operation of the rail line. Explanatory Notes are also provided to explain/amplify parts of the Bill.
- Plans and sections which show the location and profile of the proposed scheme
- A Book of Reference, which describes ownerships of all land interests affected by the proposals
- Supporting documents including a Housing Statement, Estimate of Expense, Equalities Impact Assessment, Health Impact Assessment, Alternatives Report
- Environmental Statement, which explains in detail the impacts of the proposals along the whole route and the steps to be taken to mitigate those impacts. The ES is split into a number of volumes and linked appendices.

The aforementioned material has been placed on public deposit and lodged with relevant local authorities and local libraries along the route of the proposed line (in hard copy format and electronically via a memory stick). The information is also available to view on-line at www.hs2.org.uk.

Consultation on the ES took place between July 17th and September 20th 2017. The results of the consultation are due to be reported to Parliament before the second reading takes place.

High Speed 2 Phase 2a Possible Petitioning Issues

It is important to bear in mind that with any petition as far as is possible this should set out clearly not just areas of concern or interest but also what changes to the Bill/proposed scheme are required. In the absence of such HS2 and/or the Select Committee will either ignore or question why an issue has been raised.

Notwithstanding this, it is also the Council's experience from Phase 1 that by petitioning on matters of concern whatever these matters may be – for example where detailed work by HS2 Limited is still on-going and scheme design not yet complete – it does focus HS2 Limited's attention to progress the work in question and provide either information or answers to questions to help inform an opinion.

It is on this basis therefore that the following matters are identified:

General (Route-wide)

Waste considerations – the generation and re-use of waste within or as a result of the scheme is not addressed properly. It is considered that the appraisal of reuse, recovery and recycling of materials linked to the scheme is weak and that alternatives to the proposals have not been either explored or not sufficiently. *(SCC matter)*

Request: The approach to waste and resource management be revisited.

New Tree Planting – New tree planting is proposed across the scheme including adjacent to ancient woodland, historic hedgerows etc. Concern is raised at the provenance of the tree stock to be utilised for this purpose and the timescales involved. Defining what is meant by 'local' in relation to the trees to be utilised is important as if non-local trees are used the genetic integrity of sites will be lost. This would negatively impact the quality and sustainability of the resource in the future.

Socio-economic factors – construction of the railway has the potential to generate additional direct and indirect employment in the District and wider areas. It is important that these opportunities are open to local residents.

Request: A commitment is sought from the nominated undertaker that contractors will access the local workforce to serve construction of the railway and in doing so offer opportunities to skills development and apprenticeships.

Noise assessments – objection is raised at the use of a noise assessment baseline of minimum 50 dB LOAEL. This has an unfair impact in judging noise effects in rural areas where ambient noise levels are low.

Request: A reduction to 45 dB for the LOAEL is requested to take into account the impact on quiet areas

Construction compounds – the design of construction compounds must take into account the need for sufficient off-road parking provision to accommodate staff and visitors otherwise high safety could be compromised. As proposed parking appears not to have been fully taken into account.

Request: HS2 properly assess the parking requirements associated with planned construction compounds and provide to meet needs within the footprints of the same or elsewhere off the public highway.

Ecological impacts and mitigation – Following comments made at the working draft EIA stage and before the deposit of the Hybrid Bill, it appears that the design of the route as now presented does not take into account many of the issues raised in respect of ecological impact and hence mitigation.

Request: Further work to be undertaken in developing the route design to ensure that ecological impacts are fully understood and that if necessary additional mitigation measures are brought forward via the AP route.

Landscape – there is concern that the appraisal of landscape impact is not robust and takes too narrow a definition excluding wider landscape considerations. This means that the impacts and proposed mitigation measures linked to the route design are flawed.

Request: HS2 review landscape impacts having regard to the use of wider considerations eg. landscape severance, compartmentalisation of areas etc and ensure that any additional mitigation requirements as a consequence are brought forward.

Hedgerows and trees – the proposed scheme includes land areas where the loss of important trees and hedgerows and other environmental features could be a factor. However as the route design details are still a work in progress it is not known whether certain features might need to be removed or could actually be retained. This is important given the status and value of for example veteran trees or woodland or historic hedgerows.

Request: Parliament considers how in the light of the above protections can be put in place to ensure that important environmental features are preserved where it is shown that their removal or loss is not needed to facilitate the scheme.

Habitat compensation – habitat compensation is proposed in locations that would result in the destruction of existing habitat of principal importance. This is not acceptable. Also some ecological mitigation could adversely affect archaeological features.

Request: HS2 to review ecological mitigation measures where compensation on existing habitats is proposed and to also liaise with archaeological specialists where ecological mitigation may impact on such deposits.

Heritage Assets - The proposed line will cause considerable harm to the setting of a number of designated heritage assets. As well as harming their significance this will have a considerable detrimental impact on their long term viability. This harm needs to be reduced and mitigated and specific details are required.

Request: HS2 to consider lowering of the line to reduce harmful impact to the setting, and long term viability of designated heritage assets. HS2 should consider providing a minimum schedule of mitigation for designated heritage assets within their ownership to ensure properties which are underused or left vacant are not allowed to deteriorate, including as a minimum a system of quinquennial inspections and a duty to carry out basic maintenance works to such heritage assets.

Specific – Lichfield District

Rugeley Power Station – HS2 are showing land within the current footprint of the RPS site land that it will require to deliver a power supply to an off-site transformer station necessary for both the construction and operation of the railway. The areas of actual land needed are not yet firmly established and this is of concern as the former power station site is identified as a development opportunity the potential of which could be stymied.

Request: HS2 to clarify the extent of land take necessary for HS2 related matters to ensure the development of the RPS site can come forward in appropriate timescales.

Common Lane, Kings Bromley – It is proposed to close Common Lane as part of the scheme. This road serves as a route for HGV's and also is used by cyclists, runners and walkers. If closed this would mean HGV's having to pass Richard Crosse Primary School and result in the loss of a valued local amenity.

Request: Alternative options are considered which would enable Common Lane to remain open for traffic and local amenity purposes.

Height of line, Kings Bromley – The proposed height of the line in the Kings Bromley area is of concern from an aesthetic point of view. As it crosses the A515 it is approximately 12 metres above road level rising to 15.5 metres at the transition between Bourne Embankment and the Kings Bromley Viaduct.

Request: HS2 be asked to consider lowering the line at this location and in particular the viaduct. Options could include lowering the Kings Bromley and Trent Valley viaducts such that road clearances at A513 and A515 dictate the track level or lowering of the Kings Bromley and Trent Valley Viaducts and realignment of the A513 and A515 over the HS2 route.

Pipe Wood is recognised of high importance from an ecological perspective. Nature conservation interests are served by hedgerows connecting habitats particularly for bats. There are no current proposals to offset scheme impacts or prevent harm to bats.

Request: A green bridge at the Mavesyn Ridware Footpath 38 Accommodation Overbridge be provided linking to the habitat creation proposed to the south of the line would serve to reduce severance and bat mortality

Lount Farm Local Wildlife Site is of county importance and its habitats of principal importance. There is a need to safeguard nature conservation interests including conservation corridors vital to the movement of species.

Request: That HS2 explore the potential of undergrounding a high voltage power line

Veteran Tree Loss – It is stated that road widening works associated with facilitating construction traffic will result in the loss of an ancient oak tree 'Noddys Oak' on Newlands Lane, south of Stockwell Heath. Losing such a tree to what would be temporary works is unacceptable and unwarranted.

Request: Arrangement of a diversion of Hadley Gate Lane so as to avoid veteran tree loss should be seriously considered

Traffic Calming – traffic calming measures are being provided in Hill Ridware this financial year on the B5014 Uttoxeter Road. Further traffic calming measures are planned in the same locality before 2020. These could have an impact on planned construction traffic using this route.

Request: Without prejudice to on-going discussions with the Highway Authority as regards agreement over construction routes, if this route is identified and agreed and traffic calming measures need to be removed as a result, HS2 is requested to reinstate at the end of the construction phase.

Traffic routing – it is proposed to use Cappers Lane, A5127 Burton Road, Eastern Avenue and A51 Stafford Road for construction traffic associated with the scheme. All these routes pass through the built-up area of Lichfield City.

Request: That construction traffic is routed along the A38, Hilliards Cross and Wood End Lane, Fradley to better access the scheme.

Traffic routing – earlier discussions with HS2 limited indicated that construction traffic would be routed such as to avoid Kings Bromley. This should be confirmed in the Bill.

Request: that the Bill makes it clear that construction traffic will not be routed through the village of Kings Bromley.

Traffic routing – it is proposed to use traffic routes through Colton Village and Hill Ridware to accommodate construction traffic. This would have an adverse impact on the residents of both villages and cause potential conflict with other road users.

Request: That HS2 consider alternative routing arrangements in discussion with the Highway Authority. This could involve construction of the haul route at an earlier stage than currently planned and an access off the A515.

Traffic and transport – it is proposed to provide a temporary roundabout at the junction of the A515 and A513 south of Kings Bromley as part of the construction phase. If traffic flow analysis supports this it might make sense to make the roundabout permanent.

Request: HS2 to discuss with the Highway Authority an assessment of the roundabout proposal and scope for this to be made permanent if studies show this would be appropriate.

Newlands Lane Auto Transformer Feeder Station – from the Bill it is not clear the height of the transformer and hence it is not possible to assess the appropriateness of the landscape mitigation measures proposed.

Request: HS2 Limited be required to supply this information to the Staffs CC Landscape specialists.

Power lines, Kings Bromley – it is proposed to provide replacement and relocated power lines in the Kings Bromley area at a height 14 metres. This could have a negative impact on the landscape and setting to the village.

Request: Consideration be given to examining whether these power lines could be routed underground.

Noise – There are recognised adverse noise impacts from construction on 40 properties located west of Kings Bromley, Pipe Ridware, Hadley Gate and Stockwell Heath. Impacts could last from 1-3 years. Mitigation is required with consideration being given to noise insulation and/or temporary screening.

Request: HS2 Limited examine the need for suitable mitigation.

Noise – the scheme will impact on 3 properties (see para. 13.4.11 CA1 Community Area Report Fradley to Colton) identified as being eligible for noise insulation.

Request: That noise insulation to these 3 properties be provided.

Noise – Noise barriers are proposed at Rileyhill, Kings Bromley, Pipe Ridware, Blithbury, Colton and Stockwell Heath but no details are available as yet as to what such barriers will take the form of.

Request: HS2 develop its plans and consult with the local residents of these village to ensure that the barriers are appropriate and locally acceptable.

Noise - 7 Dwellings (see para 13.5.17 CA1 CAR F-C) are identified as requiring noise insulation. This provides for internal noise level mitigation but not external.

Request: HS2 Limited should give due consideration to localised screening to reduce external noise levels and improve local amenity.

Noise – Common Farm (13.5.27 CA1 CAR F-C) predicted to have a change in noise levels of over 10dB representing a significant effect. This is a Bed & Breakfast operation and therefore should be protected from excessive noise levels.

Request: HS2 Limited should provide more information on proposed mitigation.

Noise – Ridware Theatre will be impacted upon by increased noise levels as a result of the proposed scheme construction. This will impact upon performances if not suitably mitigated.

Request: HS2 Limited needs to give more consideration to the issue of mitigation.

Public Rights of Way including bridleway concerns – eg. Colton 34, 52, 76 to be picked up by Staffs CC

Flood Risk – concerns over increased risk in some locations as a consequence of the scheme – Staffs CC to pick up

Governance Procedures associated with secured and future Section 106 monies to support infrastructure delivery

Report of the Cabinet Member for Economic Growth, Environment & Development Services

Date:	5 th December 2017
Agenda Item:	10
Contact Officer:	Ashley Baldwin/ Maxine Turley
Tel Number:	01543 308147/ 308206
Email:	ashley.baldwin@lichfielddc.gov.uk / maxine.turley@lichfielddc.gov.uk
Key Decision?	YES
Local Ward Members	All

CABINET

1. Executive Summary

- 1.1 On the 19th April 2016 Full Council approved the adoption of the Community Infrastructure Levy (CIL) Charging Schedule (CS). At the same time, Full Council also agreed to commence charging CIL from the 13th June 2016. Subsequent to this, on the 12th July 2016 Council approved the adoption of proposed - Community Infrastructure Levy (CIL) Governance Structure and Administrative arrangements intended to facilitate the allocation of CIL receipts.
- 1.2 At the point of adoption of CIL the role of Section 106 became limited to those matters that are directly related to a specific development site and which are in accordance with Regulation 122 of the Planning Act 2008.
- 1.3 In addition to CIL monies, the Council is in receipt of historic Section 106 monies secured before the adoption of CIL. In some specific instances the Council may also in the future receive restricted/ focused Section 106 funding secured following the adoption of CIL which would help benefit the delivery of infrastructure requirements. It is proposed that the process of allocating such S106 funds will be undertaken utilising the adopted CIL Governance Structure and Administrative arrangements.

2. Recommendations

- 2.1 That Cabinet approves the allocation of historic Section 106 monies secured before the adoption of CIL and any future S106 monies which are available to spend in support of non-site specific infrastructure utilising the adopted CIL Governance Structure and Administrative Arrangements as set in **APPENDIX A**.
- 2.2 That Cabinet approves the use of the adopted CIL Governance Structure and Administrative Arrangements for the allocation of Section 106 monies where there is discretion in a S106 planning obligation for the Council to do this.
- 2.3 Of the Section 106 monies received in line with recommendation 2.1 and 2.2 that Cabinet delegate authority to the Cabinet Member for Economic Growth, Environment & Development Services to agree spend below the £50,000 key decision limit.

3. Background

- 3.1 The Local Plan Strategy adopted in February 2015, sets out the strategic spatial policy context for the development and use of land in Lichfield District.
- 3.2 It is recognised that there is a requirement for significant investment in infrastructure to support the level of sustainable development identified through the Local Plan Strategy. It was, and still is, envisaged that the delivery of infrastructure would principally be supported through the provision of CIL monies rather than Section 106.
- 3.3 CIL is a planning charge on development, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. On the 19th April 2016 following formal public consultation and an Examination in Public, the District Council adopted a CIL Charging Schedule enabling it to apply charges to qualifying development for the purposes of delivering key infrastructure. Approval was also given to commence charging CIL from the 13th June 2016.
- 3.4 CIL Regulation 123 is the requirement for a published list of infrastructure projects or types of infrastructure that the Charging Authority (District Council) intends will be, or may be, wholly or partly funded by CIL. The District Council adopted a Regulation 123 list on the 19th April 2016.
- 3.5 To facilitate the appropriate allocation of CIL funds to those infrastructure requirements identified on the Regulation 123 list the Council approved (12th July 2016) the adoption of CIL Governance Structure and Administrative arrangements (hereafter referred to as the CIL Governance arrangements).
- 3.6 Notwithstanding the expectation that CIL will be the predominant means of receiving planning obligations of a strategic nature the Council is in receipt of some historic Section 106 legacy monies which require allocation. In addition there may be in future and in certain circumstances further Section 106 monies received for infrastructure needs not identified on the Regulation 123 list.
- 3.7 The CIL Governance arrangements offer the opportunity to allocate these Section 106 monies through a transparent and auditable process.
- 3.8 The process would be used for Section 106 income that is currently held by the Authority, as well as any future Section 106 income not tied to specific spending under a S106 planning obligation.
- 3.9 Due to the strategic nature of CIL funding and the infancy of the allocation process the CIL Governance arrangements require all funding allocation decisions to ultimately seek cabinet approval.
- 3.10 However historical Section 106 allocations below the key decision limit have been delegated to the Cabinet Member for Economic Growth, Environment & Development Services.
- 3.11 It is proposed that this limit of delegated is maintained in relation to Section 106 monies requiring allocation thus enabling the continued efficient transfer of monies to facilitate local infrastructure delivery.

Alternative Options	<ol style="list-style-type: none"> 1. Re-establish the governance arrangements which were in place to support the administration of Section 106 funding prior to the adoption of CIL. Section 106 and CIL are both classed as developer obligations.
Consultation	<ol style="list-style-type: none"> 1. The CIL Governance arrangements have already been adopted by Full Council. 2. Section 106 spend will follow the consultation processes identified with the relevant agreement.

Financial Implications	<ol style="list-style-type: none"> 1. Developer Contributions arising from Section 106 will contribute towards infrastructure requirements identified in the Infrastructure Delivery Plan and support the sustainable delivery of the Local Plan Strategy. Section 106 will not and cannot meet all the costs of infrastructure needed to support the Local Plan and there will be a need to access other funding sources including CIL and S278 funding, Local Growth deal and European funding streams. 2. A Governance Structure that facilitates the meaningful allocation of Section 106 monies will ensure development in the District is sustainable and coordinated thus reducing the impact on Council resources and in turn contributing to the Fit for the Future programme. 3. If the Section 106 contribution is below the key decision level the decision to award spend will be made but the Cabinet Member for Economic Growth, Environment & Development Services. Any spend above the key decision level the decision will be made by Cabinet.
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Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. The CIL Governance Structure will assist in the allocation of funding which will deliver infrastructure requirements to support the Lichfield District Local Plan Strategy. The Local Plan Strategy is aligned with the themes and aims of the District Council's Strategic Plan 2016-20.
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Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. An Equality Impact Assessment checklist has been completed and shows that CIL and the CIL governance arrangements will not harm or prejudice the interests of any particular section of society.
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Crime & Safety Issues	<ol style="list-style-type: none"> 1. There are no crime and safety issues.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	That the Governance Structure does not facilitate the appropriate allocation of CIL and Section 106 monies, therefore placing at risk the sustainable delivery of the Local Plan Strategy.	<p>The Governance Structure has been developed with input from a range of officers across the District Council. The proposed Structure has a number of levels affording opportunities for robust challenge to take place.</p> <p>Member involvement is embedded within the Structure and final decision regarding allocation of funding will rest with the LDC Cabinet.</p>	Yellow

<p>Background documents</p> <p>CIL</p> <p>CIL Regulation 123 list</p> <p>Infrastructure Delivery Plan</p> <p>Local Plan Strategy</p>
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Relevant web links

[CIL](#)

[CIL Regulation 123 list](#)

[Infrastructure Delivery Plan](#)

[Local Plan Strategy 2015](#)

Appendix A – CIL Governance Administration Procedures

Community Infrastructure Levy Governance Administration Procedures

1	Executive Summary	3
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5	Levy Allocations Process	13

Executive Summary

Lichfield District Council adopted its Community Infrastructure Charging Schedule on the 19th April 2016. The following document provides details of the governance and administrative procedures that will be put in place to facilitate the allocation of CIL monies received by the Council.

The governance element of these procedures have been designed to facilitate corporate and political ownership of the delivery of infrastructure requirements within Lichfield District.

1.0 Community Infrastructure Levy

1.1 The Community Infrastructure Levy (CIL) is a planning obligation, introduced by the Planning Act 2008 as a tool for local authorities in England and Wales to help deliver infrastructure to support the sustainable development of their area. The Levy came into force on the 6 April 2010 as a result of the Community Infrastructure Levy Regulations 2010. The receipts created by the implementation of the CIL can be used to fund a wide range of infrastructure that is needed as a result of development.

1.2 The CIL Charging Schedule ⁽ⁱ⁾ sets out the CIL charging rates that will be levied across Lichfield District. Defined land uses and identified geographical areas are used to identify the rate of CIL and form the basis of the schedule. The Charging Schedule strikes an appropriate balance between the desirability of funding infrastructure from the levy and the potential effects of the levy upon economic viability of development across the District.

1.3 Following independent examination the CIL Charging Schedule was adopted by the Council on the 19th April 2016. The Council will commence the collection of CIL on 13th June 2016. This process is governed by strict statutory requirements and procedures which have been put in place to calculate, administer and monitor CIL liable developments.

2.0 The relationship between the Community Infrastructure Levy and planning obligations

2.1 CIL funds are intended to assist in providing infrastructure necessary to support the development of an area rather than to make individual planning applications acceptable in planning terms. CIL therefore does not directly relate to offsetting the implications of an individual development, but relates to the overall cumulative effect of development in general.

As a result, there may be some site specific mitigation requirements without which a development should not be granted planning permission. In these circumstances Section 106 planning obligations will continue to be used.

2.2 Once the CIL is adopted, the regulations restrict the use of planning obligations to ensure that individual developments are not charged for the same items through both planning obligations and the CIL. Where the Council states that it intends to fund an item of infrastructure via CIL (i.e. it is contained on the Regulation 123 list ⁽ⁱⁱ⁾) then planning obligation contributions (Section 106 agreements) cannot be used towards the same item of infrastructure. From April 2015, any specific project or type of infrastructure will only be eligible for funding from five or fewer Section 106 obligations. It is also made clear in Planning Practice Guidance (PPG) ⁽ⁱⁱⁱ⁾ that the application of the five or fewer obligations per project/type of infrastructure will apply retrospectively from April 2010.

i <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Downloads/Community-Infrastructure-Lvy-CIL/CIL-Charging-Schedule.pdf>

ii <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Downloads/Community-Infrastructure-Lvy-CIL/Regulation-123-list.pdf>

iii <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/>

2.3 A Developer Contributions Supplementary Planning Document (SPD) sets out the Council's approach to the use of planning obligations. It sits alongside the CIL and covers the types of development the Council intends to seek S106 contributions from, subject to meeting the legal tests set out in the relevant Planning Acts and associated regulations. ^(iv)

3.0 What is Infrastructure?

3.1 The Planning Act 2008 provides a wide definition of the infrastructure which can be funded by the CIL, including;

- roads and other transport facilities,
- flood defences,
- schools and other educational facilities,
- medical facilities,
- sporting and recreational facilities,
- open spaces

3.2 This gives local communities flexibility to choose what types of infrastructure they need to deliver their development plan. The Local Plan Strategy is the development plan for Lichfield District. It should be noted that the CIL regulations rule out the application of the CIL for the provision of affordable housing.

3.3 There are a number of key Local Plan Strategy ^(v) policies that identify infrastructure requirements for the District. The Local Plan Strategy includes two policies that provide the strategic context for infrastructure requirements:

- Core Policy 4: Delivering Our Infrastructure
- Policy IP1: Supporting & Providing our Infrastructure

3.4 The Infrastructure Development Plan ^(vi) (IDP) is a living document which identifies the strategic and local infrastructure fundamental to achieving our ambitions for shaping the District to 2029.

3.5 Regulation 123 sets out the need for local authorities to produce a list of 'relevant infrastructure' which will be funded in whole or part by the CIL. The Councils adopted Regulation 123 list ^(vii) is articulated in alphabetical order, priorities have not yet been identified.

3.6 Subject to relevant conditions, and at its discretion, an authority may enter into an agreement for payment towards the acquisition of land to be made to discharge part or all of a CIL liability. Charging authorities may also enter into agreements to receive intended infrastructure rather than a payment towards the same. For example, where any authority

iv <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Supplementary-planning-documents/Adopted-SPDs.aspx>

v <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Resource-centre/Local-Plan-documents/Downloads/Local-Plan-Strategy/Lichfield-District-Local-Plan-Strategy-2008-2029.pdf>

vi <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Resource-centre/Evidence-base/Infrastructure/Infrastructure-delivery-plan-IDP.aspx>

vii <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Downloads/Community-Infrastructure-Levy-CIL/Regulation-123-list.pdf>

has already planned to invest CIL receipts in a project there may be time, cost and efficiency benefits in accepting completed infrastructure from the party liable for payment of CIL. Payment in kind can also enable developers, users and authorities to have certainty about the timescale over which certain infrastructure items will be delivered. The Council has adopted a 'Payments in Kind' policy ^(viii) to provide for, at its discretion, in kind infrastructure payments.

viii <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Downloads/Community-Infrastructure-Lvy-CIL/CIL-Payment-in-Kind.pdf>

4.0 Charging Authority Responsibilities

4.1 Under the CIL Regulations the Council will be the designated 'Charging Authority'. This confers new responsibilities on the Council, which are set out in the CIL Regulations ^(ix) and policy guidance ^(x).

As the Charging Authority the Council has an obligation to:

- a. prepare and publish a CIL Charging Schedule
- b. apply the levy revenue it receives to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support development of its area, and;
- c. publish annual reports on the amount of levy revenue collected, on what it was spent, and any remaining unspent.

4.2 As such the introduction of CIL necessitates the establishment of suitable governance arrangements to provide a framework for the allocation of the monies levied.

5.0 How will the CIL Funding be distributed?

5.1 CIL funds levied by the Charging Authority (Lichfield District Council) will be distributed from a single centralised pot held by the Council. This arrangement will require closer working relationships with partners, and in particular, require the Council to define its relationship with infrastructure providers.

- Special Areas of Conservation
- Parish Council Funding
- Strategic Infrastructure
- Local Infrastructure
- Administration fees

6.0 Special Areas of Conservation

6.1 The adopted Lichfield District Local Plan Strategy sets out a local spatial policy framework to ensure that both the Cannock Chase and River Mease Special Areas of Conservation (SAC) are protected from the implications of planned development in the area, and that mitigation is secured in order to meet the requirements of European legislation. The Council has an obligation to 'ring fence' this CIL funding which is a set fee based on per dwelling built. This figure will be reviewed and where appropriate updated. These funds will be allocated biannually and will be removed before the Strategic and Local infrastructure percentages as discussed below are applied to the funds.

7.0 Parish Council Funding

7.1 As a statutory requirement, under CIL Regulation 59, the District Council must make provision for passing a 'meaningful proportion' of CIL receipts to communities in areas where development comes forward which in the case of Lichfield District Council means the Parishes. The CIL Regulations require Charging Authorities to transfer a 'meaningful proportion' of

ix <http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>

x <http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/>

CIL receipts generated in these areas directly to these Councils on a biannual basis, the scale of which is dependent upon whether a relevant neighbourhood plan is in place. For Parishes where no neighbourhood plan is in place or is still emerging, 15% of CIL (capped per new dwelling as per the CIL Regulations) will be passed to the Parish Council where the development has taken place and must be spent on local priorities as outlined in CIL Regulation 59C^(xi). Where a Parish has an approved neighbourhood plan in place, 25% of CIL (uncapped) will be passed to the Parish Council.

8.0 Parish Council Payment Periods

8.1 Payment periods associated with the transfer of the meaningful proportion will be in accordance with regulation 59D of the CIL Regulations.

- 59D 4, The charging authority must make payment in respect of the CIL it receives from 1st April to 30th September in any financial year to the local parish/town council by 28th October of that financial year.
- 59D 5, The charging authority must make payment in respect of the CIL it receives from 1st October to 31st March in any financial year to the local parish/town council by 28th April of the following financial year.

8.2 A Parish Council will be free to spend these funds on facilities that serve to address the demands that development places on its area, but will be obliged to report annually on CIL expenditure. The District Council would expect to receive annual financial reports four working weeks after the 31st March.

8.3 Once the levy is in place, Parish and Town Councils should work closely with their neighbouring councils and the charging authority to agree on infrastructure spending priorities. If the Parish or Town Council shares the priorities of the charging authority, they may agree that the charging authority should retain the neighbourhood funding to spend on that infrastructure. It may be that this infrastructure (e.g. a school) is not in the Parish or Town's administrative boundary, but will support the development of the area.

8.4 If a Parish or Town Council does not spend its levy share within five years of receipt, or does not spend it on initiatives that support the development of the area, the charging authority may require it to repay some or all of those funds to the charging authority. Parish Councils that receive CIL funding will be invited to an infrastructure planning meeting with the IOWG.

9.0 Strategic and Local Infrastructure

9.1 CIL receipts remaining after administration, SAC payments and the meaningful proportion paid will go into a centralised pot for the purpose of supporting the delivery of strategic and local improvements on a district wide basis. Strategic and Local infrastructure elements are identified and defined within the Infrastructure Delivery Plan. The centralised pot will be split, enabling it be available to support the strategic infrastructure component and also allocated to local infrastructure components.

xi <http://www.legislation.gov.uk/ukdsi/2010/9780111492390/contents>

9.2 Strategic infrastructure refers to facilities or services serving a wide geographical area or population and can relate to part of the District, the whole District or beyond. Local infrastructure is about facilities or services that are essential in meeting day-to-day needs of the population in a specific locality. A detailed definition of Strategic and Local infrastructure can be found in the introduction section of the IDP ^(xii) and includes a definition of the three main categories of infrastructure.

9.3 The strategic and local infrastructure for which CIL is payable are identified on a Regulation 123 list ^(xiii). Infrastructure providers, including for example Staffordshire County Council or a Parish Council, will formally bid for the release of funds from this centralised pot via a formal application process to assist in delivering the infrastructure detailed on the Regulation 123 list. The onus will be on applicants to produce strong evidence based arguments, which will include clear delivery plans for proposed projects along with potential and secured match funding information.

10.0 Administration fees

10.1 The introduction of CIL and the day-to-day discharge of the Council's duties as the 'Charging Authority' will likely be resource intensive. In line with the CIL Regulations, the Council will utilise 5% of total CIL receipts to finance the expense of administering CIL.

11.0 Surcharges

11.1 Funding generated through the administration of surcharges (as per the CIL Regulations) will be added to the local and strategic infrastructure funding pot to be allocated by the District Council for the delivery of infrastructure needs identified in the Regulation 123 listed.

xii https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/_Resource-centre/Evidence-base/Infrastructure/Infrastructure-delivery-plan-IDP.aspx

xiii <https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Planning-obligations/Downloads/Community-Infrastructure-Levy-CIL/Regulation-123-list.pdf>

12.0 CIL Allocation: Structure

12.1 In order for the Council to be able to consider how best to deliver infrastructure priorities, a governance structure to administer the Local and Strategic element of CIL funding secured, related processes and procedures will be put in place. The detailed arrangements are set in the following paragraphs and shown diagrammatically in Figure 1.

12.2 A key initial task of the groups involved in the process will be to agree terms of reference. Those terms will relate to the overall process as set out below and will take into consideration the need for the structure to operate efficiently and effectively.

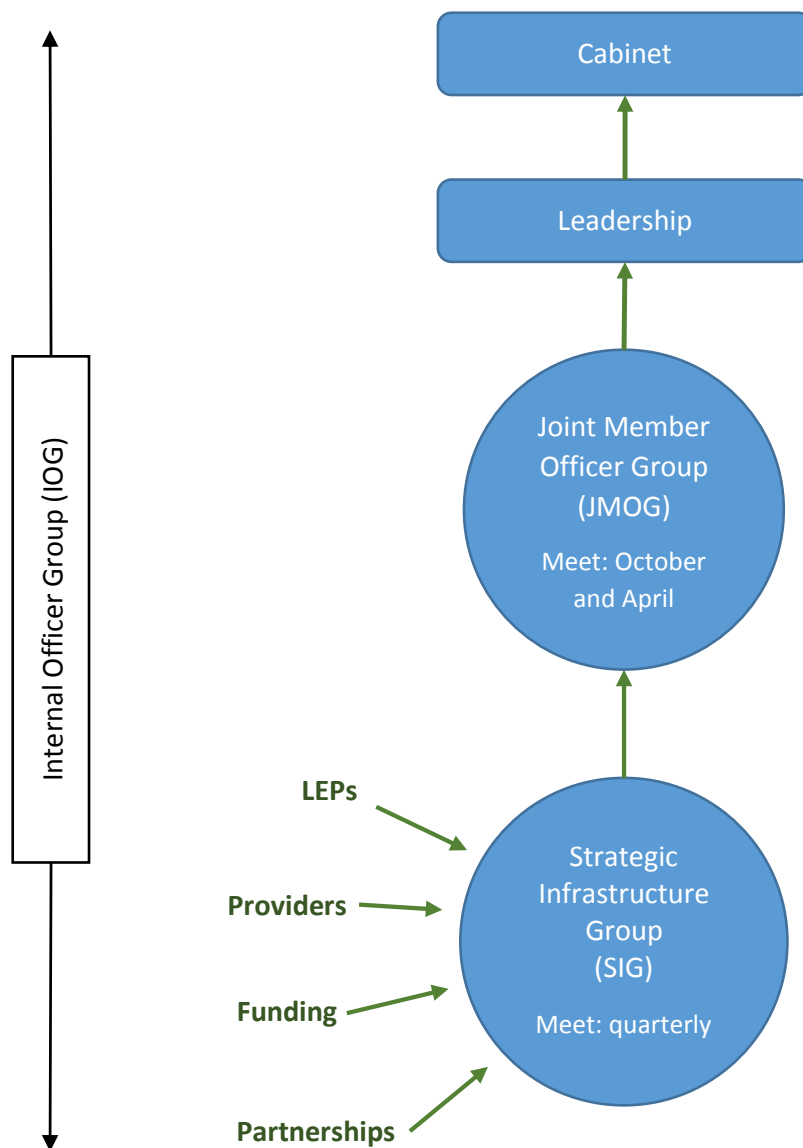


Figure 1

13.0 Cabinet: Role

13.1 Decisions on the allocation of CIL monies to strategic and local infrastructure will be made by the Council's Cabinet and be informed by recommendations made to it by a CIL Joint Member and Officer Group. Recommendations made to Cabinet by the JMOG can be called in by the relevant Overview and Scrutiny Committee. The reporting process to Cabinet will include as per internal reporting procedures consideration of draft reports and recommendations by Leadership Team.

14.0 CIL Joint Member/Officer Group (JMOG): Role and membership

14.1 The Joint Member/Officer Group will consider applications made by infrastructure providers for CIL funding and based on an assessment make recommendations to Cabinet. It will meet biannually with timescales for those meetings coordinated with the allocation of funding, meaningful proportions to the Parish Councils, in addition to considering applications, receive reports for consideration that provide updates on the delivery of the Infrastructure Delivery Plan (IDP) and the Regulation 123 list. Applications will only be considered that deliver infrastructure needs identified in the Regulation 123 list and address requirements articulated within the Infrastructure Delivery Plan.

14.2 The JMOG will have a core membership of four District Council elected members who will be selected by the Leader of the District Council at Annual Full Council. The Chair of the group will be selected from this pool of members. In addition an invite will be extended to Staffordshire County Council to nominate one elected member to sit on the group.

14.3 The group will also include the following officers:

- Director Place & Community - LDC
- Head of Finance and Procurement- LDC
- Head of Economic Growth - LDC
- Staffs County Council representative

15.0 Strategic Infrastructure Group (SIG): Role and membership

15.1 There already exists a Lichfield District Council Infrastructure Officer Working Group which has supported the development and adoption of CIL as a means of contributing towards meeting the infrastructure needs of the District. This is to be re-named the Strategic Infrastructure Group (SIG).

15.2 The group meets and will continue to meet quarterly and has a strategic focus wider than simply the allocation of CIL monies. Its purpose is to identify District wide infrastructure requirements and act as a forum for providers and potential CIL applicants to engage with the District on how infrastructure can be delivered and determine what funding opportunities are available to achieve this.

- Encourage and oversee the development of a programme of infrastructure projects that could be part funded by CIL
- Engage with individual infrastructure providers to consider the scope for developing CIL funding applications

- Advise the JMOG of the percentage split of the centralised CIL pot to enable the support of both strategic infrastructure component and also a local infrastructure component
- Monitor and review implementation and content of the CIL Regulation 123 list in the context of infrastructure requirements set out in the Council's Infrastructure Delivery Plan.

15.4 The group will be chaired by the Head of Economic Growth. The membership of the group will be at the discretion of the Chair but it is expected that suitable representation will be sought from across relevant Council services. Membership could be partly fluid and will be dependent on the infrastructure requirements being developed or discussed at a particular moment in time. An invitation will be extended to relevant Staffordshire County Council officers to join the group.

16.0 Internal Officer Working Group (IOWG): Role & Membership

16.1 The CIL governance arrangements as set out above will be supported by an Internal Officers Working Group. The group will be chaired by the Spatial Policy and Delivery Manager. The group will meet in advance of SIG with additional meeting when required, up to eight times per annum with membership mainly consisting of officers from within Community & Place Directorship. There may be times that other internal officers are invited to attend to inform specific infrastructure discussions. The group will also feed into specific internal project groups set up to take forward infrastructure requirements.

17.0 Levy Allocations Process

17.1 There will be a transitional period between the new and old systems of planning obligations and as such a constant flow of annual CIL receipts is not expected until sometime into the implementation period. It is therefore possible that the above CIL groups will not need to meet or if so will not be called upon to make recommendations for a while. In any event allowing for a centralised pot to grow to meaningful levels enabling potential project allocations to be considered would make sense. Initial meetings therefore will likely involve explaining and agreeing procedure and offering an opportunity to updating members on the level of receipts received to date and progress with infrastructure generally across the District.

17.2 All allocations of Levy money will be made in response to the submission of applications to the District Council as charging body and decisions made subsequently by the Council. Applications will need to be made in accordance with standardised procedures which will include criteria to enable prioritisation, which will be developed by the IOWG and presented to the SIG for approval.

17.3 To ensure the appropriate and timely delivery of projects, conditions will be attached to the allocation of CIL funding from the centralised pot to a Strategic or Local infrastructure requirement. The infrastructure provider who has secured CIL from the centralised pot will be required to enter into a grant agreement which will confirm the detail of conditions.

17.4 The grant agreement will include a commitment to complete quarterly monitoring returns to the Council. These returns will form the basis of quarterly monitoring reports to the Joint Member/Officer Working group.

17.5 When CIL funding is allocated to infrastructure provider, the CIL funding can only be used to deliver the agreed infrastructure type or project. As the Charging Authority, the Council will retain the right to recover CIL receipts that have been 'misapplied' or not spent within agreed timescales.

backCover

DESIGNATION OF NEW CONSERVATION AREA IN DRAYTON BASSETT

Report of the Cabinet Member for Economic Growth, Environment and Development Services

Date: 5th December 2017

Agenda Item: 11

Contact Officer: Claire Hines

Tel Number: 308188

Email: Claire.hines@lichfielddc.gov.uk

Key Decision? NO

Local Ward Members Bourne Vale ward - Cllr Brian Yeates



CABINET

1. Executive Summary

- 1.1 To inform Cabinet of a proposed new conservation in Drayton Bassett and to request approval of the draft designation documents and agreement to the consultation process.

2. Recommendations

- 2.1 That the Cabinet supports the principle of working towards the designation of a new conservation area in Drayton Bassett and that Cabinet approve the draft designation document for the proposed Drayton Bassett Conservation Area for consultation.

3. Background

- 3.1 Under Section 69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the local planning authority;
- ‘(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and
- (b) shall designate those areas as conservation areas.’

Following discussions with both the Drayton Bassett Parish Council and Tamworth and District Civic Society, the Conservation and Urban Design Team carried out an assessment of the village and considered that there was an area of sufficient historic and architectural interest that warranted designation as a conservation area.

The restrictions following designation as a conservation area are as follows;

- Local Authorities are required by S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when drawing up plans or considering development proposals both within the designated area and outside it if they would affect the setting or views into or out of it.
- The conservation area is considered to be a designated heritage asset under the NPPF therefore there is a national presumption in favour of their conservation.
- There are some restrictions on permitted development rights where development might be visible from the public domain.

- Planning permission is required for the demolition of a building in a conservation area. It remains a criminal offence to fail to obtain planning permission prior to demolition.
- Under S211 of the 1990 Planning Act anyone proposing to cut down, top or lop a tree within a conservation area (with the exception of trees under a certain size, or those that are dead, dying or dangerous) is required to give 6 weeks notice to the local planning authority. The purpose of this requirement is to give the authority the opportunity to make a tree preservation order which then brings any works permanently under control.

An appraisal of the area has been carried out and a draft conservation area appraisal and management plan has been written. Once designated, Conservation Area Appraisals and Management Plans should be undertaken regularly on a rolling programme. They are an essential part of the process which aims to preserve and enhance the character and appearance of the conservation area and provide a foundation for future decision making.

The understanding of an area gained through undertaking an appraisal can help to inform policy and decision making through the Development Management process. Conservation Area Appraisals and Management Plans can also help to form a framework for Development Management guidelines. They can provide a sound defence on appeal in relation to various policies and Development Management decisions.

A Conservation Area Management Plan can provide the basis for developing management proposals which aim to preserve or enhance the conservation area. Under Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a duty 'from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas'. The management proposals take the form of mid- to long-term strategy, setting objectives for addressing the issues and recommendations for action arising from the appraisal and identifying any further or more detailed work needed for their implementation.

Alternative Options	<ol style="list-style-type: none"> 1. The alternative option is not to designate the conservation area. This would not allow the local planning authority to seek to preserve or enhance the special character and appearance of the area when considering planning applications.
Consultation	<ol style="list-style-type: none"> 1. It is accepted best practise that involving the local community in evaluating what makes an area special, and where the boundaries of a conservation area should be drawn, is integral to the appraisal process. To this end a robust method of public consultation is followed which comprises the following <ul style="list-style-type: none"> • seeking permission from the Cabinet to consult on the proposed new conservation area and a draft Appraisal and Management Plan; • a 6 week consultation period, including letters to all residents residing within, and adjacent to, the relevant conservation area, the Parish Council, Ward Members, local civic groups and agents, with documents being made available over the internet and paper copies provided on request; • presentation of the proposals and document at a public meeting,

	<p>generally a meeting of the relevant Parish or Town Council;</p> <ul style="list-style-type: none"> • full consideration of representations received and amendment of the proposals, as necessary; • a report to Overview and Scrutiny (Economic Growth, Environment and Development), taking on board comments received, and recommending whether or not to designate the conservation area and if the recommendation is positive, seeking approval of the revised document; • if agreed, the report and document are returned to Cabinet and subsequently Full Council for formal ratification.
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Financial Implications	<ol style="list-style-type: none"> 1. The cost of production of the documents and consultation exercises will be met from existing budgets. 2. The implementation of recommendations in the management plan will either utilise existing resources and existing budgets or be funded from external bodies. 3. The designation of a new conservation area will result in a small increase in the number of planning applications received and the number of tree applications received. Both these increases will be very minor and can be accommodated with the existing resources.
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Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. These proposals support the aims of the District Council’s Strategic Plan 2016 -20 to be a clean, green and welcoming place to live and specifically to maintain and enhance our heritage.
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Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. In designating a new conservation area and creating documents which contribute to the understanding and management of this conservation area, the Council is seeking to preserve and enhance this area for all future generations.
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Crime & Safety Issues	<ol style="list-style-type: none"> 1. The recommendations will have no discernible impact on our duty to prevent crime and disorder within the District (Section 17 of the Crime and Disorder Act, 1988).
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Failure to designate the new conservation area	The historical and architectural character of the area will not be recognised and not be protected.	Yellow
B	Designation of conservation area but failure to adopt appraisal and management plan.	Without adoption of the appraisal and management plan there is no demonstrable basis on which the decision to designate the area has been made on.	Yellow
C			
D			
E			

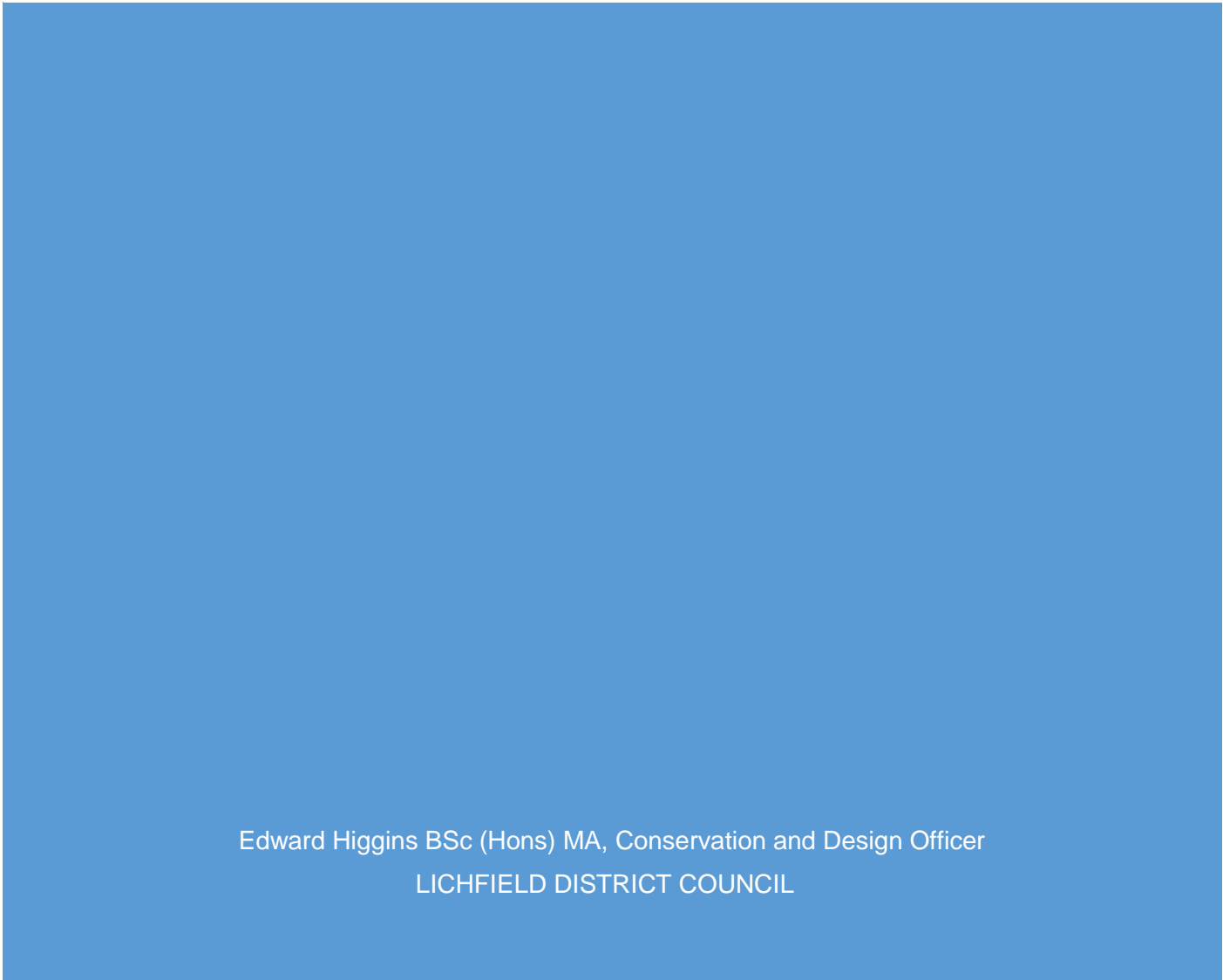
Background documents

- Draft map of proposed Drayton Bassett Conservation Area
- Draft conservation area appraisal and management plan
- Supporting e-mails from Drayton Bassett Parish Council and Tamworth and District Civic Society

Relevant web links



DRAYTON BASSETT CONSERVATION AREA DRAFT



Edward Higgins BSc (Hons) MA, Conservation and Design Officer
LICHFIELD DISTRICT COUNCIL

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1.1 NPPF, 2012

Paragraph 127. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

1.2 Reason for proposed designation

It is proposed to designate the historic core of the village of Drayton Bassett as a conservation area under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 69 states that;

- (1) Every local planning authority –
 - (a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and
 - (b) shall designate those areas as conservation areas.

The proposed area for designation encompasses the historic core of the village, which remained a separate entity until post war housing developments to the west encroached through the 1950s and 1960s (see map regression).

The majority of the properties within the proposed conservation area appear on the first edition Ordnance Survey map of 1884. The village has medieval origins and strong historical connections with Drayton Manor and the Peel family, who purchased the large Tudor Manor House in the late 18th Century on the profits of textile manufacture. Sir Robert Peel, 2nd Baronet (1788 – 1850) resided at Drayton Manor, was the Prime Minister between 1834 – 35 and 1841 – 46 and is buried in the family vault in St. Peters Church.

There are a mix of styles and ages of buildings including New Row which is a substantial row of fourteen Victorian workers dwellings built by the Peel family as part of the estate village at the entry to the landscaped park of Drayton Manor. The buildings are of significant

architectural merit, and show that no expense was spared on the village in the 1860s or 1870s.

1.3 Planning Policy Context

The National Planning Policy Framework (NPPF) which was published in March 2012 has at its heart a presumption in favour of sustainable development. The conservation of heritage assets is one of the 12 core planning principles that underpin the planning process and is key to achieving sustainable developments.

The Local Plan Strategy was published in 2012, and was submitted to the Planning Inspectorate on the 22nd of March 2013 for a process of examination which was held in July 2013 and October 2014. The council received the Inspector's Final report on 16 January 2015. The report concluded that the Lichfield District Local Plan Strategy was legally compliant, and provides an appropriate basis to guide future development across the Lichfield District area until 2029, subject to a number of modifications being made to the plan. With these modifications the Lichfield District Local Plan Strategy 2008-2029 satisfies the requirements of Section 20 (5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework

The Local Plan Strategy 2008-2029 was adopted by Full Council on Tuesday 17 February 2015.

Relevant policies include Core Policy 14 (Our Built & Historic Environment) and Policy BE1 (High Quality Development) of the Lichfield Local Plan Strategy (2015) and saved Policy C2 (Character of Conservation Areas) of the Lichfield District Local Plan (1998) as contained in Appendix J of the Lichfield District Local Plan Strategy (2015).

A consistency of approach to determining planning applications is at the centre of a fair system of controlling change, especially within conservation areas. Consistent decisions also lead to an improved public perception that the system is fair and, in turn there is a greater public engagement with the process.

The draft document will be considered by the Council's Cabinet on XXXXX. If approved then in line with existing policies of Lichfield District Council the Drayton Bassett Conservation

Area Appraisal and Management Plan will then go through full public consultation. The legislation requires the proposals to be submitted to a public meeting therefore this document will be presented at a meeting of the parish council. All responses to the consultation will be addressed and the document amended accordingly. Following this the final document will be submitted to the Council's Overview and Scrutiny committee before going to the Council's Cabinet and the Full Council for final approval. Under section 70 (8) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Secretary of State will be formally notified of the Council's intention to designate the Conservation Area, along with the required publicity in the London Gazette and the local press.

In accordance with the Historic England document "Conservation Area Designation, Appraisal and Management", it is important to note that no appraisal can ever be completely comprehensive. If a building, feature or space is not mentioned, this should not be taken to imply that it is of no interest.

1.4 Historical Background

Drayton Bassett lies on the western edge of the Tame Valley, approximately 4km south of Tamworth, which was the centre of the Kingdom of Mercia during the mid Anglo-Saxon period.⁽¹⁾

Fieldwalking to the east of the village has recovered a Lower Palaeolithic (2500 KA BP – 300 KA BP) flint implement as well as flint of Neolithic/Bronze Age date (12 KA BP – 4 KA BP) and two sherds of Roman pottery. This evidence however does not substantively add to our broader understanding of the wider landscape of these periods, but probably represents a casual loss of items. However, it is likely that settlement at Drayton Bassett dated to at least the later Anglo-Saxon period as it is recorded in Domesday Book (1086). The entry records two water mills here being held by the king and the presence of water mills imply that corn was being ground for flour, which in turn means that corn must have been grown in the area. To the east of the village there is an area whose surviving morphology suggests that it once formed part of the open field system worked by the villagers in rotation between arable and fallow (pasture). The origins of the open field to the east of Drayton Bassett may, therefore, pre date the Norman Conquest (1086).⁽¹⁾

However, the field system to the east of Drayton Manor Theme Park had formed part of a large deer park during the medieval period, which may have survived until the later 18th

century. By the early 19th century the eastern part of this deer park formed part of a landscape park associated with the country house of Drayton Manor, owned by the Peel family. ⁽¹⁾

It is notable as the home of the Peel family and for the nearby pleasure park at Drayton Manor. The Peel presence ensured that this was a village very much influenced in its building and development by the local 'big' house, even to the extent of lacking a public house. ⁽²⁾

The place name, 'Drayton', may mean a settlement at a place where loads have to be dragged, deriving from a steep ascent on the Roman road from High Cross to Wall. Bassett comes from the name of the mediaeval lords of the manor and became attached to the place name in the 13th century. ⁽²⁾

In the Domesday Survey of 1086 Drayton is recorded as 'Draitone' and belonged to the King. Within the manor there was land enough for four ploughs to till and there were also two mills. Nine villeins, or tenants who held land in return for labour services, and 3 bordars, or smallholders who had brought land into cultivation on the edges of the village, are recorded. There were also 8 burgesses from nearby Tamworth who "work there like the other villeins". ⁽²⁾

In 1532-33, 31 households were recorded in Drayton Bassett. By the time of the hearth tax assessment of 1666, 95 households were recorded. This included the old manor house which had 42 hearths. At that time the manor was in the ownership of the Duchess of Somerset. ⁽²⁾

1.4.1 Drayton Manor

Drayton Manor was located to the north of the present village within a landscaped park. The early 19th century house started by Sir Robert Peel, 1st Baronet and completed by his son was largely demolished between 1924 and 1937 (based on map evidence) and now only the clock tower remains. The site is now occupied by Drayton Manor Theme Park and a golf course.

The first manor house at Drayton Bassett was located immediately to the north of the church. The area including part of Old Manor Close and Old School Row forms the site of the original

moated manor house (HER record MST3720). This is potentially the site of the house that was granted to the Priory of Canwell in the second charter of Geva, illegitimate daughter of Hugh I, Earl of Chester in c.1143-8. No evidence of this manor house appears on the first edition Ordnance Survey Map, and it appears to have been rebuilt in the 16th century on a new site to the north. Drawings of this building survive and show that it was a substantial manor house laid out around a central courtyard. It also had a large three storey detached “banqueting house”.

Sir Robert Peel was Britain’s Prime Minister between 1834 and 1835 and again between 1841 and 1846. Peel’s father, the first Sir Robert, purchased the Drayton Manor estate in 1792. Peel was a cotton manufacturer and calico printer and established cotton mills at nearby Fazeley. He was to rebuild the old Drayton Manor at the end of the 18th century on the profits of textile manufacture. The Manor soon became well known for the beauty of its gardens. In the 1820s the 1st Sir Robert started to rebuild the Manor again, this time using Sir Robert Smirke (1780 – 1867), a fashionable London architect. The rebuilding and improvement was continued by his son, the Prime Minister, who in particular added a picture gallery. Once Peel became Prime Minister, there were many famous visitors at Drayton Manor, including Queen Victoria, Prince Albert and Sir Walter Scott. The Manor remained in the Peel family until the 20th century.⁽²⁾

Much of the family fortune was lost by the 4th baronet, a gambler, who is reputed to be the man ‘who broke the bank at Monte Carlo’, using his winnings to pay off some of his debts. His only son, the 5th Sir Robert Peel, married the actress, Beatrice Lillie, in 1920. Their son was the last Sir Robert Peel and was killed in the Second World War. The Manor had been put up for sale in 1926 but there were no buyers. It was requisitioned in the Second World War and appears to have been demolished soon afterwards. The park was bought 1949 and turned into a pleasure park and zoo.⁽²⁾

1.4.2 Church of St. Peter

The parish church of St. Peter is Grade II* listed, and is the only listed building within the village.

14/19 Church of St. Peter 27.2.64 GV II*

Parish church. Probably C15 with rebuilding of 1793 and circa 1855. Ashlar; slate roof with

coped verges. West tower, 3-bay nave, single-bay chancel all with diagonal buttresses, north-east vestry. West tower: C15. 3 stages marked by off-sets, crenellated parapet; massive buttress at north-west corner. Large pointed south doorway with wide chamfered jambs; the arch has 2 orders of half-roll and fillet and one order comprising 2 sunken chamfers separated by a fillet; small rectangular window above with hood mould; pointed belfry windows of 2 trefoil headed lights with quatrefoil above bounded by short supermullions. Nave: 1793. Pointed windows of 2 trefoil-headed lights and a single reticulation, hood moulds with foliated stops. Chancel: circa 1855. Pointed south door of 2 moulded orders; pointed east window of 3 lights with reticulated tracery and hood mould with foliated stops. Vestry: east door with Caernarvon arch head; north window of two trefoil headed lights. Interior: pointed and widely splayed door to tower; high pointed chancel arch; pointed door each side of the chancel. Nave roof has braced tie beams, the braces springing from stone corbels, arch braced collars, 2 pairs of purlins and a ridge piece, the chancel has an arch braced collar roof. West gallery housing the organ, served by a wooden staircase with splat balusters. Fittings: full set of C19 box pews; good oak pulpit of 1875, octagonal, Gothic style panels, brass balustrade; reading desk of 1875 with open panels. Wooden altar rail, pair of Gothic style arm chairs and altar table, all circa 1855; octagonal stone font, 5 columns with stiff-leaf capitals form the pedestal. Monuments: Sir Robert Peel (the statesman), died 1850, by White of Vauxhall Bridge Road, Gothic style, elaborate traceried canopy over a large inscription panel with black lettering, set within a panelled wooden enclosure. Aedicule to Sir Robert Peel, died 1830. Tablets to Samuel Cooper Esquire, died 1816; Dickenson family, circa 1846; John Webster, died 1849; Webster family, circa 1830; Alice Mayou, died 1837. Stained glass: all the windows of the nave and the east windows were inserted in 1875, nothing special.⁽³⁾

In 1327, a Ralph Lord Bassett was licensed by King Edward III to discharge a debt in land in Nether Whitaker, in the county of Warwickshire, by building a Chantry (an endowed Chapel). Evidence suggests that this Chantry was built on the site of St John's Chantry, dedicated to John the Baptist; now the Church of St Peter's, Drayton Bassett.⁽⁴⁾

Historical documents describe it as being "a beautiful and rich specimen of Gothic Architecture, consisting of a lofty Nave and Chancel forming one handsome room 100ft by 44ft. At each end were very lofty and spacious stained-glass windows. There were no pillars or arches - instead the hammer beam timbered roof was "supported on buttresses in the same way as in Westminster Hall".⁽⁴⁾

The two oldest monuments were in the Nave, under the arches in the wall sculptured upon alabaster slabs representing the heads of a man and woman lying under a rich Gothic arch. On the Chancel floor was another ancient slab, formerly inlaid with brass figures and an inscription supposed to have been for Ralph Lord Bassett.⁽⁴⁾

The Church fell into neglect and was further damaged in a storm in 1792 when the leaden roof was blown off. The Church was then taken down and rebuilt on a much smaller scale and plainer. The only remaining section is the old tower. This portion of the North wall is clearly all that remains of the old Church and still contains the ringers' chamber.⁽⁴⁾

The body of the famous Sir Robert Peel, 2nd Baronet, was entombed in 1850 and in his memory the Church was enlarged and improved by his family three years later. The walls and buttresses were altered to their present dimensions, the roof raised and the round headed window taken out, built higher and made pointed. At this time the present Chancel and Vestry were built. The current Parish Church is probably 15th century with rebuilding around 1793 and 1855.⁽⁴⁾

Although no major work has been undertaken since the Peels left Drayton Manor, a succession of generations have maintained the fine old building. A major task was the restoration of the Church clock which took three years to complete. The west gallery houses the organ built in 1875 by Harstons of Tamworth. This is served by a wooden staircase with splat balusters.⁽⁴⁾

Inside the Church are a full set of 19th century box pews. Improvements in 1875 include a good octagonal oak pulpit featuring Gothic style panels and brass balustrade and a reading desk with open panels. The stone font, still in use today, is octagonal and has five pillars with the pedestal consisting of stiff-leaf capitals.⁽⁴⁾

1.4.3 Schools

A school was established by Lady Julia Peel, the wife of the Prime Minister, in 1830 for the poor children of the village and housed in Old School Row. In 1905 this was replaced by a public elementary school, now the Manor Primary School.⁽²⁾

1.5 Built Form and Village Morphology

All of the buildings in the historic core of the village that are recorded on the first edition Ordnance Survey map of 1884 are included in the proposed conservation area.

Map regression ⁽⁵⁾ shows that the historic core of the village remained a separate unit until the 1960s when encroachment of modern housing filled the field immediately to the west of New Row. There has been infilling of the spaces in both the historic core of the village and to the west and south of the village since 1961. The only major change within the historic core of the village since the first edition mapping in 1884 and 1961 was the building of the new school in 1905.

1.5.1 Map editions consulted:

1884 (1:2500)

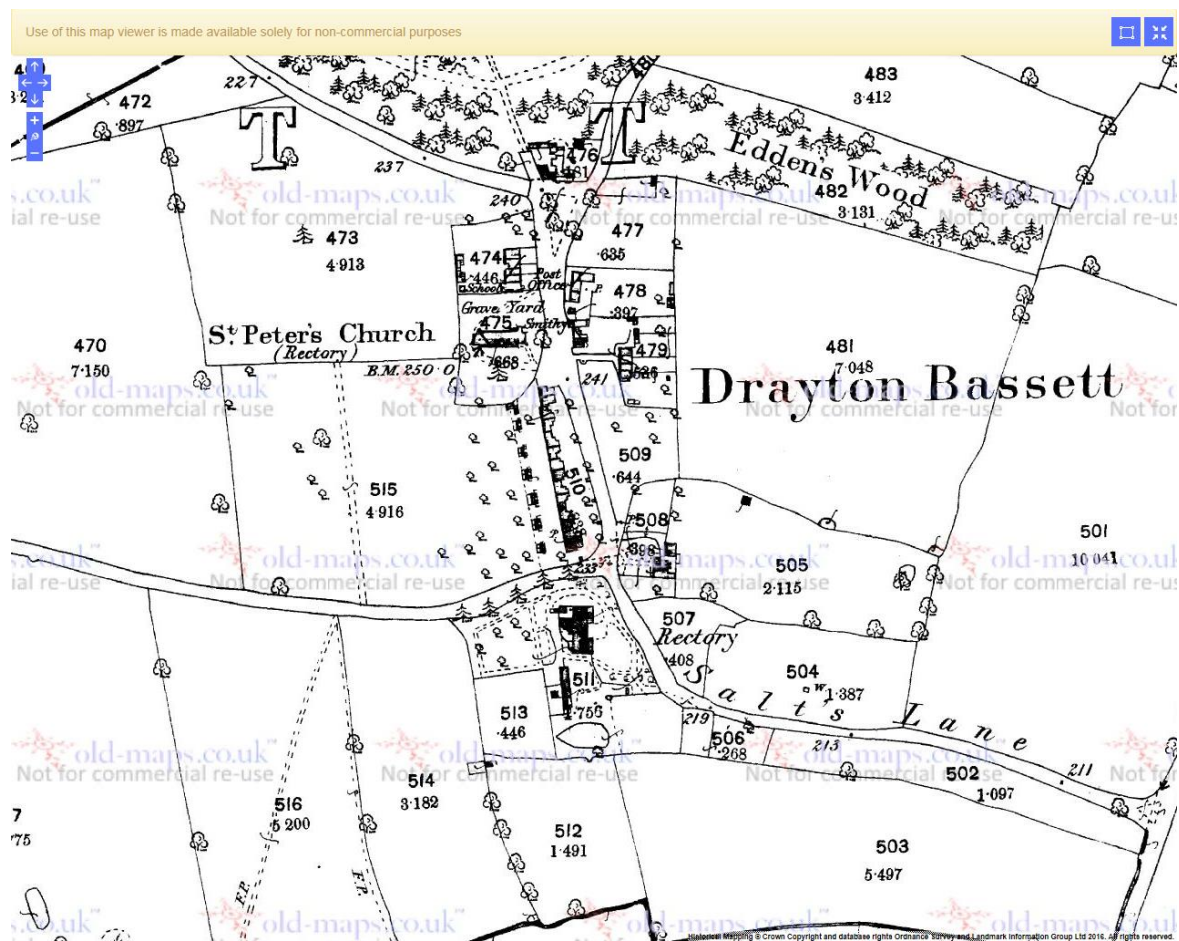
1903-4 (1:2500)

1924 (1:2500)

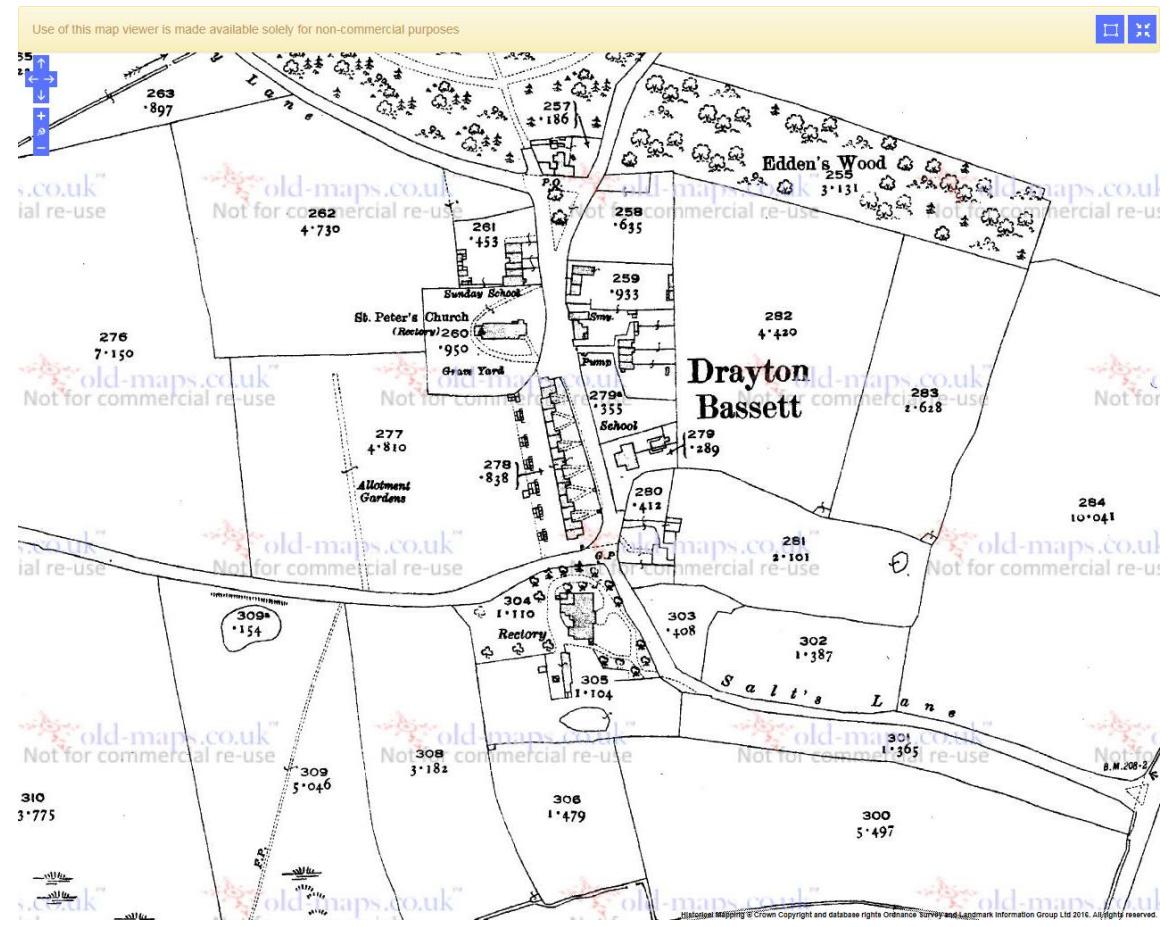
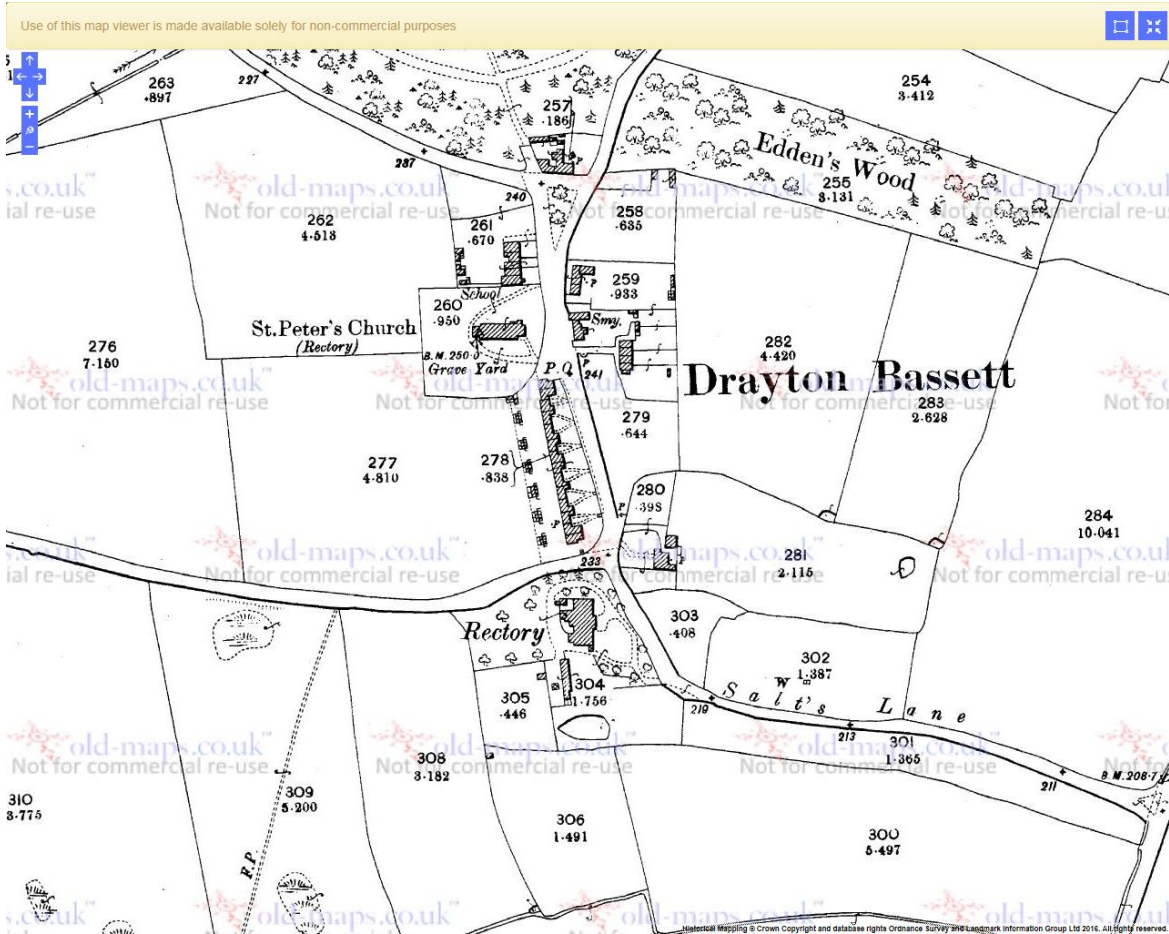
1955-57 (1:2500)

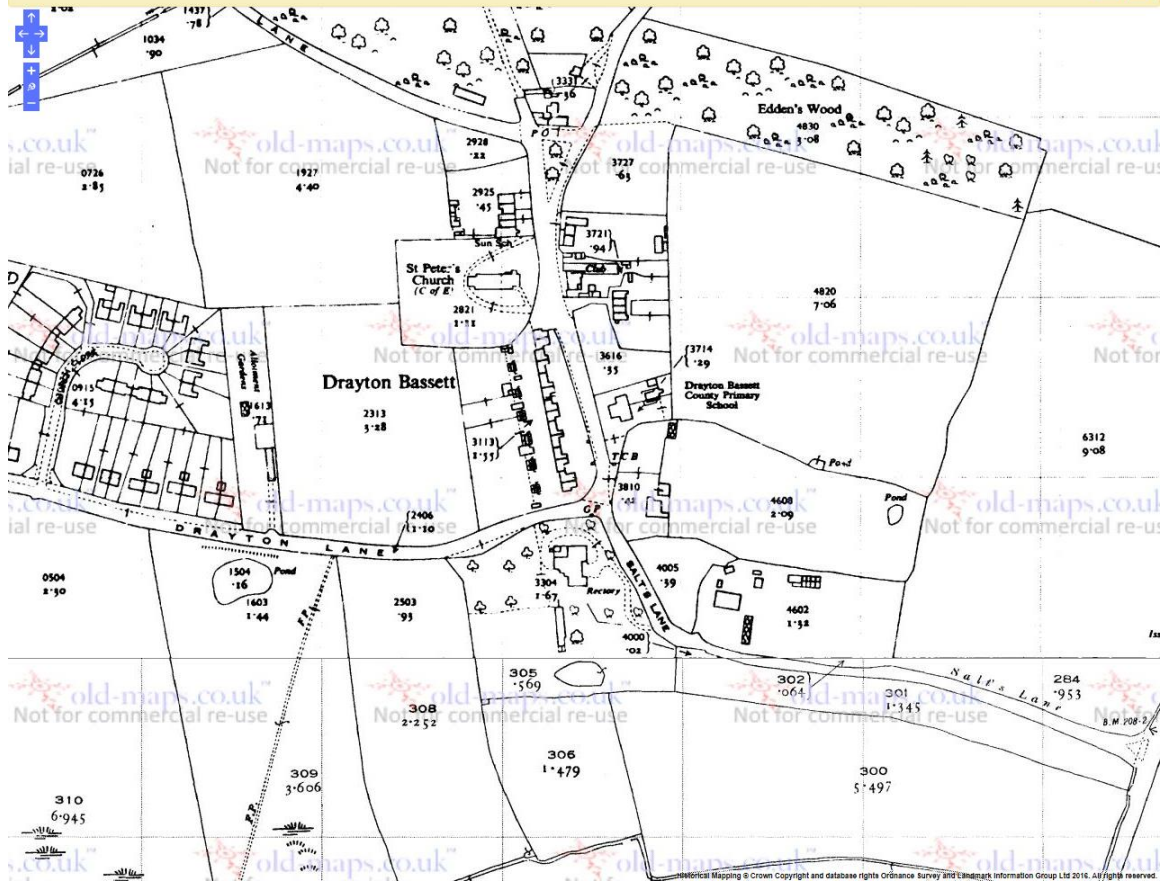
1961 (1:2500)

1971 (1:2500)

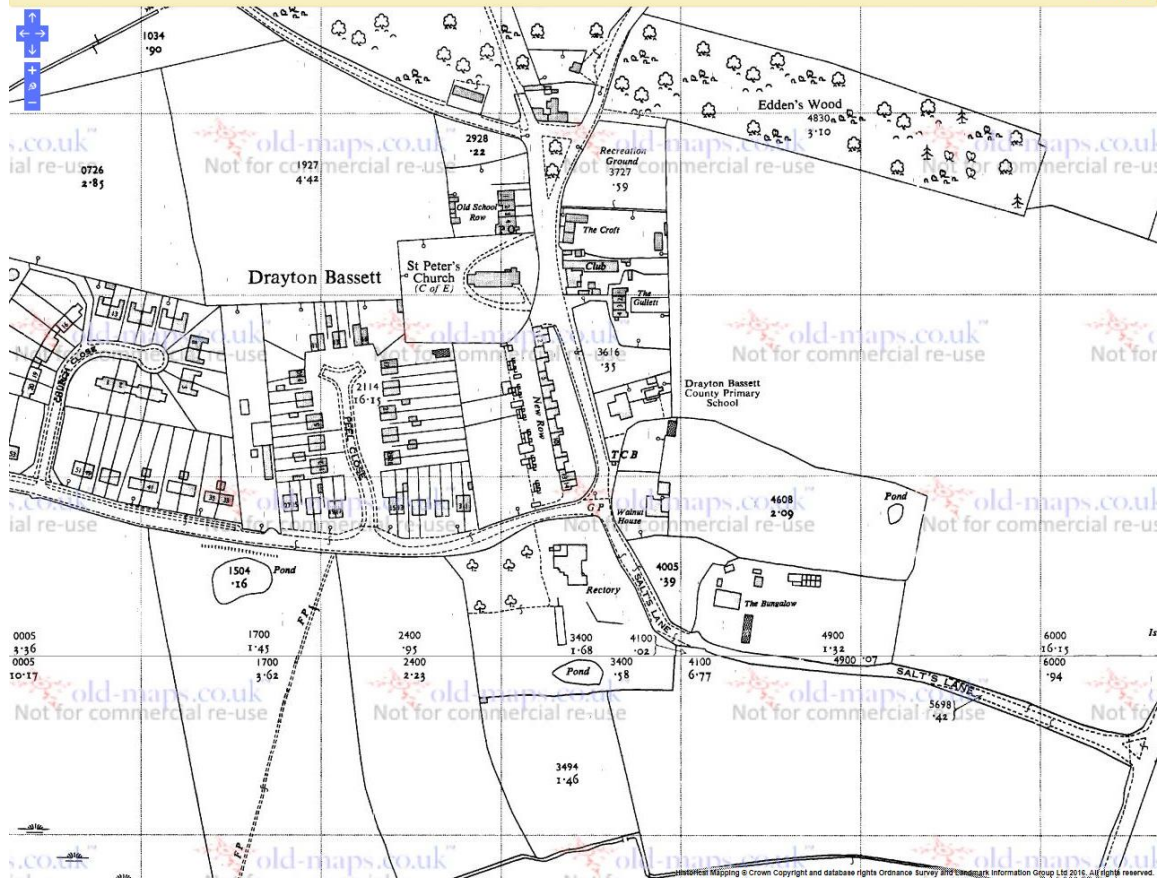


1884 (1:2500)

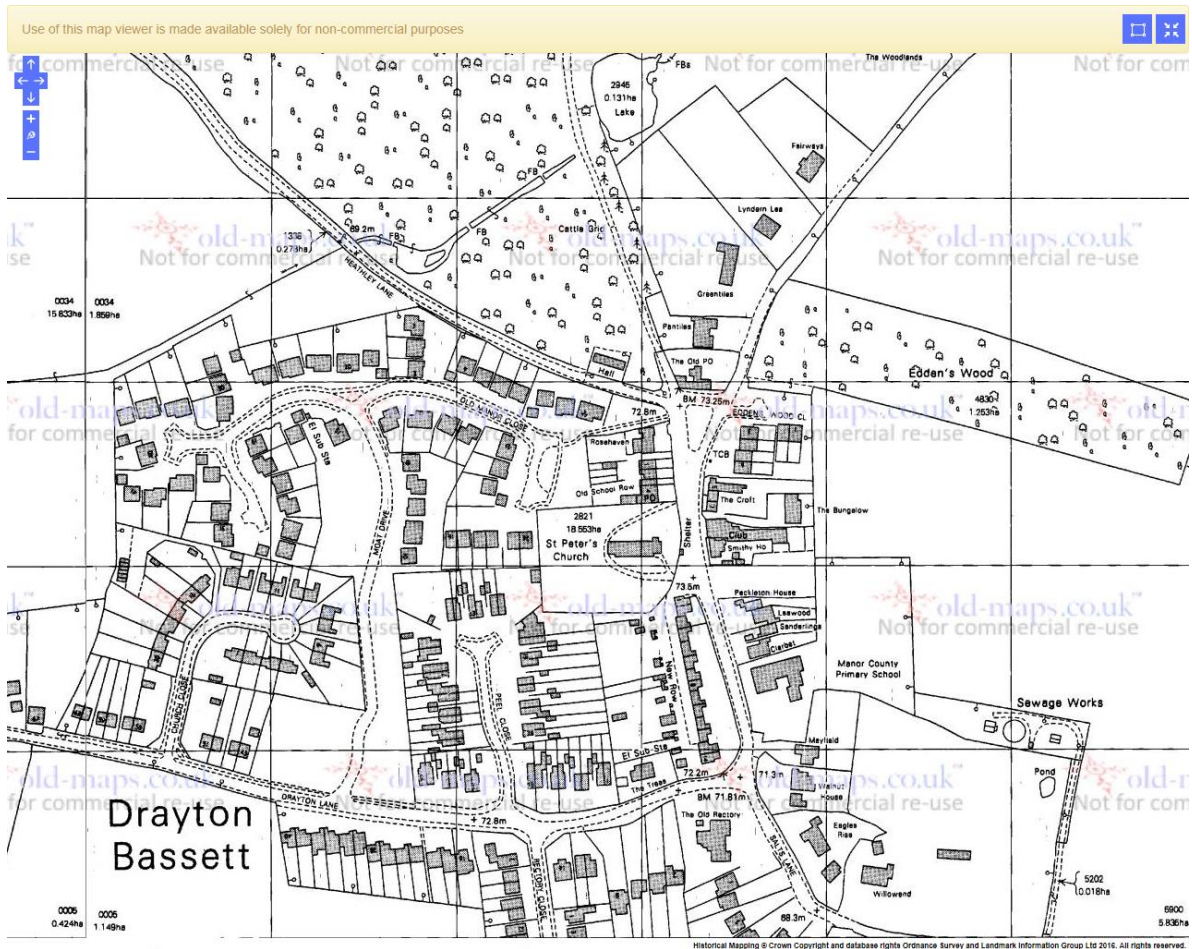




1955-57 (1:2500)



1961 (1:2500)



1971 (1:2500)

1.5.2 Buildings:

Church of St. Peter, Drayton Lane (Grade II*)

1 – 14 New Row

The Old Rectory, Salts Lane

Walnut House, Drayton Lane

Smithy House, Drayton Lane

1 – 4 Old School Row, Drayton Lane

1 – 3 The Croft, Drayton Lane

The Old Post Office, The Green, Drayton Lane

Drayton Bassett Working Men's Club, Drayton Lane

Manor County Primary School, Drayton Lane

1.6 Public Realm, Open Spaces and Trees

The principal open spaces within the proposed conservation area are the triangular village green in front of the Old Post Office and St. Peter's churchyard.

1.6.1 St. Peters Churchyard

The churchyard is the largest area of open green space within the proposed conservation area and contains several mature trees. These trees positively contribute to the character of the proposed conservation area.

1.6.2 Village Green

The small village green at the northern end of the proposed conservation area formed by the junctions of Drayton Lane and Heathley Lane is a focal point for this part of the village. The mature trees and planting positively contribute to the character and appearance of the conservation area.

1.7 Assessment of Condition

The general condition of the area proposed is in a reasonable condition with the majority of properties being occupied. There are a couple of properties which at the time of survey appeared to be empty, however, they do not appear to have significantly deteriorated.

There is an area of surface car parking adjacent to Smithy House in the centre of the village, which would be considered an area for potential improvement.

1.8 Protection Offered by Designation

The important, overriding policy regarding a conservation area is that new development should pay special regard to the character or appearance of the conservation area, additional controls also exist to protect existing buildings and features from adverse change.

Means of Protection	Explanation	Sources of Information
National Planning Policy	Conservation Areas are designated heritage assets and as such there is a national presumption in favour of their conservation.	NPPF
Local Plan Strategy (2015) and Development Management Decisions	Local Authorities are required by S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas when drawing up plans or considering development proposals both within the designated area and outside it if they would affect the setting or views into or out of it.	NPPF and Local Plan policies
Restrictions on Permitted Development Rights	A wide range of minor works are permitted to commercial, residential and other properties without the need for formal planning permission. These are known as Permitted Development (PD) rights and are granted by the Secretary of State nationally through the Town and Country Planning (General Permitted Development) Order (GPDO). In conservation areas rights are restricted where development might be visible from the public realm.	CLG Technical Guidance on PD rights.
Control over Demolition	Planning permission is required for the demolition of a building in a conservation area. It remains a	Enterprise and Regulatory Reform Act 2013

	criminal offence to fail to obtain planning permission prior to demolition.	
Control Over Works to trees	Under S211 of the 1990 Planning Act anyone proposing to cut down, top or lop a tree within a conservation area (with the exception of trees under a certain size, or those that are dead, dying or dangerous) is required to give 6 weeks notice to the local planning authority. The purpose of this requirement is to give the authority the opportunity to make a tree preservation order which then brings any works permanently under control.	DCLG Guidance
Restrictions on outdoor Advertisements	Certain categories of advertisement which have 'deemed consent' under the Advertisement Regulations are restricted within conservation areas. These include illuminated advertisements on business premises and advertisements on hoardings around building sites. In addition balloons with advertisements are not exempt from the need for advertisement consent in conservation areas.	Restrictions on outdoor advertisements

1.9 Proposed Conservation Area Boundary



The proposed conservation area covers an area of 2.29 hectares (5.65 acres), and has been drawn up to provide a logical defensible boundary to the proposed conservation area.

1.10 Footnotes

- (1) Staffordshire County Council (February 2009), Appendix 2: Historic Environment Character Area overview reports; Historic Environment Character Area (HECA) 2b
- (2) Drayton Bassett history; <http://www.draytonbassett.info/history/introduction> (accessed 29.11.2016)
- (3) Historic England
- (4) St. Peter's Church, Drayton Bassett; <http://www.dbpcc.force9.co.uk/history.html> (accessed 29.11.2016)
- (5) Old-Maps online database; <https://www.old-maps.co.uk/#/Map/419500/300500> (accessed 29.11.2016)

1.11 Bibliography

Historic England, 2016, Conservation Area Designation, Appraisal and Management

SECTION 2 – CONSERVATION AREA MANAGEMENT PLAN

2.1 Introduction

A conservation area management plan sets out mid to long term strategy for the management of a conservation area. This plan is informed by Section 1 of this document which formed the appraisal of the conservation area which identified its special character and significance.

National Policy and Legislative Context

The preparation of a management plan for each of its conservation areas is one of the Council's statutory obligations under Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

This management plan is informed by the Historic England document 'Conservation Area Designation, Appraisal and Management' 2016.

The Local Plan

Current planning policies for Lichfield District, including those covering developments within conservation areas, are set out in the National planning Policy Framework (NPPF), the Local Plan Strategy which was adopted on 17th February 2015 and Supplementary Planning Documents in particular the Historic Environment SPD which was adopted in December 2015.

The conservation appraisal and the management plan will be complimentary to the conservation policies contained within the Local Plan Strategy.

Development Control Decision Making

A consistency of approach to determining planning applications is at the centre of a fair system of managing change, especially within conservation areas. Consistent decisions also lead to an improved public perception that the system is fair and, in turn there is a greater public engagement with the process.

Consultation

The draft document is subject to approval by the Council's Cabinet. In line with existing policies of Lichfield District Council the Drayton Bassett Conservation Area Appraisal and Management Plan will go through full public consultation. Furthermore the Historic England document, Guidance on the management of conservation areas, states that, "involving the local community in their development is essential if the proposals are to succeed." Following this the final document will be submitted to the Council's Overview and Scrutiny committee before going to the Council's Cabinet and then Full Council for final approval.

Resources

The proposed actions contained within this Management Plan will be carried out using existing Council resources unless otherwise stated.

2.2 Planning Policies & Guidance

2.2.1 Boundary Changes

U(2)It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.

Under Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 local planning authorities should from time to time review existing conservation area designations and consider whether they should remain designated or if further areas should be designated. Therefore the boundaries of the conservation area will be reviewed from time to time.

Action 1

The District Council will review the boundaries of the conservation area and where appropriate considers amendments to the boundary.

2.2.2 Heritage Assets and Climate Change

NPPF states in paragraph 17 that where planning is concerned, plan making and decision taking should support the transition to a low carbon future in a changing climate and encourage the reuse of existing resources.

A number of non-listed buildings within the Drayton Bassett Conservation Area have seen the installation of plastic windows and doors, which have inadvertently had a negative effect on the area's character. Installation of solar panels can also harm the character and appearance of an area. Decisions over future installation should be balanced against the significance of the heritage assets. Ideally during pre-application discussions, local authorities should help the applicant to identify feasible solutions that deliver similar climate change mitigation but with less or no harm to the significance of the heritage asset and its setting.

Action 2

The Council will provide advice to owners, occupiers and other stakeholders in relation to works to heritage assets that will mitigate the impact of climate change without causing harm to the significance of the heritage asset.

2.2.3 Article 4 Directions

Permitted development rights are those minor developments for which planning permissions is automatically granted. These rights are more restricted within a Conservation Area than elsewhere.

The local authority has the ability under Articles 4 of the Town and Country Planning (General Permitted Development) Order 1995 to withdraw certain permitted development rights. These are commonly used within Conservation Areas to withdraw permitted development rights for certain works affecting the external appearance of dwelling houses or their boundaries where these works may constitute the removal or alteration of a feature which is important to the character of the Conservation Area.

It is proposed to put an Article 4 direction on a number of properties within Drayton Bassett Conservation Area. These properties are listed in Appendix A along with a schedule of the categories of development is it proposed to restrict.

Action 3

The Council will put an Article 4 direction on the dwelling houses in Drayton Bassett Conservation Area listed in Appendix A

2.2.4 Lichfield's Register of Buildings of Special Local Interest

A number of historic buildings have been identified, which do not fit the strict criteria for statutory listing but are important in the local area, these are marked as positive buildings on the Conservation Area map and are listed in Appendix B. If appropriate these will be proposed for addition to the Council's Register of Buildings of Special Local Interest.

In addition to those already suggested, further buildings and structures may be proposed for inclusion on the list. The criteria for eligibility for the list of Buildings of Special Local Interest are included in Appendix B and are published on the Council's web-site.

Action 4

- a) The Council will add the buildings listed in Appendix B to the list of Buildings of Special Local Interest.
- b) The Council will continue to compile a list of Buildings of Special Local Interest (the 'Local List') and develop policies promoting their retention and improvement.

2.2.5 Outdoor Adverts

All outdoor advertising affects the appearance of the building or place where it is displayed. All outdoor advertising should contribute in a positive way to the appearance of the Conservation Area. Unauthorised and inappropriate signage will be enforced against, where appropriate.

Action 5

The Council will ensure that all proposed advertisements accord with policy set out in the emerging Local Plan.

2.2.6 New Development

Any future development in the Conservation Area needs to preserve or enhance its character and appearance. The pattern and grain of the area is part of the character and appearance and this needs to be respected.

The use of appropriate traditional materials is important when extending and/or developing within the Conservation Area such as, but not exclusively, Staffordshire red brick, clay tiles, painted timber windows and doors. Alternatively, in some locations, a more modern approach can be taken using high quality contemporary designs and materials.

The existing developments marked as positive buildings on the Conservation Area map in section 1 enhance the character of the village architecturally, and should be used as a precedent, to ensure that any new development is sympathetic to its surroundings to enhance the character.

If the special interest of the Conservation Area is to be protected in the future, development should only be allowed where it will fit in with the existing historic, linear form of development; where it

does not impinge on the setting of historic buildings; and where it does not result in the loss of important green open space.

Action 6

The Council will continue to monitor all planning applications very carefully and ensure that new development does not have an adverse impact on the existing buildings or important landscape features of the conservation area in accordance with policies in the emerging Local Plan and any corresponding policies in the future.

2.3 Regeneration and Enhancement

2.3.1 Grant Funding

The Council currently administers a small grants scheme available for works to historic buildings which are considered to be at risk. It will also support and assist where practicable groups or individuals seeking grant funding from alternative sources to carry out necessary works to historic buildings within Drayton Bassett Conservation Area.

Action 7

The Council will continue to offer support and assistance to groups or individuals seeking grant funding to carry out works to historic buildings within Drayton Bassett Conservation Area.

2.4 Street and Traffic Management

2.4.1 Public Realm

At present the streetscape and public realm within Drayton Bassett Conservation Area is relatively uncluttered and does not detract from the character or appearance of the Conservation Area. However, any future works to the streetscape and public realm should be carried out in a way that is sympathetic to and compliments the character of the area.

Action 8

The Council will work together with other stakeholders to discuss and, if appropriate, implement a high quality, coherent style of public realm enhancement schemes within the Conservation Area.

2.5 Trees, Open Space and Green Infrastructure

2.5.1 Landscape Setting and Views

Areas close to the boundary of the Conservation Area and important views outwards from the boundary should be protected. Measures should be undertaken to protect these views from future development which may obscure them.

The natural environment plays a very important contribution to the Conservation Area. The trees, hedges and green spaces are intrinsic parts of the special character of the Conservation Area. The importance of these elements must be recognised and preserved.

Action 9

- a) The Council will seek to ensure that development on the edges of the Conservation Area preserves or enhances the special interest of the Conservation Area and causes no harm to that special interest.
- b) The Council will seek to ensure that these important views remain protected from inappropriate forms of development and also that due regard is paid to them in the formulation of public realm works or enhancement schemes.

2.5.2 Trees and Hedgerows

Important individual trees, groups of trees, hedges and open green spaces should be retained. The loss of these green open spaces, trees and hedges would be damaging to the area, by eroding its traditional idyllic character.

Action 10:

The Council will continue to work with landowners and other stakeholders to manage trees and hedgerows within the Conservation Area in a manner that recognises the important positive contribution they make to the character of the Conservation Area.

2.6 Enforcement and Remediation

2.7.1 Buildings at Risk

The Historic England 'Heritage at Risk Register' is published annually and includes all types of heritage assets which are at risk including Grade I and II* Listed Buildings, Scheduled Monuments and Conservation Areas.

There are currently 3 Listed Buildings, 4 Scheduled Monuments and 1 Conservation Area within the District of Lichfield on the Historic England 'Heritage at Risk Register' (2017 edition). The Council has a Building at Risk survey of all the listed buildings within the District. Strategies are in place and resources are targeted at buildings identified as being at Risk.

There are no listed or unlisted buildings within the conservation area that are considered to be at risk.

Action 11

- a) The Council will continue to carry out a rolling Building at Risk survey.
- b) Where appropriate the Council will use its legal powers to ensure necessary works are carried out to ensure the long term conservation of historic buildings.

2.7.2 Planning Enforcement

In some cases the development control process is not fully adhered to and planning permission is not always sought or implemented correctly. In these cases it is important that enforcement action is swift and effective. This will reinforce the message that the development control process is fair and that it must be followed in all cases. Usually, enforcement action does not result in legal action, but it is resolved through effective communication between the Council representatives and the relevant party. However, if appropriate the Council will consider the commencement of legal action.

Action 12

Where appropriate the Council will take enforcement action against unauthorised works within the Drayton Bassett Conservation Area.

2.7.3 Monitoring

The Council will continue to monitor the Conservation Area to assess the effectiveness of the management plan and the impact of any changes on the special character of the Conservation Area.

Action 13

- a) The Council will monitor changes in the appearance of the Conservation Area.
- b) The Council will review and if necessary modify the management proposals to reflect the current opportunities and issues affecting the Conservation Area.

SECTION 3 – REFERENCES, APPENDICES AND CONTACT DETAILS

Appendix A Article 4 Direction

What is an Article 4 Direction?

All residential dwellings have what are called permitted development rights, that is certain types of small development that are deemed to have already been given permission therefore they do not require an application for planning permission to be made to the Council. An Article 4 Direction withdraws certain of these permitted development rights meaning that an application for planning permission is required for these small works.

What buildings can be covered by an Article 4 Direction?

In order for a property to be covered by an Article 4 Direction it must be a residential dwelling in a Conservation Area that faces a highway, waterway or other public open space. Commercial properties, multiple occupancy properties (ie. Flats) or properties that face a private road or driveway cannot be covered by an Article 4 Direction.

What is the impact of owning or living in such a property?

If a property is covered by an Article 4 Direction it will be necessary to apply for planning permission for the items of work listed in paragraph A6, which otherwise would be considered to be permitted development. There would be no fee for these applications although the necessary drawings and plans would need to be submitted. Just because a property is covered by an Article 4 Direction does not mean that planning permission will not be granted, simply it is a method for managing changes within Conservation Areas in a way that should protect their special character.

Why are Article 4 Directions so important?

They are used to protect the special features of properties that positively contribute to the special character and appearance of the Conservation Area. The Council has a statutory duty to preserve and enhance the special character and appearance of a Conservation Area and Article 4 Directions are one of the tools that Council's can use to achieve this.

Schedule of properties proposed for Article 4 Direction

Road	Property
Drayton Lane	1 – 14 New Row Walnut House Smithy House

Proposed categories of development to be restricted

The Town and Country Planning (General Permitted Development) (England) Order 2015

Schedule 2

Part 1 Development within the curtilage of a dwellinghouse

- Class A. The enlargement, improvement or other alteration of a dwellinghouse
- Class B. The enlargement of a dwellinghouse consisting of an addition or alteration to its roof
- Class C. Any other alteration to the roof of a dwelling house
- Class D. The erection or construction of a porch outside any external door of a dwellinghouse
- Class E. The provision within the curtilage of the dwellinghouse of (a) any building or enclosure, swimming pool or other pool required for a purpose incidental to the

enjoyment of the dwellinghouse as such, or the maintenance, improvement or other alteration of such a building or enclosure; or (b) a container used for domestic heating purposes for the storage of oil or liquid petroleum gas

- Class F. Development consisting of- (a) the provision within the curtilage of a dwellinghouse of a hard surface for any purpose incidental to the enjoyment of the dwellinghouse
- Class G. The installation, alteration or replacement of a chimney, flue or soil and vent pipe on a dwellinghouse
- Class H. The installation, alteration or replacement of a microwave antenna on a dwellinghouse or within the curtilage of a dwellinghouse

Part 2 Minor Operations

- Class A. The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.
- Class C. The painting of the exterior of any building or work.

Part 11 Heritage and Demolition

- Class B. Any building operation consisting of the demolition of a building
- Class C. Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure.

Part 14 Renewable Energy

- Class A. The installation, alteration or replacement of microgeneration solar PV or solar thermal equipment on - (a) a dwellinghouse; or (b) a building situated within the curtilage of a dwellinghouse or a block of flats
- Class B. The installation, alteration or replacement of stand alone solar for microgeneration within the curtilage of a dwellinghouse
- Class E. The installation, alteration or replacement of a flue, forming part of a microgeneration biomass heating system on a dwellinghouse or a block of flats
- Class H. The installation, alteration or replacement of a microgeneration wind turbine on (a) a detached dwellinghouse; or (b) a detached building within the curtilage of a dwellinghouse or a block of flats

Appendix B Register of Buildings of Special Local Interest

What is the List of Buildings of Special Local Interest?

It is a list of buildings drawn up by Lichfield District Council which are of good design quality, attractive appearance and/or historic interest and which make a significant contribution to the attractive character of the locality.

What buildings can be included on the Local List?

In order to be included on the Local List a building must meet one or more of the criteria listed in paragraph B6. Any building, for example, houses, churches, pubs or structure, for example can be included. If judged by national criteria these buildings might not be considered suitable for designation as listed buildings (familiar to us as grade I, grade II*, grade II buildings) but they are still historic assets that are cleverly worthy of protection.

What is the impact of inclusion on the Local List?

Inclusion on the List of Buildings of Special Local Interest does not offer the statutory protection given to nationally listed buildings. It can be a material consideration in a planning application. Most Local Planning Authorities with Local Lists draw up policies which seek to ensure the retention of locally listed buildings and that any development does not detract from the buildings or their settings.

Why is the Local List so important?

The Local List is one of a palette of tools that the Council can use to help protect historic buildings within the District. Not all buildings within a Conservation Area positively contribute to its special character and inclusion on the Local List can help to identify those buildings that are important to the character of the Conservation Area and help to prevent any changes that would be detrimental to the building and the wider conservation area.

Schedule of properties proposed for local listing

Road	Property
Drayton Lane	1 – 14 New Row Walnut House 4 Old School Row War Memorial

Criteria for Proposed Local List Buildings

- Special architectural or landscape interest i.e. is it the work of a particular architect or designers of regional or local note? Is the building/landscape a particularly good example of its type/style?
- Special historic (social, economic, cultural) interest. (Most buildings and places will fall into this category).
- Association with well-known local historic persons or events.
- Contribution to the streetscape/townscape i.e. a group of unrelated buildings that make up an aesthetically pleasing group or a view that offers an attractive scene. Buildings may be illustrative of a range of historic periods which, taken together, illustrate the development of the locality. Views may be famously recognisable and regarded as an historic asset in their own right for example, views of Lichfield Cathedral from various points around the city.
- Group value of buildings designed as an architectural entity, especially as examples of town planning (e.g. model villages, squares, terraces).

References

Publications

- Historic England, 2016, Conservation Area Designation, Appraisal and Management

Web-based resources

- Historic England, The National Heritage List for England, <http://www.english-heritage.org.uk/professional/protection/process/national-heritage-list-for-england/>
- Historic England, Heritage At Risk Register, West Midlands, 2017, <http://www.english-heritage.org.uk/publications/har-2013-registers/>
- Drayton Bassett Parish Council, <http://www.draytonbassett.info/council/about>
- Staffordshire Past Track, <http://www.staffspasttrack.org.uk/>

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Tel: 01543 308000

E-mail: devcontrol@lichfielddc.gov.uk

For planning enforcement enquiries please contact our Enforcement Team

Tel: 01543 308205

E-mail: devcontrol@lichfielddc.gov.uk

For enquiries about trees please contact our Arboricultural Officer

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E-mail: arboriculture@lichfielddc.gov.uk

Lichfield District Council

District Council House

Frog Lane

Lichfield

Staffordshire

WS13 6YY

Lichfield City Neighbourhood Plan – Referral to Referendum

Report of the Cabinet Member for Economic Growth, Environment & Development Services

Date: 5 December 2017
Agenda Item: 12
Contact Officer: Patrick Jervis/Ashley Baldwin
Tel Number: 01543 308196
Email: Patrick.jervis@lichfielddc.gov.uk
Ashley.baldwin@lichfielddc.gov.uk
Key Decision? YES
Local Ward Members All Lichfield City ward members

Lichfield
district council
www.lichfielddc.gov.uk

CABINET

1. Executive Summary

- 1.1 This report relates to the preparation of a Neighbourhood Plan covering Lichfield City, which has recently been the subject of formal examination by an Independent examiner. The examiner is recommending that subject to a number of modifications being made to the plan that it can proceed to referendum. The District Council now has to consider the examiner's report and recommendations and if it so wishes resolve to progress the Lichfield City Neighbourhood Plan to referendum by way of issuing a Decision Statement.

2. Recommendations

- 2.1 That the Cabinet accepts and agrees to the making of modifications as set out in the 'Decision Statement regarding Lichfield City Neighbourhood Plan proceeding to referendum' hereby referred to as the Decision Statement (**APPENDIX A**) to the Lichfield City Neighbourhood Plan and allows the Plan to be proceed to the referendum stage.
- 2.2 That Cabinet approve the publication of the Decision Statement (**APPENDIX A**).

3. Background

- 3.1 Neighbourhood planning is one of the provisions of the 2011 Localism Act allowing local communities to bring forward detailed policies and plans which can form part of the statutory planning process for an area and its residents.
- 3.2 The Neighbourhood Planning (General) Regulations 2012 require that Neighbourhood Plans are subject to independent examination. The appointed independent examiner must consider whether a Neighbourhood Plan meets the 'Basic Conditions' as set out within the Independent Examiner's Report (<https://www.lichfielddc.gov.uk/Council/Planning/The-local-plan-and-planning-policy/Neighbourhood-plans/Downloads/Lichfield-City/Report-of-Independent-Examination-Lichfield-City-neighbourhood-plan.pdf>). Following the completion of an examination, the examiner must produce a report which can make one of three recommendations; 1) That the neighbourhood plan can proceed to referendum; 2) That subject to identified modifications the neighbourhood plan can proceed to referendum; 3) That the neighbourhood plan should not proceed to referendum.

- 3.3 The Lichfield City Neighbourhood Plan has been independently examined and it is recommended in the examiners final report that subject to the modifications outlined within the report the neighbourhood plan meets the ‘basic conditions’ and as such should proceed to referendum.
- 3.4 The Regulations 2012 require that upon receipt of the final report from an independent examination of a Neighbourhood Plan, the Local Planning Authority (Lichfield District Council) is required to consider the recommendations set out in the examiners reports and publish on their website a ‘decision statement’ which considers the recommendations of the independent examination within 5 weeks of receiving the report.
- 3.5 The report and proposed modifications have been considered by officers. On the basis of the assessment of the report and the proposed changes it is recommended that the District Council accepts the recommendations of the examiner and agrees all the respective modifications.
- 3.6 In line with the conclusions and recommendations of the examiner a proposed Decision Statement in respect of Lichfield City Neighbourhood Plan is attached at **APPENDIX A**. A modified version of the Neighbourhood Plan has been provided to clearly illustrate the proposed modifications ([APPENDIX B](#)).
- 3.7 The Cabinet is asked to note the examiner’s report for the aforementioned plan, including the specific recommendations, and agree the Decision Statement allowing for referendum to follow.
- 3.8 Next Steps - following a decision to allow a Neighbourhood Plan to proceed to referendum, the District Council will need to publish the Decision Statement online and provide the decision statement to the Qualifying Body and any other stakeholder who has requested to be notified of the decision. Following this the referendum will need to be organised.

Alternative Options	<ol style="list-style-type: none"> 1. Lichfield District Council declines to send the Lichfield City Neighbourhood Plan to referendum. This would mean the Neighbourhood Plan would retreat to an earlier stage of development. 2. The Qualifying Body withdraws the Neighbourhood Plan prior to Lichfield District Council making a formal decision as outlined within the Decision Statement. Again this would mean the Neighbourhood Plan would retreat to an earlier stage of development.
Consultation	<ol style="list-style-type: none"> 1. In line with the Regulations the draft Lichfield City Neighbourhood Plan has been consulted upon for at least the minimum required 6 week period at both the pre-submission and local authority publicity stages prior to their submission for Independent Examination. Alongside the submission of the Plan the Qualifying Body (Lichfield City Council) are required to submit a Consultation Statement detailing the consultation undertaken throughout the Neighbourhood Plan process. This statement was considered by the Independent Examiner along with all representations made at the Local Authority publicity period.
Financial Implications	<ol style="list-style-type: none"> 1. The Government has made grant aid available to District Councils in recognition of the level of resourcing required in the administration of Neighbourhood Plans. Government guidance states that ‘this money is to ensure LPAs receive sufficient funding to enable them to meet new legislative duties on neighbourhood planning. Specifically, it covers the

	<p>neighbourhood planning duties in the Localism Act which are to provide advice and assistance; to hold an examination; and to make arrangements for a referendum'. However it should be noted that the level of grant aid has decreased over time.</p> <ol style="list-style-type: none"> 2. Upon successful referendum the District Council becomes eligible and can apply for a grant of £20,000. 3. Communities with Neighbourhood Plans in place will also be entitled to 25% of the Community Infrastructure Levy (CIL) receipts generated by eligible development in their area. Communities with no Neighbourhood Plan will be entitled to 15%.
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Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> 1. The Neighbourhood Plan demonstrates that it is in broad conformity with the Local Plan Strategy which conforms with the Strategic Plan.
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Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> 1. The extensive consultation procedures provided for by the Planning and Compulsory Purchase Act 2004 ensure that consultation is undertaken with the wider community.
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Crime & Safety Issues	<ol style="list-style-type: none"> 1. Crime and Community safety issues may be considered as part of an emerging Neighbourhood Plan.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Plan received a 'no' vote in a referendum	Have regular dialogue with the Parish Council to ensure consultation and engagement gains 'buy in' from the community at the earliest opportunity.	Yellow
B	Parish decides to withdraw Neighbourhood Plan	Have regular dialogue with the parish Council to ensure understanding of process moving forward and the implications of withdrawing the plan.	Green

<p>Background documents</p> <ol style="list-style-type: none"> 1. Neighbourhood Planning (General) Regulations 2012 2. DCLG letter to Chief Planners 'Update on financial support for Neighbourhood Planning in 2016/17' 9th March 2016 3. Local Plan Strategy (Adopted February 17 2015) 4. Lichfield City Neighbourhood Plan Independent Examination Final Report 5. Lichfield City Neighbourhood Plan (June 2017)

Relevant web links

[Local Plan](#)

[Neighbourhood Plans](#)

[My Community Funding & Support](#)

[Lichfield City Neighbourhood Plan June 2017](#)

[Lichfield City Neighbourhood Plan Independent Examination Final Report October 2017](#)

Appendix B - <https://www.lichfielddc.gov.uk/Council/Meetings-committees-and-papers/Cabinet/2017/12/05/Reports/Item-12-Appendix-B-Lichfield-City-Neighbourhood-Plan-with-Modifications.pdf>

Appendix A – Decision Statement



Decision Statement Regarding Lichfield City Neighbourhood Plan Proceeding to Referendum

1. Summary

- 1.1 Following an Independent Examination, Lichfield District Council has recommended that the Lichfield City Neighbourhood Plan proceeds to referendum subject to the modifications set out in table 1 below. The decision statement was reported to Cabinet on DD/MM/YYYY where it was confirmed that the Lichfield City Neighbourhood Plan, as revised according to the modifications set out below, complies with the legal requirements and basic conditions set out in the Localism Act 2011, and with the provision made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Plan can therefore proceed to referendum.

2. Background

- 2.1 On 5th August 2017 Lichfield City Council requested that the Lichfield City Neighbourhood Area be designated for the purposes of producing a neighbourhood development plan for the area. Following a six week consultation Lichfield District Council designated the Lichfield City Neighbourhood Area on 10th December 2013.
- 2.2 In August and September 2016 Lichfield City Council published the draft Lichfield City Neighbourhood Plan for a six week consultation, in line with regulation 14 of the Neighbourhood Planning (General) Regulations 2012.
- 2.3 The Lichfield City Neighbourhood Plan was submitted by the City Council to Lichfield District Council on 3rd July 2017 for assessment by an independent examiner. The Plan (and associated documents) was publicised for consultation by Lichfield District Council for six weeks between 7th July and 18th August 2017 (the Local Authority publicity consultation). Mr Christopher Collison BA (Hons) MBA MRTPI MIED MCMI IHBC was appointed as the Independent Examiner and all comments received at the Local Authority publicity consultation were passed on for his consideration.
- 2.4 He has concluded that, subject to modifications, the Lichfield City Neighbourhood Plan will meet the necessary basic conditions (as set out in Schedule 4b (8) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011) and subject to these modifications being made may proceed to referendum.

- 2.5 Schedule 4B (12) of the Town and Country Planning Act 1990, as amended by the Localism Act 2011, requires that a local authority must consider each of the recommendations made in the Examiner's report and decide what action to take in response to each recommendation. If the authority is satisfied that, subject to the modifications being made, the draft Neighbourhood Plan meets the legal requirements and basic conditions as set out in legislation, then the plan can proceed to referendum.

3. Lichfield City Neighbourhood Plan Examiner’s recommended modifications and Local Authority’s response

- 3.1 The District Council considered the Examiner’s report and the recommendations/modification contained within. Table 1 (below) sets out the Examiner’s recommendations (in the order they appear in the Examiner’s report) and Lichfield District Council’s consideration of these recommendations.
- 3.2 Table 2 sets out additional modifications recommended by Lichfield District Council with the reasons for these recommendations.
- 3.3 The reasons set out below have in some cases been paraphrased from the examiner’s report to provide a more concise report. This document should be read in conjunction with the Examiner’s Final report. Which is available via: www.lichfielddc.gov.uk/lichfieldnp

NB – Where modified text is recommended this will be shown in red with text to be deleted struck through (~~text to be deleted~~), and text to be added in bold type (**text to be added**).

TABLE 1

Section in Examined Document	Examiner’s Recommendation	Examiner’s Reason	Local Authority’s decision and reason
Policy 1, Page 15	<p>Independent Examiner’s Modification 1: Delete Policy 1: Cricket Lane Strategic Development Allocation and replace with the following “Non-Policy Action”.</p> <p>NON-POLICY ACTION A: CRICKET LANE STRATEGIC DEVELOPMENT ALLOCATION</p> <p>Lichfield City Council will liaise with developers and landowners to seek development of the employment part of the Cricket Lane Strategic Development Allocation that will maximise local economic and employment benefits, where this can be demonstrated to satisfy the sequential and impact tests; where good connections to adjacent residential areas and the City Centre can be achieved; and where development would not prejudice the re-instatement of the Lichfield Canal.</p>	<p>Policy 1 does not meet the Basic Conditions. The Policy is not consistent with strategic policy within the adopted Local Plan nor with National Policy within the NPPF with regards to sequential and/or impact tests. The neighbourhood plan does not include sufficient evidence to support the policy nor provide a practical frame work within which decisions on planning applications can be made. The neighbourhood plan process is a convenient mechanism to surface and test local opinion on matters considered to be important by the community and it is important that those matters should not be lost sight of.</p>	<p>Yes – to remove policy which does not meet the basic conditions and replace this with a non-policy action which makes clear an issue considered to be important to the community.</p>

LICHFIELD CITY NEIGHBOURHOOD PLAN REFERENDUM DECISION STATEMENT

<p>Policy 2, Page 17</p>	<p>Independent Examiner’s Modification 2: Modify Policy 2: Managed Workspace as follows:</p> <p>The provision of managed employment space that is generally viable for occupation by business start-ups will be strongly supported. Such development should only occur in a sustainable location. This can be provided wither as a stand-alone development or as part of a mixed use development, including residential-led schemes.</p>	<p>The policy includes the term “strongly supported”, the determination of planning applications does not allow for differentiation of types of support. Core Policies 1 and 2 of the Local Plan establish a policy regime for the assessment of sustainable development. It is unnecessary and confusing for the neighbourhood plan to introduce a separate policy requirement in that respect. The policy does not provide a practical frame work within which decisions on planning applications can be made.</p>	<p>Yes – to be in accordance with national guidance and meet the basic conditions.</p>
<p>Policy 3, Page 17</p>	<p>Independent Examiner’s Modification 3: Modify Policy 3: Lichfield Business Village, University of Staffordshire Campus as follows:</p> <p>The expansion of managed workspace at Lichfield Business Village on the University of Staffordshire Campus or elsewhere in the City where it complies with other planning policy will be supported.</p>	<p>The policy does not provide a practical frame work within which decisions on planning applications can be made as is required by the NPPF.</p>	<p>Yes – to be in accordance with national guidance and meet the basic conditions.</p>
<p>Policy 4, Page 22</p>	<p>Independent Examiner’s Modification 4: Modify text of Policy 4: Primary Movement Routes from the second paragraph onwards as follows:</p> <p>Proposals to enhance the identified Primary Movement Routes will be strongly supported.</p> <p>Development adjacent to Primary Movement Routes must will be expected to:</p> <ul style="list-style-type: none"> • Make developer contributions through the Community Infrastructure Levy (CIL) toward the enhancement of these Primary Movement Routes, particularly at key points of 	<p>The policy does not provide a practical frame work within which decisions on planning applications can be made as is required by the NPPF. The policy sets out ‘expectations’ of development adjacent to primary movement routes. An exception without implication does not provide a basis for decision taking.</p>	<p>Yes – to be in accordance with national guidance and meet the basic conditions.</p>

LICHFIELD CITY NEIGHBOURHOOD PLAN REFERENDUM DECISION STATEMENT

	<p>conflict between pedestrians/cyclists and vehicular traffic; and</p> <ul style="list-style-type: none"> • Not have a severe adverse unacceptable impact on the Primary Movement Routes, in particular through the creation of significant additional traffic movements which would have a detrimental impact on the safety or flow of pedestrian access. 		
<p>Non-Policy Action A, Page 22</p>	<p>Independent Examiner’s Modification 4: Rename Non-Policy Action A as Non-Policy Action B.</p> <p>Add the following as a second sentence to the non-policy action:</p> <p>The City Council propose to utilise developer contributions (including the City Council’s ‘meaningful proportion’ of the Community Infrastructure Levy) arising from developments adjacent to Primary Movement Routes to enhance those routes particularly at key points of conflict between pedestrians/cyclists and vehicular traffic.</p>	<p>To provide necessary clarification regarding the sources of funding.</p>	<p>Yes – to provide clarity in terms of the contributions being referred to.</p>
<p>Policy 5, Page 23</p>	<p>Independent Examiner’s Modification 5: Delete text of Policy 5: Signage and replace with the following:</p> <p>New or replacement directional signs will be supported where they do not visually detract from the historic city centre and other heritage assets.</p> <p>Insert new Non-Policy Action C: Funding Signage after policy 5 as follows:</p> <p>The City Council propose to utilise developer contributions (including the Council’s ‘meaningful proportion’ of the Community Infrastructure Levy) to fund directional sign provision. Within the</p>	<p>The policy should have regard to elements of national policy that relate to requiring good design and the conservation and enhancement of the historic environment. The policy does not provide a practical frame work within which decisions on planning applications can be made as is required by the NPPF.</p> <p>To provide necessary clarification regarding the sources of funding.</p>	<p>Yes – to be in accordance with national guidance and meet the basic conditions.</p>

	<p>City Centre, assistance from the City Centre Business Improvement District will also be utilised.</p>		
<p>Policy 7, Page 28, Associated maps on pages 19,20,21 and 27</p>	<p>Independent Examiner’s Modification 6: Modify the text of Policy 7: Non-Retail Uses in the Retail Area, Lichfield City Centre as follows:</p> <p>In the Secondary Shopping Frontages of Lichfield City Centre (as defined on the Local Plan Proposals Maps and the Neighbourhood Plan Policies Maps), the introduction of non-A-class uses will be supported, provided it does not result in the loss of existing retail premises. Such uses include ‘pop up’ shops and cultural, creative and leisure uses introduced on a temporary basis or for specific events.</p> <p>Any conversion of ground and/or first floor A-class uses will only be supported should only be permitted where it can be demonstrated that the premises are no longer commercially viable. This should be demonstrated through a sustained marketing campaign of at least 12 months unless it can be demonstrated that an alternative marketing period is appropriate.</p> <p>Proposals in the City Centre conservation area and/or relating to listed buildings must ensure they protect and, where possible enhance these heritage assets. To be supported proposals that will harm the significance of the City Centre Conservation Area or a Listed Building in the City Centre must demonstrate the public benefit outweighs the harm to the heritage asset.</p> <p>Maps on pages 19, 20, 21 and 27 should be modified to reflect the Primary Frontages and Secondary Frontages shown on map 8.1 of the Local Plan Allocations document.</p>	<p>The policy does not provide a practical frame work within which decisions on planning applications can be made as is required by the NPPF. The policy as drafted does not adequately reflect paragraphs 133 and 134 of the NPPF which require the balancing of harm to the significance if a designated heritage asset against the public benefits of the proposal. The marketing period set out within the policy has not been sufficiently evidenced.</p> <p>To ensure there is consistency in respect of the primary and secondary frontages across the development plan as a whole and that these are based on the most up to date evidence.</p>	<p>Yes – to be in accordance with national guidance and meet the basic conditions.</p>

LICHFIELD CITY NEIGHBOURHOOD PLAN REFERENDUM DECISION STATEMENT

<p>Policy 8, Page 30</p>	<p>Independent Examiner’s Modification 7: Modify the text of Policy 8: Tourism and Cultural Industry Employment as follows:</p> <p>Development proposals that will create additional local jobs or protect existing jobs in the tourism or cultural industries will be strongly supported. This includes the temporary use of vacant retail/service (Use Class A) units or use if employment (Use Class B) units in the Primary Retail Frontages and Secondary Retail Frontages (identified on the Neighbourhood Plan Policies Map) where is it demonstrated the proposed use will not undermine the vitality and viability of the city centre This includes the use of vacant retail/service (Use Class A) or employment (Use Class B) units within the Primary Shopping Area.</p> <p>Rename Non-Policy Action B as Non-Policy Action D.</p>	<p>The policy does not provide a practical frame work within which decisions on planning applications can be made as is required by the NPPF. Modification to ensure Policies 7 and 8 become mutually consistent.</p>	<p>Yes – to be in accordance with national guidance and meet the basic conditions.</p>
<p>Policy 9, Page 32</p>	<p>Independent Examiner’s Modification 8: Modify the text of Policy 9: Linkages with Lichfield Cathedral as follows:</p> <p>Proposals to improve linkages between Lichfield Cathedral and Lichfield City Centre will be strongly supported where they do not have a detrimental impact upon the context and setting of the Cathedral and other heritage assets and where they are consistent with other national and local planning policy.</p>	<p>The policy does not provide a practical frame work within which decisions on planning applications can be made as is required by the NPPF. The determination of planning applications does not allow for differentiation of types of support.</p>	<p>Yes – to be in accordance with national guidance and meet the basic conditions.</p>
<p>Policy 10, Page 32</p>	<p>Independent Examiner’s Modification 9: Delete text of Policy 10: Views of Lichfield Cathedral and replace with the following:</p>	<p>Wording of the policy is imprecise. The policy does not provide a practical frame work within which decisions on planning applications can be made as is required by the NPPF.</p>	<p>Yes – to be in accordance with national guidance and meet the basic conditions.</p>

	<p>Development proposals in Lichfield City Centre must demonstrate that their design takes every opportunity to incorporate and enhance views of Lichfield Cathedral.</p>		
<p>Policy 11, Page 33</p>	<p>Independent Examiner’s Modification 10: Modify the text of Policy 11: Hotel Provision as follows:</p> <p>The provision of new hotel and other visitor accommodation space in Lichfield City, and particularly in Lichfield City Centre, will be strongly supported, subject to the sequential test being met. Potential sites for consideration include the Cricket Lane and former Quonians sites.</p>	<p>The policy does not provide a practical frame work within which decisions on planning applications can be made as is required by the NPPF. The determination of planning applications does not allow for differentiation of types of support. The policy as drafted is imprecise in terms of the type of accommodation being referred to. The reference to potential sites within the policy has not been sufficiently justified through the evaluation of options and application of the sequential test.</p>	<p>Yes – to be in accordance with national guidance and meet the basic conditions.</p>
<p>Policy 12, Page 35</p>	<p>Independent Examiner’s Modification 11: Modify the text of Policy 12: City Centre Redevelopment Sites as follows:</p> <p>Redevelopment schemes will be supported sites within Lichfield City Centre, including Bird Street Car Park and the former Woolworths building, which deliver high quality design that demonstrates full regard for the historic environment of the City Centre, and demonstrate that any main town centre and residential uses proposed will positively contribute to the viability and vitality of the City Centre. and a mix of the following will be supported:</p> <ul style="list-style-type: none"> • Managed B1-class workspace • B1-class office • A class retail that complements the existing offer in the City Centre 	<p>The policy does not provide a practical frame work within which decisions on planning applications can be made as is required by the NPPF and particularly has regard for national policy in relation to conservation and enhancement of the historic environment.</p> <p>It is unnecessary and confusing for the policy to refer to key views of the cathedral as Policy 10 within the neighbourhood plan establishes a development management approach in this respect.</p>	<p>Yes – to be in accordance with national guidance and meet the basic conditions.</p>

LICHFIELD CITY NEIGHBOURHOOD PLAN REFERENDUM DECISION STATEMENT

	<p>• Car parking on or off site</p> <p>Any development that does not provide for these uses as part of a mixed use development will be required to demonstrate, through a viability assessment, that inclusion of such uses would render a scheme unviable.</p> <p>Development proposals will be expected to ensure that they respect the historic environment of the City Centre and incorporate the key views of Lichfield Cathedral (Policy 10).</p>	Policy not supported by sufficient evidence in terms of why all schemes must include a mix of all the uses specified.	
Throughout document	<p>Independent Examiner’s Modification 12:</p> <p>Modification of general text [throughout the neighbourhood plan] will be necessary to achieve consistency with the modified policies and non-policy actions, and to correct identified errors including those arising from updates.</p> <p>The modifications are listed in the Annex to Report of Independent Examination October 2017. The annex does not specify the exact wording of any text changes, as such text changes relating to those areas identified in the annex and modification 12 are provided by the District Council and are set out within Table 2 below.</p>		Yes – for consistency with other modifications (see above)

TABLE 2

Section in Examined Document	Lichfield District Council Recommendation	Lichfield District Council decision and reason
Title Page	Add text to the title page as follows to signify that the document is the version of plan being voted upon at referendum. “Referendum Version” . NB – if the Plan is made “Referendum Version should be replaced with the date on which the plan is ‘Made’.	Yes – to clearly illustrate that this version of the Neighbourhood Plan is the document to be considered at the referendum.
Whole Plan	Renumber Policies to take account of Policy deletion recommend by Modification 1.	Yes – so that policy number is consecutive within the plan following the modification to remove specific policy.
Para 4.7	Modification part of Independent Examiner’s Modification 12.	Yes – to provide clarity as to the latest position identified within the Local Plan evidence.

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	<p>The District Council suggest the first sentence of paragraph 4.7 should be extended to state “a revised target of 1000-140m² per annum of office floorspace”. This clarification would be useful.</p> <p>Add the following to the end of the first sentence of the paragraph: ...of 1000-1400m² per annum of office floorspace.</p>	
Para 4.10	<p>Modification part of Independent Examiner’s Modification 12. The District Council considers the context of the quote from the Employment Land Review 2014 in paragraph 4.10 should be clarified and that the paragraph should be updated to reflect the emerging Local Plan Allocations document. Consideration should be given to the suggestion of the District Council that the words after “notably” in paragraph 4.10 should be deleted.</p> <p>Delete all text from “notably those in the...” to the end of the paragraph.</p>	Yes – to remove text which would be inconsistent with emerging policy based on up to date evidence and in line with Independent Examiner’s modification 12.
Figure 5.1, para 5.5	<p>Modification part of Independent Examiner’s Modification 12. Figure 5.1 comprises of 3 maps. The second and third of these maps include areas of land described in the key as ‘proposed residential and employment development’ and ‘proposed residential developments’. It should be made clear that these are not development proposals of the neighbourhood plan [rather they are allocations within the adopted Local Plan].</p> <p>Add additional sentence to the end of paragraph 5.5 as follows: It should be noted that ‘proposed residential developments and ‘proposed residential and employment development’ identified on figure 5.1 are allocated through the Local Plan Strategy not this neighbourhood plan.</p>	Yes – to provide clarity in line with Independent Examiner’s modification 12.
Para 5.11	<p>Modification part of Independent Examiner’s Modification 12. The District Council suggest reference to the Bird Street car park in paragraphs 5.11, 7.6, 8.3-8.7 should be modified.</p>	Yes – to remove be consistent with Independent Examiner’s modification 11 and in line with Independent Examiner’s modification 12.

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	Delete “the...of the Bird Street Car Park (Policy 12)” from the second sentence of the paragraph.	
Para 6.2	<p>Modification part of Independent Examiner’s Modification 12. Consideration should be given to whether the retail evidence base has subsequently been updated by WYG’s Centres Report of 2017,</p> <p>Add additional sentence to the end of paragraph 6.2 as follows: Updated evidence relating to retail and town centre matters was published in 2017 through the Lichfield Centres Report.</p>	Yes – to include reference to the latest retail and centres evidence.
Para 6.6	<p>Modification part of Independent Examiner’s Modification 12. The District Council states the reference to ‘Local Plan Proposals Map’ should be changed to ‘Local Plan Policies Map’ to be consistent with terminology used within the Local Plan.</p> <p>Change reference to Local Plan Proposals Map to Local Plan Policies Map.</p>	Yes – to use consistent terminology through the development plan and in line with Independent Examiner’s modification 12.
Para 8.5	<p>Modification part of Independent Examiner’s Modification 12. The District Council state that in paragraph 8.5 the word ‘heritage’ is replaced with ‘historic environment’ in the first bullet point of the paragraph to use the correct terminology.</p> <p>Replace ‘heritage’ with ‘historic environment’ in the first bullet point.</p>	Yes – to use the correct terminology.
Figure 5.1 – Map on page 19	Remove ‘retail area (Policy 7) from the map and the key.	Retail Area does not link to Policy 7 as recommended to be modified by the Independent Examiner.
Policies Maps, pages 37-38	Replace the primary and secondary frontages and primary shopping area shown on the policies maps with those from the emerging Local Plan Allocations policies maps which reflect the most up to date evidence.	To ensure there is consistency in respect of the primary and secondary frontages across the development plan as a whole and that these are based on the most up to date evidence.

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Policies Maps, pages 37-38	Modify text within key for both Policies Maps to ensure consistency with renumbered policies.	To ensure consistency with modifications to renumber policies within the plan following Independent Examiner's modification 1.
Para 4.14	Remove paragraph.	Yes – to remove be consistent with Independent Examiner's modification 1 which deletes Policy 1: Cricket Lane Strategic Development Allocation and replaces with a Non-policy Action.
Para 4.18	Remove paragraph	Yes – to remove be consistent with Independent Examiner's modification 1 which deletes Policy 1: Cricket Lane Strategic Development Allocation and replaces with a Non-policy Action.
Para 5.6	Replace '4' with '3'.	Yes – to be consistent with modification to renumber policies so that they are consecutive.
Para 5.9	Delete 'This is particularly important if the Cricket Lane SDA is going to successfully integrate a high quality employment offer into its mix of uses, as required by Policy 1.'	Yes – to remove be consistent with Independent Examiner's modification 1 which deletes Policy 1: Cricket Lane Strategic Development Allocation and replaces with a Non-policy Action.
Para 6.5	Replace '12' with '11'.	Yes – to be consistent with modification to renumber policies so that they are consecutive.
Para 7.2	Replace '7' with '6'.	Yes – to be consistent with modification to renumber policies so that they are consecutive.
Para 7.5	Replace '12' with '11'. Replace '4' with '3'.	Yes – to be consistent with modification to renumber policies so that they are consecutive.
Para 7.8	Replace '12' with '11'.	Yes – to be consistent with modification to renumber policies so that they are consecutive.
Para 8.5	Replace '10' with '9'.	Yes – to be consistent with modification to renumber policies so that they are consecutive.

our strategic plan at a glance

Read in full at www.lichfielddc.gov.uk/strategicplan

To be a strong, flexible council that delivers good value, quality services and helps to support a **vibrant and prosperous economy, healthy and safe communities** and **clean, green and welcoming places to live.**

How we create a vibrant and prosperous economy

How we create healthy and safe communities

How we create clean, green & welcoming places to live

What we will do

Between 2016 and 2020 we will place particular importance on:

- Promoting Lichfield District as a good place to invest through the roll out of the Local Plan.
- Ensuring our district is 'open for business' by welcoming and nurturing new enterprises to start up and succeed in our key business centres and rural areas.
- Delivering support, signposting and networking opportunities to existing businesses to help them thrive.
- Making it easy for businesses to interact with us.
- Understanding, monitoring and adapting to business needs and issues across the district.
- Encouraging increased visitors to our district, increased spend in the local economy and more overnight visitors.
- Delivering good quality and safe car parking in our key retail areas.

- Creating policies and events that promote healthy and active lifestyles for all, including young people – from cycle and safe walking routes, through to events, community activities and more.
- Providing support to help those with disabilities and older people stay healthy and active.
- Creating opportunities to increase the number of residents who are physically active, especially in hard to reach groups.
- Supporting and encouraging the development of clubs and other organisations to increase the quantity and quality of leisure and cultural opportunities across the district.
- Delivering a programme of disabled facilities grants to help people remain living safely at home
- Providing help and advice to prevent homelessness.

- Implementing our Local Plan which will ensure a controlled and balanced growth of the district.
- Developing supplementary planning guidance which will help to preserve our historic environment, support rural communities, and ensure the district continues to be an attractive place.
- Maintaining our parks and open spaces which encourage residents to enjoy the outdoors.
- Restoring the historic features of Stowe Pool and Fields.
- Our joint waste service continues to help our residents recycle a large percentage of their waste.
- Pursuing opportunities to transfer some open spaces to local organisations who can look after them for the enjoyment of all (e.g. playing fields).

By 2020 there will be:

- More local jobs and more people in employment.
- More new businesses locate in our district.
- More businesses succeed.
- More visitors and greater visitor spend in our district.
- A regenerated Lichfield City centre and an improved retail offer in Burntwood.

- More people will be active and healthy.
- More people will be involved in volunteering and community activity.
- Fewer people and families will be homeless.
- More people will feel safer and less worried about crime and anti-social behaviour.
- More people will be living independently at home.

- More affordable homes in the district.
- Our heritage and open spaces will be well maintained or enhanced.
- Our streets will be clean and well maintained.
- More people will use parks and open spaces.
- New homes, office, retail and manufacturing spaces will be built or developed in line with our Local Plan and planning guidance.

Our council By 2020:

- Our customers will be more satisfied.
- We will continue to be financially responsible.
- Our organisation will have clear corporate values and be committed to openness and transparency.
- More people will interact with us through our website and digital channels.
- We'll be more innovative in how we deliver services and make a difference locally.

This plan sets out the high level outcomes we want to achieve over the next four years. Every year we produce a one-year action plan that sets out the key activities we will deliver to drive forward the priorities set out in this plan in detail, and the measures and targets we use to check how we are doing. Read our actions plans at www.lichfielddc.gov.uk/actionplans



Lichfield
district council
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