

BIRMINGHAM CITY COUNCIL

CABINET

TUESDAY, 16 APRIL 2019 AT 10:00 HOURS
IN COMMITTEE ROOMS 3 & 4, COUNCIL HOUSE, VICTORIA
SQUARE, BIRMINGHAM, B1 1BB

A G E N D A

1 NOTICE OF RECORDING/WEBCAST

The Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site (www.civico.net/birmingham) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

2 APOLOGIES

To receive any apologies.

3 DECLARATIONS OF INTERESTS

Members are reminded that they must declare all relevant pecuniary and non pecuniary interests arising from any business to be discussed at this meeting. If a disclosable pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.

4 EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC

a) To highlight reports or appendices which officers have identified as containing exempt information within the meaning of Section 100I of the Local Government Act 1972, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.

b) To formally pass the following resolution:-

RESOLVED – That, in accordance with Regulation 4 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the public be excluded from the meeting during consideration of those parts of the agenda designated as exempt on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt

information.

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|------------------|----|--|
| <u>4 - 7</u> | 5 | <u>APPOINTMENTS TO OUTSIDE BODIES</u> |
| | | Report of the City Solicitor. |
| <u>8 - 26</u> | 6 | <u>NATIONAL MANUFACTURING COMPETITIVE LEVELS (NMCL) GRANT FUNDING OFFER £26M AND AMSCI FUNDS UPDATE</u> |
| | | Report of the Chief Finance Officer. |
| <u>27 - 54</u> | 7 | <u>PRIVATE SECTOR EMPTY PROPERTY STRATEGY 2019</u> |
| | | Report of the Acting Director - Neighbourhoods. |
| <u>55 - 102</u> | 8 | <u>PUTTING PREVENTION FIRST: COMMISSIONING AND PROCUREMENT STRATEGIES FOR VULNERABLE ADULTS HOUSING & WELLBEING SUPPORT</u> |
| | | Report of the Director, Adult Social Care. |
| | | (Copies of the consultation feedback documents will be available to view in the corridor outside Committee Rooms 3 and 4 before and during the meeting.) |
| <u>103 - 132</u> | 9 | <u>BIRMINGHAM CHILDREN'S TRUST DEVELOPMENT PLAN 2019/20 INCORPORATING ACTIONS FOLLOWING THE OFSTED INSPECTION OF BIRMINGHAM CHILDREN'S SOCIAL CARE SERVICES DECEMBER 2018</u> |
| | | Report of the Director, Education & Skills. |
| <u>133 - 145</u> | 10 | <u>ROCKWOOD ACADEMY FULL BUSINESS CASE AND CONTRACT AWARD - PUBLIC REPORT</u> |
| | | Report of the Director, Education and Skills. |
| <u>146 - 389</u> | 11 | <u>TRAVEL ASSISTANCE POLICY FOR 0-25 YEAR OLDS IN EDUCATION</u> |
| | | Report of the Director, Education and Skills. |
| | | (Report was marked 'to follow') |
| | | (Copies of the consultation feedback documents will be available to view in the corridor outside Committee Rooms 3 and 4 before and during the meeting.) |
| <u>390 - 484</u> | 12 | <u>ADOPTION OF THE LANGLEY SUSTAINABLE URBAN EXTENSION AND PEDDIMORE SUPPLEMENTARY PLANNING DOCUMENT</u> |
| | | Report of the Director, Inclusive Growth. |

485 - 508

13 **CAPITA ICT SERVICE TRANSITION UPDATE – PUBLIC**

Report of the Director, Digital and Customer Services.

(Please note that Appendix 8.2 to this report, along with its Annexes A to C, is designated as exempt from publication under Schedule 12A of the Local Government Act 1972 – paragraph 3.)

14 **PLANNED PROCUREMENT ACTIVITIES (JUNE 2019 – AUGUST 2019) - PUBLIC**

Item Description

15 **OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chairman are matters of urgency.

509 - 553

15A **DECISION CALLED-IN: DRIVING HOUSING GROWTH: LAND APPROPRIATIONS REPORT 2019**

To reconsider the decision of Cabinet on 26 March 2019 called-in by the Resources Overview and Scrutiny Committee.

A report of the O&S Committee Chairman and an Executive response (previously marked 'To Follow'), together with copies of the report to Cabinet on 26 March 2019 and the decision record, are attached.

Birmingham City Council

Report to Cabinet

16 April 2019



Subject: APPOINTMENTS TO OUTSIDE BODIES
Report of: City Solicitor
Relevant Cabinet Member: Cllr Ian Ward, Leader of the Council
Relevant O & S Chair(s): Cllr Josh Jones, Chairman of Co-ordinating Overview and Scrutiny Committee
Report author: Celia Janney, Committee Services
Tel: 0121 303 7034
e-mail: celia.janney@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 The report seeks the approval of the Cabinet to the appointment of representatives to serve on outside bodies detailed in the appendix to this report.

2 Recommendations

That Cabinet agrees to appoint representatives to serve on the Outside Bodies detailed in the appendix to this report.

3 Background

- 3.1 At a meeting of all Councillors on 11 July 2017, the City Council approved changes to the Constitution that set out those appointments that are reserved to the full City Council to determine. All other appointments of Members and officers to outside bodies shall be within the remit of Cabinet to determine and the proportionality rules will not automatically apply.

4 Options considered and Recommended Proposal

- 4.1 These appointments are a matter for the Cabinet to determine, in accordance with the City Council's current Constitution.

5 Consultation

5.1 Internal

Councillor Ian Ward, Leader of the Council.

For appropriate items, the Secretaries to the Political Groups represented on the Council.

5.2 External

There has not been a requirement to consult with external parties in respect of matters set out in this report.

6 Risk Management

- 6.1 The main risk of not making appointments might lead to the City Council not being represented at meetings of the bodies concerned. It is always important in making appointments to have regard to the City Council's equal opportunities policies.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The appointments are consistent with the legal and constitutional requirements of the City Council.

7.2 Legal Implications

- 7.2.1 There are no additional resource implications.

7.3 Financial Implications

- 7.3.1 As set out in paragraph 7.1.1 above.

7.4 Procurement Implications (if required)

- 7.4.1 Not applicable.

7.5 Human Resources Implications (if required)

7.5.1 Not applicable.

7.6 Public Sector Equality Duty

7.6.1 As set out in paragraph 6.1 above.

8 Background Documents

8.1 Report of the Council Business Management Committee to City Council on 11 July 2017 "Revised City Council Constitution"; along with relevant e-mails/ file(s)/correspondence on such appointments.

Attached: Appendix to Report to Cabinet – 16 April 2019 – Appointments to Outside Bodies

APPENDIX TO REPORT TO CABINET 16 April 2019
APPOINTMENTS TO OUTSIDE BODIES**1. Summary of Decisions**

On 15 August 2017, Cabinet resolved under decision number 004096/2017 that the practice be continued of contacting each representative when their term of office is due to expire to ascertain whether they are willing to be re-appointed and that, unless indicated otherwise in the report to Cabinet, it will be understood that such representatives are not willing to be re-appointed.

2. Harborne Parish Lands Charity

Two vacancies for Nominative Trustee who may, but need not, be a Member of the Council. Each appointment is for a term of four years. Should live or work within the Ancient Parish of Harborne (covers Harborne, Quinton & part of Smethwick) or have special knowledge of the parish, or have knowledge/experience in an area that is important to the charity e.g. a legal qualification, experience in commercial property/housing management, knowledge of BME issues.

Therefore, it is

RECOMMENDED

That Cabinet agrees to the appointment of Pat Leadbeter (Lab) as Nominated Trustee.

That Cabinet agrees to the appointment of Cllr Peter Fowler (Con) as Nominated Trustee.

Both appointments are from 16 April 2019 until 15 April 2023.

Birmingham City Council

Report to Cabinet

16 April 2019



Subject: National Manufacturing Competitive Levels (NMCL) Grant Funding Offer £26m and AMSCI Funds Update

Report of: Chief Finance Officer

Relevant Cabinet Member: Councillor Tristan Chatfield – Finance and Resources

Relevant O &S Chair(s): Councillor Sir Albert Bore - Resources

Report author: Assistant Director Development and Commercial Finance

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 006335/2019		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 Birmingham City Council has been asked by the Department of Business, Energy and Industrial Strategy (BEIS) to act as Accountable Body for the new National Manufacturing Competitive Levels (NMCL) Grant of £26m to be administered and delivered by Finance Birmingham Ltd (FB), the Council's wholly owned Fund Management company. The award of the fund comes after the successful management by FB of over £300m Advanced Manufacturing Supply Chain Initiative funds over the past 7 years and as these funds now close is the next national award to be made by BEIS (Department for Business, Energy and Industrial Strategy). These funds attracted £360m private sector funding to date and created or safeguarded over 14,000 jobs across the region and England.

- 1.2 Potential future AMSCI type programmes are currently under consideration by BEIS. In order to ensure that, if acceptable to BEIS and the Council, the schemes can be immediately implemented, a delegation of fund acceptance and a fulfilment of the accountable body role to the Cabinet Member for Finance and Resources jointly with the Chief Finance Officer is sought. Any awards will be subsequently noted in the council's financial monitoring report.

2 Recommendations

2.1 That Cabinet

- Accept the grant of £26m from the Department for Business, Energy and Industrial Strategy (BEIS) for the delivery of the National Manufacturing Competitive Levels (NMCL) programme.
- Authorises the Council to undertake the duties of accountable body in relation to this fund for the duration of the award, including the monitoring and management of the programme, any BEIS approved fund extension and until the programme is officially closed and all monies accounted for.
- Approve the award of a service level agreement for the delivery of this programme to Finance Birmingham Ltd (FB), the council's wholly owned subsidiary.
- Note the progress and achievements of the Advanced Manufacturing Supply Chain Initiative (AMSCI) managed by FB and the pre-cursor to this NMCL programme.
- Delegates approval of any further national or regional grant funding awards from BEIS for management and delivery by FB Ltd to the Cabinet Member for Finance and Resources jointly with the Chief Finance Officer.
- Authorises the City Solicitor to negotiate, execute and complete all relevant documentation to give effect to the above recommendations.

3 Background

- 3.1 A grant fund of £26m is being provided by BEIS for a new industry led programme aimed at improving the competitiveness and productivity of around 194 strategically important suppliers in the aerospace and automotive sectors. The programme will provide bespoke training to strengthen leadership and management skills, enhance workforce capability, and implement streamlined business processes. The key output success measures are:

- Increased firm-level labour productivity
- Increased firm-level GVA and profitability
- Increased firm level competitiveness
- Business retained due to implementation of the improvement plan
- Business generated due to implementation of the implementation plan
- Jobs safeguarded and created

- 3.2 The programme will be split between the Automotive (£16m) and Aerospace (£10m) sectors and FB Ltd have been asked to act as programme manager with the two trade bodies, Society of Motor Manufacturers and Traders (SMMT) for auto and ADS (Aerospace, Defence, Security and Space sectors) for aero. In total around 200 companies will benefit from in depth training needs assessment and up to £0.1m in training grant for matched expenditure.
- 3.3 Administration of the programme is proposed to be awarded to FB because of their track record in delivering AMSCI and also at the request of the 2 trade bodies who each ran subsidiary programmes under the oversight and management of FB within the different rounds of AMSCI.
- 3.4 FB will oversee the due diligence, state aid assessments and anti-money laundering requirements as well as paying the beneficiary companies via BCC acting as accountable body and reporting to BEIS. These requirements are covered in a Memorandum Of Understanding (MoU) between BEIS, BCC and FB.
- 3.5 The accountable body (AB) duties of the council are contained within the MoU and include:
- To ensure that the Grant will be used for the sole purpose of the activities set out in the MoU
 - To ensure that only eligible costs are deducted from the grant – these are defined in the MoU and include approved costs of fund management incurred by FB, SMMT, ADS and BCC and annual fund audit costs.
 - To hold funds drawn down in advance from BEIS for onward payment to grant recipients in line with the prevailing BCC Treasury Management policy.
 - To ensure that funds are managed by FB in accordance with the MoU
 - To ensure that payments made as part of the programme, including fund management costs are state aid procurement regulation compliant.
 - To take action to recover payments from beneficiaries under circumstances including non-compliance with state aid regulation and remit all recovered sums to BEIS.
 - To act reasonably to recover and repay any funds that are used for purposes other than those set out in the MoU.
- 3.6 The draft MoU is attached at appendix 1
- 3.7 The council has been the accountable body of the AMSCI programme, managed by FB since 2012. The first award of AMSCI (£25m) was as a result of a joint LEP bid to the Regional Growth Fund in 2011, all subsequent awards have been a result of continuing high fund management performance by FB. The overall programme results are shown below:

	Award	No. of Projects	Grants committed	Loan committed	Total amount committed	Private sector leverage to date
Rounds 1 & 2	£80m	12	£66,424,242	£10,155,375	£76,579,617	£74,850,229
Rail Supply Growth Fund	£20m	16	£583,500	£16,310,000	£16,893,500	£9,068,312
Round 1 West Midlands Liverpool Coventry Region	£25m	37	£12,440,882	£17,539,554	£29,980,436	£62,345,937
Rounds 3 & 4	£79m	12	£69,471,106	£7,379,758	£76,850,864	£104,696,430
2014	£100m	22	£87,902,395	£8,361,691	£96,264,086	£111,144,923
TOTALS		99	£236,822,125	£59,746,378	£296,568,503	£362,105,831

	Actual Jobs created and safeguarded	Target jobs	% Achieved to date
R1 S1 & 2	3,272	2,911	112%
R1 & WMLCR	1,560	1,000	156%
R3 & R4	4,641	3,828	121%
2014	4,779	4,165	115%
TOTALS	14,251	11,904	120%

3.8 Three examples of awards within Birmingham and the surrounding region are attached at appendix 2. These give a flavour of the type of activity enabled by these funds and the local benefit from the national initiative.

4 Options considered and Recommended Proposal

4.1 The council may refuse to accept the funding, in this instance the fund would require an alternative accountable body (AB). Such an AB may still chose to place the management and delivery through FB but this would need to be compliant with their procurement regime. It is likely that if BCC were not the AB then the funding to industry would be delayed whilst a similar and controlled delivery mechanism was sought by BEIS. This would impact on the number of positions and the turnover of FB, a wholly owned company.

- 4.2 The council could accept the funding and not use FB as fund managers. In this scenario BCC would need to put in place the same management and administration function and processes that it currently has direct access to within FB but given the timing delay that this would cause it is more likely that BEIS would seek an alternative AB.
- 4.3 It is recommended that the council accept the NMCL Grant fund, act as accountable body and award the SLA for the management and delivery of the fund to FB Ltd.

5 Consultation

- 5.1 The Cabinet Member for Education, Skills and Culture, has been consulted and supports the progress of the report. BEIS and Finance Birmingham have been consulted and both organisations support the decision.
- 5.2 Officers from Finance, Legal and Procurement have been involved in the preparation of this report.

6 Risk Management

- 6.1 The NMCL Fund will have a full risk register, reviewed as part of the programme governance and approved procedures to be agreed with BEIS. Acting as accountable body, the council has a duty to ensure that the fund is managed and administered in line with the approved procedures. The AMSCI Programme has been subject to annual audit by Grant Thornton, no material issues identified within any of the funds, and this requirement will continue with the NMCLG Fund. The Fund Memorandum of Understanding (MoU), yet to be received in final format, will outline the obligations of the council acting as accountable body. These will be confirmed once acceptable to the council with the intention that the obligations do not place a disproportionate level of risk onto the council. The final MoU will be approved by the Chief Finance Officer.

7 Compliance Issues:

- 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?
- 7.1.1 Providing and managing the National Manufacturing Competitive Levels Grant funding contributes to the priority of Birmingham being an entrepreneurial city to learn, work and invest in. The reputation of the city and its wholly owned company, Finance Birmingham Ltd, is enhanced across industry sectors.
- 7.2 Legal Implications
- 7.2.1 Under the general power of competence per Section 1 of the Localism Act 2011, the Council has the power to enter into the arrangements set out in

this report and they are within the boundaries and limits of the general power of competence Section 2 and 4 of the Localism Act 2011.

- 7.2.2 Section 111 Local Government Act 1972 allows the Council to do anything which is calculated to facilitate or is conducive or incidental to the discharge of its functions.

7.3 Financial Implications

- 7.3.1 There are no direct financial implications for the council. The funding is held by the Council as accountable body and the Council will recharge its transactional and management costs into the fund as it has with AMSCI funds (subject to BEIS approval of any management fee ceiling). FB will charge an approved management fee to the fund. BEIS have been requested to provide clarity and confirmation that BCC's charges will be separate to those of FB in the final MoU.

- 7.3.2 The council will hold the funds for each quarter's disbursements in advance and in accordance with the council's prevailing treasury management policy. Provided that the council acts reasonably and within this policy, it will not incur any liability towards the fund. Should any grant recipient not use the funds in accordance with their unconditional grant terms and conditions, then FB may in the first instance recover such funds and take such action as is within the terms of the unconditional grant and is reasonable. The council will return any unused funds and interest accrued to BEIS or as directed by BEIS.

7.4 Procurement Implications (if required)

- 7.4.1 The provision of grant administration and management is provided by Finance Birmingham Ltd under teckal arrangements.

7.5 Human Resources Implications (if required)

- 7.5.1 . N/A

7.6 Public Sector Equality Duty

- 7.6.1 This is an acceptance of a national grant for the manufacturing sector, and this decision has no implications for any particular group under the public sector equality duty. Once under management, the public sector equality duty will be considered within each application.

8 Appendices

- 8.1 Appendix 1: National manufacturing competitiveness levels (nmCL) and supply chain 21 + competitiveness and growth programme, Memorandum Of Understanding
- 8.2 Appendix 2: NMCLG Funding

9 Background Documents

- 9.1 None

APPENDIX 1**NATIONAL MANUFACTURING COMPETITIVENESS LEVELS (NMCL) AND SUPPLY CHAIN 21 +
COMPETITIVENESS AND GROWTH PROGRAMME
MEMORANDUM OF UNDERSTANDING****BETWEEN****THE SECRETARY OF STATE FOR BUSINESS, ENERGY AND INDUSTRIAL STRATEGY****AND****BIRMINGHAM CITY COUNCIL AND FINANCE BIRMINGHAM****Introduction and Parties**

1. The arrangements and the purpose for which the Grant will be used are set out in this Memorandum of Understanding (MoU) and its Annexes, collectively referred to as “this Arrangement”. This Arrangement clarifies and expands on the letter of support to [BEIS named contact] from [BCC name & Position] Birmingham City Council (BCC), dated [add date] (Annex A). BCC will be the accountable body for the funding of the programme and will appoint Finance Birmingham to manage the programme.
2. The parties to this arrangement are the Secretary of State for Business, Energy and Industrial Strategy (‘BEIS’), Birmingham City Council (BCC) and Finance Birmingham.

Legal Status of MOU

3. This Arrangement is not legally binding and is not intended to give rise to any legal rights or obligations between the parties. The parties enter into this Arrangement intending to honour all their obligations.

Law and Jurisdiction

4. This Arrangement shall be governed by and construed in accordance with English law, and each party agrees to submit to the exclusive jurisdiction of the courts of England and Wales.

Amount of the Grant

5. The maximum amount of the Grant offered by BEIS is £26m (twenty-six million pounds). This is the total amount of the Grant that the Secretary of State may pay, and this amount will not be increased as a result of any overspend or otherwise.

Aims and Objectives of the programme

6. The £26m grant funding being provided by BEIS is for a new industry led programme aimed at improving the competitiveness and productivity of around 194 strategically important suppliers in the aerospace and automotive sectors.
7. The programme will provide bespoke training to strengthen leadership and management skills, enhance workforce capability, and implement streamlined business processes. The key output success measures are:

- (a) Increased firm-level labour productivity
 - (b) Increased firm-level GVA and profitability
 - (c) Increased firm level competitiveness
 - (d) Business retained due to implementation of the improvement plan
 - (e) Business generated due to implementation of the implementation plan
 - (f) Jobs safeguarded and created
8. As the accountable body for the programme, BCC will work through Finance Birmingham and the Programme Management Offices (PMO's)

Adherence to the MoU

9. BCC has said in their letter of [add date and annex letter] that they will ensure that this Grant will be used for the sole purpose of the activities set out in this MoU

Eligible Costs

10. For the avoidance of doubt the activities to be funded by the Grant and which constitute "Eligible Costs" are limited to those listed below:
- (a) Programme management costs incurred by Finance Birmingham, with the budget agreed at the start of the programme.
 - (b) Programme administration costs incurred by ADS and SMMT, with the budget agreed at start of the programme.
 - (c) A standardised capability assessment undertaken by accredited assessors of each supplier participating in the programme (the grant recipients), including a self-assessment against peers and an assessment based on views of nominated customers.
 - (d) The development and implementation of tailor-made business improvement plans for each grant beneficiary.
 - (e) A re-assessment undertaken by accredited assessors for each grant recipient following completion of their business improvement plan.
 - (f) An evaluation and monitoring framework to assess the impact of the interventions and measure the overall impact of the programme.
 - (g) An annual audit of Finance Birmingham to ensure propriety and assess delivery against the commitments set out in this MoU.
11. The Eligible Costs are limited, in all cases, to costs which are incurred between [add start and end date of the programme].
12. In relation to Eligible Costs, BCC's Onward Funding Agreement with ADS and SMMT will make it clear that no party is to make any profit / retain any surplus from Grant funding which is made available to it as part of the programme. BCC's Onward Funding Agreement with ADS and SMMT will make it clear that they may only recover actual costs of delivery of the programme administration from the Grant funding.

Payment of Grant and Milestones

13. BCC and Finance Birmingham has requested an initial drawdown of [add funding amount] to set up the programme and to provide cash flow until the regular payment cycle of funding is established.
14. The parties have agreed that quarterly grant payments in advance will be made, with the amount based on residual funds held by BCC and the profiled expenditure. BEIS will make grant payments in accordance with the profile in annex A.

Evidence requirements for payment

15. BCC and Finance Birmingham are fully conversant with the financial management and compliance requirements of public sector funding bodies. This includes the isolation of programme costs, assessing the eligibility of claims, and ensuring that robust monitoring systems and transparent audit trails are in place which demonstrate and support how eligible grant claim values have been arrived at. The following evidence requirements will be adhered to:
 - (a) Quarterly financial expenditure forecasts will be submitted to BEIS. Finance Birmingham will submit aggregate programme level information based on information provided by the SPOs.
 - (b) Reimbursement of costs incurred by the SPOs for the programme administration will require time sheeted evidence for staff costs, and receipts and invoices for other incurred costs including capital equipment and travel.
 - (c) Payment for the capability assessments will require assessors to submit an invoice to the relevant SPO. The SPOs will be responsible for providing written confirmation that capability assessments have been completed satisfactorily. The SPOs will submit the invoices and the written confirmations to Finance Birmingham for payment.
 - (d) The grant beneficiaries will pay for the training they receive and will seek reimbursement of eligible costs by submitting their claim including evidence of payment through a redacted bank statement to their SPO. SPOs will be required to provide a written statement that the training has been completed satisfactorily and in accordance with the business improvement plan.

Recovery and Withholding of Funds

16. There may be circumstances in which BEIS and BCC, both acting reasonably, will jointly agree that BEIS should cease to continue paying further Grant funding to BCC, or circumstances in which BCC should require ADS and SMMT and the grant beneficiaries to repay Grant funding to which the BCC has made available to them pursuant to the Onward Funding Agreement to BEIS. In particular:
 - (a) BCC uses or intends to use the Grant for purposes, aims or objectives other than those for which it has been awarded, as reflected in this Arrangement; or
 - (b) The Grant is found to be unlawful State aid by the European Commission.
17. BCC and BEIS further agree that in the event that monies granted by BCC via Finance Birmingham to ADS and SMMT pursuant to the Onward Funding Agreement and

awarded by Finance Birmingham to any of the grant beneficiaries are found to be unlawful State aid (whether in BCC's determination or by the European Commission) and are recovered, BCC will take action to recover the Grant monies from the grant beneficiaries in accordance with the Onward Funding Agreement and will return the recovered Grant monies to BEIS.

Programme Management

18. Finance Birmingham as programme manager core roles and responsibilities will be:

- (a) Representation on the Sector Strategy Boards which are responsible for agreeing applications to the programme and approving the business improvement plans of each grant recipient
- (b) Conduct Financial Due Diligence on each grant recipient to assess their financial health and ensure they can independently pay for their business improvement plans
- (c) Carry out Know Your Customer (KYC) anti money laundering checks on all grant recipients
- (d) Check the validity of all claims with payment made subject to the provision of required evidence requirements summarised in paragraph 13 of this MoU
- (e) Ensure that grant awards are made in accordance with EU State aid rules
- (f) Provide programme monitoring information to BEIS in accordance with the requirements summarised in paragraph 15 of this MoU

Monitoring and Evaluation Framework

19. A comprehensive monitoring and evaluation framework for the programme will be developed in partnership between BEIS, Finance Birmingham and the SPOs. The onward grant funding letter from BCC to the SPOs and grant beneficiaries will stipulate reporting requirements and detail the information that will need to be retained to support the evaluation of programme. This includes:

- (a) SPOs ensuring that planned data collection is taking place for each firm participating in the programme
- (b) SPOs aggregating firm level information into programme level statistics, which will enable Finance Birmingham to monitor the performance of the programme against key targets and milestones.

20. Finance Birmingham will provide quarterly progress reports to the BEIS AMSCI Board that will include the following:

- (a) Forecast expenditure
- (b) Actual expenditure
- (c) Number of companies applying to join the programme
- (d) Number of companies accepted to the programme
- (e) Number of assessments undertaken
- (f) Number of business improvement programmes started
- (g) Number of business improvement programmes completed
- (h) Number of employees trained, and type of training provided
- (i) Number of re-assessments completed

(j) Review of the programme risk register

21. BEIS will procure independent research contractors to determine the impact of the programme and will require input and support from BCC, Finance Birmingham, the SPOs and the grant beneficiaries. This evaluation will be done through a four staged process:

- Stage 0 – Scoping Evaluation. Full monitoring and evaluation framework for the programme to determine the scope of its design and delivery.
- Stage 1 – Process and Implementation Evaluation. Early light touch evaluation of programme delivery and early outputs. This will be done towards the end of the first year.
- Stage 2 – Interim Impact Evaluation. A comprehensive evaluation will be done in year three to evaluate the initial impact of the programme.
- Stage 3 – Final Impact Evaluation. Later stage final evaluation seven to ten years after the programme launch to fully capture the benefits realisation.

State Aid

22. Ensuring that payments made as part of the programme are compliant with the EU State aid rules will be the responsibility of BCC, as the responsible public body. The provision of State aid to the grant beneficiaries will be made in accordance with the European Commission Regulation (EU) No 651/2014 of 17 June 2014 declaring certain categories of aid compatible with the internal market in application of Articles 107 and 108 of the Treaty (General Block Exemption Regulation or GBER, and specifically those provisions covering training aid).

23. It will also be the responsibility of BCC to ensure that payments made as part of the programme to Finance Birmingham for the programme management and ADS and SMMT for the programme administration are State Aid compliant. BCC intends to make such payments on commercial terms and consistent with their procurement law obligations, meaning that such payments will not be regarded as State aid.

Audit

24. An annual audit of Finance Birmingham will be carried out to ensure propriety and to confirm that they are carrying their functions in accordance with the MoU. The audit report will be provided to BEIS.

Risk Register

25. The programme creates a range of financial, legal, and reputational risks for the partners. A programme level risk register will be produced by Finance Birmingham to ensure that risks are identified and managed appropriately. A review of the risk register will form part of the reporting to the quarterly BEIS AMSCI Programme Board meetings.

Dispute Resolution

26. If a dispute arises between BEIS, BCC and/or Finance Birmingham, the affected parties shall attempt to resolve the dispute in the first instance by referring the matter to their respective senior officials or, nominated equivalent, who will meet to try and negotiate a settlement in good faith.

Document retention

27. A document register will be maintained by Finance Birmingham and the PMOs. The register will include all core documents including the assessments and the business improvement plans. The register will list the nature and format of the document, along with where the documents are held and other pertinent information. The register will be reviewed on a quarterly basis. An overview of the documentation to be retained is detailed in annex B.

Publicity

28. BEIS may publish information relating to the Grant, on the gov.uk website, and in any other way it considers appropriate, information relating to:

- (a) Summary details of the aims and objectives of the programme
- (b) The total grant awards
- (c) Estimated total eligible costs
- (d) The identity of the Grant recipients
- (e) The amount of Grant awarded to each beneficiary
- (f) A summary of outputs and outcomes achieved by the programme.

29. BEIS will, prior to publication, consider any representations made from grant recipients regarding information they consider to be commercially sensitive. BEIS will ultimately determine what information is published.

Data Protection

30. [Add detail]

Freedom of Information

31. BEIS and BCC agree that each party may consider in its absolute discretion that it is required to disclose information relating to the Grant under the Freedom of Information Act 2000 (as amended), or under any other requirement of law. Each party will assist and cooperate with, as reasonably requested, to enable compliance with those requirements.

Day-to-day contact

32. In communicating with the BEIS the contacts are:

- (a) Automotive sector - Ian Broadhurst, 020 7215 4313 (ian.broadhurst@beis.gov.uk)
- (b) Aerospace Sector - Greg Warren, 020 7215 2073 (greg.warren@beis.gov.uk)

33. In communicating with BCC the contacts are:

- (a) [add detail]

34. In communicating with Finance Birmingham the contacts are:

- (a) Jeremy Taylor [add detail]

SIGNED by:

.....
Signature:

Add detail

for and on behalf of the
Secretary of State for
Business, Energy and
Industrial Strategy

.....
Title:
.....
Date

SIGNED by

.....
Signature:

[add detail]

for and on behalf of
Birmingham City Council

.....
Title:
.....
Date

SIGNED by

.....
Signature:

[add detail]

for and on behalf of Finance
Birmingham

.....
Title:
.....
Date

Annex A - Quarterly payment profile

Payment period	Payment from	Payment to
Payment period 1	01.07.2019	30.09.2019
Payment period 2	01.10.2019	31.12.2019
Payment period 3	01.01.2020	31.03.2020
Payment period 4	01.04.2020	30.06.2020
Payment period 5	01.07.2020	30.09.2020
Payment period 6	01.10.2020	31.12.2020
Payment period 7	01.01.2021	31.03.2021
Payment period 8	01.04.2021	30.06.2021
Payment period 9	01.07.2021	30.09.2021
Payment period 10	01.10.2021	31.12.2021
Payment period 11	01.01.2022	31.03.2022
Payment period 12	01.04.2022	30.06.2022

Annex B – Document retention

Collection method	Source	Data	Timing
Application form	Applicant	<p>This will be used to obtain identification data to support data linkages to secondary data sources and baseline data of all applicants which may be leveraged as part of the counterfactual.</p> <ul style="list-style-type: none"> Firm identification number (Companies House Registration Number, VAT Number, PAYE Number, Unique Tax Reference Number in instances when the business is not yet VAT or PAYE registered) Firm details (business name, trading name, age of business or trading date, SIC code) Firm contact details (address, lead contact, phone number, email) Firm profile and baseline data (size, location, turnover, Gross Value Added (GVA), growth potential, sales, numbers of employees, profits, average/median earnings, current training spend, export value and as a proportion of turnover, etc.) Counterfactual information on what will have happened in the absence of the NMCL 	Application stage
Profiling questionnaire	Applicant	<p>Additional to the application form, this provides:</p> <ul style="list-style-type: none"> History of engagement with productivity & competitiveness improvement programmes Link to industry customer(s) Planned turnover growth over programme lifetime Target % cost reduction over programme lifetime Average target productivity improvement p.a. over programme lifetime Dun & Bradstreet (D&B) financial health score Current 12 month rolling average customer quality performance score R&D investment (value and proportion of turnover) Motivation for engagement with programme Profiling score 	Application stage
Sector Strategy Board assessment	Sector Strategy Boards	<ul style="list-style-type: none"> Interview narrative from applicant Compiled comments and assessment from Sector Board experts 	Selection stage
Capability assessment	???	NMCL competitiveness score calculated against (quality, cost, delivery, flexibility, product & technology, and customer experience)	<p>Selection stage</p> <p>Stage 2: early impact evaluation (24-30 m)</p>
Firm level monitoring reports	<p>Programme Offices</p> <ul style="list-style-type: none"> Beneficiary firms 	<p>Assessment of delivery against key criteria (these might include scope, timetable, cost, risk and progress). Data and metrics collected might include:</p> <ul style="list-style-type: none"> Firm data: unique identification number; details; contact details (see application form) Scope: number employees trained; type of training courses undertaken Timetable: whether timings are being met 	Monthly – Quarterly (tbd)

Collection method	Source	Data	Timing
		<ul style="list-style-type: none"> Costs: forecast and actual cost of training Risks: perceived barriers; the quality of training received; implementation management; availability of training and firm resources Progress: number employees trained; type of training courses undertaken; number of new products or processes adopted Other narrative elements: details on networks and new supply chain contacts; additional (R&D, capital or training) investments made as a result of engagement with the programme or a change in attitude to investment; 	
Programme level aggregate monitoring reports	Finance Birmingham	<p>Report from Finance Birmingham (compiled by monitoring officers / programme offices), assessing individual level progress and aggregate performance of the programme to BEIS AMCSI Programme Board. This will build on firm-level monitoring data and routinely collected administration. Metrics to include:</p> <ul style="list-style-type: none"> Number and profile of firms applying to join the programme, undergoing initial assessment, initiating business improvement programmes, completing business improvement programmes Attrition of firms at each stage Number of employees trained, and type of training provided Number of firms undergoing reassessment Forecast programme expenditure Actual programme expenditure 	Quarterly
Firm-level annual economic monitoring	Finance Birmingham <ul style="list-style-type: none"> Beneficiary firms 	<p>This will build on firm-level monitoring data. Metrics may include:</p> <ul style="list-style-type: none"> Firm data: unique identification number; details; contact details (see application form) Business implementation plan duration and cost (forecast and actual) Production location Output indicators: <ul style="list-style-type: none"> Number of employees trained by type of training provided Number of new products or processes adopted Outcome indicators: <ul style="list-style-type: none"> Productivity measurements Sales / contract data (value and portion of turnover, split by domestic & exports) End customers (new, retained, lost) Subcontracting Turnover and profitability figures Employment and wage data including job creation and safeguarding figures R&D investment (value and proportion of turnover) Capital investment (value and proportion of turnover) Additional skills and training investment undertaken outside of the programme (value and proportion of turnover) 	Annual Stage 1: process evaluation (12 m) Firm-level close-out Programme close-out / Stage 2: early impact evaluation (24-30 m) Stage 3: impact evaluation (7-10 yrs)

Collection method	Source	Data	Timing
Primary research data gathering <ul style="list-style-type: none"> • Stakeholder consultation • Case studies • Beneficiary surveys 	Finance Birmingham <ul style="list-style-type: none"> • Industry stakeholders • All applicants • Non-applicants 	Narrative information focusing on the attitude and experience of industry stakeholders (e.g. Automotive Council, OEMs / primes), applicants and non-applicants with respect to: <ul style="list-style-type: none"> • Communications and Stakeholder engagement plan • Application and selection process • Implementation period (successful) • Monitoring process and annual economic monitoring tool • Counterfactual questions 	Stage 1: process evaluation (12 m)
Primary research data gathering <ul style="list-style-type: none"> • Non-beneficiary surveys 	External evaluator <ul style="list-style-type: none"> • Unsuccessful applicants • (Non-applicants) 	Unsuccessful applicants to provide updated information based on the Application form and Profiling questionnaire. Where data permits non-applicants will also be included in this survey. As a minimum: <ul style="list-style-type: none"> • Firm identification number (to allow for linkage to external data sets) • Firm profile and baseline data (size, location, turnover, Gross Value Added (GVA), growth potential, sales, numbers of employees, profits, average/median earnings, current training spend, export value and as a proportion of turnover, etc.) will be requested. 	Stage 2: early impact evaluation (24-30 m)
Data linking to secondary data sets	External evaluator <ul style="list-style-type: none"> • All applicant • Non-applicants 	Link via firm unique identifier (CRN, VAT, PAYE numbers). Potential sources include: <ul style="list-style-type: none"> • Business Structure Database (BSD) & Inter-Departmental Business Register (IDBR) Employment and turnover • Annual Respondents Database (ARD) & Annual Business Survey (ABS): GVA and other financial measures, such as capital investment. Limited longitudinal for large firms (250 or more employees) • Labour Force Survey: Details employment levels by occupation and industry, estimates of numbers employed and hours worked • ONS Annual Inquiry into Investment in the UK: Headline figures of FDI flows • Companies House: Turnover, employment, investment. Not necessarily complete. • Auto specific organisations: Department for Transport • Aero specific organisations: 	Stage 2: early impact evaluation (24-30 m) Stage 3: impact evaluation (7-10 yrs)
Stage 3 Primary research	TBD	TBD. This is likely to repeat or build on the method above.	Stage 3: impact evaluation (7-10 yrs)

Company	Round	Amount of grant	Amount of loan	Company Spend	Private sector leverage	Jobs created	jobs safeguarded	Area	Commentry
Guhring	WMLCR	£650,000		£10,837,490	£10,187,490	19	73	Castle Bromwich B35 7AG	Takes the current Guhring Limited business from a sales, distribution and service role to a full UK based engineering operation involving design, development and manufacture. The creation of a new 50,000 sq ft world class facility provides the company with enough capacity for anticipated market growth for the next 10 years. The business plan is to grow turnover from £17m to £30m per annum. This new factory will create and manufacture new products which would otherwise be imported from Germany or China. Without AMSCI support the manufacturing would have been completed in Germany and the existing business closed.
Indestructible Paint	Round 1	£280,978		£1,405,342	£1,124,364	22	42	Sparkhill B11 3TA	Indestructible Paint produce coatings that support multiple products within the aerospace supply chain from gas turbine blades, discs, and drums to heat exchangers, landing gear and actuation equipment. Project included investment in capital equipment, laboratory infrastructure, systems and skills to capitalise on market growth.
	WMLCR	£284,000	£235,000	£1,424,791	£1,140,791	9			As a follow on from the success of the Round 1 funding, Indestructible Paint had a significant challenge through the implementation of the EU's Registration, Evaluation, Authorisation & restriction of CHemicals (REACH) legislation. This would impact the viability of key IPL product lines by preventing the use of some of their key chemical components, including chromates. Non-compliance with REACH means IPL being unable to produce key coating products in the EU. This could result in the decline of aerospace component manufacture and overall EU aerospace manufacturing. This project supports capital investment in the laboratory infrastructure required for ongoing compliance with EU REACH legislation including implementation of the supporting production systems.
IAC	WMLCR	£3,000,000	£6,000,000	£94,000,000 Proposed	£91,000,000 Proposed	382 Estimated		Solihull B37 7HE	IAC has been awarded the Jaguar Land Rover, Modular Longitudinal Architecture (MLA) contract to engineer, design, manufacture and supply 5 Headliners, 5 Sets of Pillars, 3 Sets of Door Panels and 2 sets of Trunk Trim, for JLR's MLA High & Low Platform. Start of production is staggered from June 2020 to September 2021 with a total of 1.8 Million cars secured until 2028. The funding enabled the establishment of a manufacturing plant in Bickenhill, the work would otherwise have been placed in Opole in Poland without AMSCI support as IAC UK were competing internally for the business.

Birmingham City Council

Report to Cabinet

16 April 2019



Subject: Private Sector Empty Property Strategy 2019-2024
Report of: Acting Director - Neighbourhoods
Relevant Cabinet Member: Councillor Sharon Thompson, Cabinet Member – Homes and Neighbourhoods
Relevant O &S Chair(s): Councillor Penny Holbrook – Housing and Neighbourhoods
Report author: Karl Robinson, Housing Trailblazer Lead

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 005498/2019		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 This report proposes a new Private Sector Empty Property Strategy for 2019-2024. The strategy sets out the housing scene in Birmingham and the need to bring empty properties back into use. The number of empty properties has declined over recent years through intervention but still remains at around 9900 today. The updated strategy builds on the 2013-2018 version and looks to bring a minimum of 350 properties per year back into use during the life of the strategy.

2 Recommendations

- 2.1 That Cabinet notes and approves the updated Empty Homes Strategy (Appendix 1).

3 Background

3.1 The purpose of this strategy is to set out the key objectives we aim to deliver on for the Empty Property Strategy 2019/2024:

- Have a coordinated approach to empty property work to ensure broadest corporate ownership of the need to address the issue of empty homes
- Identify the resources necessary to deliver strategic outcomes while remaining flexible about changes in housing market need, central government directives and funding
- Ensure delivery of the Empty Property Strategy is linked with the Council Plan 2018 - 2022, the Birmingham Development Plan, the Housing Birmingham Strategy and the Homelessness Prevention Strategy
- Provide encouragement and practical support to empty property owners
- Develop a robust suite of enforcement options where lower level interventions have not produced results
- Enhance our approach to returning empty homes to use by continuing to work and share experiences with other local authorities

3.2 When looking at the situation in Birmingham compared to other similar sized cities, Birmingham's percentage rates for longer term empty properties is in line with the city's average.

3.3 3703 properties had been empty for less than two years, of which 2802 were unoccupied for less than six months. Those of less than six months represent 28% of the total number of properties empty and 1.2% of the city's total private housing stock.

3.4 75.3% of all empty properties have been empty for less than three years and at June 2018 the city wide average for private sector properties empty longer than six months was 3.1%. Five of the city's ten districts (Ladywood, Edgbaston, Northfield, Hall Green and Erdington) have an above average empty property rate. These five districts contain 45.2% of the city's private housing stock but account for 53.7% of its privately owned properties empty for longer than six months.

3.5 In the first instance owners of problematic or long term empty homes are contacted and asked about their future intentions for the property. General advice is offered including signposting to resources to support the owner. Enforcement action is only pursued where less formal, lower level approaches have made no impact or where a property is a hazard to public health. Where the council considers enforcement action to be appropriate the approach will be impartial and incremental.

3.6 Please see Appendix 1 for the full Empty Property Strategy.

4 Consultation

Internal

The service consulted with relevant internal departments on the proposed strategy and subsequent action plan. Consultation ran until the end of February 2019 with the findings reflected in the final strategy for approval.

The consultation link was provided to internal stakeholders including elected members to ensure that the consultation received the best coverage.

External

The service consulted with landlords and residents in the city through the City Council's Be Heard system on the internet and through contact lists for various landlord representatives. Consultation ran until the end of February 2019 with the findings reflected in the final strategy for approval. We received 31 responses to the consultation with two very detailed submissions from partners (St Basils and Department of Social Policy Sociology and Criminology at Birmingham University). Key changes were made to the strategy as a result.

5 Compliance Issues:

5.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

The proposal is consistent with the Housing priority in the Council plan and supports the objectives of the Housing Birmingham Strategy to increase the suitable housing stock in the city.

Birmingham City Council Plan: 2018 to 2022

The Council has a vision for Birmingham as a great city to live in. It states:

'We want Birmingham to be a sustainable city of vibrant culture, flourishing neighbourhoods with good quality housing. A city with clean air, safe and clean streets and green spaces. We want to be a city where citizens have pride in where they live, have a strong sense of belonging and a voice in how Birmingham is run'.

To this end the Council Plan identifies a number of priority outcomes against which success can be measured.

- Increasing the number of new homes completed in the city across a range of tenures
- Increasing the number of private rented sector properties improved as a result of local authority intervention
- Ensuring an appropriate number of homes built are affordable
- Minimising the number of households living in temporary accommodation.

Returning empty properties to use plays a major role in providing decent, long term homes for citizens.

5.2 Legal Implications

There are a range of enforcement powers at our disposal including:

- Town & Country Planning Act 1990 (Section 215) – A notice can be served on the homeowner where a home is considered to be ‘detrimental to the amenities of the neighbourhood’.
- Local Government (Miscellaneous provision) Act 1982 – Under Section 29 the Council has the power to secure empty homes against access, where there is considered to be a danger to public health.
- Enforced Sale (Law of Property Act 1925) – The use of enforcement actions on empty properties can result in the gradual build-up of debt if the work is carried out in default of the owner failing to comply with the enforcement notice. Where a reasonable charge has been registered against the property it is possible to force the sale of the property to recover that debt.
- Compulsory Purchase Order (CPO) S17 Housing Act 1985 – where owners cannot be traced, or are unwilling to bring their property back into use, the Council can seek to compulsorily purchase a property and then sell it on the open market.
- Empty Dwelling Management Orders (EDMOs) – The Housing Act 2004 gives local authorities power to apply to the Residential Property Tribunal for an interim management order which may lead to compulsory leasing of the property for a fixed period of time.
- Dangerous or dilapidated buildings or structures under the Building Act 1984 ss77 & 78 and Housing Act 2004 Part I. To require the owner to make the property safe (Section 77) or enable the Local Authority to take emergency action to make the building safe (Section 78).
- Unsecured properties (where it poses the risk that it may be entered or suffer vandalism, arson or similar) under the Building Act 1984, s78 Local Government (Miscellaneous Provisions) Act 1982, s29
- Blocked or defective drainage or private sewers under Local Government (Miscellaneous Provisions) Act 1976, s35, Building Act 1984, s59 and Public Health Act 1961, s17
- Vermin (where it is either present or there is a risk of attracting vermin that may detrimentally affect people’s health) under the Public Health Act 1961, s34, Prevention of Damage by Pests Act, s4 and Public Health Act 1936, s83.

Building and maintaining relationships with property owners is perhaps the most important aspect of a successful approach to tackling empty homes. In almost all cases the quickest and therefore most economical approach is the lowest level of intervention that works. The city council will always look to use the most appropriate enforcement.

5.3 Financial Implications

The use of enforcement and subsequent action will result in a recoverable cost to the city council in some cases. Where there is a cost to the city council the

service will look to recover through the owner/ landlord. The largest financial cost to the city council would be in the case of Enforced Sale (Law of Property Act 1925), although the use of enforcement actions on empty properties can result in the gradual build-up of debt if the work is carried out in default of the owner failing to comply with the enforcement notice. The city council would look to recover that debt and where a reasonable charge has been registered against the property it is possible to force the sale of the property to recover that debt. Within the 2017/18 financial year there was a total of 40 default notices served at a cost of £52,360.

To support the work of the Private Rented Sector Team and to address the issue of homelessness in the city, the city council has recently been successful in securing £371,000 of MHCLG funding to work with the PRS sector and is exploring the use of New Homes Bonus to enhance the resources available to support the empty property strategy and the work of the Empty Property Team.

5.4 Procurement Implications (if required)

Not applicable.

5.5 Human Resources Implications (if required)

Not applicable.

5.6 Public Sector Equality Duty

An equality assessment has been completed ref. EQUA272. There is no adverse impact anticipated for any protected characteristic. When supporting a landlord or carrying out enforcement work, consideration is given to that individuals needs including translation, age or disability.

6. Background Documents

None.

7. List of Appendices

Appendix 1 - Private Sector Empty Property Strategy
Appendix 2 - Risk Assessment
Appendix 3 - Equality Assessment Initial Screening

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; (b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it; (c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> (a) tackle prejudice, and (b) promote understanding.
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> (a) Marriage & civil partnership (b) Age (c) Disability (d) Gender reassignment (e) Pregnancy and maternity (f) Race (g) Religion or belief (h) Sex (i) Sexual orientation

APPENDIX 1**Draft BCC Private Sector Empty Property Strategy
2019 – 2024**

- 1. Foreword**
- 2. Introduction**
- 3. Policy Context**
- 4. Tackling the Problem of Empty Homes**
- 5. Delivering our Strategy**
- 6. Aims & Objectives 2019 – 2024**
- 7. Resources**

- Appendix A – Outcomes for 2019-2024
- Appendix B – Empty Property Action Plan
- Appendix C – Useful Links
- Appendix D – Background Data and Information

1 Foreword

Like most major cities in Britain Birmingham is faced with an acute and ongoing housing shortage. This gives rise to increased homelessness and housing affordability problems for many people.

Empty properties adversely affect the lives of people in the vicinity and drive down values around the problematic property. They attract vandalism and anti-social behaviour and are an unnecessary drain on public services.

Though empty property numbers have declined since Birmingham City Council published its first Empty Property Strategy in 2003 there are still approximately 9,900 private sector empty homes in the city. This updated strategy builds on the 2013-18 strategy setting out how the council, with the support of its partners, will continue to work to reduce the number of empty properties in Birmingham from 2019 to 2024.

At a time when local government resources are decreasing it is vital we make best use of available resources and we need to build partnerships with communities to ensure citizens provide local intelligence, additional resources and placed based solutions. This strategy and the action plan that supports it outlines how we propose to do this.

Empty homes are not the whole answer to the current housing crisis but government and local authorities cannot ignore their potential and the need to ensure that owners are both encouraged and, where appropriate, required to unlock the potential of this wasted resource.

The success Birmingham has had in tackling empty properties to date has been considerable. We aim to continue this, to ensure the city has the

largest, highest quality stock possible to accommodate both its existing and future citizens.

2 Introduction

About our strategy and its key objectives

In developing the strategy we have identified a set of objectives we aim to deliver on. We will:-

- Set out our priorities and actions for reducing the numbers of long-term empty properties in the future;
- Have a coordinated approach to empty property work to ensure broadest corporate ownership of the need to address the issue of empty homes
- Identify the resources necessary to deliver strategic outcomes while remaining flexible about changes in housing market need, central government directives and funding
- Ensure delivery of the Empty Property Strategy is linked with the Council Plan 2018 - 2022, the Birmingham Development Plan, the Housing Birmingham Strategy and the Homelessness Prevention Strategy
- Provide encouragement and practical support to empty property owners
- Develop a robust suite of enforcement options where lower level interventions have not produced results
- Enhance our approach to returning empty homes to use by continuing to work and share experiences with other local authorities

What is an empty property?

Residential empty properties fall broadly into two types.

1. Those that might be termed 'transactional'
2. Those empty longer than six months. For strategy purposes those empty longer than six months are classed as long term empty.

Transactional empty properties are usually unoccupied due to a change in ownership or tenant and are part of the normal housing market cycle.

Properties that have been empty longer than six months are usually unoccupied for a specific reason. Properties that have been empty for more than two years are likely to remain empty and so decline without intervention. Long term empty properties can harbour criminal activity, squatting, vandalism and other anti-social behaviour.

In some instances, a property may be empty or appear empty, but is not classed as empty. A property does not have to be used all the time to be classed as occupied. For example, if it is:

- a property which is part of a wider regeneration programme and could be in the process of being developed or marked for demolition;
- a property which has pending planning permission, could be waiting refurbishment or could be waiting for new occupants to move in;
- a property which appears empty due to an overgrown garden or through lack of maintenance;
- a property where a for sale/to-let board or where contractors equipment is evident could demonstrate that a property is in the process of being brought back into use;
- one where the owner is living elsewhere to provide or receive personal care (illness, old age, disablement, drug or alcohol dependence or mental disorder).

What issues are caused by empty properties?

Empty properties are not just an issue for the city as we are in need of housing capacity but also attract or create a number of issues within the community including:

- Crime including vandalism, break in, fly tipping and antisocial behaviour
- Arson
- Modern Day Slavery
- Drug and alcohol abuse
- Attracting vermin and other pests
- Eyesore
- Potentially devaluing properties in the vicinity
- Psychological impact on neighbours

Why do properties remain empty?

Research surveys have highlighted a number of reasons for properties standing empty. Some of the most common reasons include:

- Issues around inheritance and probate
- Owners in hospital or residential care
- Owners unable to afford the refurbishment to realise an acceptable sale price or rent level
- Owners lacking the knowledge and confidence to address the situation
- Owner indifference/ unwilling to bring the property back into use
- Owner lacks the personal ability to deal with the property
- Following the death of an occupant the ownership of the property may be unclear
- Perceived problems associated with letting of properties
- Buy to let – tenants not forthcoming
- Mental health issues
- Owners away or in prison

For whatever reason they remain unoccupied, long term empty homes fall into disrepair and have a negative impact on the environment. A coordinated, sustainable approach to dealing with them will increase housing supply. In addition, returning an empty home to use is significantly faster and more cost effective than any other kind of new home delivery.

Supporting people who need additional support

Given the common reasons for Empty Properties, we must consider equality impact on each individual case and our approach to supporting the landlord or in enforcement action. There are a range of issues that could impact a specific client group to a greater degree when dealing with empty properties including:

- Owners in hospital or residential care
- Owner lacks the personal ability to deal with the property
- Mental health issues

The service works with the client or their appropriate representative to ascertain their communication and support needs to ensure we have the best chance of a successful outcome, reducing the likelihood of enforcement. Through understanding their needs we work to encourage a positive outcome. We will work with family/ carers and support workers to ensure the process is fully understood and we engage effectively.

What are the challenges of bringing empty properties back into use?

There are a number of challenges faced in returning empty properties back into use and these are dependent on the reason they became empty in the first place:

- Council Tax discounts for empty homes and second homes changed in April 2013 and many councils do not give any reduction now for vacant properties.
- Ownership disputes can make it difficult or impossible to establish who the owner is. Court proceedings and divorce settlements can also delay the occupation of a property.
- Personal owner circumstances may prevent them from being able to bring a property back into use. For example, they may not have the funds or capacity to renovate or sell a property.
- Tracking of owners can make it time consuming and expensive for the council to trace owners. Even after finding the individual(s) concerned, they may be unwilling to engage with us.
- Maintaining property security to ensure empty properties don't fall victim to acts of vandalism, arson or squatting.

3 Policy Context

National Context

High levels of empty properties have an adverse impact on communities and the environment. Returning empty homes in to use assists in reducing homelessness and overcrowding pressures. It also tackles aesthetic issues, the fear of crime and in the post Grenfell Tower era, fire safety.

In addition to the direct benefits to families and communities, bringing empty homes back into use plays an important role in meeting the need for new homes and the government's target of delivering 300,000 new homes a year by the mid-2020s.

Alongside measures to increase council tax costs for owners allowing their property to stand empty, the Government has updated local planning policies to ensure they support the development of under-utilised land and buildings.

New Homes Bonus

New Homes Bonus is a grant paid by central government to local authorities for increasing the level of housing. The bonus is based on extra Council Tax revenue raised from new build homes, properties converted into homes and long term empty properties brought back into use. There is also an additional payment if the property is an affordable home.

The scheme is intended to act as an incentive for local authorities to have effective empty homes strategies. Rewards will only be paid for a net increase in housing, meaning local authorities could miss out on rewards for new homes built if empty property levels are allowed to increase.

Birmingham's New Homes Bonus payments for 2017/18 totalled £14.19m. It's clear that at a time when local government resources are diminishing the benefits BCC can accrue from the New Homes Bonus remain significant. It is imperative therefore we seek to maximise the value of the bonus payment.

Local Context

Birmingham City Council Plan: 2018 to 2022

The Council has a vision for Birmingham as a great city to live in. It states:

'We want Birmingham to be a sustainable city of vibrant culture, flourishing neighbourhoods with good quality housing. A city with clean air, safe and clean streets and green spaces. We want to be a city where citizens have pride in where they live, have a strong sense of belonging and a voice in how Birmingham is run'.

To this end the Council Plan identifies a number of priority outcomes against which success can be measured.

- Increasing the number of new homes completed in the city across a range of tenures
- Increasing the number of private rented sector properties improved as a result of local authority intervention
- Ensuring an appropriate number of homes built are affordable
- Minimising the number of households living in temporary accommodation.

Returning empty properties to use plays a major role in providing decent, long term homes for citizens.

Birmingham Development Plan 2031

By 2031 it is estimated Birmingham will need an additional 89,000 homes for its growing population. Adopted in January 2017, the Birmingham Development Plan sets out the statutory planning framework to guide decisions on development and regeneration to meet that requirement. Returning empty properties to occupation can make up a significant number of the additional homes needed.

Housing Birmingham Strategy

The Housing Birmingham Strategy is the Council's housing strategy and is owned and managed by the Housing Birmingham Partnership. The partnership is open to all parties with an interest in housing in Birmingham and includes social landlords, private landlords and third sector organisations. Following commitments in the Building a Better Birmingham Manifesto (2018-22) and Housing Birmingham Strategy 'Birmingham a Great Place to Live' (2018) the Council's Housing Strategy officer is currently developing a Strategy Statement on Community-led housing to which the Empty Homes Strategy should inter-link. In July 2018 we held a successful Hope for Housing Conference attended by 100 delegates; the conference report in November 2018 included several recommendations on empty homes initiatives. The strategy seeks to address empty homes in terms of homelessness reduction, improving stock condition and building neighbourhood pride.

4 Tackling the problem of empty properties

Our Approach


Birmingham's Empty Property Team has a strong track record in returning long term and problematic empty homes to use. For the lifetime of the 2019-24 Strategy we aim to ensure a minimum of 350 empty properties are returned to use each year. This is a challenging target equating to 25% of properties currently unoccupied for longer than six months in Birmingham.

Birmingham City Council is working to prevent properties becoming empty by responding to enquiries about empty properties from the public, undertaking media campaigns, participating in local landlord events and forums, attendance at a range of resident meetings, and through promotion of our work on the council website. Where properties do become empty, we will try to locate owners and will work with them in an attempt to bring properties back into use. Generally this will take the form of advice and guidance. Where owners work with us, no enforcement action is generally needed. Where this is not successful the council will move onto enforcement against the owner to require the property be brought back into use.

Proactive Advice, Assistance and Enforcement

In the first instance owners of problematic or long term empty homes are contacted and asked about their future intentions for the property. General advice is offered including signposting to resources to support the owner. Enforcement action is only pursued where less formal, lower level approaches have made no impact or where a property is a hazard to public health. Where the council considers enforcement action to be appropriate the approach will be impartial and incremental.

The service has a clear directive of action which is irrespective of the length of time empty and is dependent on the level of nuisance caused by the property. The service ensures the same level of focus whether a property is empty for 1 week or five years, however, it is the success rate of the escalating action that can determine length of time empty once the team is notified. The table below highlights some of the actions we would expect to take and timeframes associated:

Educate		Enforce	
			
0-6 months	6-24 months	2 to 5 years	5 years and over
<ul style="list-style-type: none">• Contact with owner• Education• Support – including advising on work and approaching builders• Educate on renting out a property• Enforcement notices	<ul style="list-style-type: none">• Ongoing support for larger projects• Support with planning issues• Escalation of enforcement	<ul style="list-style-type: none">• Consider Compulsory Purchase Order• Council tax premium increase	<ul style="list-style-type: none">• Consider Compulsory Purchase Order• Further council tax premium increase

Enforcement powers at our disposal include:

- Town & Country Planning Act 1990 (Section 215) – A notice can be served on the homeowner where a home is considered to be ‘detrimental to the amenities of the neighbourhood’.
- Local Government (Miscellaneous provision) Act 1982 – Under Section 29 the Council has the power to secure empty homes against access, where there is considered to be a danger to public health.
- Enforced Sale (Law of Property Act 1925) – The use of enforcement actions on empty properties can result in the gradual build-up of debt if the work is carried out in default of the owner failing to comply with the enforcement notice. Where a reasonable charge has been registered against the property it is possible to force the sale of the property to recover that debt.
- Compulsory Purchase Order (CPO) S17 Housing Act 1985 – where owners cannot be traced, or are unwilling to bring their property back into use, the Council can seek to compulsory purchase a property and then sell it on the open market.
- Empty Dwelling Management Orders (EDMOs) – The Housing Act 2004 gives local authorities power to apply to the Residential Property Tribunal for an interim management order which may lead to compulsory leasing of the property for a fixed period of time.
- Dangerous or dilapidated buildings or structures under the Building Act 1984 ss77 & 78 and Housing Act 2004 Part I. To require the owner to make the property safe (Section 77) or enable the Local Authority to take emergency action to make the building safe (Section 78).
- Unsecured properties (where it poses the risk that it may be entered or suffer vandalism, arson or similar) under the Building Act 1984, s78 Local Government (Miscellaneous Provisions) Act 1982, s29
- Blocked or defective drainage or private sewers under Local Government (Miscellaneous Provisions) Act 1976, s35, Building Act 1984, s59 and Public Health Act 1961, s17
- Vermin (where it is either present or there is a risk of attracting vermin that may detrimentally affect people’s health) under the Public Health Act 1961, s34, Prevention of Damage by Pests Act, s4 and Public Health Act 1936, s83.

Building and maintaining relationships with property owners is perhaps the most important aspect of a successful approach to tackling empty homes. In almost all cases the quickest and therefore most economical approach is the lowest level of intervention that works.

5 Delivering Our Strategy

Achievements 2013 to 2018

The Council's Empty Homes Team has been particularly focussed on affordable, family size properties in areas of the city where a high incidence of empty homes and overcrowding has been identified. Precise targets included:

- Reducing the number of problematic and long term empty properties in the city by 1158.
- Ensuring 60% of properties returned to use citywide were family sized homes (three or more bedrooms) in the more affordable Council Tax bands A-C.
- Ensuring 40% of all properties returned to use were in the housing market areas of East Birmingham and North West Birmingham – areas of the city where overcrowding and empty property levels are high.
- Investigation of all reported empty properties and proactive investigation of all identified long term empty properties.

The team has exceeded these targets, returning 1647 problematic and long term empty homes that are unlikely to have been returned to use without Intervention. Within the headline target 63% of properties had three bedrooms or more and were in Council tax bands A to C. 37% were in the East and North West Birmingham HMAs.

The team also utilised enforcement powers to secure 198 dwellings to prevent unauthorised entry and ensure they are free from visual nuisance affecting the wider neighbourhood. In addition they have also been successful in securing Government funding to lease and repair 20 previously long term empty properties for use as additional social housing in the city.

Partnership Working

The value of partnership working in effective local government is well known. In addition to exceeding the headline strategy target the team have developed strong links with community groups, the Police and emergency services. Birmingham has also played a leading role in the West Midlands Empty Property Officers Group and the Empty Homes Network. We are working with a range of community partners such as BCH and SHH and work with them to establish resources which groups could draw on to carry out repair work and then repay as rental income and owner contributions are secured, to promote the Empty Homes Strategy with the community sector and to build strategic partnerships with suitably qualified, supported and resourced groups to add to the number of empty homes brought into use.

Empty Property Council Tax Restructuring

To further incentivise the occupation of empty homes, Birmingham introduced changes in the way its council tax charges operate in relation to empty properties. Discounts relating to unfurnished properties or properties in need

of structural repair have been abolished. Where a property has been empty and unfurnished for two years a council tax charge of 150 per cent is now applied.

The Government has recently announced that with effect from April 2019 local authorities will be free to charge up to 300% Council Tax on similarly qualifying empty properties. BCC Revenue and Finance officers have indicated they will be recommending introduction of the full 300% rate at that date.

Building on Past Success

Our experience in bringing empty homes back into use has taught us that a combination of incentives and sanctions are required to be successful. Some key mechanisms for continuing this success will be:

- Regular work in the field to investigate and prioritise problematic and long term empty homes
- Advice and assistance to owners who would like to let their properties
- Where cooperation with owners fails ensure enforcement powers such as Compulsory Purchase orders, empty dwelling management Orders and Enforced Sales are fully utilised
- Partnership work with regional and external partners to coordinate action to encourage or compel owners to bring empty homes back into use.

6 Aims and Objectives 2019 to 2024

As in the 20013-18 Strategy the team will place emphasis on some specific strategic areas and property types;

Objective 1: Provide advice, information to help raise awareness and address issues around empty properties

- Develop and maintain relationships with owners of empty properties to tell them of the support available to help bring their properties back into use; Improve the information available on the council's website;
- Maintain effective working relationships with the private sector, registered social landlords and other stakeholders; and
- Improve the information available to landlords about support available to them.

Objective 2: Improve the quality of neighbourhoods by identifying and tackling the issues associated with empty properties

- We will adopt both a proactive and reactive approach to identifying, prioritising and monitoring long term empty residential properties

Objective 3: Bring empty properties back into use to increase the supply of affordable homes for residents with a housing need

- Use negotiation, advice and assistance to bring problematic empty properties back into use;
- Use enforcement powers where necessary;
- Encourage innovative approaches to bring properties back into use, both as interim measures and longer term solutions; and
- Work with partners and other agencies to identify empty homes.
- Explore new sources of funding to increase capacity and impact – consider the role of Community Led Homes and social investors

Objective 4: Focus on bringing back into use Affordable and Family Sized Homes

As part of a wider, citywide focus on delivering affordable, family sized homes, Empty Property Officers will continue to ensure that a minimum of 60% of properties returned to use have three or more bedrooms and are in the most affordable A-C Council Tax bands.

Objective 5: Work to tackle the problem of overcrowding in the city

The Survey of English Housing uses a 'bedroom standard' as an indicator for occupation density, allocating a number of bedrooms to each household according to the age, sex and marital status composition coupled with the relationship of the members to one another.

Data contained in the 2011 Census indicates that Birmingham's citywide average for households lacking at least one bedroom is 8.9%. Of the city's ten districts Ladywood (15.3%) and Hodge Hill (15.2%) stand out as the worst affected. For this reason we will ensure that 40% of all properties returned to use are in these two districts.

Objective 6: Enhance the use of Community Led Housing projects

Community Led Housing (CLH) projects are projects led by community groups aiming to ensure that new homes are built and empty homes and buildings can be brought back into use to meet local housing needs. Birmingham is committed to playing a part in enabling group and partner organisations with the capacity to raise grant and other funding to return empty homes to use.

Objective 7: Maximise the potential resources available to impact on empty homes in Birmingham

Work with community groups and organisations to identify empty properties in the city and develop the skills of these groups to help invest in and develop the city's housing stock.

Strategy Action Plan and Supporting Actions 2019 – 2024

In addition to the numerical targets outlined in the Strategy Action Plan (Appendix A) a number of supporting actions are identified at Appendix B to support the continuous improvement of empty property work.

Monitoring, Strategy Review and Update

To ensure Empty Property Strategy delivery remains effective a full review will be undertaken each year. As well as monitoring progress against existing targets this will serve as an opportunity to revise strategy targets and supporting actions to reflect changing priorities.

7 Resources

The strategy and action plan will be owned by the Senior Service Manager for Housing Options and PRS and will be delivered through a PRS Strategy Implementation Group and progress reported to the Cabinet Member and an annual performance and impact report which will be published online.

There are a range of resources available to us in tackling the issue of empty properties in the city. These include:

People and Partners

Successful delivery of the Empty Property Strategy and action plan will be the responsibility of the Private Rented Sector Team in partnership with internal and external partners.

The key internal partners will include:

- Council Tax and benefits
- Planning Enforcement
- Local Community Safety Partnerships
- Housing Options Service
- Finance
- Legal

Key external partners will include:

- Housing Developers
- Housing Associations
- Registered Providers
- West Midland Police

Financial

The city council's empty property strategy will be resourced through the council's budget. Where appropriate, bids for resources from the Government will be made and we have been successful in securing a number of these over the past two years.

Appendix A: Outcomes

EMPTY PROPERTY ACTION PLAN						
Increasing the supply of affordable housing to meet the city’s needs						
Links to other strategies and plans and national housing policy objectives	Local BCC Council Plan 2018-22 Birmingham Development Plan 2031 Housing Birmingham Strategy and links to the Community-led Housing Strategy Homelessness Prevention Strategy 2017	Regional West Midlands Empty Property Officers Group		National Empty Homes Network New Homes Bonus		
Partner Organisations	Empty Homes Agency, Empty Homes Network, National Landlords Association, BCH, Self-Help Housing and other locality and community organisations					
Targets		2019/20	2020/21	2021/22	2022/23	2023/24
Reduce headline number of empty properties in Birmingham by 1,750 by 2024		350	350	350	350	350
Number of properties back in to use within 6 months (of notification)		10	14	21	28	35
Number of properties back in to use between 6 months and 2 years		89	98	105	112	119
Number of properties back in to use between 2 years and 5 years		120	112	105	98	91
Number of properties back in to use 5 years or more after notification		131	126	119	112	105
• 60% of homes returned to use to be family sized properties (3+ bedrooms) in council tax bands A-C		(210)	(210)	(210)	(210)	(210)
• Number of empty properties returned to use in Hodge Hill district		(70)	(70)	(70)	(70)	(70)
• Number of empty properties returned to use in Ladywood district		(70)	(70)	(70)	(70)	(70)
Totals		350	350	350	350	350

Appendix B: Supporting Actions

	Action	Outcome	Implementation Date	Responsibility	Monitoring
1	Empty Property Website	Review and further develop empty property pages on the Council's website with links to other relevant websites and an enquiry and reporting facility for people with concerns about empty properties.	31 March 2020	Senior Service Manager – Housing Options and PRS	Cabinet Member updates
2	Social Media/ promotion	Continue to develop use of social media to advertise and disseminate advice and information on empty property issues to customers and partners. Promote the strategy within the community sector	Ongoing	Senior Service Manager – Housing Options and PRS	Cabinet Member updates
3	Council Tax Data Cleansing	Work with Council Tax colleagues to improve data quality relating to empty homes.	31 March 2020	Senior Service Manager – Housing Options and PRS	Cabinet Member updates
4	Community Led Housing	Develop a Birmingham Community Led Housing policy clarifying our approach to enabling community groups return empty homes into use.	30 June 2019	Senior Service Manager – Housing Options and PRS	Cabinet Member updates
5	Connectivity with Housing Options	Improve integration with Housing Options Service. Connect Empty Property Strategy to Housing Options and PRS Development Strategy. Link with PRS incentives scheme.	31 March 2021	Senior Service Manager – Housing Options and PRS	Cabinet Member updates
6	Annual Strategy Review	Monitor progress against existing targets Consider revision of strategy targets and actions to reflect changing priorities.	Ongoing	Senior Service Manager – Housing Options and PRS	Cabinet Member updates
7	Increase available resources	Work with partners to identify totality of resource available across the wider city economy to tackle the issue of empty properties	Ongoing	Senior Service Manager – Housing Options and PRS	Cabinet Member updates

Appendix C: Useful Links

Birmingham City Council Empty Homes Service

https://www.birmingham.gov.uk/info/20144/exemptions_and_discounts/807/empty_and_unoccupied_properties

Department for Communities and Local Government:

www.gov.uk/government/organisations/department-for-communities-and-local-government

Empty Homes Network

www.ehnetwork.org.uk

Empty Homes – national charity

www.emptyhomes.com

Homes England

<https://www.gov.uk/government/organisations/homes-england>

Shelter

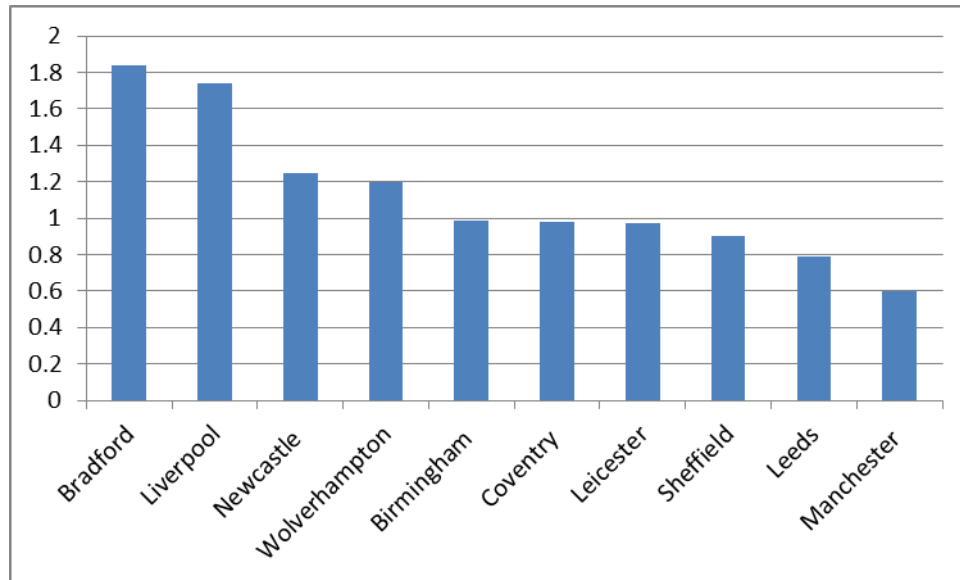
www.shelter.org.uk

Appendix D: Background data and information

Analysis of empty properties in Birmingham

Fig 1

Percentage of Homes (All tenures) Empty Longer Than Six Months



Selected comparison Cities

Source - Government Live Table 615

Figure 1 indicates that in terms of longer term empty homes, Birmingham's percentage figure rates as average compared to other large densely populated cities in England.

Council Tax records indicate that at October 2018 approximately 2800 of Birmingham's 9896 empty properties had been unoccupied for less than six months.

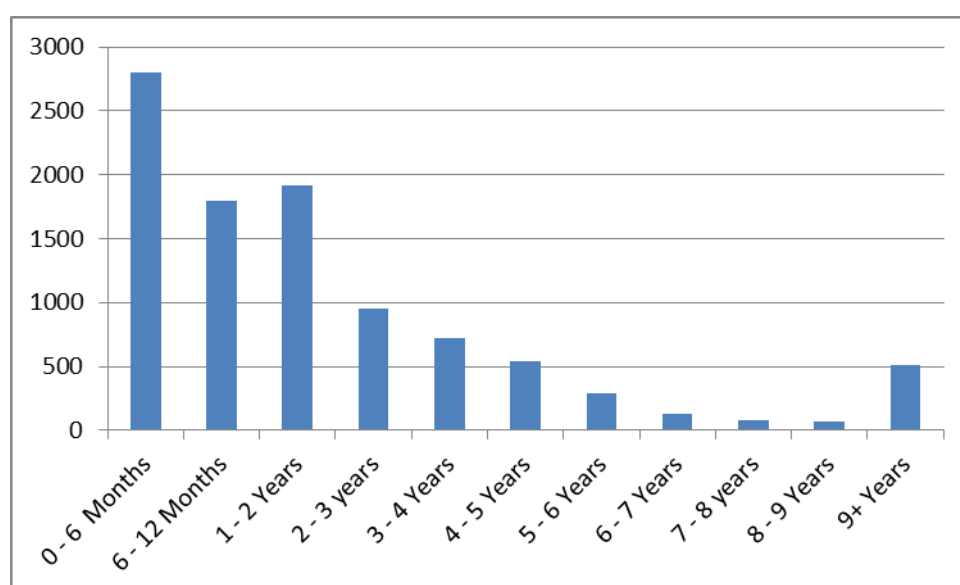
Breakdown of Empty Properties by Period Empty

Figure 2 illustrates how Birmingham's 9,896 empty homes break down in terms of length of time empty. The 2,802 empty less than six months represents 28% of the total number of properties empty and 1.2% of the city's total private housing stock.

A further 3703 had been empty for less than two years and as a cumulative total, 75.3% have been empty for less than three years. Numbers continue to drop off steadily after three years. Numbers only rise again where properties empty for nine years or longer have been banded together. This figure includes cases where property ownership is unknown and difficult to establish.

Fig 2

Empty Property Numbers by Period Empty



Distribution of Privately Owned Properties Empty Longer than Six Months by District

Birmingham has a diverse housing market divided into ten districts. As the level of privately owned housing stock varies considerably between districts, it's useful to look at empty properties in individual districts as a percentage of their overall private housing stock.

At June 2018 the city wide average for private sector properties empty longer than six months was 3.1%. Five of the city's ten districts (Ladywood, Edgbaston, Northfield, Hall Green and Erdington) have an above average empty property rate. These five districts contain 45.2% of the city's private housing stock but account for 53.7% of its privately owned properties empty for longer than six months. At the local level community organisations can bring local intelligence and stewardship to provide place based solutions to bring empties into use and address local housing needs. There are numerous examples of how this has worked to provide a welcome alternative option for property owners and local authority empty homes officers to add value and reduce empties while bringing wider community benefits, stabilising neighbourhoods and engaging communities

Private Sector Empty Property Strategy				
No.	Risk	Probability	Impact	Mitigation
1.	Not able to deliver the target number of homes being brought back into use as stated within this strategy	Low	Medium	<p>Build on Birmingham Empty Property Teams strong track record in returning long term and problematic empty homes into use.</p> <p>Effective use of enforcement powers.</p> <p>Introduction of new Council Tax penalty legislation for long term empty homes motivating owners.</p>
2.	Inadequate resources to respond to demand	Low	Medium	The new service redesign will enable greater flexibility to respond to fluctuating demand. Improved integration with Housing Options Service. Connect Empty Property Strategy to Housing Options and PRS Development Strategy. Link with PRS incentives scheme.
3.	Successful challenges of enforcement approaches i.e. Public enquiries from CPO	Low	Medium	There has not previously been a successful legal challenge through CPO and we have brought properties back into use through this route. Intensive work is done with owners to mitigate against enforcement approaches.

Title of proposed EIA	Empty Property Strategy 2019 to 2024
Reference No	EQUA272
EA is in support of	New Strategy
Review Frequency	Two Years
Date of first review	10/03/2021
Directorate	Place
Division	Housing
Service Area	Private Rented Sector
Responsible Officer(s)	Karl Robinson
Quality Control Officer(s)	Rehana Kosar
Accountable Officer(s)	Jim Crawshaw
Purpose of proposal	Equality assessment on Empty Property Strategy 2019
What sources of data have been used to produce the screening of this policy/proposal?	Consultation Results; relevant reports/strategies; relevant research
Please include any other sources of data	Empty Property Strategy 2019-2024 consultation carried out on Be Heard. We consulted with a range of stakeholders such as landlords, tenants and providers. We received 31 responses from the survey with most people in support of the strategy. There were few negative comments and most were related to our current response times for dealing with general PRS issues. We received detailed feedback from a university and from St basils.

PLEASE ASSESS THE
POTENTIAL IMPACT
ON THE FOLLOWING
PROTECTED
CHARACTERISTICS

Protected characteristic: Age	Not Applicable
Age details:	
Protected characteristic: Disability	Not Applicable
Disability details:	
Protected characteristic: Gender	Not Applicable
Gender details:	
Protected characteristics: Gender Reassignment	Not Applicable
Gender reassignment details:	
Protected characteristics:	

Marriage and Civil Partnership

Not Applicable

Marriage and civil partnership details:

Protected characteristics:

Pregnancy and Maternity

Not Applicable

Pregnancy and maternity details:

Protected

characteristics: Race

Not Applicable

Race details:

Protected

characteristics: Religion or Beliefs

Not Applicable

Religion or beliefs details:

Protected

characteristics: Sexual Orientation

Not Applicable

Sexual orientation details:

Please indicate any actions arising from completing this screening exercise.

There are no actions required from initial screening.

Given the common reasons for Empty Properties, we must consider equality impact on each individual case and our approach to supporting the landlord or in enforcement action. There are a range of issues that could impact a specific client group to a greater degree when dealing with empty properties including:

- Owners in hospital or residential care
- Owner lacks the personal ability to deal with the property
- Mental health issues

The service works with the client to ascertain their communication and support needs to ensure we have the best chance of a successful outcome, reducing the likelihood of enforcement. Through understanding their needs we work to encourage a positive outcome. We will work with family/ carers and support workers to ensure the process is fully understood and we engage effectively.

Please indicate whether NO a full impact assessment is recommended

What data has been collected to facilitate the assessment of this policy/proposal?

Consultation analysis
Adverse impact on any people with protected characteristics.

Could the policy/proposal be modified to reduce or eliminate any adverse impact on any particular group(s)?

How will the effect(s) of this policy/proposal on equality be monitored?

What data is required in the future to ensure effective monitoring of this policy/proposal?

Are there any adverse impacts on any particular group(s) ☐ No

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA ☐ Not applicable

QUALITY CONTROL SECTION

Submit to the Quality Control Officer for reviewing? No

Quality Control Officer comments Thanks for submitting this EIA.

Decision by Quality Control Officer We have quality checked this EA and are satisfied to submit this to the Accountable Officer for a final quality review.
Proceed for final approval

Submit draft to Accountable Officer? No

Decision by Accountable Officer Approve

Date approved / rejected by the Accountable Officer 12/03/2019

Birmingham City Council

Report to Cabinet

Date: 16 April 2019



Subject: PUTTING PREVENTION FIRST: COMMISSIONING AND PROCUREMENT STRATEGIES FOR VULNERABLE ADULTS HOUSING & WELLBEING SUPPORT

Report of: Director for Adult Social Care

Relevant Cabinet Member: Cllr Paulette Hamilton - Health & Social Care
Cllr Sharon Thompson - Homes & Neighbourhoods
Cllr Tristan Chatfield - Finance & Resources
Cllr Kate Booth - Children's Wellbeing

Relevant O & S Chair(s): Cllr Robert Pocock - Health & Social Care
Cllr Penny Holbrook - Housing and Homes
Cllr Sir Albert Bore - Resources
Cllr Mohammed Aikhlaq - Children's Social Care

Report author: Kalvinder Kohli,
Head of Service Commissioning Adults Social Care
Tel: 0121 303 6135
Email Address: kalvinder.kohli@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Forward Plan Reference: 006206/2019		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1 Executive Summary

- 1.1 This report provides details of the commissioning and procurement strategies for the recommissioning of the Vulnerable Adults Housing and Wellbeing Support Services. Contracts relating to some of the services being commissioned expire on 30th November 2019.
- 1.2 The Vulnerable Adults Housing and Wellbeing Support pathway has four elements: Universal Prevention, Early Targeted Help, Crisis Support and Transition Services.

- 1.3 These services are vital in delivering against a number of Council priorities which include corporate parenting, improved health and wellbeing, building resilient and independent communities and access to suitable and sustainable housing options for the most vulnerable.
- 1.4 The commissioned services will also directly support the delivery of the following key strategies: Vision and Strategy to Modernise Adult Social Care 2017, Homelessness Prevention Strategy 2017+, Transitions Strategy 2018+ Domestic Abuse Prevention Strategy 2018+.

2 Recommendations

That Cabinet:

- 2.1 Approves the commissioning strategy outlined in section 4 and commencement of the procurement strategy detailed in **Appendix 1** of this report.
- 2.2 Delegates authority to the Director of Adults Social Care in conjunction with the Chief Finance Officer, City Solicitor and the Assistant Director of Development and Commercial (or their delegates) following the procurement process to award contracts for Vulnerable Adults Housing and Wellbeing (excluding Universal Prevention see 2.5) services in 2 tranches for a period of three years commencing between 1st December 2019 and 1st February 2020 respectively.
- 2.3 Delegates authority to the Cabinet Members for Health and Social Care, Finance and Resources jointly with the Director of Adults Social Care, in conjunction with the Chief Finance Officer, City Solicitor and the Assistant Director of Development and Commercial (or their delegates) to extend the contracts awarded in 2.2 for up to a period of 2 years, subject to funding availability and satisfactory performance.
- 2.4 Delegates authority to the Cabinet Member for Health and Social Care and Finance and Resources jointly with the Director of Adults Social Care to extend the Housing and Welfare Support service for a period of 8 months until 30th November 2019 for the value of £193k subject to performance and budget availability in order to allow the recommissioning of the new services set out within this report.
- 2.5 Delegates authority to the Assistant Director of Commissioning (Adults Social Care) in conjunction with relevant Finance, Legal and Procurement officers to update the procurement strategy for Targeted, Crisis and Transition Support as required in response to the outcomes of the tendering process, market consultation and/or commissioning developments with partners, where this is in the Council's benefit and within the approved budget.
- 2.6 Delegates authority to the Director of Adults Social Care in conjunction with the Chief Finance Officer, City Solicitor and the Assistant Director of Development and Commercial (or their delegates) to approve the procurement strategy and award the contract for an online service for Universal Prevention, see 3.4.4.2, subject to the outcome of a successful market investigation exercise and available funding.

- 2.7 Authorises the City Solicitor and Monitoring Officer to negotiate, execute and complete all necessary documents to give effect to the above recommendations.

3 Background

- 3.1. The vision and strategy to modernise Adult Social Care and Health was approved by Cabinet on 3rd October 2017. The vision includes some key principles which collectively enable citizens to live independently within communities.
- 3.2. Alongside a community model for social work, there has been a renewed commitment and step change by the local authority to invest in targeted prevention activity. This has been set out in a subsequent report to Cabinet on the 14th November 2017 Putting Prevention First: Supporting the vision for Adult Social Care and Health. The focus of which is to invest earlier in order to prevent or delay more costly statutory interventions.
- 3.3. This included the need to invest in three key areas of prevention activity for vulnerable adults in the City:
- Development of community assets via a neighbourhood network scheme for the City.
 - A continued investment in communities via the re design of existing third sector grants funding to deliver the priorities for adult social care and health.
 - Development of a prevention focused housing and wellbeing support pathway for vulnerable adults whose health and wellbeing is at risk due to their unstable, precarious housing circumstance.

3.4. Vulnerable Adults Housing and Wellbeing Support Excellent Pathway

This report concerns the development of a prevention focused housing and wellbeing support pathway.

- 3.4.1. The modelling is based upon existing best practices within the City and nationally. This includes the Youth, Leaving Care, Justice and Homelessness Prevention pathways which collectively promote strength based prevention approaches. The considerations for front line strength based support delivery have been informed by Adult Social Care Three Conversations and Psychologically Informed Environments practices applied for vulnerable adults, families and young people.
- 3.4.2. The pathway starts from the premise that the housing and support needs of vulnerable adults are not static and often change at different points in their lives and as a consequence of life events. Similarly national research undertaken by Crisis 2018 demonstrates that certain cohorts of population are at greater risk because of their precarious housing circumstances which can lead to a deterioration in their physical and mental health, repeat and increased access to institutional settings such as hospital, registered care or its extremes of prison, homelessness or rough sleeping.
- 3.4.3. An effective prevention pathway will respond early and respond well to people who are at risk of losing their home or beginning to have difficulties in managing their home. Its key components therefore include:

- Universal Prevention Activity which enables people to make informed choices about their housing circumstances before their needs escalate into more costly interventions.
- Targeted Prevention activity to provide a time critical response to those that do become vulnerable due to precarious housing and personal circumstances including leaving institutional settings, family circumstances, care-leavers, and people experiencing domestic abuse.
- Crisis Safety and Support through the provision of supported accommodation for vulnerable adults and their families who find themselves in crisis for a short period of time in order to provide a range of support interventions.
- Recovery and Resilience using strength based approaches which promote wider health and wellbeing and outcomes relating to addressing loneliness and isolation, financial inclusion and connections into local community assets in order to regain or maintain independence.

3.4.4. The delivery of the Pathway will be commissioned across the key components as set out below; the access points for vulnerable adults will be dependent upon their individual needs and circumstance. The intention being that the services commissioned work together as a system which prevents anyone from falling off the pathway, failing to access services and enables re - entry into services should the need arise.

3.4.4.1. Population Cohorts

There are five client groups being identified across the pathway:

1. Young people, aged 16-25 years
2. Adults, aged 25 plus including, singles, couples and their pets
3. Victims of domestic abuse
4. Households in temporary accommodation
5. Ex-offenders; at the point of prison release

The identification of the client groups forms the detail and scope of the proposed service provision. A high level outline has been set out below (3.4.4.2 – 3.4.4.6)

3.4.4.2. Universal Prevention

A comprehensive online housing and wellbeing support service will be commissioned for individuals to act as a protective response to a combination of presenting factors such as poverty, poor health, precarious housing circumstances and risks of homelessness. The service will be tailored for individuals to self – navigate and for use by professionals, practioners and carers acting on behalf of their clients.

There will be information on a range of services including the local asset registers, Neighbourhood Networks, GPs, mental health, sexual health and substance misuse support.

This service will be commissioned separately to the rest of the pathway. See 1.5 in Appendix 1 for more information.

3.4.4.3. Targeted Prevention

Client specific housing and wellbeing prevention hubs designed to provide face to face support and access to services aimed at providing prevention based activity for individuals:

- (A) Young Persons Advice and Welfare Hub; aged 16 – 25 years
- (B) Ex-Offenders Specialist Hub (immediate prison release)
- (C) Victims of Domestic Abuse Advice, Safety and Support Hub
- (D) Homeless Adults Hub (singles and couples) over the age of 25 years in longer term supported accommodation for young people (16-25 years), homeless adults (aged 25 plus) and ex-offenders.

In addition to the above, intensive targeted community based support will also be delivered through:

- (E) Lead Workers and Peer Mentors for the most vulnerable in the categories listed A-D. These workers will be connected to the Hubs, vulnerable adults' social work teams, relevant panels and work alongside other key agencies in the City.
- (F) Families' Lead Workers providing community based support to identified families with multiple or complex needs.

3.4.4.4. Crisis Safety and Support

- (A) Multi-agency Outreach Street Intervention team which includes support for substance misuse, mental and physical health. This will include assertive outreach, lead workers and youth navigators. The team may include other co - located agencies as required.
- (B) Domestic Abuse Refuge supported accommodation and dispersed refuge for larger families and children with multiple complex needs. This includes 'move-on' support to resettle people back into more permanent accommodation.
- (C) 24/7 emergency supported accommodation for singles aged 25 plus

3.4.4.5. Transitional support (Health and Wellbeing Centres)

These services are based on the Housing First approach. Currently termed 'Housing First Light'; they would follow the main principle that people have a right to a home and that their support must link with relevant services across the sectors to meet their needs.

The health and wellbeing centres will address a multiplicity of need or risk of tri-morbidity (co-occurring disorder, e.g. psychiatric or

substance misuse, with a chronic medical problem). There will be a clear focus upon recovery and integration for:

- (A) Young people aged 16-25 years
- (B) Singles and couples over the age of 25 years
- (C) Ex- offenders

3.4.4.6 Commissioned services alignment and integration

The design and specification of the services will facilitate clear pathways for support and ensure that a strong prevention first focus is built into every stage.

Dialogue relating to alignment, integration and opportunities for joint commissioning with partners is continually taking place in order to secure access into services for the most vulnerable. These include:

- Development of a health and homelessness pathway with the CCG and NHS provider trusts.
- Agreements with the Children's Trust to spot purchase additional capacity from proposed services as part of their commitments to prevent homelessness and rough sleeping for young people leaving care.
- Refocusing of existing services to form part of the offer of support, this includes substance misuse and recovery, carers support and sexual health services,
- Access to community assets and local neighbourhood networks services, migration and resettlement support.

3.5 Existing contractual arrangements for these services

- 3.5.1 The existing Social Inclusion contracts are due to expire on 30th November 2019. The future commissioning will continue to provide services to the existing cohorts of vulnerable adults; however the design of future services will reflect a pathway approach as set out within this report.
- 3.5.2 During the period of the initial design work for the recommissioning activity the existing vulnerable adults and housing support contracts have also benefitted from an ESIF (PURE) match funding award of up to £6m to deliver employment opportunities to vulnerable adults considered to be the furthest away from the labour market. Details of the PURE Project are set out in the Cabinet report of 13 November 2018 which also accepted the funding award which will enhance the capacity of current and future contracts to improve the financial inclusion opportunities for vulnerable adults.
- 3.5.3 The current Social Inclusion contracts for vulnerable adults have been extended for the permitted two year period to November 2019 as per the relevant contract clauses and in accordance with the Chief Officers and

Cabinet Member Delegations. This has enabled time considerations to carry out the design work for the pathways, commence the associated re commissioning activity and align benefits of the ESIF match funding.

4 Options considered and Recommended Proposal

4.1 The following options have been considered

Option 1 - Do not recommission the supported housing services and decommission the existing services.

This option is not recommended as it would mean that the current vision around the Prevention First agenda set within the various Council Strategies will not be delivered. This would also mean not delivering on four of the five Council's priorities and leaving some of the city's most vulnerable citizens without the necessary support and putting an additional strain on statutory services, including Health, Social Care, Housing, Homelessness and the Police.

Not recommissioning would also significantly reduce the delivery of the ESIF PURE project which is delivered via the existing Social Inclusion contracts. This would result in loss of potential revenue coming into the city of up to £2m and fewer participants in the scheme which provides the opportunity for vulnerable adults to receive a significantly enhanced offer of support to access education, training and employment.

Option 2 - Deliver the services in-house.

This option is not recommended for a number of reasons: The skills currently do not exist to deliver the scale of the diversity of the services to be commissioned. A number of these services require an accommodation based offer to be provided; the Council does not have this level of property provision within its existing assets and would need to acquire through lease or purchase from the existing market. The cost and time to mobilise would not be possible by December 2019. Importantly, the majority of citizens in need of these services would prefer to engage with the market providers; many of these are third sector organisations.

Option 3 - Procure a range of single and multiple contracts for the different client groups allowing timely and flexible provision that is responsive to the needs of vulnerable adults that is based on the housing and wellbeing support pathway.

This is the preferred option as these contracts deliver the Children, Adult Social Care, Health and Housing priorities for vulnerable people and will underpin the delivery of the Prevention First agenda and are key to the delivery of the Homelessness Prevention and Domestic Violence Prevention Strategies.

The housing and wellbeing support services are provided in advance of more costly statutory interventions. It also allows for the continuation of the European funded PURE project approved by Cabinet in November 2018.

5 Consultation

5.2 Internal

- 5.2.1 Councillor Jayne Francis, Cabinet Member for Education & Skills; Councillor John Cotton, Cabinet Member for Social Inclusion, Community Safety and Equalities; and Councillor Nicky Brennan Cabinet Advisor for Domestic Abuse have been consulted on this report and support the recommendations.
- 5.2.2 The Adult Social Care Management Team and Neighbourhoods Directorate SMT have been consulted and support the recommendations.
- 5.2.3 Officers from Legal and Governance, City Finance and Corporate Procurement have been involved in the preparation of this report.

5.3 External

- 5.3.1 Co design work has been underway for the last 12 months led by experts with lived experience and a range of key stakeholders. This includes partners from across health, housing, social care, neighbourhoods, community and voluntary sector organisations, Local Government Association, Probation, Police, Department for Social Care and Health and the Children's Trust.
- 5.3.2 Expert Partnership Boards including the Birmingham Safeguarding Adults Board, Homelessness Partnership Board and the Violence against Women and Children Steering Group which oversee the implementation of the Homelessness Prevention and Domestic Abuse Prevention Strategies have also been instrumental in the design work for the pathways of specific cohorts of vulnerable adults outlined within this report. The Vulnerable Adults Citizens Panel has retained oversight of this work including approval of the overall pathway modelling. Existing providers delivering the contracts have been consulted and engaged in the co design of the proposed services set out in section 3.44 of this report.
- 5.3.3 The Vulnerable Adults Citizens Panel have been consulted and engaged in the co design of proposed services and have had the opportunity to comment on the Equality Analysis.
- 5.3.4 Citizens in receipt of the existing services have been consulted on a face to face basis through forum discussions and have been provided the opportunity to speak to commissioning officers on a one to one basis.
- 5.3.5 The Safeguarding Adults Partnership and Homelessness Partnership Board have been consulted on the proposal and support the recommendations.
- 5.3.6 There will also be an expectation for organisations submitting bids to have engaged and consulted with their stakeholders and services users as part of the bid formulation.

6 Risk Management

- 6.2 Risks will be identified, evaluated and controlled in line with the Birmingham City Council Risk Management Methodology 2017.
- 6.3 The initial risks are detailed within **Appendix 2** of this report. A full Risk Register has been developed as part of the project management of this re commissioning. The project management, governance and oversight of this re commissioning will be through the Vulnerable Adults and Housing Board chaired by the Assistant Director Commissioning (Adult Social Care) and will report through to the Adults Social Care Management Team chaired by the Director for Adults Social Care.
- 6.4 The risks are all as low as is reasonably possible. The highest risk rating is medium; all have mitigating actions.

7 Compliance Issues:

- 7.1 The recommended decisions are consistent with the Council's priorities, plans and strategies:
- 7.1.1 Supports the Vision and Priorities in the Council Plan 2018-2022 as agreed by Cabinet across four priority areas:

Children – an aspirational city to grow up in: We will inspire our children and young people to be ambitious and achieve their full potential.

Jobs and skills – an entrepreneurial city to learn, work and invest in: We will create opportunities for local people to develop skills and make the best of economic growth.

Health – a fulfilling city to age well in: Citizens and communities will have choice and control over their care and improved resilience and independence.

Housing – a great city to live in: We will work with our partners to build a fair and inclusive city for all.

- 7.1.2 The decisions within this report will contribute and support the delivery of the following strategies:
- Vision and Strategy to Modernise Adult Social Care 2017+
 - Putting Prevention First: Delivering the Vision for Adult Social Care 2017+
 - Health and Well-being Strategy 2017+
 - Homelessness Prevention Strategy 2017+
 - Financial Inclusion Strategy 2016+
 - Domestic Abuse Prevention Strategy 2018+
 - Transitions Strategy 2018+
- 7.1.3 The commissioning of the Vulnerable Adults Housing and Wellbeing Services reduces the need for higher tariff statutory and emergency interventions, enabling people to continue to live independently within their communities.

- 7.1.4 The commissioning of support for young people and families at risk of homelessness and domestic abuse support the Councils Corporate Parenting responsibilities.
- 7.1.5 The project aligns with strategic objectives in the Birmingham Development Plan (BDP) 2031 relating to improving health and well-being. This includes priorities of the Health and Well-Being Board and Public Health Outcomes Framework.

7.2 Legal Implications

- 7.2.1 Section 179 Housing Act 1996 provides that a local housing authority must provide or secure the provision of a service, available free of charge to any person in the authority's district, providing information and advice on, preventing homelessness, securing accommodation when homeless, the rights of persons who are homeless or threatened with homelessness, and the duties of the authority.
- 7.2.2 The Council may also exercise powers under the Care Act 2014 together with associated regulations and statutory guidance relating to the provision of services to meet the need for care and support as well as prevention and services to promote wellbeing.
- 7.2.3 Under Section 111 of the Local Government Act 1972, a local authority has the power to take action which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions and therefore has a general power to enter into contracts for the discharge of any of its functions. Section 93 of the Local Government Act 2000 gives the Secretary of State power to award grants to local authorities for expenditure incurred by them in the provision of welfare services determined by the Secretary of State.
- 7.2.4 The Council has a best value duty under Section 3 of the Local Government Act 1999 to improve the efficiency, economy and effectiveness of the services that it delivers. The use of an open procurement route will ensure that competitive bids are obtained and the terms offered by the successful tenderer will deliver best value to the Council.
- 7.2.5 Some of the services being procured may be subject to the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) however in this instance no Council employees will be affected. The Council's role will be to facilitate the transfer of relevant information between the incumbent providers of existing services and prospective bidders without providing any indemnity regarding the accuracy of information provided.
- 7.2.6 The Council's obligations for this service under the General Data Protection Regulation (GDPR) will be met by conditions in the tender specification.

7.3 Financial Implications

- 7.3.1 The total funding for contacts over five years will therefore be £85.08m; ref no 6 in the finance table. The advertised procurement will be for 'up to the value of £85.08m potential total contract value'; in addition the price will be fixed for the duration of the contracts with no inflation or uplift. The use of an "up to" amount for the procurement, gives the opportunity for the integration of several grant elements that have different timings and decision making processes. This saves further separate procurement costs and is efficient for that reason. It also ensures council funding is even more effective per £1.
- 7.3.2 The proposed annual value of these services and how this will be funded is set out in the finance table below:

Ref No.	Funding Stream	Annual Budget £m	3 yr budget figures £m	2 yr budget £m	Total Value £m
1	Adults Base Funding	13.98	41.94	27.96	69.9
2	Grant Funding	1.78	5.34	3.56	8.9
3	Invest To Save (Preparation for Adulthood)	0.40	1.2	0.8	2.0
4	Homelessness Prevention Grant	0.46	1.38	0.92	2.3
5	PURE Match Funding	0.66	1.98	0	1.98
6	Totals	17.28	51.84	33.24	85.08

- 7.3.3 As some elements of work streams funding are contingent on external and other eventualities which are pending; the procurement process and the delivery has been arranged so that elements of funding that are contingent can be either removed without effecting the whole or, where appropriate, planning and contractual issues arising can be managed appropriately. This enables the main programme to continue and the risks to the council mitigated.
- 7.3.4 Due to the timeline on the re-procurement elements, it is not possible to delay or wait for all elements of funding to be confirmed beforehand or the contract length crosses over the renewal of grants/spending reviews.
- 7.3.5 Grant funding (item 2 in the table above), is included as currently provided for within the long term council planning baselines – it includes IBCF2 and a smaller contribution from Public Health (£1.5m and £0.28m per annum respectively). If there are any changes in, for instance, central government plans affecting planning baseline grant levels these are likely to be from the 3rd year of the contract and so with sufficient time to plan alternative actions. If such an eventuality were to occur then, alternative grants, savings, or other base funding will be secured within the Directorate and set out in the long term

planning process. Additionally if necessary and before year 4 the extension will not be taken up and the service re-commissioned at that point within a smaller funding envelope; subject to any further consultations required.

- 7.3.6 The Public Health funding is currently subject to review by the new Director of Public Health and a consultation on priorities is pending. Any changes in contributions for this project will be advised over the course of the procurement and before contract award and can be amended or extracted as necessary without an issue to the overall procurement.
- 7.3.7 The Invest to Save, reference 3 in the Finance table, is subject to a bidding process for a wider series of programmes of which this is a small yet important element. The business case for this is subject to a further approval process and therefore no specific decision is required (other than including it as a contingent item to this procurement). This particular element requires integration with the rest of this procurement and is in regard to one of the hub facilities (which does not have other funding). To ensure proper governance with the procurement aspects, without further reports being required for the procurement, it is included here as a contingent funding item. This can be excluded or extracted from the procurement as required and is included here due to different timelines for the bid process and procurement. The invest to save process will allow a further chance to consider in more detail the funding proposal and benefits and make a separate decision (i.e. separate to this report).
- 7.3.8 The duration of the PURE Grant funding, ref no 5 in the finance table, is subject to final agreement from the Department of Works & Pensions (DWP). If this is not received at any point prior to letting the relevant contracts, it can be removed from the procurement without any penalty and will be capable of being added back later if need be due to the design of this procurement and programme – it is in effect an add on to the main programme.
- 7.3.9 The proposed fixed price contracts will be for an initial period of three years (with extension possible for two more). For such a large and integrated contract and work streams, this is deemed the minimum economic period to ensure an efficient bid process and outcome. The possibility to extend or not allows the Directorate to manage the contingent nature of some of the funding and the different timeframes of particularly the grant funding.
- 7.3.10 Where contingent issues arise (most likely in the 3rd year) in regard to ongoing funding, then (as advised above) the Directorate will be able to manage this by mitigating the risks appropriately and making the changes through the council's long term planning and approval system and processes. The contracts will also contain a 3 month termination break clause.
- 7.3.11 The extension of the Housing and Welfare Support service for a period of 8 months until 30th November 2019 for the value of £193k is included in the above figures.
- 7.3.12 The application of preventative strategies is a key element in reducing “downstream” effects on individuals which in turn increase the costs to the council and other partners and Birmingham as a whole. Such consequential savings are difficult to calculate.
- 7.3.13 This procurement continues the existing investment in this area, integrates it with the agreed strategy on prevention and links it to a number of innovations

and other grant funded activities, thereby maximising and multiplying the councils own investment with other money and developments in services.

- 7.3.14 There is a need for comprehensive monitoring, outcomes and review of performance to inform both contract management and the further strategies and procurements in the future and overall preventative strategy. Some elements of the contract payments will be based on results giving further reassurance of value for money. Such considerations are detailed further in the procurement strategy and through the report text below.

7.4 Procurement Implications

- 7.4.1 The full range of services to be procured is set out in the Vulnerable Adults Housing and Wellbeing Support Procurement Strategy; see **Appendix 1**.
- 7.4.2 A list of services to be commissioned, together with information on the respective client groups and the pathway stages, are in **Appendix 3**.
- 7.4.3 The Universal Prevention (Disabilities) contracts for mental health and learning disabilities expire in June 2021; this enables time for the initial learning from the commissioning and procurement to be applied. Considerations for alignment and joint commissioning of these services with the CCG will commence from April 2019 with a subsequent report to Cabinet in May 2020.
- 7.4.4 The recommendations in this report are compliant with the Council's Procurement Governance Arrangements (PGA).
- 7.4.5 It is proposed to tender for payment by outcomes contracts (PbO) which will combine the use of quantitative KPI data, quality assurance of service delivery alongside the outcomes delivered for citizens. A revised PbO framework has been developed (**Appendix 4**) and includes the following high level outcomes: health and wellbeing, overcoming isolation, connection to community networks and assets, economic wellbeing, safety and security within the home and access to paid work.
- 7.4.6 Birmingham Business Charter for Social Responsibility (BBC4SR) will be applied within the threshold of the Charter requirements and contract value.
- 7.4.7 Pre-procurement Duty under the Public Service (Social Value) Act 2012. Bidders will be asked how their bid addresses social value as part of the evaluation. Consideration of whether to undertake a consultation exercise was discussed during the planning stage and it was agreed that this would not be required as tenderers will be asked how their bid addresses social value as part of the evaluation and no additional stakeholder consultation was required. This consideration also included how this procurement exercise might improve the social and economic well-being of the city and will be addressed by evaluating social value.
- 7.4.8 It may be necessary to allow the market longer to respond to some of the new services, e.g. the Advice and Welfare Hubs, as it may require more than one provider and/or agency to submit joint bids. A Prior Information Notice (PIN) will be issued to facilitate the process and responses will be used to inform the timeline for these services if appropriate. The re-procurement of existing services will be prioritised due to the existing contracts expiring.
- 7.4.9 For more information see the procurement approach set out in **Appendix 1**.

7.5 Human Resources

- 7.5.1 The recommissioning, procurement and subsequent contract awards and contract management will be undertaken by staff within the Adult Social Care Directorate in conjunction with Finance, Legal and Procurement colleagues.

7.6 Public Sector Equality Duty

- 7.6.1 An Initial Impact Assessment has been carried out and no adverse impacts have been identified and a Full Impact Assessment is not recommended at this stage. Any potential impacts that emerge during the course of the re-commissioning and procurement will be monitored and mitigated inherently within the process and managed via the Risk Management process. Risk logs will be maintained to allow further considerations and will include contract award and mobilisation. See **Appendix 5** for the Initial Equality Assessment.

8 Appendices

1. Procurement Strategy
2. Risk Management
3. Pathway and Service Information with Procurement Lots
4. Vulnerable Adults Housing and Wellbeing Support Outcomes Framework
5. Equality Assessment

9 Background Documents

- 9.1 Birmingham City Council Plan: 2018 -2022
- 9.2 Health and Well-being Strategy 2017+
- 9.3 Homeless Prevention Strategy 2017+
- 9.4 Homeless Related Support Strategy 2019+
- 9.5 Financial Inclusion Strategy 2016+
- 9.6 Domestic Abuse Prevention Strategy 2018+
- 9.7 Strategy and Procurement Process Social Inclusion Housing Support Cabinet Report January 2014
- 9.8 PURE Cabinet Report November 2018
- 9.9 Vision and Strategy for the Modernisation of Adult Social Care Cabinet Report October 2017
- 9.10 Putting Prevention First: Delivering the Vision for Adult Social Care and Health Cabinet Report November 2017

VULNERABLE ADULTS HOUSING AND WELLBEING SUPPORT
PROCUREMENT STRATEGY

1 Strategic Procurement

- 1.1 Procure a range of services that align to the Vulnerable Adults Housing and Wellbeing Support Pathway for Vulnerable Adults whose health and wellbeing is at risk due to their unstable, precarious housing circumstance.
- 1.2 Procurement Options considered:
 - 1.2.1 Use a collaborative framework agreement. This option is discounted as there are no collaborative framework agreements in place that meets the Council's requirements therefore this option was discounted.
 - 1.2.2 Tender as a framework agreement primarily for Birmingham but available for use by other public sector bodies. This option is discounted as there is no benefit or economies of scale to be realised from this option to meet the required investment.
 - 1.2.3 Tender the contracts by Lots, there are benefits to this as the current market conditions show sufficient appetite and expertise to deliver the proposed services. This is the recommended option.
- 1.3 The following procurement options were considered for the PURE Project:
 - 1.3.1 Have PURE as a self-contained service by identifying a Lot specifically for PURE. This option has been discounted as, for the provision of PURE to be financially viable for a provider, it needs to be in addition to existing contracted floating/lead worker support.
 - 1.3.2 Have PURE as an 'add-on' option that bidders could offer in addition to their 'compliant' bid. This would be a 'Variant option'. The difficulty here is that the evaluation methodology needs to be such that it not only determines the best bidder, but also needs to determine whether we go for the standard 'compliant' bid or the Variant option.
 - 1.3.3 Have PURE as a 'take out' option, whereby it is included as the entire offer and could be removed via negotiations if we thought it was not giving us enough 'value'. This would be via a Competition with Negotiation (CwN). The pitfall with this approach is that we would need to apply CwN across all the lots and some lots will not be requiring any negotiation.
 - 1.3.4 Invite bidders to submit tenders for the core service with an expression of interest in delivering PURE. Following the evaluation for the initial core service procurement; decisions will be taken on the extent of the award of additional PURE services in line with The Public Contracts Regulations (PCR) 2015. This is the preferred option.
- 1.4 The pathway has four elements: Universal Prevention, Early Targeted Help, Crisis Support and Transition Services. This procurement is for the Targeted, Crisis and Transition services. The Universal Prevention element is fundamentally an IT System and will be commissioned and procured at a later stage and independent to the rest of the pathway.

- 1.5 The commissioning of the Universal Prevention and Wellbeing Support system requires more specification development and analysis of what already exists within the Council, with partners and in the market. Delegation of the approval of the procurement strategy to Director of Adult Social Care in conjunction with the Chief Finance Officer, City Solicitor and the Assistant Director of Development and Commercial (or their delegates) is sought in the accompanying Cabinet report.
- 1.6 The procurement of the Targeted, Crisis and Transition services will be for a range of single and multiple contracts for the different client groups allowing the market to respond by specialism, e.g. support for people experiencing domestic abuse, and asset requirement; e.g. Domestic Abuse Refuges.
- 1.7 A mix of payment for Service Provision and Payment by Outcomes (PbO) will be implemented. See Appendix 4 for the Outcome Framework.
- 1.8 The procured services need to dovetail with a number of existing commissioned services in order to provide an integrated response to the service user.
- 1.9 The Children's Trust will have the option to use the contracts on a spot purchase basis for requirements sitting outside of the existing framework arrangements.
- 1.10 The European Funding logo must be included on documents in this procurement to facilitate the match funding for the PURE project, see 3.5.2 for more information. There may be opportunities to bid for more EU funding and provide via these contracts.

2 Procurement Approach for the Targeted, Crisis and Transition Pathway Services

- 2.1 Duration: The contract will be for an initial period of three years, 1st December 2019 to 30th November 2022 with the option to extend for up to a further 2 years. A contract period of three years will help protect market diversity by recognising resources that may be required, particularly by smaller providers, in tendering for contracts.
- 2.2 Advertising Route: The contract will advertised in the Official Journal of the European Journal, Contracts Finder and on the www.finditinbirmingham.com website and include the European Funding logo.
- 2.3 Route: The procurement will follow the Open Procurement Route on the basis that there is an established market and the services can be clearly defined.
- 2.4 Scope: The procurement and provision will be for housing related support for Targeted, Crisis and Transition support only. The Social Inclusion elements of the PURE Project will be delivered via some of these services.
- 2.5 Provider model: There will be multiple providers across a number of lots. Some lots will have a single provider and other lots will have multiple providers where it is not possible for a single provider to deliver the range and volume of services required. It is beneficial for the Council to work with a range of providers in order to retain the appropriate level of understanding in order to be able to commission these services.
- 2.6 Delivery Model: The delivery model will be comprised of a number of components that align to a Vulnerable Adults positive pathway and are

appropriately structured within the tender processes. The market sector is based on client groups and there are a number of new services to move from the existing crisis response to a prevention and wellbeing pathway.

- 2.7 **Outcomes and KPIs:** There are a suite of outcomes and outputs that will be delivered across the services in the Vulnerable Adults Housing and Wellbeing Support Outcomes Framework that can be achieved across all client groups.

The following high level outcomes: health and wellbeing, overcoming isolation, connection to community networks and assets, economic wellbeing, safety and security within the home and access to paid work.

The outcomes are focused on three of the priority areas in the Council Plan 2018-2022:

- Jobs and skills – an entrepreneurial city to learn, work and invest in: We will create opportunities for local people to develop skills and make the best of economic growth.
- Health – a fulfilling city to age well in: Citizens and communities will have choice and control over their care and improved resilience and independence.
- Housing - a great city to live in: We will work with our partners to build a fair and inclusive city for all.

The Key Performance Indicators for vulnerable adults housing and wellbeing support are focused on maintaining and maximising independence:

- KPI 1 – Number of vulnerable adults supported to establish and maintain independent living.
- KPI 2 – Number of vulnerable adults supported to move on from temporary/short term living arrangements.

See Appendix 4 - Vulnerable Adults Housing and Wellbeing Support Outcomes Framework,

3 The Targeted, Crisis and Transition Tender Structure:

- 3.1 Following market consultation, the tender will be split into lots based on the five client groups outlined in 3.4.4.1 of the Cabinet report. This will give clear visibility of the opportunities to the market. The Vulnerable Adults Housing and Wellbeing Support Pathway will be clearly referenced in the service specifications requiring all providers to advise on and sign-post to services on the pathway as appropriate.
- 3.2 The proposal is for 5 Lots that reflect the Client Groups as the services and the market is structured in this way in order to deliver effectively.
- 3.3 Some of the Sub-lots will be eligible to deliver the PURE Project. It is proposed that the evaluation criteria for these services include a PURE appropriate assessment, e.g. Employment/Training, and those successful providers achieving the required threshold are invited to deliver PURE; see 3.5.2 of the Cabinet report.
- 3.4 There will be sub-lots based on the services to be provided within each Lot; each sub-lot will have a fixed financial value. The sub-lot reference will be

consistent across the lots; e.g. the Advice and Welfare Hubs will be sub-lot A in each lot they appear in. The number of sub-lots varies within the Lots between 1 and 7. There are a total of 21 sub-lots as set out below.

Lot 1 – Young People (Aged 16-25 years)

These services will be delivered by a single or multiple providers; sub-lots A-F.

- A. Advice & Welfare Centres*
- B. Lead Workers/Navigators.
- C. Emergency Beds
- D. Complex Needs Provision
- E. Longer term supported accommodation*
- G. Health and Wellbeing Centre (Transition)

*Existing services; TUPE may apply.

Lot 2 – Homeless Adults (Singles and Couples aged over 25 years).

These services will be delivered by a multiple providers; sub-lots A-G.

- A. Advice & Welfare Hubs
- B. Lead Workers/Navigators. Additional PURE requirement.
- C. Emergency Beds
- D. Complex Needs Provision*
- E. Longer term supported accommodation*
- F. Rough Sleeper Outreach Work*
- G. Health and Wellbeing Centre (Transition)

*Existing services; TUPE may apply.

Lot 3 – Victims of Domestic Abuse

These services will be delivered by a single or multiple providers; sub-lots A, C, F.

- A. Safety, Advice & Welfare Hub* – with satellite hubs potentially located within community based resources to maximise accessibility.
- C. Refuge spaces including dispersed refuge*
- E. Move-on support to enable recovery and healing*

*Existing services; TUPE may apply.

Lot 4 – Households in Temporary Accommodation with multiple and complex needs

These services will be delivered by a single or multiple providers; sub-lot B

B. Lead Workers. Additional PURE requirement.

There are no existing services.

Lot 5 – Ex-offenders aged 16 years plus

These services will be delivered by a single or multiple providers; sub-lots A, B, D, F

A. Specialist Hub(s) – the Hubs will be located in areas that maximise accessibility and provision.

B. Lead Workers/Navigators. Additional PURE requirement..

D. Complex Needs Provision including a dedicated youth provision 16 – 25 *

E. Longer term supported accommodation*

*Existing services; TUPE may apply.

4 Tender Evaluation and Selection Criteria:

4.1 The quality / price / social value balances below were established having due regard for the corporate document 'Advice and Guidance on Evaluating Tender on Quality and Price' which considers the complexity of the services to be provided. The tender documents will include the Services Contract Conditions.

4.2 Tenders will be evaluated against the specification in accordance with a pre-determined evaluation model.

4.3 The Quality/Price/Social Value ratio will for each sub-lot will be: 60% / 30% /10% respectively.

4.4 The evaluation of tenders for all sub-lots will be assessed on the standard Pass/Fail Criteria as detailed below:

4.5 Stage 1 – Assessment A: Pass/Fail Criteria

Stage 1 – Potential Supplier Information	
Criteria	Evaluation
Potential Supplier Information	Information Only
Exclusion Grounds	Pass / Fail
Selection Questions:	
Economic and Financial Standing	Pass / Fail
Technical and Professional Ability	Pass / Fail
Modern Day Slavery Act 2015	Pass / Fail
Insurance	Pass / Fail
Health and Safety	Pass / Fail
Environmental Sustainability	Pass / Fail
Energy Management Systems	Pass / Fail
Quality Management Systems	Pass / Fail
Compliance with Equalities	Pass / Fail

BBC4SR	Pass / Fail
Supplier Portal	Pass / Fail
Early Payment Scheme	Information Only

4.6 Stage 2 Assessment Quality / Social Value / Price

There will be a number of generic Quality questions against the sub-lots in order to achieve consistency in provision along the pathway and efficiency in the evaluation process.

Quality (60% Weighting)

All Quality questions will assess the following criteria and, where possible, the same questions will be used in all sub-lots.

Criteria	Overall Weighting	Sub-weighting
Service Delivery and capacity	60%	60%
Avoidance of Crisis services and Client Dependency		20%
Organisation – Staff Resource and Training		10%
Organisation - Safeguarding		10
Contract Mobilisation		20%

Tenderers who score less than threshold of 60% of the overall quality weighting may not proceed to the next stage.

The tenderer with the highest acceptable quality score is given the maximum possible weighted quality score. The other tenderers' weighted scores will be calculated on pro rata basis.

The following scoring criteria is being applied as we need a greater differentiation in the assessments in order to provide clarity of the quality scoring of the various bids to enable the strategic oversight for the number contracts that will be required.

Score	Assessment	Characteristics
0	Unacceptable	No response/irrelevant response provided or extremely limited response provided which largely fails to address the subject-matter of the question and/or proposes completely unsuitable equipment (e.g. slow chargers only).
2	Poor	The Bidder provides a response which fails to adequately cover all of the requirements within the question and specification. The proposed activities and service would not meet all of the requirements and does not address the potential requirements of the clients.
5	Satisfactory	The Bidder provides a response which covers all of the points within the question and specification. The Bidders response demonstrates sufficient understanding of the client and how they will deliver their requirements.

Score	Assessment	Characteristics
7	Good	The Bidders response covers all the points within the question and specification and demonstrates how the service and activities will be structured to deliver the outcomes required.
10	Excellent	The Bidders response comprehensively all the points within the question and specification and demonstrates how the service and activities will be structured to deliver the outcomes required. The Bidders response shows an excellent understanding of a range of activities; goes into detail on the pros and cons of the options available in an informative and succinct manner and demonstrates the thought process behind the selection of the proposed offer.

Social Value (10% Weighting)

All Social Value questions will assess the following criteria

Criteria	Overall Weighting	Sub-weighting
Good Employer	10%	50%
Partners in Communities		50%

Tenderers who score less than the threshold of 40% of the overall social value weighting may not proceed to the next stage of the evaluation.

The tenderer with the highest acceptable social value score is given the maximum possible weighted price score. The other tenderers' weighted scores will be calculated on pro rata basis.

Price (30% Weighting):

Tenderers will be expected to submit a price on the basis of the overall service delivery for the duration of the contract.

The tenderer with the lowest acceptable* price is given the maximum possible weighted price score. The other tenderers' weighted price scores will be calculated on pro rata basis.

*The lowest acceptable price will be based on the costed service delivery method statement submitted. This detail in the method statement will enable an assessment to be made on the financial viability of the proposed model to deliver services to the required cohort against the funding allocation.

Criteria	Overall Weighting	Sub-weighting
Price	30%	100%

4.7 Overall Evaluation

The evaluation process will result in comparative quality, social value and price scores for each tenderer within each sub-lot. The proposed contracts will be awarded in order of ranking based on overall scores within each sub-lot. The ranking methodology, including the minimum number of providers for the sub-lots, will be explained at the Invitation To Tender stage with approval from Legal and Procurement.

There will be many tenders to evaluate and a number of evaluation panels. The panels will include service officers and subject matter experts. A procurement officer will facilitate and moderate the evaluations.

A strategic panel will provide oversight of the whole tender and evaluation process ensuring that the desired outcomes are achieved and consistency of communication with the market.

The evaluation panels will be comprised of officers with relevant skills, knowledge and experience. The majority of these staff will be based in Adults Social Care Directorate. All evaluators are required to comply with the Councils procurement code of conduct that includes for any conflicts of interest and requires a confidentiality agreement for 3rd parties.

Tranche 1

- (A) Advice and Welfare Hubs, Specialist Hubs
- (B) Lead Workers
- (C) Emergency beds and refuge spaces
- (D) Complex Needs Provision
- (E) Longer term supported accommodation and move on accommodation
- (F) Rough Sleepers Multi-agency Outreach

Tranche 2

- (G) Health and Wellbeing Centres (Transitions)

4.8 Risk

The CPS approach is to follow the Council Risk Management Methodology and the Procurement Team is responsible for local risk management. CPS maintains a risk management register and documentation relevant for each contract. The risk register for the service has been jointly produced and owned by Adults Social Care and Health commissioning and CPS with arrangements being put in place to ensure operational risks are appropriately mitigated.

4.9 Indicative Implementation Plan

See below the procurement implementation plan as detailed in the Cabinet report:

Activity	Timeline
Cabinet Approval (Strategy)	16 th April 2019
OJEU notice	23 rd April 2019
Invitation to Tender - Issue (All procurement)	25 th April 2019
Tranche 1 Services (All exc. Transition Centres)	19 Sub-lots
Invitation to Tender - Return	26 th June 2019
Evaluation Period	July – August 2019
DPR Approval (Award)	August 2019
Contract Award	September 2019
Mobilisation period including TUPE transfer	October - November 2019
Contract Start	1 st December 2019
Tranche 2 Services (Transition Centres)	2 Sub-lots
Invitation to Tender - Return	30 th September 2019
Evaluation Period	October – November 2019
DPR Approval (Award)	November 2019
Contract Award	December 2019
Mobilisation period including TUPE transfer	January - February 2020
Contract Start	February 2020

4.10 Service Delivery Management

4.10.1 Contract Mobilisation:

Tranche 1 – mobilisation will commence in October 2019 and will be on-going with the planned start of the contract for these services as 1st December 2019.

Tranche 2 - mobilisation will commence in December 2019 and will be on-going with the planned start of the contract for these services as 1st February 2020.

TUPE may apply for some services.

4.10.2 Contract Management

The contract will be managed by a designated Commissioning Manager, Adults & Social Care, using the Council's Contract Management process and toolkit. Key performance indicators will be used to regularly monitor and manage quality as well as delivery of the agreed Social Value outcomes.

There will be a mix of fixed quarterly payments and payment by outcomes methodology (PbO).

4.10.3 Performance Measurement

Performance will be measured via quantitative KPI data, quality assurance of service delivery alongside the outcomes delivered for citizens.

A revised PbO framework has been developed (Appendix 4) and includes the following high level outcomes: health and wellbeing, overcoming isolation, connection to community networks and assets, economic wellbeing, safety and security within the home and access to paid work.



Project	Vulnerable Adults Housing and Wellbeing Support	Gross Budget
		£17.28m per annum

Risk No.	Risk Description	Likelihood	Impact	Action	Managed by:
Risk 1	Contracts not mobilised by required contract start date	Low	Low	Vulnerable Adults Partnership Board is in place to provide oversight and project milestone monitoring	Head of Service – Commissioning, Adult Social Care
Risk 2	Links to PURE project lead to delays within procurement	Low	Low	Vulnerable Adults Partnership board oversees delivery of PURE project and Vulnerable Adults commissioning. Established project teams for both areas of work to ensure delivery with an overlap to give consistency	Head of Service – Commissioning, Adult Social Care
Risk 3	Insufficient resource to undertake the tender evaluation and mobilisation of contracts	Low	Medium	Existing staff will be part of the delivery team and are in place. Additional staff will be identified within Adults Social Care and Partners to support the project.	Head of Service – Commissioning, Adult Social Care
Risk 4	Insufficient response from the market to the tender opportunity	Low	Medium	Existing market testing and engagement in co-design with existing providers. A further market day will take place at the beginning of the tender phase	Head of Service – Commissioning, Adult Social Care
Risk 5	TUPE negotiations lead to delay in mobilisation for some services	Medium	Medium	The Council will facilitate the TUPE process throughout the tender and mobilisation periods. Negotiation with existing contractors may be required to mitigate possible impacts	Head of Service – Commissioning, Adult Social Care
Risk 6	Reduction in funding during the tender period or the life of the contract	Low	Medium	During the tender period any funding changes can be managed through clarifications. Contract Terms and Conditions will have relevant clauses to allow a reduction or ceasing of services.	Head of Service – Commissioning, Adult Social Care

CLIENT GROUP	PATHWAY: TARGETED EARLY HELP	Procurement LOT & SUB-LOT		PATHWAY: CRISIS	Procurement LOT & SUB-LOT		PATHWAY: TRANSISTION	Procurement LOT & SUB-LOT	
Young People (18-25yrs)	Advice & Welfare Hubs	1	A	Emergency beds	1	C	Complex Needs Provision	1	D
Young People (18-25yrs)	Lead Workers	1	B				Transition Centres	1	G
Young People (18-25yrs)	Long term supported accommodation	1	E						
Homeless Adults: Singles, Couples	Advice & Welfare Hubs	2	A	Emergency beds	2	C	Complex Needs Provision	2	D
Homeless Adults: Singles, Couples	Lead Workers	2	B				Transition Centres	2	G
Homeless Adults: Singles, Couples	Long term supported accommodation	2	E						
Homeless Adults: Singles, Couples				Rough Sleepers Multi Agency Outreach	2	F	Complex Needs Provision	2	D
Homeless Adults: Singles, Couples							Transition Centres	2	G
Victims of Domestic Abuse	Advice & Welfare Hubs	3	A	Refuge spaces	3	C	Long term supported move on accommodation	3	E
Households in temporary accommodation				Lead Workers	4	B			
Ex-offenders	Specialist Hubs	5	A				Complex Needs Provision	5	D
Ex-offenders	Lead Workers	5	B				Long term supported accommodation	5	E



Vulnerable Adults Housing and Wellbeing Support

Outcomes Framework



20th February 2019

Contents

Introduction

Part one – Strategic outcome framework

Part two – Measureable outcomes:

- Key Performance Indicators
- Strategic outcomes
- Service specific outcomes
- Methodology

Part three – Payment by outcomes:

- Outcomes
- Methodology

Part four – Social Value

Part five - Monitoring housing and wellbeing support

Introduction

It is important that vulnerable adults have access to safe, secure, quality affordable housing at the moment when it is needed, which is an essential platform to delivering the adult social care and health vision.

The new commissioning of housing and wellbeing support to vulnerable adults social inclusion services set out the planned approach to ensuring housing is not a barrier or cause of poor health and wellbeing requiring a partnership approach to understanding and tackling issues with clear accountability and responsibility. The intention is that vulnerable adults move to their optimal position along the housing pathway at a pace suited to them.

To achieve this we want to ensure a range of support options are available following the pathway for housing and wellbeing support to vulnerable adult services:

- **Universal Prevention** – By ensuring a wide range of timely, accurate information and advice about housing options and financial issues is available to everyone to prevent issues with housing occurring in the first place.
- **Targeted Prevention** – to ensure a holistic response to at risk groups, including a lead worker, including young people, people leaving prison, people experiencing domestic abuse, troubled families, people who are homeless or people with complex needs.
- **Crisis Prevention and Relief** - to assist people as soon as possible if they do become homeless so that their homelessness can be relieved by securing sufficient accommodation and support. This would include refuges, emergency bed spaces of which a proportion will be out of hours and a multi-agency approach with support being short term.
- **Transition services (Homeless Recovery)** – To support people to recover from their experience and stay out of homelessness by focusing upon the overall improved wellbeing of adults and children in the household. This support is likely to be long-term.

The strategic outcomes framework will enable us to measure the success and achievements of housing and wellbeing support. It is a toolkit to evaluate the impact of the support at a range of levels; individual service users, client groups, and the overall programme. To fully evaluate housing and wellbeing support services we have developed two sets of outcomes:

- **Measurable outcomes** – these will measure the impact on service users and clients groups; and

- **Evidence outcomes** – these will evidence the achievements of providers delivering housing and wellbeing support and how systems are evolving and working.

How will it work?

The measurable outcomes will be needs focused and the appropriate outcomes will be selected for each client at the time of assessment. The number of outcomes for each client will be dependent on need presented. The outcomes will be evidenced as follows:

- Client assessment
- Needs identified
- Confirmation needs met
- Evidence.

The evidence outcomes have been identified as ‘payment by outcomes’ and will be mandatory.

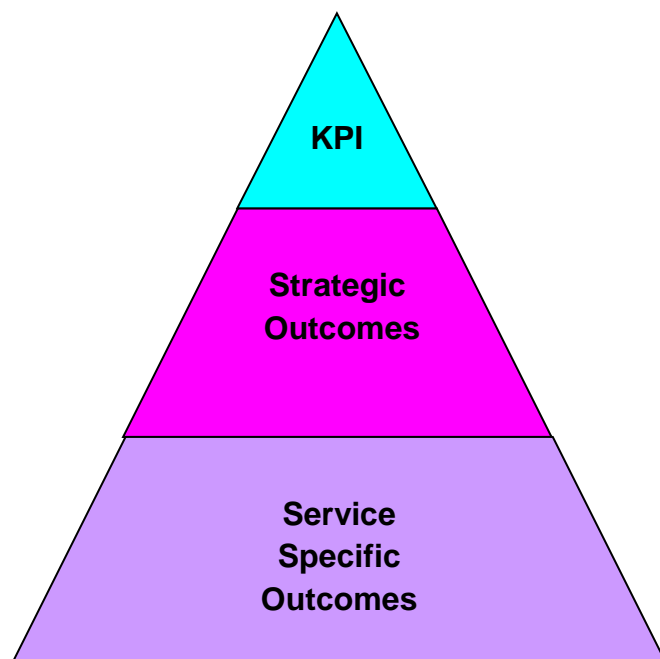
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Part one – Strategic outcome framework

We need to demonstrate that we are delivering the range of housing and wellbeing support options specified and achieving appropriate outcomes for vulnerable adults.

To do this we have developed a strategic outcome framework that is strong, robust and deliverable. The intention is to demonstrate performance and show that the vulnerable adult pathways are delivering and achieving. Importantly it will also demonstrate the outcomes achieved by service users.

The key components of the framework are:



The framework enables overarching Key Performance Indicators (KPI) to be measured with a layer of detail below. The strategic outcomes will be generic and be applicable to all vulnerable adults regardless of client group. There will be two elements to this set of outcomes:

- Measurable; and
- Evidence based.

The service specific outcomes will be focused on individual client groups and services and will relate to the pathways created for each group. This means we will be able to see if the pathways are working whilst demonstrating outcomes achieved by vulnerable adults.

Key principles

There are a number of principles that are important to the strategic framework:

- Focus on the customer journey and pathway.
- Link to national and local priorities.
- Hold providers accountable for achieving outcomes.
- Be SMART in its methodology.
- Take a needs and systems change approach.

Part two – Measureable outcomes

Measureable outcome will enable us to see the effectiveness of housing and wellbeing support and importantly to access and evidence the outcomes achieved for and by service users.



Key Performance Indicators (KPI)

The Key Performance Indicators for vulnerable adults housing and wellbeing support are focused on maintaining and maximising independence:

- KPI 1 – Number of vulnerable adults supported to establish and maintain independent living.
- KPI 2 – Number of vulnerable adults supported to move on from temporary/short term living arrangements.

Strategic outcomes

This element of the strategic outcome framework is focused on strategic outcomes that can be achieved across all client groups. The outcomes are focused on three of the priority areas visions in the Council Plan 2018-2022:

- Jobs and skills – an entrepreneurial city to learn, work and invest in: We will create opportunities for local people to develop skills and make the best of economic growth.
- Health – a fulfilling city to age well in: Citizens and communities will have choice and control over their care and improved resilience and independence.
- Housing - a great city to live in: We will work with our partners to build a fair and inclusive city for all.

Jobs and skills

The outcome for jobs and skills is **succeed economically** with the following range of indicators:

- **Maximise income, including receipt of the correct benefits:**
 - Vulnerable adult needed support to maximise their income.
 - Vulnerable adult maximised their income.
- **Reduce overall debt:**
 - Vulnerable adult needed support to reduce their overall debt.
 - Vulnerable adult reduced their overall debt.
- **Obtain paid work/participate in paid work:**
 - Vulnerable adult needed support to obtain paid work.
 - Vulnerable adult obtained paid work.
- **Participate in chosen unpaid work like activity such as volunteering or work experience:**
 - Vulnerable adult needed support to participate in chosen work like activity.
 - Vulnerable adult participated in chosen work like activity.
- **Participate in chosen training and/or education:**
 - Vulnerable adult needed support to participate in training and/or education.
 - Vulnerable adult participated in training and/or education.

Health

The outcome for health is **improved health and wellbeing** with the following range of indicators:

- **Better manage or improve physical health:**
 - Vulnerable adult needed support to better manage or improve their physical health.
 - Vulnerable adult better managed or improved their physical health.
- **Better manage or improve mental health:**
 - Vulnerable adult needed support to better manage or improve their mental health.
 - Vulnerable adult better managed or improved their mental health.
- **Improved (self-reported) wellbeing satisfaction levels:**
 - Vulnerable adult needed support to improve satisfaction levels of wellbeing.
 - Vulnerable adult reported improved satisfaction levels of wellbeing.
- **Vulnerable adult is safe and well and not self -neglecting:**

- Vulnerable adult needed support to not self-neglect and remain safe and well.
- Vulnerable adult does not self-neglect and remains safe and well.
- **Access primary health care including health checks:**
 - Vulnerable adult needed support to access primary health care.
 - Vulnerable adult accessed primary health care.
 - Vulnerable person registered with a GP.
 - Vulnerable adult received a health check.

Housing

There are two outcomes for housing; **maintain accommodation and avoid eviction** and **inclusion and connection with local communities** which have the following range of indicators:

Maintain accommodation and avoid eviction

- **Maintain accommodation and avoid eviction:**
 - Vulnerable adult needed support to maintain their accommodation and avoid eviction.
 - Vulnerable adult maintained their accommodation and avoided eviction.
- **Secure / Obtain settled accommodation:**
 - Vulnerable adult needed support to secure/obtain settled accommodation.
 - Vulnerable adult secured/obtained settled accommodation.

Inclusion and connection with local communities

- **Participate in leisure, cultural, faith, informal learning and community activities:**
 - Vulnerable adult needed support to participate in leisure, cultural, faith, informal learning and community activities.
 - Vulnerable adult participated in leisure, cultural, faith, informal learning and community activities.
- **Establish contact with external services, family and/or friends:**
 - Vulnerable adult needed support to establish contact with external services, family and/or friends.
 - Vulnerable adult established contact with external services, family and/or friends.
- **Integrate and become part of a new community:**
 - Vulnerable adult needed support to integrate and become part of a new community.

- Vulnerable adult is now part of a new community and not returning to previous community?

Service specific outcomes

Domestic abuse

- Reduction in the risk of further incidents of domestic abuse:
 - Vulnerable adult needed support to experience no incidents of domestic abuse during service.
 - Vulnerable adult experienced no incidents of domestic abuse whilst in service.
- Understanding the nature and cause of domestic abuse:
 - Vulnerable adult needed support to understand the nature and cause of domestic abuse.
 - Vulnerable adult understood the nature and cause of domestic abuse.

Ex-offenders

- Reduction in the risk of further incidents of offending:
 - Vulnerable adult needed support to experience no incidents of re-offending during service.
 - Vulnerable adult experienced no incidents of re-offending whilst in service.

Homeless

- Integration into new community:
 - Vulnerable adult needed support to integrate into a new community e.g. life skills support.
 - Vulnerable adult integrated into a new community.

Young people

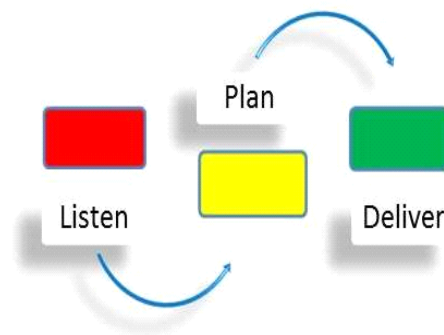
- Establish or maintain appropriate networks:
 - Vulnerable adult needed support to establish and maintain appropriate networks.
 - Vulnerable adult established and maintained appropriate networks.

Methodology

It is anticipated that each service area will be able to evidence all of the outcomes. But, the outcomes will have to be needs based.

The intention is that the outcomes will be set with the service users at the time of assessment. This could mean that some service users may have several outcomes and some only one or two.

The success of the outcomes will be measured by the confirmation that the need has been met and the evidence as to how.



Part three – Payment by outcomes

As part of the outcomes framework we want to take a payment by outcomes approach to the systems change element of services. In addition to measuring the achievements and evidencing outcomes achieved for and by service users we need to evidence what providers are achieving in respect of delivery of service and how they are innovating and improving services.

Instead of providing a measure for each outcome success will be monitored by evidence and appropriate payment made.

Strategic systems change outcomes

- **Working in partnership:**
 - Attend Homeless Prevention Board or other appropriate boards, meeting or groups.
 - Use common assessment frameworks.
- **Joint referral routes:**
 - Use joint referral routes working with partners.
 - Number of joint referrals.
- **Cohesive quality standards:**
 - Quality standards are comprehensive and can be easily measured.
 - Quality standards meet contractual requirements.
- **Joint commissioning:**
 - Service jointly commissioned with partner or key stakeholder.
 - Working with partners to deliver service.
- **Commissioned hours are delivered:**
 - Utilisation of hours.

Methodology

Payment by outcomes will account for 10% of the contract with each of the five outcomes valued at 2.5%. Therefore, to achieve full payment all five outcomes need to be met.

Part four – Social value

All social inclusion providers as part of their contract have to demonstrate the additional social value they are delivering by providing a social value offer. The benefits of these offers can then be derived. Housing and wellbeing support services already deliver social value as part of the standard contract, for example supporting citizens to access paid work. This reduces benefit costs freeing up money to be spent elsewhere and more money becomes available to spend locally.

Additional social value is where services go above and beyond the standard contractual requirements and is more difficult to quantify. It is about social value delivered to the wider community, with a focus on economic, social and environmental impacts. Examples of an additional social value offer are; providing services available to the wider community as well as service users, gardening schemes or supporting people to avoid going into residential care. The benefits of these social value offers would be:

- Additional services delivered to the local community with no charge or additional costs;
- Improved environment with no cost to the local community;
- Savings on care provision which can be spent elsewhere; and
- Communities becoming more sustainable as people can remain living independently in them for longer.

The economic additional social value offer could include:

- Work placements, job clubs, employment programmes, use of local businesses and sharing resources.
- Education and training compliments employment support and includes peer mentoring programmes, apprenticeships, education provision and volunteering projects.
- Provision suitable accommodation increasing access social inclusion client groups.

The social element of the additional social value offer could include:

- Food banks, volunteer programmes, health and wellbeing and educational activities.
- Donation schemes for example of new and old furniture which is then sold at a reduced cost, food and finance.
- Leisure and social activities including; music therapy sessions, activities for children, personal development and life skills, cultural awareness events and mental skills training.
- Volunteer programmes.
- Health and wellbeing with the offer focused around activities including; health and wellbeing projects, gym access to services users from other services and organisations, substance misuse awareness programmes, healthy lifestyle projects and in house councillors.

- Community and partnership activities focused on opportunities to become engaged in community activities avoiding isolation and working together to achieve the best outcomes.

The environmental added social value is focused on the benefits services can provide to the environment for example making people more aware of energy efficiency to reduce emissions and could include:

- Donation schemes for example of new and old furniture which is then sold at a reduced cost, food and finance.
- Energy efficiency awareness focused around workshops and sessions to raise awareness of energy efficiency and its benefits.
- Gardening schemes.

Part five – Monitoring the programme

Data collection and performance monitoring is essential to service provision when analysing and considering quality, demand, utilisation, throughput, strategic relevance and more importantly value for money. As a local authority we need to ensure public money is spent economically, efficiently and effectively; high quality services are delivered for the public and that our local strategies and our obligations to central government are being fulfilled.



Housing and wellbeing support services will be monitored using the following tools:

- **Measurable outcomes as outlined in part 2.**
- **Payment by outcomes as outlined in part 3.**
- **Social value as outlined in part 4.**
- **Throughput:**
 - Total number of referrals
 - Total number of people successful in receiving support
 - Total number of referrals awaiting support (on waiting list)
 - Total number unsuccessful referrals
 - Reason for unsuccessful referral
 - Referral route.
- **Client feedback and capturing client experience**
- **Contract compliances:**

The quality assurance element will include assessing the strategic relevance of the services. Auditing of performance, reviewing key documents, looking at organisational financial viability and ensuring robust governance structures and arrangements are in place on an annual basis.



The Birmingham Standard



The Birmingham Standard will comprise of a pass or fail element. Alongside the pass element the Birmingham Standard will encompass a star rating system attached to the 5 elements of the PbR programme.

Staff/management interviews

Adult Social Care Directorate will undertake a series of interviews with both management and staff annually to ensure they understand service delivery, practices and are aware of / have received training, support and supervision on; assess their knowledge on key policies, procedures and practices relating to service delivery. To do this we will deploy an enabling and relationship management role focussing on supporting providers, capacity building, continuous improvement and innovation.

Consultations will also include ensuring staff and management are aware of setting and achieving client outcomes.

Validation

This is the provider self-validation element where providers will continue to send in evidence in relation to the Birmingham standard, the 5 areas of the current QAF tool:

- *Assessment & Support Planning*
- *Safeguarding*
- *Fair Access and Diversity*
- *Security, Health & Safety*
- *Client Empowerment*

“ The Birmingham Standard”



Validation visits will include auditing of the self-assessment, utilisation (staffing capacity); auditing of service users files, including risk assessments and support plans and validating outcomes to satisfy contract compliance on an annual basis. Alongside validation visits we may need to respond to any reported complaints, incidents, whistle blowing, concerns or irregularities as part of a spot check.

Safeguarding and Complaints

We will insist all serious incidents, accidents, near misses and complaints are reported as a mandatory requirement. Provider organisations will need to ensure relevant staff undertake necessary CRB checks, are supported to receive inductions, relevant training and regular supervisions; and ensure all practices are recorded and evidenced. All sensitive data relating to either staff or service users, including files and reports, must be protected and kept safe in line with data protection requirements.



Title of proposed EIA	Commissioning: Vulnerable Adults, Housing and Wellbeing Support Services
Reference No	EQUA268
EA is in support of	New Function
Review Frequency	Two Years
Date of first review	01/03/2021
Directorate	Adult social care & health
Division	Commissioning
Service Area	Prevention and Community Assets
Responsible Officer(s)	<input checked="" type="checkbox"/> Kalvinder Kohli
Quality Control Officer(s)	<input type="checkbox"/> John Hardy
Accountable Officer(s)	<input checked="" type="checkbox"/> Max Vaughan
Purpose of proposal	Commissioning of Prevention First Support Services For Vulnerable Adults
What sources of data have been used to produce the screening of this policy/proposal?	Survey(s); Consultation Results; Interviews; relevant reports/strategies; Statistical Database (please specify); relevant research
Please include any other sources of data	market intelligence from existing providers and service users
PLEASE ASSESS THE POTENTIAL IMPACT ON THE FOLLOWING PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders; Employees; Wider Community
Age details:	<p>The vulnerable Adults and Housing Pathway and Wellbeing Support Service will be accessed by adults over the age of 16. This includes dedicated services for families with children.</p> <p><u>Service User Impact</u></p> <p>The intended impact is positive. Vulnerable adults are to be supported to live healthy happy, independent lives within communities. The aim of an effective prevention pathway will respond early and respond well to people who are at risk of losing their home or beginning to have difficulties in managing their</p>

home. Its key components therefore include:

- Universal Prevention
Activity which enables people to make informed choices about their housing circumstances before their needs escalate into more costly interventions.
- Targeted Prevention
activity to provide a time critical response to those that do become vulnerable due to precarious housing and personal circumstances including leaving institutional settings, family circumstances, care-leavers, and people experiencing domestic abuse.
- Crisis Safety and Support through the provision of supported accommodation for vulnerable adults and their families who find themselves in crisis for a short period of time in order to provide a range of support interventions; which.
- Recovery and Resilience using strength based approaches which promote wider health and wellbeing and outcomes relating to addressing loneliness and isolation, financial inclusion and connections into local community assets in order to regain or maintain independence.

The aim of these services is to avoid, reduce or delay the needs or costly, statutory services where possible.

The design of the specifications focus upon personalised support delivery, which will therefore take into account the need to engage the relevant agencies that provide a further enhanced and specialist support offer.

This will ensure any needs arising as a result of protected characteristics for example Age, gender, disability, race, faith, LGBT, family and child support are appropriately addressed.

This may include support from faith based organisations, neighbourhood networks, disabilities rights organisations, domestic abuse survivor support groups, family and child support and LGBT networks.

Impact upon Employees

The services will be commissioned externally. The current service are delivered predominantly via third sector, charitable, community or registered housing providers. The front line workforce is predominantly local to Birmingham. The re commissioning will enable continued employment opportunities. Whilst there is no direct de commissioning of any service, there is a re design and re alignment against the pathway. As with any external re commissioning/tendering activity there is a potential for a change of provider and TUPE may apply. However at this stage it is difficult to predict any further implications.

Wider Communities

Vulnerable adults will be supported to live independently within communities with their relevant support needs being met. This will help to minimise any adverse pressures on local resources and local communities managing any risks and safeguarding. Therefore it is envisaged that the individuals supported through these services will over a period of time be able to engage and make a positive contribution within their local area.

Monitoring and Evaluation of the re commissioning process

A risk log will be maintained throughout the re commissioning process, mobilisation and delivery of the new contracts. This will enable any adverse impacts be it negative or against the protected characteristics or other vulnerabilities to be identified, addressed or mitigated against.

The ability to demonstrate diversity competence in service delivery will be a key component of the tender documentation.

Monitoring of the New Services

Whilst the nature and design of the proposed services are therefore to support vulnerable people into pathways of support and wellbeing, access into and exit from services alongside the outcomes delivered is a key part of the contact delivery. This will also enable any adverse impacts to be quickly identified and addressed.

The text in this section applies to the remaining protected characteristics in the remaining sections below*.

Service Users / Stakeholders;
Employees; Wider Community

See Above Age *

Service Users / Stakeholders;
Employees; Wider Community

See Above Age *

Service Users / Stakeholders;
Employees; Wider Community

See Above Age *

Service Users/ Stakeholders;
Employees; Wider Community

See Above Age *

Protected characteristic: Disability

Disability details:

Protected characteristic: Gender

Gender details:

Protected characteristics: Gender Reassignment

Gender reassignment details:

Protected characteristics: Marriage and Civil Partnership

Marriage and civil partnership details:

Protected characteristics: Pregnancy and Maternity

	Service Users / Stakeholders; Employees; Wider Community
Pregnancy and maternity details:	See Above Age *
Protected characteristics: Race	Service Users / Stakeholders; Employees; Wider Community
Race details:	See Above Age *
Protected characteristics: Religion or Beliefs	Service Users / Stakeholders; Employees; Wider Community
Religion or beliefs details:	See Above Age *
Protected characteristics: Sexual Orientation	Service Users / Stakeholders; Employees; Wider Community
Sexual orientation details:	See Above Age *
Please indicate any actions arising from completing this screening exercise.	Not as a result of this screening. As mentioned in the above sections a risk impact log will be maintained throughout the re commissioning process which will enable oversight of any adverse impacts in relation to protected characteristics to be identified and addressed.
Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	
Consultation analysis	
Adverse impact on any people with protected characteristics.	
Could the policy/proposal be modified to reduce or eliminate any adverse impact on any particular group(s)?	
How will the effect(s) of this policy/proposal on equality be monitored?	
What data is required in the future to ensure effective monitoring of this policy/proposal?	
Are there any adverse impacts on any particular group(s)	No
If yes, please explain your reasons for going ahead.	
Initial equality impact assessment of your proposal	
Consulted People or Groups	
Informed People or Groups	
Summary and evidence of findings from your EIA	Not as a result of this screening. As mentioned in the above sections a risk impact log will be maintained throughout the re commissioning process which will enable oversight of any adverse impacts in relation to protected characteristics to be identified and addressed.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?	No
Quality Control Officer comments	
Decision by Quality Control Officer	
Submit draft to Accountable Officer?	No
Decision by Accountable Officer	
Date approved / rejected by the Accountable Officer	
Reasons for approval or rejection	
Please print and save a PDF copy for your records	No

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Close

Birmingham City Council

Report to Cabinet

Date: 16 April 2019



Subject: **BIRMINGHAM CHILDREN'S TRUST DEVELOPMENT PLAN 2019/20 INCORPORATING ACTIONS FOLLOWING THE OFSTED INSPECTION OF BIRMINGHAM CHILDREN'S SOCIAL CARE SERVICES DECEMBER 2018**

Report of: **Corporate Director for Education & Skills and Chief Executive, Birmingham Children's Trust**

Relevant Cabinet Member: **Cllr Kate Booth, Children's Wellbeing**

Relevant O & S Chair(s): **Cllr Mohammed Aikhlaq, Children's Social Care**

Report author: **Sarah Sinclair**
Assistant Director Commissioning,
Tel: 0121 303 8327
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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 006187/2019		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 In February 2019, Cabinet received the findings of the December 2018 Ofsted inspection of children's social care services.
- 1.2 A written action plan must be submitted to Ofsted by 25 April 2019. The Trust's Development Plan (incorporating the Ofsted actions) is attached at **Appendix 1**.

2 Recommendations

- 2.1 Cabinet is requested to endorse the attached Development Plan, which has been drawn up in line with Ofsted requirements and must be submitted to Ofsted by 25 April 2019.

3 Background

- 3.1 Ofsted undertook a full inspection of Birmingham Children's Social Care Services in December 2018. The findings were published on 17 January 2019 (attached as **Appendix 2**) and the services were judged as "requiring improvement to be good".
- 3.2 After a full inspection, the local authority is required to write an action plan that responds to the recommendations in the report and submit this to Ofsted within 70 working days of receiving the final inspection report (by 25 April 2019).
- 3.3 The attached Development Plan (which incorporates the Council and Trust response to Ofsted's findings) has been drawn up by Birmingham Children's Trust and the Council, discussed by the joint Council/Trust Operational Commissioning Group (which regularly reviews the Trust's performance against the contractual agreement) on 28 February, and subsequently discussed at Birmingham Children's Trust Board and Children's Social Care Overview and Scrutiny Committee on 12 and 13 March respectively.
- 3.4 Ofsted findings highlighted that the following need to improve:
 - the quality, effectiveness and pace of partnership working with external agencies, including partner-led early help services.
 - trust and confidence between the courts and Birmingham Children's Trust.
 - effectiveness of the fostering service.
 - robust and timely focus on all permanence options for children.
 - alignment of the approach to contextual safeguarding.
 - the impact of the virtual school in improving provision for children in care.
- 3.5 The Development Plan is framed around the above, each area being a strategic priority with sponsors, outcomes, actions, leads and timeframes. In addition to the above six priority areas, the plan sets out two other strategic priorities: practice improvement and workforce.
- 3.6 More detailed delivery plans will underpin the priorities. Progress will be reported to the joint Operational Commissioning Group.

4 Options considered and Recommended Proposal

- 4.1 The local authority is required to write an action plan that responds to the recommendations in the report and submit this to Ofsted within 70 working days of receiving the final inspection report (by 25 April 2019).

5 Consultation

- 5.1 The Development Plan has been drawn up by Birmingham Children's Trust in consultation with the Council.

6 Risk Management

- 6.1 The plan will be regularly reviewed and progress monitored by the joint Operational Commissioning Group.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The Plan supports the Council Plan 2018–2022 and particularly outcome 2 'Birmingham is an aspirational city to grow up in' and its related priorities.

7.2 Legal Implications

- 7.2.1 The inspection was carried out under section 136 of the Education and Inspections Act 2006 in relation to children's social care functions conferred on the local authority.

7.3 Financial Implications

- 7.3.1 Planned activities will be funded from existing budgets and any new activities will be underpinned by business cases.

7.4 Public Sector Equality Duty

- 7.4.1 The work of the Trust is focused on the city's most vulnerable families, children and young people.

8 Appendices

1. Trust Development Plan 2019/20 (incorporating Ofsted actions).
2. December 2018 Ofsted Inspection of Children's Social Care Services Report.

9 Background Documents



Development Plan 2019/20

"The Trust continues to have one focus: to deliver better services and better outcomes for the city's most vulnerable children, young people and families. This development plan describes the important work we need to focus on now, particularly strengthening the quality and consistency of practice across the Trust. We will do that by engaging and forging strong and purposeful collaboration with children, young people and families, with those we work with, with the Council as our commissioner, with our partners, and with our staff."

Andy Couldrick, Chief Executive, Birmingham Children's Trust

"This plan represents a vital next step in the City's journey towards providing high impact, purposeful support and care to all of Birmingham's vulnerable children and young people. The Trust has already made significant strides in that direction, and the City Council will continue to work closely, and well with the Trust to reach our next set of goals. I am committed to ensuring that all of our services work seamlessly together so that every child and young person receives high quality support, feels safe and achieves their potential."

Tim O'Neill, Corporate Director of Education and Skills/Director of Children's Services, Birmingham City Council

The vision of Birmingham Children's Trust is to build a service that provides excellent children's social work and social care services for the city's most vulnerable children, young people and families. We aim to always deliver services with compassion and with care, through positive relationships, building on strengths. We work in collaboration with children and young people, families and our partners. We strive to always listen to, involve and include children and their families in our work. We aim to achieve the best outcomes by supporting children to be healthy, happy and resilient.

The last full Ofsted inspection of children's services published in January 2019 found that services for children overall require improvement to be good. That is consistent with our self-assessment that overall we continue to **require improvement to be good**.

On the launch of the Trust we established a number of priorities that remain important today:

- We continue to be committed to engaging our partners and external agencies as we know that the partnership must work together to support and protect our children. The Trust are prominent members of the developing Children and Young People Strategic Partnership, including the chief executives of all key partner agencies.
- We continue to develop and sustain a skilled and confident workforce.
- We continue to build collaboration, understanding, and capacity within the Trust Board.
- We continue to develop and strengthen our regulated services to ensure that they provide good services to children.
- We are developing a practice response to children at risk of contextual harm.
- We continue to embed the relationship-based practice model to drive improving practice.

We have accepted the six areas that Ofsted have told us we need to improve, and they had been identified as such in the self-assessment produced prior to the inspection. The Development Plan is based around 8 strategic priorities the first 6 of which respond to Ofsted's findings:

- The quality, effectiveness and pace of partnership working with external agencies, including partner-led early help services.
- Trust and confidence between the courts and Birmingham Children's Trust.
- Effectiveness of the fostering service.

- Robust and timely focus on all permanence options for children.
- Alignment of the approach to contextual safeguarding.
- The impact of the virtual school in improving provision for children in care.
- Practice improvement.
- Workforce.

This plan will be monitored, reviewed and updated monthly. It will sit alongside the Trust's contractual key performance indicators, other quantitative and qualitative measures of performance, and quarterly updates of the Trust's self-assessment. In this way, at all times we will have a strong picture of the effectiveness of the services organised and delivered by the Trust. Detailed delivery plans underpin each of the strategic priorities described in this plan. It will be an iterative plan, and we will add new actions as new issues, risks and opportunities emerge during the year. Sponsors for the strategic priorities will be accountable to the Trust Board, through the Chief Executive, and the Trust will be accountable to the Council for progress.

In order to ensure effective delivery of this plan we are redesigning Assistant Director roles and responsibilities for implementation from 1 April 2019.

Looking ahead, the key elements of transformation will include:

- Care, edge of care and alternatives: strengthening and extending hours of the Edge of Care team; investment in family-based decision-making and in families' ability to find solutions and build plans for their children; releasing resource properly to support family plans.
- More generally, we will embed family meetings and family group conferences (FGCs) as a key plank of our decision-making and ensure resources are oriented around supporting family plans.
- Family placement transformation: recruitment and retention; fee structures; developing an innovative proposition for working in a regional adoption agency (RAA) model; exploring different strategic partnership models for delivering and supporting more Trust carers.
- Contextual safeguarding: implementing new models for delivering service to, and managing risks faced by, vulnerable adolescents at risk from exploitation, gangs, drugs, 'county lines'. We recognise traditional models are not fit for purpose and we are developing models with partners for a new and different approach.
- We will play a key role in building and strengthening strategic and operational partnerships working across the city.
- Transforming the children's judicial system in Birmingham: we have agreed with the senior District Judge a system review to support swifter and more effective decision-making in the courts. Trust and confidence between stakeholders needs to be rebuilt.
- A review of our structural arrangements. They have served improvement well since 2015-16, but we are stronger now and need to review these in the context of:
 - Exploring different management roles within the team structure.
 - Reducing the number of changes of social worker that children and families still experience.



- Exploring the introduction of allied professionals into social work teams: adult mental health, domestic abuse, substance Misuse: we see the impact this has had in CASS/MASH and want to exploit wider opportunities across the service.
 - Building stronger local connections with our partners in schools, health, police etc.
- We need to review and improve progression pathways for social workers, linking pay and non-pay rewards, the development of a social work academy with higher education (HE) partners, improving our learning and development/continuing professional development offer.
- We will be delivering a bespoke leadership and management development programme beginning in March 2019 for all practice leaders and senior leaders in the Trust. We will not get the traction we need through small numbers of managers gaining places on nationally accredited programmes.
- We will continue to work with the 'What Works' Centre on a number of significant projects including understanding the impact of first line management supervision on family outcomes and child protection decision making.

We continue to be ambitious for the Trust and we believe that the priorities set out in the Development Plan are the right ones to drive improvements further.

Jenny Turnross
Director of Practice
Birmingham Children's Trust

Development Plan 2019/20

	<u>Lead(s)</u>	Progress Update	Date to complete	RAG Status
Strategic Priority 1				
The quality, effectiveness and pace of partnership working with external agencies, including partner-led early help services				
Sponsor – Director of Practice, Birmingham Children's Trust				
<ul style="list-style-type: none"> Through the Birmingham Safeguarding Children Board the revised Early Help Strategy is implemented and includes robust expectations across partner agencies which strengthen the Early Help Offer. There is improved collaborative work with West Midlands Police in respect of s47 investigations and resulting child protection processes. The step up/step down protocol across the Trust is strengthened. There is greater understanding across partners about city-wide early help services and partners are able to assure themselves that the partnership is responding to families in need of support effectively. 				
1. Develop bespoke training for 'Lead Practitioners' (across the partnership) and toolkit to support the role.	AD, Early Help and Youth Justice		April 2019	
2. Develop a web based portal and suite of documents (EHA, Plan, Impact tool) which will allow the registration and monitoring of assessments and plans onto the Trust case management data base via the portal.	AD, Early Help and Youth Justice		June 2019	
3. Development of e-learning Early Help Module.	AD, Early Help and Youth Justice		April 2019	
4. Review and strengthen step down arrangements to universal services across the Trust.	HoS, Think Family/Family Support		September 2019	



	<u>Lead(s)</u>	Progress Update	Date to complete	RAG Status
5. Think Family transformation across the City to focus partnership intervention on the most vulnerable families and capture progress overtime to meet Birmingham's outcomes for families.	AD, Early Help and Youth Justice		March 2020	
6. Present proposal for roll out of the 'Outcome Star' to the Early Help Safeguarding Partnership. This will support our understanding of the effectiveness of early help.	AD, Early Help and Youth Justice		March 2019	B
7. Practice Evaluation to focus on re-referrals February 2019, feedback from this will determine further actions, including policy and practice developments.	Area AD HoS, CASS		March 2019	G
8. Quarterly case auditing to ensure that agency checks are consistently completed when children are referred to the Trust.	Area AD HoS, ASTI East HoS, CASS		Commences February 2019	
9. Quarterly case auditing to review partner engagement.	Area AD		Commences February 2019	
10. Develop a protocol to review and escalate cases at critical milestones to ensure a robust reviewing system of child protection plans.	AD, Safeguarding		April 2019	
11. Extend the current step up/step down protocol to include universal services	HoS, Think Family/Family Support HoS, ASTI East		July 2019	
12. Quarterly case auditing programme to review cases that have stepped up/stepped down to ensure threshold has been applied appropriately.	HoS, Think Family/Family Support Acting HoS, Think Family/Family Support Acting HoS, ASTI South HoS, Safeguarding North, West & Central		Commences March 2019	
13. The Trust will undertake an audit programme of 30 children to determine where a decision to undertake a joint visit was followed through.	HoS, ASTI North, West & Central		April 2019	
14. Exercise to map out wider partnership offer across Birmingham and ensure this aligns with need, to include a review of the wider family support offer.	AD, Early Help and Youth Justice Area AD		July 2019	



Strategic Priority 2

Trust and confidence between the courts and Birmingham Children's Trust

Sponsor – Director of Finance and Resources

- Processes within Birmingham Children's Trust enable best practice to be achieved in respect of pre and court proceedings.
- Relationships between Birmingham Children's Trust, CAFCASS and the Judiciary reflect a collaborative case management approach.
- Birmingham Children's Trust staff have the necessary skills and expertise to effectively manage cases through the court process.

15. Pre-Proceedings Improvement Project to ensure effective management oversight and progression.	Head of Legal Services Area AD AD, Practice Improvement		June 2019	
16. Review of the Legal Tracker Tool and reporting processes to monitor performance in respect of pre/court and post proceedings.	AD, Practice Improvement		February 2019	G
17. Project group to improve relationships between social care and legal teams.	Head of Legal Services Area AD AD, Practice Improvement		June 2019	
18. Review of Trust Legal Services structure and delivery model.	Head of Legal Services		June 2019	
19. Independent Review of Birmingham Court process (commenced) and implementation of revised working model.	AD, Practice Improvement		June 2019	
20. Project group to review practice delivery of the family and friends policy to ensure that assessments are completed appropriately.	Head of Legal Services AD, Practice Improvement		May 2019	
21. Implement programme of shared learning events with CAFCASS to improve relationships and performance.	Area AD AD, Practice Improvement		May 2019	
22. Ensure that any legacy delays in court care proceedings are addressed by the Trust, the judiciary and CAFCASS in order to come to a firm conclusion.	Area AD		June 2019	



Strategic Priority 3

Improve the effectiveness of the fostering service

Sponsor – Director of Commissioning and Corporate Parenting

- The fostering service has the capacity to deliver a robust and effective provision.
- The issues identified in the recent fostering inspection (published February 2019) are addressed.
- The fostering service functions as an Independent Fostering Service with a clear business model in place.
- The quality and sufficiency of foster carers, including the out of hours response to children who need care, are improved.

23. Review of the disruption process and protocol to ensure learning and improvements in practice.	AD, Practice Improvement AD, Placements		May 2019	
24. Review the current structure and operating model for the Placement and Fostering Service (including recruitment of a range of carers, short term matching and assessments), and implement the new working model.	AD, Placements		May 2019	
25. Delivery of Fostering Action Plan in response to Ofsted Inspection January 2019.	AD, Placements		August 2019	
26. Review all policies and processes around long term fostering (planning, family finding and matching).	AD, Placements		May 2019	
27. Redesign the Emergency Duty Team Edge of Care Service to ensure an effective out of hours response to children needing care.	AD, Placements		February 2019	G
28. Review the quality of and response to family and friends placements to ensure that children can safely live within their extended families where appropriate.	AD, Placements		February 2019	G
29. Ensure that the Fostering Service has a comprehensive service delivery plan.	AD, Placements		April 2019	
30. Develop and implement the Placements Strategy.	AD, Placements		April 2019	
31. Review our residential offer to ensure that services are contemporary and available to children who will benefit.	AD, Placements		Commences May 2019	



Strategic Priority 4

Ensure a robust and timely focus on all permanence options for children

Sponsor – Director of Practice

- All children achieve permanence at the earliest opportunity.
- Processes within Birmingham Children's Trust enable permanence to be achieved at the earliest opportunity.
- Birmingham Children's Trust workforce has the necessary skills and knowledge to carry out best practice around permanence planning.

32. Review Eclipse training guidance around uploading direct work to ensure this is appropriate and available to the workforce.	AD, Practice Improvement		June 2019	
33. Trust Practice Hub to review the resources and delivery of direct work across the Trust.	AD, Practice Improvement		June 2019	
34. Review the policy for the escalation of cases if a permanence plan is not progressing to ensure that all children's plans are progressed in a timely way.	AD, Practice Improvement AD, Safeguarding		June 2019	
35. Review the current delivery and effectiveness of life story work across the Trust.	AD, Practice Improvement		June 2019	
36. Review of current process around advocacy resources and delivery.	Head of Participation & Engagement AD, Safeguarding Head of Legal Services		May 2019	
37. Launch of Trust Permanence policy, procedures and strategy guidance, including effective care planning, followed by a number of events to ensure that the concept of permanence is fully embedded in practice.	AD, Practice Improvement		May 2019	
38. Review the current Family Group Conferencing structure to determine capability to deliver an effective service.	AD, Practice Improvement		March 2019	B



Strategic Priority 5

Align the approach to Contextual Safeguarding

Sponsor – Director of Practice

- An effective multi-agency approach to Contextual Safeguarding is delivered through a specialised centre for practice.

39. Design and develop a project brief for a specialised HUB to deliver an effective multi-agency approach to contextual safeguarding.	AD, Early Help and Youth Justice Area AD		February 2019	G
40. Trust Contextual Safeguarding Hub launch.	AD, Early Help and Youth Justice Area AD		September 2019	
41. Review of current practice and delivery of return home interviews.	Team Manager, Exploitations and Missing		May 2019	



Strategic Priority 6

The impact of the virtual school in improving provision for children in care

Sponsor – Director of Children's Services Birmingham City Council

- The attainment gap is narrowed for children in care at all key stages through the setting of individualised targets.
- The integrated monitoring tracking system within the ePEP secures improved pupil progress and outcomes.
- Strengthened governance of the Virtual School ensures the needs of vulnerable pupils are being met.

42. Ensure all children in care at pre-school, reception and all key stages have termly PEPs which are at least good or outstanding.	AD Education and Early Help Head of Virtual School		September 2019	
43. Strengthen cohort overview data for Year 6 OC2 cohort which supports the identification of individual and groups of children in care and improves the targeting of resources to secure appropriate outcomes.	AD Education and Early Help Head of Virtual School		April 2019	
44. Strengthen the targeted approach of the Year 11 cohort to secure recognised qualifications in English and Maths. Ensure Virtual School workers set Maths/English targets for these young people at each of their ePEP meetings and update secondary phase group on the progress of these targets throughout the year.	AD Education and Early Help Head of Virtual School		April 2019	
45. Develop the baseline management tool of the ePEP and embed the ePEP reports in the review system across the service.	AD Education and Early Help Head of Virtual School		April 2019	
46. Develop attendance surgeries with children in care teams across the city.	AD Education and Early Help Head of Virtual School		July 2019	
47. Embed regular evaluation of the Virtual School through its governance arrangements to ensure intended outcomes are being achieved and to inform future planning.	AD Education and Early Help Head of Virtual School		March 2019	G



**Strategic Priority 7
Practice Improvement**

Sponsor - Director of Practice

- A focus on evaluating practice and applying learning across all Trust services secures consistent delivery and standards.

48. Launch of 2019/20 Practice Evaluation Programme (focus on targeted themes including planning and decision making).	AD, Practice Improvement HoS, Practice Improvement		Commences May 2019	
49. Launch of 2019/20 Principal Social Work Programme to improve performance and practice.	AD, Practice Improvement Acting HoS, Practice Improvement		March 2020	
50. Learning from Practice Weeks and Practice Evaluations to be distributed within the agreed frequency, in a variety of formats to improve practice development.	AD, Practice Improvement		Commences April 2019	
51. Review of Tri.x manual to ensure this is aligned to Trust culture, language and procedures.	AD, Practice Improvement		Commences April 2019	
52. Review and relaunch of Quality Assurance Framework.	AD, Practice Improvement		April 2019	
53. Launch of 2019/20 Performance and Intelligence delivery programme to ensure data and intelligence are consistently used effectively to improve practice development.	AD, Practice Improvement Performance and Intelligence Manager		May 2019	
54. Review of the child's journey and the workflow arrangements to support consistent social work practice.	AD, Practice Improvement		March 2020	
55. Review of service structures beginning with a refresh of assistant director roles to ensure that staff are well deployed and services are targeted.	Director of Practice		Commences February 2019	
56. Introduce multi-disciplinary teams to area teams to ensure that children and families receive the support they need.	Area AD		Commences April 2019	



Strategic Priority 8
Workforce

Co-Sponsors - Director of Practice (learning and development) and Director of Finance and Resources (HR)

- There is high quality recruitment and retention of staff underpinned by coherent and effective policies and learning and development.

57. To ensure an effective approach to recruitment which delivers to the Trust's objectives and People Strategy.	Head of HR		May 2019	
58. Ensure there is a robust induction process at all levels.	Head of HR Learning & Development Manager		May 2019	
59. To deliver a clear and transparent pay offer and attractive non-pay rewards package which improves retention and supports our recruitment aim.	Head of HR		August 2019	
60. To review HR policies and procedures across a number of priority areas including absence management, disciplinary, capability, grievance (September), and agile working (December).	Head of HR		September/ December 2019	
61. A review of the Learning & Development Strategy to underpin the Practice Hub and promote excellence in practice.	AD, Practice Improvement Learning & Development Manager		July 2019	
62. To implement a Social Worker Academy and a Trust (Leadership and Management) Academy to maintain and develop skills across the Trust.	AD, Practice Improvement		June 2019	
63. To re-launch the appraisal process to all staff	Head of HR		May 2019	

Birmingham City Council

Inspection of children's social care services

Inspection dates: 3 December 2018 to 14 December 2018

Lead inspector: Pauline Higham
Her Majesty's Inspector

Judgement	Grade
The impact of leaders on social work practice with children and families	Requires improvement to be good
The experiences and progress of children who need help and protection	Requires improvement to be good
The experiences and progress of children in care and care leavers	Requires improvement to be good
Overall effectiveness	Requires improvement to be good

The local authority, the shadow board, and since its inception in April 2018, Birmingham Children's Trust (BCT), have made progress from a low base in improving the quality of services to children and families. They have made good use of monitoring visits since the 2016 inspection, and many of the recommendations for improvement from that inspection have been acted on effectively. The delegation of statutory functions to BCT has enabled the re-vitalisation of both practice and working culture, and, as a result, progress has been made in improving the experiences and progress of children.

Considerable and focused work has resulted in a more effective response to the needs of children and families at the point of contact. Significant improvements now ensure that all domestic abuse incidents are evaluated quickly and that there is clear identification of and an effective response to child protection issues. Most children in care live in stable placements, but for some children where adoption is not planned, there is delay in achieving permanence. Young people who are leaving care and unaccompanied asylum-seeking children receive a good service that meets their needs and ensures that they receive support to thrive and become independent.

While improvements are evident, these are not yet resulting in consistently good services or social work practice. In some areas gaps remain, along with a lack of pace for

improvement. The quality of partnership working across agencies has not improved at a fast enough pace, and police support in a small minority of cases is inconsistent. Long-standing concerns over the efficacy of legal services have not been resolved, and this has contributed to a lack of assurance and trust in the service by the judicial system. This means that, for some children, social work assessments and care plans are not acceptable to the court.

Birmingham city council virtual school leaders do not have a clear enough understanding of the progress made by children in care over time. This is because systems to monitor pupils' progress have not provided them with sufficient information about how well pupils are progressing from their starting points.

BCT has improved their evaluation of performance overall, but gaps remain in their understanding of the effectiveness of the fostering service.

BCT are aware of all these issues but accept that further work is required in order to ensure that all services are consistently good for all children.

What needs to improve

- The quality, effectiveness and pace of partnership working with external agencies, including partner-led early help services.
- Trust and confidence between the courts and BCT.
- Effectiveness of the fostering service.
- Robust and timely focus on all permanence options for children.
- Alignment of the approach to contextual safeguarding.
- The impact of the virtual school in improving provision for children in care.

The experiences and progress of children who need help and protection requires improvement to be good

1. A growing number of children in Birmingham are beginning to benefit from early help services provided by better engaged partner agencies. However, the quality of assessments completed by partners requires improvement and BCT has yet to make any significant impact on ensuring that partners better understand the purpose of good-quality assessments. This means that, in some instances, early intervention is ineffective, leading to inappropriate escalation to BCT internal family support services. Children are not yet receiving a consistent response from partner agencies in order to improve their experiences or progress.
2. Children were not found to be in situations of unassessed or unmanaged risk. Referral thresholds are appropriate for most children. Partners are co-located and effectively engaged in the Children's Advice and Support Service/Multi-agency Safeguarding Hub (CASS/MASH), which ensures that arrangements are in place to share information and safeguard children. Re-referral rates are above the national average, and children's circumstances are not always improved or being sustained as a result of recent interventions. BCT recognised that some children would have benefited from step down to early help support rather than their cases being closed.
3. A small minority of decisions to step down children's cases are made with insufficient information and without full consideration of historical information and the cumulative impact that this has had on the child. During the inspection, BCT took immediate action to address this, with an assurance that all agency checks will now be completed before cases leave CASS/MASH.
4. Police triage of domestic abuse notifications is effective, with a quality control in place to ensure that early help intervention is considered for lower level

need. Where children have specific needs, for example needs relating to homelessness, child sexual exploitation and domestic abuse, these are quickly identified, and workers effectively use relevant assessment and intervention tools to assess and address risk to children.

5. Work to tackle the risks posed to children from child sexual exploitation and going missing are, in most cases, well addressed by assessment and short-term intervention (ASTI) and safeguarding teams, but this is not consistently the case. Multi-agency sexual exploitation meetings provide a good forum for sharing information. However, alongside child sexual exploitation risk assessments and return home interviews, these meetings are not consistently used to best effect to shape children's plans.
6. The majority of child protection enquires are thorough and evidence multi-agency contribution, informing appropriate decisions about next steps. In a small minority of cases where agreements to undertake joint s47 enquiries were made, the police did not subsequently attend with social workers. This means that families in complex situations were not always fully supported by an appropriate multi-agency response. Strategy meetings are appropriately held, but not all relevant agencies attend. This limits their effectiveness in the sharing of information that informs planning and decision-making for children.
7. BCT designated officer arrangements to manage allegations against professionals and persons in positions of trust are robust, timely and well recorded. The interface between the designated officers and key partners results in good sharing of information and swift decision-making. Action plans to protect children and coordinate multi-agency responses are clear, time bound and subject to effective review.
8. Assessments carried out by the ASTI service are completed within children's timescales, and, in most cases, are thorough, exploring background history, presenting issues and information from partners. When analysing children's needs, social workers make effective use of practice methodology, clearly identifying risk and protective factors, danger statements and safety goals that appropriately inform future actions. Management overview is evident, and the majority of assessments contain clear rationale for recommended action that is proportionate to children's levels of need.
9. Effective management arrangements and close working relationships between Family Support and ASTI teams underpin well-managed step up and step down practice. However, the rationale for requesting children's cases to step up from family support to social work assessment teams is not always clear.
10. Within family support teams, thresholds are applied appropriately and assessments are completed within the child's timescales. Family support plans are thorough but are not always clear enough so that the desired impact,

timescale for change to take place and outcomes for the child are easily understood by families.

11. Child protection and child in need plans are consistently in place and contain appropriate actions that are used to progress work that improves experiences and progress for children. Plans are not always clear enough, meaning that parents do not always understand what needs to change, and by when, to improve their child's circumstances.
12. A small minority of children remain on a child protection plan for too long, without the necessary changes being made to improve their experiences. For these children, management oversight to challenge the lack of progress in making sustained change has been ineffective.
13. Core group meetings and child in need review meetings are held regularly and are mostly well attended. They are not always promptly recorded, or minutes distributed to ensure that all parties are clear about what actions are required. Better quality work shows where children are making measurable progress.
14. BCT services for disabled children in need have improved since the last inspection. For example, children are seen regularly and receive services that meet their needs.
15. In most cases, private fostering assessments take significantly too long to complete, meaning that BCT cannot be fully assured that such arrangements are suitable. Despite this, in most cases, children's experiences and progress have improved because of the private fostering arrangement.
16. BCT edge of care service is impressive and delivers good-quality, successful personalised interventions. An absolute focus on engagement with families has increased the number of children in receipt of this service who do not enter care subsequently. Edge of care workers undertake effective practice with families and children to bring about lasting change. Families value the service and inspectors saw feedback from families that noted significant satisfaction with service delivery and outcomes.
17. Homeless young people who are 16 and 17 years old receive swift and well-targeted support that includes a wide range of suitable accommodation options. This is supported by effective assessments and often tenacious and skilful work to engage young people.
18. Systems to identify and track children missing from education are effective. Robust risk assessment processes ensure that immediate attention is directed to the most vulnerable children. Workers use a wide range of appropriate information sources to try and establish the whereabouts of the child.

19. The local authority fulfils its responsibilities for the provision of children who are electively home educated, and appropriate safeguarding measures are in place. There are clear processes in place for schools to refer any cases of electively home educated children to the local authority. Leaders analyse referrals and effective action is taken if, for example, they identify a situation of a school potentially off-rolling.

The experiences and progress of children in care and care leavers requires improvement to be good

20. Children enter care appropriately. Once in care, most children enjoy timely support and frequent visits from social workers who know them well.
21. Decision-making for a minority of children demonstrates a history of missed opportunities to intervene effectively to improve their circumstances. Some current delays for a small number of these children are compounding their previous experience.
22. BCT does not yet have a clear focus on permanence for children outside of adoption. Practice to secure permanence for children lacks pace and maturity. While practitioners and managers have an improving focus, the impact of this on outcomes for children remains inconsistent. For example, parallel planning for children to achieve permanence is not routinely considered or used by social workers.
23. The quality of legal advice available to social workers and managers has been inconsistent and has not ensured that children routinely benefit from swift, purposeful and decisive action when they need to come into care. While more effective decision-making is beginning to be evident, this is not yet sufficiently widespread. The introduction of a legal tracker tool has yet to routinely identify and remedy drift and delay for children through the pre-proceedings stage.
24. The quality of social work practice within the Public Law Outline is not consistently good and can add to delay for some children. Letters before proceedings explain to families what issues are of concern but fail to explain what impact these issues are having on the child. This limits families' understanding of professionals' concerns and of what needs to change. The quality of recent social work assessments in care proceedings is beginning to improve, and this has been recognised by the local judiciary and the Children and Family Court Advisory and Support Service (Cafcass).
25. The voice of the children in care is given high priority and is consistently well considered by social workers. Children are seen regularly and are seen alone by their social workers, including those children placed out of the Birmingham area. This means that children are able to develop meaningful and trusting relationships with their social workers.

26. Social workers are actively engaged in doing direct work with children, which helps them to understand what is happening to them. This is not always recorded well, meaning that important information about children's histories and experiences are not available to them.
27. Children are actively encouraged to participate in their reviews. Most young people reported positively on the availability of independent reviewing officers (IROs) and described sustained and positive relationships with them. Children benefit from the impact of IRO scrutiny and oversight. This is consistently demonstrated in case records and is beginning to contribute to swifter decision-making to achieve permanence for children. IROs are beginning to escalate cases appropriately, and, while there are low numbers of escalations, this is helping to improve care planning for children.
28. The quality of children's reviews and subsequent care plans is improving, although senior leaders recognise that the specificity of plans requires further refining and improvement. Children's needs are, for the majority, well identified, and plans are becoming more outcome-focused to care for their needs holistically. Risk to children, including child sexual exploitation, is mostly well identified and care plans reflect risk-reducing strategies that help young people keep themselves safe.
29. Advocacy is not routinely considered for children and their families and this limits their access to independent advice and representation.
30. Young people are positive about changes in practice since the shadow board arrangements and the inception of BCT. They say that there are now fewer changes of social worker and IROs than previously and that senior leaders are accessible and listen to their views. Young people reported that when the Children in Care Council raise concerns or make suggestions, changes are made more quickly than previously.
31. Unaccompanied asylum-seeking children receive responses that are swift, comprehensive and highly effective. Young people are placed in supported accommodation in a timely and well-planned manner, with education, health and home office arrangements immediately addressed by dedicated and committed workers.
32. Children seen during the inspection were living in appropriate placements that met their needs, with evidence of improved experiences and progress. Most children are matched with suitable and experienced carers. BCT recognises the need to recruit specialist foster carers as well as carers who have the skills to provide care for teenagers.
33. When children's placements end unexpectedly, disruption meetings are not always held, and this does not enable effective information-sharing or

facilitate better planning for individual children. Learning from disruptions is not understood or shared within the service in order to help children more widely.

34. Children seen during the inspection who were placed in emergency duty team (EDT) placements were not well matched, and information-sharing with the foster carers about the needs of the children was limited. The use of EDT placements, their quality and the appropriateness of matching is not effectively evaluated or monitored. This means that BCT are not assured that these placements meet the diverse needs of children.
35. When children in care have been missing, including those placed in other local authority areas, they are always offered a return home interview. This is a real improvement. Take-up of interviews by children in care is also improving, although less than half of young people are interviewed, and some were not seen in a timely way. This limits professionals' understanding of risks and their ability to plan to mitigate risks effectively.
36. Children's social workers, independent reviewing officers and team managers, through their supervision, show a good awareness of child sexual exploitation and criminal exploitation, in particular gang affiliation. However, the quality and impact of work to address these issues are not consistently good. For example, return home interviews are not always included in children's electronic case files, and when they are, it is not clear how they have been used to shape plans or interventions.
37. Children in care who have a plan to return to the care of their birth families experience a carefully planned and well-managed transition. Comprehensive parenting assessments help to ensure that such decisions are made safely and are in the best interests of the child. On return to their birth families, the welfare of children is well monitored by social workers and partners.
38. Children whose permanence plan is adoption receive an effective and mostly timely service. Children's permanence reports are thorough. Contact arrangements are thoughtful and well managed. Foster-to-adopt is not routinely considered or pursued by social workers. For some children, this is a missed opportunity to promote early attachments and avoid delay in them achieving permanence.
39. For some children, where adoption is not the permanence plan, there is delay in achieving permanence within the child's timescales. For some children in long-term foster placements, these have not yet been formally confirmed as children's permanent homes. Stability for these children in order to allow them to develop and sustain permanent attachments is not being achieved in a timely way. Children's case records were not able to evidence matching rationale for long-term matches and do not easily evidence child-focused decisions.

40. BCT is not currently evaluating placement stability, success and disruptions in relation to children's experience and progress in their foster homes. This was identified in the September 2016 SIF inspection and remains a challenge for the fostering service. BCT cannot therefore be assured that all children are living in a placement that continues to meet their individual needs. BCT responded with urgency to the issues raised by inspectors and expedited the appointment of a senior manager to progress this area of work.
41. While the quality of life-story work is good, the initiation of this work is not sufficiently timely. Too many children do not have life-story work completed in a timely way. This means that carers do not have a comprehensive and accessible account of a child's life and children themselves do not have the opportunity to understand their experiences and histories.
42. Children in care receive good access to health and dental services and these are well prioritised by social workers. Health passports are now being introduced and disseminated to children in care following a co-production with the children in care council (CICC) and care leavers' forum (CLF). Children in care receive good access to mental health services and are well supported by therapeutic and emotional support services.
43. The quality of education for children in care is not consistently good. End of key stage outcomes for children in care are typically low when compared with other pupils nationally. At the end of key stage 2 in 2018, pupils made noticeably better progress than the previous year, particularly in relation to reading and mathematics. However, at key stage 4, children in care mostly progress similarly to other children in care nationally, although grades are low, especially for boys.
44. Effective support is provided for the growing number of unaccompanied asylum-seeking children. This support helps them to settle quickly into education and reduces their barriers to learning. The guidance in place for care leavers is strong and helps them to achieve their aims and next steps in education, employment or training.
45. The virtual school's work to reduce permanent exclusion of children in care has been successful and there have not been any permanent exclusions of children in care in the last academic year.
46. The virtual school has worked effectively to overhaul the e-Personal Education Plan system, with the overall quality of Personal Education Plans starting to improve. Until recently, the virtual school did not evaluate its work with enough rigour to check that its actions were bringing about intended improvements. This is now improving, and collaboration and sharing of information between different teams is proving beneficial and helping to meet the needs of vulnerable pupils more swiftly. The attendance of children in

care at school has declined overall this year. This has not been analysed sufficiently well and is not understood by leaders. The virtual school headteacher has invested time, with growing success, in developing systems of support for children in care across groups of schools.

47. Care leavers receive a strong service that makes a positive difference to their well-being and prospects. Personal advisors do well at keeping in touch with care leavers, often going 'the extra mile' to build relationships with more challenging or difficult to reach young people. BCT successfully ensures that a good range of suitable accommodation options are available for care leavers and that the numbers who are in education, employment or training continue to rise from a low base. Pathway plans are reviewed regularly, and they effectively reflect young people's current needs and circumstances. The BCT offer to care leavers is strong and provides a broad range of good-quality advice and information about services to care leavers.

The impact of leaders on social work practice with children and families requires improvement to be good

48. BCT, the local authority, leaders and staff know themselves well and are building on progress to date in order to achieve lasting change. They have shown a dogged determination to ensure a focus on the well-being, safety and improving outcomes of children in Birmingham.
49. Sufficient improvements have been made to ensure that BCT initial point of contact response to the needs of children and families is robust and in the majority of cases effective. BCT acknowledges that further work is needed to reduce the rates of re-referrals. Following analysis, several measures have been introduced to address this. While all children who need one now have a plan, which was not the case at the last inspection, the quality of plans requires improvement if they are to be fully effective. This will be progressed through a BCT practice evaluation approach. BCT has sustained the quality of services for children in care and improved those services for children with an adoption plan and young people leaving care. Most children in care are living in stable, safe placements. BCT knows that permanence planning for children who are not being adopted needs to improve and plans to address this with several initiatives to include embedding family group meetings, family placement transformation and a joint system review with the judiciary. Young people who are leaving care and unaccompanied asylum seekers receive a good-quality service and there are notable improvements in the numbers of those aged 19–21 in education, training or employment since the last inspection.
50. BCT has developed a quality assurance system and performance information database that enables it to measure and track performance in the majority of service areas. This enables senior leaders to track progress against targets

and identify effectively where further work is required in almost all areas. BCT has been able to produce a good-quality evaluation of its own effectiveness that has identified the vast majority of areas where improvements had been made as well as those areas where more progress is needed. Evaluation of performance has improved overall, but gaps remain, particularly in relation to understanding the effectiveness of the fostering service.

51. A well-developed case audit format enables a focus on the quality of practice, but not all managers are routinely completing these and there remain inconsistencies in the quality of audits.
52. Virtual school leaders do not have a clear enough understanding of the progress made by children in care over time. This is because their systems to monitor pupils' progress have not provided them with sufficient information about how well pupils are progressing from their starting points. Leaders do not gather and analyse information from schools quickly enough or use it effectively to identify and rectify weaknesses with provision. This had been recognised by leaders, who have begun to address this issue and have recently introduced a new assessment process which should provide a more accurate picture of pupils' achievement.
53. BCT has undertaken much work to engage positively with both Cafcass and the judiciary. Both acknowledge recent improvements in the overall quality of work presented to the courts. They also report that inconsistencies in the quality of work presented result in a high number of court requests for independent social work assessments. An enduring lack of trust and confidence between the courts and social care means that too many assessments are rejected by the courts. This is de-moralising and, in some cases, leaves BCT with orders inappropriate for the child's circumstances. These issues have yet to be resolved.
54. BCT has worked hard with police and other partners to enhance the quality and efficacy of services for children and young people at risk from child sexual exploitation, going missing from home or care and criminal exploitation, including gang affiliation. Despite this, measures to better align work around child sexual exploitation, children going missing, children missing education and wider contextual safeguarding are still at a relatively early stage. BCT is aware that this needs to be strengthened further, along with making stronger links to information about children missing education and being persistently absent. Data and intelligence are not consistently used proactively or to best effect to move from a predominantly reactive to a more proactive response. BCT and West Midlands police have only very recently jointly appointed a data analyst to help progress this work, but it is too early to measure their impact.
55. The workforce profile has significantly improved since the last inspection and progress has been accelerated by BCT. Development of staff is a priority and

a comprehensive and focused approach contributes to staff having the right core skills. Average caseloads have reduced. Social workers and social care staff are proud of where they work and what they do to help children. Use of agency staff has significantly reduced as has the rate of staff turnover. Staff are enthusiastic about working for BCT and are keen to demonstrate their commitment to improvement.

56. The voice of the child is often well represented across the Trust and in social work records and reports. CICC and CLF are dynamic and active, reporting positively about what they see as better engagement with them by BCT. This includes the visibility of senior managers, their ability to be actively engaged in the appointment of senior staff and the opportunity to discuss issues that are important to them.
57. The local authority has proportionate scrutiny arrangements in place to ensure that they fulfil their role as the corporate parent. Corporate parenting board members actively engage with children and social workers in order to understand and influence children's circumstances. BCT and the board have ensured that a 'Birmingham Pledge' is in place, based on what children in care told them is most important to them.



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Birmingham City Council

Report to Cabinet

Date: 16th April 2019



Subject: ROCKWOOD ACADEMY FULL BUSINESS CASE AND CONTRACT AWARD

Report of: Director for Education & Skills

Relevant Cabinet Member: Cllr Jayne Francis - Education, Skills and Culture
Cllr Tristan Chatfield - Finance and Resources

Relevant O &S Chair(s): Cllr Mariam Khan - Learning, Culture and Physical Activity
Councillor Sir Albert Bore – Resources

Report author: Zahid Mahmood,
Capital Programme Manager, Education Infrastructure
Telephone No: 0121 464 9855
Email Address: zahid.mahmood@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Alum Rock		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 006103/2019		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1.0 Executive Summary

- 1.1 To seek approval to the Full Business Case attached as Appendix A and Contract Award for the capital scheme at Rockwood Academy. The capital cost of the scheme will not exceed £13,812,583.

2 Recommendations

That Cabinet:

- 2.1 Approve the Full Business Case (Appendix A) for the capital works at Rockwood Academy at a total project cost of up to £13,812,583.
- 2.2 Authorise the Director for Education & Skills in consultation with the Cabinet Member for Finance & Resources to instruct Acivico to raise work orders up to the value of £12,123,833, with Morgan Sindall in order for works to commence and to release contingencies and place further orders up to £500,000 if required.
- 2.3 Authorise the Director for Education & Skills to place orders up to the value of £636,442 with Acivico for professional services.
- 2.4 Note that loose furniture up to the value of £50,000 will be ordered directly by the school. Costs will be reimbursed by EdI on production of evidence (paid invoices) which will be verified by EdI.
- 2.5 Approve orders with Link2ICT for ICT up to the value of £100,000.
- 2.6 Authorise the City Solicitor to negotiate, execute and complete all necessary documents to give effect to the above recommendations.

3 Background

- 3.1 The Local Authority has a statutory duty to ensure that there are sufficient pupil places, promote diversity and increase parental choice through planning and securing additional provision (Section 14, Education Act 1996 and Education & Inspections Act 2006). This duty extends to our landlord responsibility to maintain the Education property portfolio to prevent school closure and asset failure, thus improving safeguarding for children.
- 3.2 A report on the changing demand and supply of school places was shared at the Overview and Scrutiny Committee for Learning, Culture and Physical Activity in September 2018.
- 3.3 Rockwood Academy is currently a 4 Forms of Entry (FE) Secondary School and part of CORE Education Trust. The school has agreed to increase their numbers by a further 3FE to support the Local Authority's need to provide sufficient secondary school places.
- 3.4 The Full Business Case (FBC) for this scheme is included in Appendix A. The FBC details the works which will be undertaken at Rockwood Academy. The works will allow the school to expand from a 4FE to 7FE.
- 3.5 A Planning Application was submitted on 4th March 2019 and is due for determination on 30th May 2019.
- 3.6 Subject to FBC and statutory approvals (including School Organisation) the main works are due to commence on 22nd July 2019 with a proposed completion of 25th September 2020.

4 Options considered and Recommended Proposal

- 4.1 The option of doing nothing would mean the City Council would fail to meet its statutory obligation in providing appropriate provision to meet the needs of the children.
- 4.2 To approve the proposed capital works at Rockwood Academy to increase pupil places by a further 3 Forms of Entry.

5 Consultation

5.1 Internal

The Leader and Ward Members for Alum Rock have been consulted in relation to the proposals and no comments were received. Officers from City Finance, Corporate Procurement and Legal and Governance have been involved in the preparation of this report.

5.2 External

All pupils, parents, governors, teaching and non-teaching staff, relevant Members of Parliament, Teaching Associations, Trade Unions, neighbouring authorities and the Archdiocesan and the Anglican Diocese of Birmingham will be consulted as a result of the school providing additional places.

6 Risk Management

- 6.1 Regular stakeholder engagement is undertaken and programmed in as part of the pre-construction works to ensure that comments are addressed as the scheme progresses to ensure that we mitigate against stakeholder non-buy in.
- 6.2 Monthly progress meetings are held to ensure that all parties are informed of progress to ensure any concerns are picked up at the earliest opportunity and resolved to ensure that the programme stays on track (where there is a risk acceleration may be introduced) and the project is delivered on time. Where costs are seen to escalate, a value engineering exercise is undertaken to ensure that the costs do not exceed approved budget.
- 6.3 Regular meetings have taken place and will continue to do so with transportation colleagues to mitigate the impact on the highway throughout construction and post construction with increased pupil numbers. Mitigation includes updated travel plans which will highlight measures undertaken as well as physical improvements on the highways in consultation and agreement with transportation colleagues.
- 6.4 Additional risks and associated mitigation are highlighted in appendix B of the FBC.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 These works are required to enable the Local Authority to meet its statutory duty to not only ensure the provision of sufficient pupil places but also to

promote diversity and increase parental choice through planning and securing the provision of additional school places (Section 14 Education Act 1996 and Education & Inspections Act 2006). The spending priorities proposed are in accordance with the Schools' Capital Programme 2018-19 and the Council's Vision and Forward Plan priorities for Children, particularly 'A great place to grow up in by providing an environment where children have the best start in life and are able to realise their full potential through great education'. The provision of these school places is also beneficial to the safeguarding of children.

7.1.2 Birmingham Business Charter for Social Responsibility

The selected CWM contractor is signed up to the principles of the Birmingham Business Charter for Social Responsibility and will develop a relevant and proportionate action plan, demonstrating how the principles of the Charter will be implemented to deliver social value outcomes for the school and local community. This action plan will be agreed with the Council prior to the works order being placed.

7.2 Legal Implications

- 7.2.1 This report facilitates the discharge of the local authority's duty under section 14 of the Education Act 1996 to ensure that sufficient school places are available.

7.3 Financial Implications

- 7.3.1 The total cost of the works at Rockwood Academy will be funded from Department for Education (DfE) Basic Need Grant. Cost details are included in Appendix A.
- 7.3.2 Consequential revenue costs arising including additional staffing, utility costs and any on-going day to day repair and maintenance of the asset will be the responsibility of the Academy and funded from the Academy's General Annual Grant (received by the Academy from the EFA).

7.4 Procurement Implications (if required)

- 7.4.1 The procurement route for this project was via the Constructing West Midlands (CWM) Framework using Morgan Sindall as the construction partner. Acivico applied previously approved criteria to achieve best value for money based on current DfE education space guidelines and industry benchmark rates. Acivico will provide Project Management and to ensure value for money is achieved throughout delivery.

7.5 Human Resources Implications (if required)

- 7.5.1 N/A

7.6 Public Sector Equality Duty

- 7.6.1 A Full Equality Analysis (EA0001202) was carried out in May 2016 for Education Infrastructure's Education Development Plan and Schools' Capital Programme 2018-19. The outcomes from consultation demonstrate that proposed capital developments support positive outcomes for children,

young people, their families and carers. No negative impact on people with Protected Characteristics was identified. It was concluded that sufficiency of educational places and opportunities for all children and young people contributes to providing positive life chances, and supports a positive approach to Safeguarding in Birmingham: actively reducing the number of children and young people out of school helps to mitigate risk to their safety and wellbeing.

8 Appendices

8.1 Appendix A - Full Business Case

9 Background Documents

9.1 Schools' Capital Programme - School Condition Allocation 2018-19+ Future Years Cabinet Report – approved 18th September 2018

9.2 Changing demand and supply of school places – Overview & Scrutiny Report – September 2018

Appendix A - FULL BUSINESS CASE Public

Full Business Case (FBC)			
1. General Information			
Directorate	Education & Skills	Portfolio/Committee	Education, Skills and Culture
Project Title	ROCKWOOD ACADEMY FULL BUSINESS CASE AND CONTRACT AWARD	Project Code	CA-01903-02-1-201 1BA0 3R0
Project Description	To Increase school capacity from 4 Forms of Entry (FE) to 7FE. The project will provide an additional 3FE to the existing School building through refurbishment and alteration of the existing layout, and construction of a new building at the front of the site. The new building will contain classrooms, learning resource areas and staff accommodation. The existing building layout will be altered to provide further additional teaching areas. The existing Multi Use Games Area will also be upgraded to provide a complaint surface. Parking will be created to meet increased provision.		
Links to Corporate and Service Outcomes	<p>Which Corporate and Service outcomes does this project address:</p> <ul style="list-style-type: none"> ▪ Council Business Plan and Budget 2018+; ▪ A Fair City: Tackling Inequality and Deprivation; ▪ Laying the foundations for a Prosperous city based on an inclusive economy; ▪ A Democratic City involving local people and communities in the future of their local area and public services: a City with local services for local people; ▪ Enjoy and achieve by attending school; ▪ Schools Capital Programme ▪ Compliance with the principles of the 'Birmingham Business Charter for Social Responsibility'. 		
Schools Capital Programme (PDD) 2019/2020	Cabinet	Date of Approval	26 th March 2019
Benefits Quantification Impact on Outcomes	Measure		Impact
	The students will be taught in modern fit for purpose refurbished and re-modelled accommodation allowing for the delivery of a quality education.		Providing appropriate accommodation addresses identified demand and fulfils the Authority's statutory obligations to provide sufficient pupil places.
	The project delivers new teaching places.		Raised standards, improved behaviour, staff well-being and reduced turnover, mobility, facilitation of the sharing of good practice.
	Support and enrich community and family learning e.g. positive parenting programme, basic skills, opportunities to address worklessness.		Children and young people will have a safe, warm and dry environment before, during and after school hours.
	Promoting designs which support Birmingham's Education Vision.		Creating teaching and learning environments that are suitable for

		delivering education.
Project Deliverables	<p>Rockwood expansion will tackle existing space constraints whilst also expanding mainstream educational provision.</p> <p>The project will deliver 450 additional secondary places to fulfil the Authority's obligation and promote diversity and improve parental choice.</p> <p>A total of 1050 secondary pupil places will be provided at the School after the proposed refurbishment and construction has taken place.</p>	
Scope	This scheme involves works as described in the above project description.	
Scope exclusions	N/A	
Dependencies on other projects or activities	<ul style="list-style-type: none"> • Placing orders with Contractor. • Planning Permission • School Organisation 	
Achievability	<ul style="list-style-type: none"> • Scope of work identified as in the project description. • Site investigation reports have shown no abnormal conditions. • Programme and costs developed. • Funding is in place. • Contractors have considerable previous experience. • Availability of resources. • Similar projects have been delivered on budget and to time by using experienced internal project managers, BCC recognised building experts and following BCC guidelines. • The project team (EdSI and Acivico) has successfully delivered similar projects. 	
Project Managers	Zahid Mahmood 07860906126	Capital Programme Manager, Education Infrastructure zahid.mahmood@birmingham.gov.uk
Budget Holder	Jaswinder Didially 07825 117334	Head of Education Infrastructure jaswinder.didially@birmingham.gov.uk
Sponsor	Jaswinder Didially 07825 117334,	Head of Education Infrastructure jaswinder.didially@birmingham.gov.uk
Project Accountant	Nadia Majid 07766922478	Contracts Manager Education Infrastructure Nadia.majid@birmingham.gov.uk
Project Board Members		
Head of City Finance (H. o. CF)	Paul X Stevenson	Date of H. o. CF Approval: 4th February 2019

Planned Project Start date	July 2019	Planned Date of Technical completion	September 2020
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2. Financial Information

Capital Costs & Funding	Voyager Code	Financial Year	Financial Year	Financial Year	Financial Year	Totals
		2018/19	2019/20	2020/21	2021/22	
Expenditure Rockwood Academy	CA-01903-02-1-2011BA03R0					
Construction costs (including contingency)		£50,000*	£5,049,533	£7,524,300	£0	£12,623,833
Design, Professional Fees Surveys, Investigations, Planning & Statutory Fees		£107,000	£277,700	£221,070	£30,672	£636,442
EdSI capitalisation		0	£161,823	£240,485	0	£402,308
ICT		0	£50,000	£50,000	0	£100,000
FF&E Fees		0	0	£50,000	0	£50,000
Total Project Cost		£157,000	£5,539,056	£8,085,855	£30,672	£13,812,583
Funding sources	CA-01903-02-1-2011BA03R0					
Basic Need		£157,000	£5,539,056	£8,085,855	£30,672	£13,812,583
Totals		£157,000	£5,539,056	£8,085,855	£30,672	£13,812,583

Consequential revenue costs arising including additional staffing, utility costs and any on-going day to day repair and maintenance of the asset will be the responsibility of the Academy and funded from the Academy's General Annual Grant (received by the Academy from the EFA).

3. Checklist of Documents Supporting the FBC		
Item	Mandatory attachment	Number attached
Financial Case and Plan		
<ul style="list-style-type: none"> Detailed workings in support of the above Budget Summary (as necessary) 	Mandatory	Included above (Appendix A)
<ul style="list-style-type: none"> Statement of required resource (people, equipment, accommodation) – append a spreadsheet or other document 	Mandatory	Appendix D
<ul style="list-style-type: none"> Milestone Dates/ Project Critical Path (set up in Voyager or attached in a spreadsheet) 	Mandatory	Appendix D
Project Development products		
<ul style="list-style-type: none"> Populated Issues and Risks register 	Mandatory	Appendix B
<ul style="list-style-type: none"> Stakeholder Analysis 	Mandatory	Appendix C

Appendix B - RISK ASSESSMENT

Risk	Likelihood of risk	Severity of risk	Effect	Solution
Stakeholders do not consider School Travel Plans and transportation issues prior to consultation	Low	High	Increased residents, and parental concerns over parking issues	Review school travel plans in partnership with transportation prior to local consultation in order to mitigate possible objections.
Stakeholders/ Governors do not engage in project and do not sign up to the solution	Low	Medium	Design and delivery could be delayed	The Design Team will ensure regular meetings and consultation with stakeholders and Governors
New Free Schools and Academies opening across Birmingham	Medium	Medium	Impact on school place planning and pupil places possibly leading to delay in confirming preferred options	Liaise closely with Free School Providers and Academies when planning the provision of Additional Primary Places.
Building costs escalate	Low	Medium	The cost of the buildings would be more than the funding available	The Design Team will closely monitor the schedule of works and build costs. Cost schedules include contingency sums. Any increase in costs will need to be met through value re-engineering to ensure projected spend remains within overall allocation
Building works fall behind	Medium	Medium	Deadlines not met	The Design Team will closely monitor schemes on site and liaise with Contractor Partners to identify action required.
BCC faced with increasing revenue costs	Low	Low	Increased pressure on the revenue budget	Individual Schools will meet all revenue costs and day to day repair and maintenance of additional space.
Problems with contract procurement process	Low	Low	Funding not spent in financial year allocated	Work closely with Partners to ensure compliance with City Council standing orders.

Appendix C

STAKEHOLDER ANALYSIS

Cabinet Member for Education, Skills & Culture (ES&C)

Cabinet Member for Finance & Resources (F&R)

Head Teacher

School Leadership team,

Planning Officers

Pupils,

Parents

School Governors

EDI

Acivico Design Team

CWM Contractor

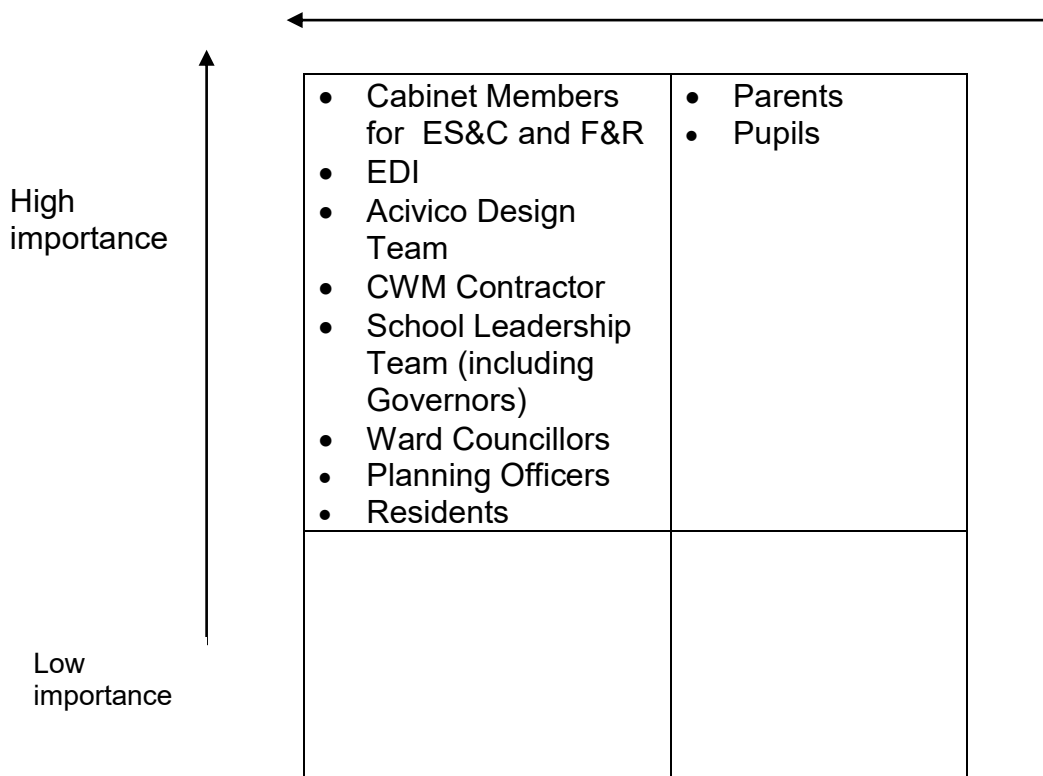
Ward Councillors

Residents

DEGREE OF INFLUENCE

High influence

Low influence



Stakeholder	Stake in project	Potential impact on project	What does the project expect from stakeholder	Perceived attitudes and/or risks	Stakeholder management strategy	Responsibility
Cabinet Members for ES&C and F&R	Strategic Overview of DGCf expenditure	High	Ratification of BCC approach to TBN	Strategy not approved	Early Consultation and Regular Briefing on all aspects of Special Provision	BCC / EDI
School's Consultant Partners	Design and Delivery	High	Design of build Project management	Unable to design to budget Unable to deliver to timescales	Close working with other stakeholders Regular feedback	School Leadership Team / Governors
Planning Officers	Granting Planning Consent	High	Close Liaison with EDI to design a scheme that can receive planning approval	N/A	Frequent communication on all aspects of project design	School's Consultant Project Manager EDI Project Officer
School Leadership Team / Governors	Governing Body Agreement and End Users	High	Compliance with GBA Ongoing Revenue costs for R&M once build complete	N/A	Governing Body Agreement signed and regular project meetings	School Leadership Team / Governing Body EDI Project Officer
Pupils	End user	Low	Consultation	Nil	Through schools council	School Leadership Team
Ward Councillors	Knowledge of other developments affecting local communities that may link into project	High	Consultation with community and support for project	Objections from local residents	Involve in consultation and planning permission process	EDI Project Officer Governors/ School Leadership Team

Appendix D MILESTONE DATES and RESOURCES

Initial design launch	01/10/2018
Stage D detailed design proposals	25/02/2019
Planning Application Submitted	04/03/2019
FBC and Grant Award Report – Cabinet	16/04/2019
Planning Application determined	30/05/2019
Final target costs agreed with contractor	28/06/2019
Orders placed with contractor	01/07/2019
Commencement of works	22/07/2019
Completion of works	25/09/2020
Post Implementation Review	09/2021

STATEMENT OF RESOURCES REQUIRED

People	School's Project Team Quantity Surveyor Project Officer Administrators Clerk of works	Design /architect Technical Officers Contractors/Sub contractors
Equipment (to enable works)	Specialist equipment provided by contractor relevant to the requirements for the construction works.	
Equipment (installed as part of project)	Fixed furniture in new accommodation	

PROGRAMME TEAM

Name	Designation	Telephone
Zahid Mahmood	Capital Programme Manager, Education Infrastructure	07860 906126
Jaswinder Didially	Head of Education Infrastructure	07825 117334
Nadia Majid	Contracts Manager Education Infrastructure	07766 922478

Birmingham City Council

Reports not on the Forward Plan / Late Report

Birmingham City Council

Report to Cabinet/Cabinet Committee

16th April 2019



Subject: TRAVEL ASSISTANCE POLICY FOR 0-25 YEAR OLDS IN EDUCATION

Report of: Tim O`Neil - Director of Education and Skills

Relevant Cabinet Member: Cllr Jayne Francis - Education, Skills & Culture
Cllr Kate Booth - Children's Well-being
Cllr Paulette Hamilton - Health & Social Care
Cllr Tristan Chatfield – Finance & Resources

Report author: Anne Ainsworth
Assistant Director – Skills & Employability,
Education & Skills Directorate
Tel: 0121 675 7140
Email: Anne.Ainsworth@birmingham.gov.uk

1) Late Reports

To be completed for all late reports, i.e. which cannot be despatched with the agenda papers i.e. 5 clear working days' notice before meeting.

<i>Reasons for Lateness</i>	<p>There are a number of factors in the delay of this submission, most notably the impact of government publication of new statutory guidance for post 16 transport. Adjustments and legal consultations have impacted on the start date of the consultation, which now spans half term. As there is a statutory requirement for the consultation to take place during term time, this further extends the date of the end of the consultation and drafting of the final report as documented in the timeline below.</p> <ul style="list-style-type: none"> - December 2018 - A plan to consult on a new policy for home to school transport was agreed by Cabinet - January 2019 - New Post-16 transport and travel support to education and training statutory guidance for local authorities
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	<p>issued by government</p> <ul style="list-style-type: none"> - January /February 2019 - Draft new policy amended to reflect new statutory guidance alongside legal discussions and advice - February/ April 2019 – A comprehensive 28 working day ,term time consultation period launched on 15th February that will end on Tuesday 2nd April 2019 <p>Whilst preliminary analysis will be undertaken as the consultation progressed, final analysis will be completed after the consultation closes. It is for this reason that a late submission date of 12th April is required to accommodate final analysis requirements in readiness for Cabinet consideration on the 16th April.</p>
<i>Reasons for Urgency</i>	<p>Subject to Cabinet approval to the new draft policy for implementation, publication will need to take place before 31st May 2019 to ensure compliance with post 16 transport guidance. Deferral to a later Cabinet will impact upon this.</p> <p>The next opportunity for publication would then be May 2020. This would mean that</p> <ol style="list-style-type: none"> 1. The new policy could only be applied to requests for Travel assistance after this date for post 16 pupils in new provision from September 2020, a 12 month delay. 2. As the policy would need to be applied equitably, the implementation for children below school age would also be delayed for 12 months. 3. The delay of the policy implementation would impact on budget proposals in addition to supporting the reshaping of the wider SEND system.
<i>Date Corporate Clearance agreement obtained:</i>	Consulted off-line

2) Key Decisions not on the Forward Plan / Urgent Decisions

To be completed for Key Decisions not on the Forward Plan 28 days before the Cabinet meeting at which the decision is to be taken.

<i>Reasons for Urgency</i>	[insert reasons]
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<i>Date Chief Executive Agreement obtained:</i>	N/A
<i>Name and Date of O&S Chair agreement obtained:</i>	N/A

Birmingham City Council

Report to Cabinet

16th April 2019



Subject: TRAVEL ASSISTANCE POLICY FOR 0-25 YEAR OLDS IN EDUCATION

Report of: Tim O'Neill - Director of Education & Skills

Relevant Cabinet Member: Cllr Jayne Francis - Education, Skills & Culture
Cllr Kate Booth - Children's Well-being
Cllr Paulette Hamilton - Health & Social Care
Cllr Tristan Chatfield – Finance & Resources

Relevant O &S Chair(s): Cllr Mariam Khan - Learning, Culture & Physical Activity
Cllr Mohammed Aikhlaq - Children's Social Care
Cllr Rob Pocock - Health & Social Care
Cllr Sir Albert Bore - Resources

Report author: Anne Ainsworth - Assistant Director; Education and Skills Directorate
Email: Anne.Ainsworth@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 006102/2019		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 This report provides details of the outcome of the public consultation on the proposed Travel Assistance Policy for 0-25 year olds in Education.

- 1.2 The report follows-on from earlier reports to Cabinet on the 26th June 2018 and 11th December 2018 where approval was given by Cabinet to undertake the consultation.

2 Recommendations

- 2.1 That Cabinet approval is given to; -
- Adopt the 0-25 Policy for Home to School Transport (see **Appendix A**).
 - Introduce the phased implementation as set out in this report at section 3.33 for current and new users of transport assistance to education provision.

3 Background

- 3.1 Birmingham's Travel Assist Service provides a variety of transport options to over 4,250 children on a daily basis, with an additional 1,500 receiving bus passes, and has an overall budget of £18.4m for 2018/19.
- 3.2 The majority of the children using the service have requirements related to SEND but the service also supports eligible children without SEND, including looked after children; children in temporary accommodation and other vulnerable groups. Travel Assist operates more than 600 routes and has a range of support options including: 1-to-1's; mini bus/coach transport; Travel Guides; Personal Transport Budgets; Bus Passes and Independent Travel Training. However, the take-up of other options aside from mini-bus transport and the number of young people being trained to travel independently has been relatively small, for a city the size of Birmingham.
- 3.3 The costs for Home to School Transport have continued to rise, nationally and within the city, resulting in a considerable over-spend against budget. Birmingham must balance the need to operate within a financial envelope, with the desire to improve the quality of the service, increase the range of options available to families, and the opportunity to help as many young people as possible develop the important life-skill of travelling independently in preparation for adulthood.
- 3.4 Travel Assist is part of a group of services that support families with children with SEND. These include SENAR, Early Support and Access to Education, as well as the transition into adulthood with our Adult Social Care services. The 2018 SEND Inspection report looked at the whole system of SEND support across the city, and services delivered by partners, including the Council, CCG and Children's Trust. The recommendations and action being taken through the subsequent SEND Written Statement of Action, will positively impact upon transport provision. One key proposal is to develop more local special educational provision within the city, reducing the need for children to travel long distances to a suitable education placement. Another important aspect is the need to focus on independence, working with families and young people

much earlier in the child's life to develop important skills (such as travelling independently) and preparing for adulthood.

- 3.5 It is important to remember that in addition to children and young people with SEND, the service also supports, as appropriate, children who are housed in temporary accommodation, whose families may be considered to be in crisis and children in care.
- 3.6 Over recent years in line with home to school transport services nationally, Travel Assist has been experiencing an increase in demand. Over 330 additional families successfully applied for specialist transport during the 2017/18 academic year and the numbers of children being transported across the city has grown year on year, in line with an increase in Education, Health and Care Plans and greater numbers of families housed in temporary accommodation.
- 3.7 In December 2018, Cabinet agreed to a public consultation on a new 0-25 Transport Policy.

0-25 Policy

- 3.8 At present the law is different in relation to Home to School transport based on the differing ages of children and whether they are of compulsory school age.
- 3.9 The Council has a number of legal duties and powers related to home to school travel assistance, including a duty under Section 508A Education Act 1996 to promote sustainable modes of travel. The Council also has a duty under Section 508B Education Act 1996 to make suitable home to school travel arrangements for eligible children of compulsory school age.
- 3.10 It was agreed in December 2018 that the Council would consult upon a new Policy in order to make the Council's policy clearer and more transparent for parents and others to understand; update the policy in line with changes to national guidance; enable parents to take a more active part in the process; and create the opportunity to discuss with parents the range of options provided to families.
- 3.11 The key principles proposed in the new policy are in line with the findings of the SEND Inspection June 2018 and reflect national good practice and the latest statutory guidance. The main changes from the previous policy that were consulted upon include:
- Combining the policies into a single 0-25 composite policy document.
 - Changing the Stage 2 Appeal Panel from a Members Panel to Independent Officers. This is in line with good practice nationally; retains a Stage 2 Appeals process; and will involve officers who have a related specialism but have not been involved directly in any of the cases.
 - Increasing the financial contribution requested from parents of children and young people who are not of compulsory school age.

- Clarifying the circumstances when travel assistance will be provided for children who are below compulsory school age.
- Setting out the Council's policy in relation to travel assistance for young adults over the age of 19.
- Strengthening the emphasis on independent travel training and alternative modes of transport.
- An increased emphasis on the use of Personal Transport Budgets.
- Greater clarity of the application process and eligibility for parents (what we will and won't do).
- Greater clarity concerning the rights and responsibilities of parents towards accompanying their children to school.
- Greater clarity around the factors that will be relevant to the decision whether to offer travel assistance.

The Consultation

- 3.12 A comprehensive consultation was undertaken over 28 working days during school term time. The consultation period launched on the 15th February and ended on 2nd April 2019. During this period there was also a week of school half term, commencing 18th February 2019.
- 3.13 It was important that the consultation was robust and legally sound. Extensive internal and external legal advice was therefore sought on the process to ensure that the Council complied with the requirements of public consultations and that the proposed policy itself was in line with national legal frameworks and guidance.
- 3.14 The consultation processes required the Council to contact a range of statutory stakeholders, whilst retaining a focus on understanding the experiences of and receiving feedback and suggestions from, parents, children and schools as much as possible. The aim was to have a meaningful consultation facilitated through a range of different sessions and events, using different ways of communicating, to make the consultation as accessible as possible and to capture as many differing views as possible. These included:
- A BeHeard on-line survey (402 respondents)
 - 8 events were held at Special Schools for Parents across the city (179 attended)
 - Voice of the Child sessions were undertaken to capture the views of our children who travel on transport (323 children and young people)
- 3.15 Sessions were also arranged for Councillors, which included: Two Full Council meetings; 3 separate meetings for Councillors (one with MPs invited); a briefing session with shadow lead members; and an offer from the Cabinet Member for Children's Wellbeing for individual 1-2-1 sessions for any interested Councillors.

- 3.16 More information on the consultation and individual sessions is included in **Appendix D**. All responses submitted by 2nd April were considered.
- 3.17 Responses to the consultation were reviewed weekly. This meant that analysis could be undertaken as the consultation progressed and the consultation could be adjusted in order to try to make it as meaningful as possible. For example, when it was identified that there had been limited responses by elected members, additional sessions were added to the consultation in order to try and enable more involvement from members.

Outcome of the Consultation

- 3.18 The consultation was an important opportunity to discuss the current Home to School Transport policies and delivery with parents and children. It was pleasing to note that respondents broadly agreed with the Council's proposed direction of travel for the service.
- 3.19 What became clear, throughout the consultation, was that whilst the policy changes received a good level of support, respondents had specific views on, and wanted to see changes to, the delivery of the service itself. This particularly highlighted the need to continue a dialogue with parents and stakeholders, create more transparency over decision-making and delivery and ensure there are opportunities for co-production and continued engagement. It was clear that the Council must continue to create opportunities to talk through issues with parents, listen to feedback and suggestions, and understand the experiences of individual families. The Cabinet Member for Children's Wellbeing attended most of the parent sessions, and has committed to arranging further events to talk through home to school transport and other issues that parents/carers may wish to raise. More detailed information on the outcome of the consultation are included in **Appendices E, F, and G**. All of the responses to the consultation will be made available to view on the day of Cabinet.
- 3.20 It is encouraging to note that the consultation feedback received was broadly supportive of the proposed changes to the policy. This included in particular: the opportunity for parents to attend Stage 2 appeals; having a single travel assistance policy; changing the Stage 2 Appeals process to an officer rather than member panel; and only considering applications from young adults over the age of 19 who have an EHCP or exceptional circumstances and where transport assistance is deemed to be necessary.
- 3.21 With regards to the proposed change to the Appeals process, parents wanted Stage 2 to be led by professionals, who were independent, and for appeals panels to be held more regularly, as appropriate. Whilst the views of parents were very clear, it is recognised that member involvement with this service and changes regarding the wider SEND group of services is important. It is therefore proposed that the Cabinet Member for Children's Wellbeing works with elected members and provides them with opportunities to raise issues as the transformation of the service continues.

- 3.22 The majority of respondents of the Beheard Survey agreed with all but one of the proposals. This related to increasing the contribution families are asked to make towards transport for young people Post 16 (Year 12). This is proposed to be £780 per academic year (currently £600); and £390 for low income families (currently £300). This equates to an increase of £15 per month and £7.50 respectively. 48% of BeHeard respondents disagreed with this level of contribution, feeling that it placed an additional burden on the families of children with SEND, who may already be more likely to be struggling financially. However, 32% did agree with this increase in the contribution and 16% neither agreed nor disagreed.
- 3.23 Some families felt that their travel options were limited because of where their children had to travel to, to access education provision that meets their needs. As children with SEND do not/cannot always attend local provision, the issue of transport and potentially long journeys, prevent parents from taking their own children to school and using public transport. It was also felt by some parents that, as many young people with SEND have no option but to remain in education Post 16 (as they would not be able to access employment/training/an apprenticeship suitable for them) they were being penalised in having to pay a charge for transport.
- 3.24 The average cost of transport per individual is £4,800 per academic year for the service area. The increased contributions of £780 (£390 for low income families) are considerably less than the actual cost of transport which is heavily subsidised. Some parents stated that they were willing to pay an increased charge, as they valued the service and recognised that costs would increase over time.
- 3.25 The proposed level of contribution within the policy, based on the same number of young people as currently, would amount to an additional annual income of £128,500. Travel Assist currently has a potential budget pressure of over £1.7m for 2019/20. If the contribution from families is not increased, it will place greater strain on the service to find the savings from changes to delivery. The charge for transport has not been increased since its introduction (2013), whilst costs of providing transport have continued to rise.
- 3.26 Whilst the contribution for post 16 transport was seen by some as placing an additional burden on families, for others it was an incentive to begin independent travel training. Feedback from some young people showed that the introduction of a charge had a positive impact on them in this respect. More work needs to be undertaken with families to help prepare parents, and young people for adulthood. A reliance on mini-bus transport, and taxis, can present considerable problems for families once children become young adults and no longer attend educational provision.
- 3.27 The recommendation is therefore to continue with the increased contribution and consequently the attached policy document reflects this.

- 3.28 There was less concern about introducing a parental contribution of pre-school age children, with 41% of BeHeard respondents agreeing with the change. Some parents felt that greater clarity was required concerning whether the policy relates to under 5's or 'pre-school' children. In reviewing the policy, it does clearly differentiate between Pre-schoolers (0-4) and children of compulsory school age. However, a key theme of the consultation has been the need for improved communication, and further thought will be given, working with the parent/carer forum, as to how this element of the policy can be supported through improved access and information on the Council's website. However, although the majority were in favour of introducing the parental contribution, there were concerns expressed about whether this would mean parents would delay sending their children to educational provision. This is certainly a risk and the Council takes very seriously the importance of early education and support. However, the majority of pre-school children are already taken to educational provision by their families, without support from the Council, and the charge, if transport provision was awarded, remains highly subsidised.
- 3.29 Respondents were very supportive of Independent Travel Training and recognised the potential benefits of Personal Transport Budgets. Young people who had been travel trained expressed a confidence and a feeling of being very proud that they could travel independently. They had overcome 'fear'. The ability to travel independently is a key life-skill, and it is important that the policy and practise of the service enables young people to be trained, where it is appropriate, and in a way that works for them.
- 3.30 Whilst respondents were supportive of this change in the policy, comments did reveal a lack of trust. There was concern that the council would 'force' parents to choose these options. It is clear that, alongside the policy, there is a need to continue the conversations that have begun during the consultation and tackle perceptions about how the council can work alongside schools and families moving forward.
- 3.31 There is also a need to provide greater clarity on some of the specific aspects of personal transport budgets. For example, some respondents felt that a PTB would not cover the cost of transport; some felt that the money could be misused and others were not clear what the money could be spent on. More information will be available on the city council website, alongside the policy, that will respond to the comments of parents, work with the parent/carer forum, and continue to add clarity and examples/case studies to the information about personal transport budgets as appropriate.
- 3.32 Respondents agreed that the policy was clear about the responsibilities of parents to accompany their child to school, but asked that individual circumstances always be considered. They also agreed that the draft policy was clear about how decisions are made, although they wanted more detail about the actual process and asked for greater transparency about decision making.

They also agreed that it was clear when the policy, if agreed, would be implemented. Some practical issues were raised about whether it would affect families who had applied for school places next year however, as the policy does not change the criteria for statutory school-age children, this should not affect placements or the outcome of applications for transport. Some suggestions were made that the policy could be applied only to new applicants or phased in over a longer period. This would create a 'two tier' approach to transport applications in the city and add confusion to the application and appeals process. Children already receiving transport of statutory school age, will have their applications reviewed annually (as is current policy) but unless their circumstances have changed significantly, it is unlikely that eligibility for travel assistance would be affected.

3.33 The proposal for implementation is:

- From 1 September 2019 all existing grants for travel assistance will be reviewed under the new policy at least once per year, and in all cases where there is, or may be, a significant change in circumstances.
- Any changes following a review will be implemented from the beginning of the next academic term, or sooner by mutual agreement.
- Any new applications received from 1 June 2019 will be assessed under the new policy.

3.34 Annual reviews are important because as children grow up, their needs will change. This will also help to assess when and how independent travel training skills could begin to be introduced. This will enable more children and their parents to be better equipped as children move into adulthood, and ensure that those for whom it is suitable have access to support at the appropriate time.

3.35 One of the key themes that has consistently been raised throughout the consultation was concerns about where children were being educated. Currently, children with special educational needs and disabilities can be transported across Birmingham (and outside of the city) over long distances and journey times in order to access the education provision identified within their EHCP. This is not the case for children without SEND and hinders the ability of parents, particularly those who work or have more than one school age child, to transport their own children to school. It restricts the options for independent travel training; makes journey times uncomfortably long; is a key challenge to reducing the costs of home to school transport; and enabling families to take their children to school. The city must become more inclusive in our approach to supporting children with SEND, rather than relying so heavily on Special Schools and independent providers. It is an important aspect of the written statement of action (SEND) and the need to work across the school estate and with partners, particularly with current concerns about reducing budgets, to look to best practise to create more placements for children with SEND closer to where they live.

- 3.36 Other themes to come out of the consultation were the need to ensure that decision making processes are as transparent as possible. Consequently, a new Quality Assurance Framework will be introduced, which will ensure that the decision-making process is appropriate and regularly audited. Parents also felt that information about Travel Assist and SEND services generally needs to be improved, so that it is easily found on websites and accessible. Investment in the service would be welcome. Parents were particularly keen that the service improves its use of IT, and the opportunities this could provide (for example, GPS on buses). Supporting parents prior to their children becoming adults and preparing for adulthood with the right education, or broader support was crucial.
- 3.37 The Department for Education also provided advice to ensure the policy is as clear as possible. This advice has been considered and incorporated into changes to the policy, where necessary.
- 3.38 With regards to feedback concerning transparency of the decision making process, further reviews will be made of the applications forms. If the policy is approved, Officers will work with the parent carer forum to review and amend the forms to ensure they are more clear and fit for purpose.

4 Options Considered and Recommended Proposal

- 4.1 The options considered in relation to the proposed 0-25 policy are as follows.
- 4.2 Option 1
- Retain the existing policies and adopt a post-19 policy. However, the existing policies require amendment to be brought up to date with current statutory guidance, ensuring they are lawful.
- 4.3 Option 2
- Adopt the policy without any changes following consultation. This is not recommended, as feedback from consultees has suggested that some changes to the policy should be made.
- 4.4 Recommended Proposal; Option 3
- Adopt the policy with amendments following the consultation responses.
- These changes include:
- Amendments to the Post-19 section to reflect the legal position more clearly
 - Changes to the wording related to travel concessions
 - Adding the unsafe walking route eligibility category (where it may not be considered appropriate for children to walk to school due to the nature of the walking route)
 - Clarifying the academic year for post-19 eligibility

- 4.5 The only proposal that was questioned by the responses on the BeHeard questionnaire, was increasing the contribution for Post 16 transport provision.
- 4.6 As a consequence other options have been considered but were subsequently discounted for the reasons stated:
- Not increasing the contribution and leaving it at the current rate – this would cost the council an additional £128,500 each year in lost income based on the number of current users of this service.
 - Increasing the charge by inflation only, based on this financial year figures. This would only amount to an additional £18,367 towards the cost of the service.
 - Reviewing the entire approach to contributions, on a means-tested basis and how this could be administered. This would be a significant amount of work which would need to be undertaken over a much longer period of time.

5 Consultation

Internal

- 5.1 Consultations have taken place with the following:
- The Interim Assistant Director for SEND, Education & Skills Directorate
 - The Interim Assistant Director for Commissioning, Education & Skills Directorate
 - The Travel Assist Manager
 - Safeguarding Team, Education & Skills Directorate
- 5.2 This report has been drafted in consultation with officers from Legal and Governance and Finance.
- 5.3 Staff working in related services including Travel Assist, Access to Education and SENAR.
- 5.4 Adult Social Care and Health Staff.

External

- 5.5 Consultation has taken place with the following:
- Children and Young people who use the Service
 - Parents and Guardians
 - Parent Carer Forum
 - Schools and Headteachers
 - Colleges and FE providers
 - Governors
 - Transport for West Midlands
 - Clinical Commissioning Group
 - Children's Trust
 - Community and Voluntary Groups
 - Early Years settings

- Training providers
- Voluntary and Community Organisations
- Formally notified the Secretary of State (statutory requirement)
- Transport Guides
- Neighbouring local authorities and other to which Birmingham children are transported (16 Local Authorities)
- 24 Transport contractors
- SENDIASS
- General Public – Social Media; Birmingham Bulletin; Press statements
- SENCO's
- Birmingham Education Partnership
- Councillors and MPs

6 Risk Management

6.1 A risk register is attached as **Appendix I** which has been carefully considered.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The recommended decisions are consistent with the Council policies, plans and strategies;

- The Council has a statutory duty to make transport arrangements for eligible children and transport arrangements that it considers necessary for those Post 16 and Post 19.
- Having access to appropriate travel assistance ensures every child is supported to attend school. Regular reviews of travel plans will support the development of increased independence where appropriate.
- Supporting educational attainment and independence helps to tackle the causes of deprivation and inequality through improving educational performance and confidence.

7.2 Legal Implications

7.2.1 The Council has a duty under Section 508A of the Education Act 1996 to promote sustainable modes of travel.

7.2.2 The Council also has a duty under Section 508B of the Education Act 1996 to make suitable home to school travel arrangements for eligible children.

7.2.3 The Council has the power under section 509A of the Education Act 1996 to make travel arrangements for children receiving early years' education otherwise than at school.

- 7.2.4 The Education Act 1996 requires local authorities to adopt and give effect to a transport policy statement dealing with young people of sixth-form age (section 509AA) specifying the arrangements for the provision of transport or otherwise that the authority consider it necessary to make for facilitating the attendance of persons of sixth form age at their place of education or training.
- 7.2.5 The Council has a duty under section 508F of the 1996 Act to make such arrangements for the provision of transport and otherwise as the authority consider necessary for facilitating the attendance of adults at their place of further or higher education, and the Council must prepare and publish a transport policy statement dealing with young adults aged 19 and over for whom an Education, Health and Care Plan is maintained (Section 508G).
- 7.2.6 The Education Act 1996 does not expressly require the preparation of a transport policy for children of compulsory school age. However, the statutory guidance says “local authorities must publish general arrangements and policies in respect of home to school transport for children of compulsory school age. This information should be clear, easy to understand and provide full information on the travel and transport arrangements. It should explain both statutory transport provision, and that provided on a discretionary basis. It should also set out clearly how parents can hold local authorities to account through their appeals processes”.
- 7.2.7 The Council is under a duty to have regard to statutory guidance issued by the Department for Education when carrying out its duties in relation to home to school travel and transport, including when making and consulting on policy changes. The statutory guidance is attached as **Appendices I and J** to this report.
- 7.2.8 There have been a number of legal challenges recently with regards to Home to School Transport provided by other Local Authorities and the quality of consultations. The consultation undertaken reflected this learning nationally, ensuring that all statutory stakeholders were consulted; and the consultation process was robust and meaningful.
- 7.2.9 The Council has a legal duty to publish the policies related to travel assistance to education provision, before the 31 May. If the proposed policy is not approved at Cabinet in April, unless a new version can be presented to May Cabinet, the council would miss the statutory deadline.

7.3 Financial Implications

- 7.3.1 The Travel Assist Service continues to face severe financial pressures in 2018/19, which it is seeking to address.

- 7.3.2 The budget for Travel Assist in 2018/19 is £18.396m and the forecast overspend at year end is £3.167m. This is largely a result of the non-delivery of savings in previous years and increasing demand for the service.
- 7.3.3 To address the underlying issue the current budget incorporates assumptions of both pressures, funding and savings, to seek to deal with the overspend going forward. In 2019/20 pressures funding of £2.200m is included in the proposed LTFP together with assumed savings of £1.718m, based on a part year effect of changes introduced in 2019/20. Savings increase to £2.488m in 2020/21 based on the full year effect of those changes.
- 7.3.4 The proposed level of contribution within the policy, based on the same number of young people as currently, would amount to an additional annual income of £128,500, which will contribute to savings assumed.
- 7.3.5 Further changes in Travel Assist and the transport policy are expected to generate total overall savings of £700,000 in a full year, which includes the £128,500 increase from contributions.

7.4 Procurement Implications

- 7.4.1 There are no implications arising from this report, as the proposed Policy will operate within the existing framework.
- 7.4.2 The service is the subject of a Commissioning Process agreed by Cabinet in December 2018. Matters related to this will be the subject of a separate Cabinet Report in due course.

7.5 Human Resources Implications

- 7.5.1 There are no implications.

7.6 Public Sector Equality Duty

- 7.6.1 An Equality Impact Assessment is attached at **Appendix H**. The EIA has identified the potential for an adverse impact on protected groups, as any changes to transport assistance could affect children and young people with SEND.
- 7.6.2 An increase and introduction in contributions towards transport, post 16 and pre-school respectively could impact financially upon families.
- 7.6.3 Mitigating steps have been taken, which include a reduced contribution for low income families; high levels of engagement with families and improved offers concerning independent travel training and planning for transition into adulthood; information for families about other sources of

support and travel concessions; and the increase in the contribution has been kept as low as possible.

8 Background Documents

8.1 List of Appendices accompanying this Report (if any):

- **Appendix A:** Proposed 0 – 25 Policy and Appendices
- **Appendix B:** Appendices to the Policy
- **Appendix C:** Summary of changes
- **Appendix D:** Consultation Summary
- **Appendix E:** Online consultation report
- **Appendix F:** Comments received during the parent sessions
- **Appendix G:** Children's Views
- **Appendix H:** Equality Impact Assessment
- **Appendix I:** Risk Register
- **Appendix J:** Home to school travel and transport guidance – statutory guidance for local authorities – July 2014
- **Appendix K:** Post-16 transport to education and training – statutory guidance for local authorities – January 2019
- **Appendix L:** Public Sector Equality Duty

8.2 Background Documents:

- Cabinet report 26th June 2018 – Travel Assist Service (Forward Plan Ref. No. 005164/2018)
- Cabinet report 11th December 2018 – Travel Assist Service (Forward Plan Ref. No 005449/2018)

Travel assistance policy for 0-25 year olds in education

Contents

Introduction, key principles and types of travel assistance

Part 1: Pre-schoolers aged 0-4 (pre-compulsory school age)

Part 2: Children aged 5-16 (compulsory school age)

Part 3: Young persons aged 16-18 (sixth form age)

Part 4: Adults aged 19+

Part 5: How to apply for travel assistance and appeal against decisions

Appendices

Appendix 1: Application forms for travel assistance

Appendix 2: Travel support available from schools and further education institutions for young persons of sixth form age

Appendix 3: Travel concessions which may be available for young persons of sixth form age

Appendix 4: Birmingham Schools, Academies and Free Schools with Sixth Forms

Appendix 5: Travel Concessions and Other Sources of Support for adults aged 19+

Introduction, Key Principles and Types of Travel Assistance

1. This document sets out the policy of Birmingham City Council (“the Council”) in relation to the provision of travel assistance for 0-25 year olds in education who are resident within the City of Birmingham. It is available on the Council’s website at www.birmingham.gov.uk/travelassist. It is intended to provide clarity for children, young persons, adults, parents and carers facing a wide range of circumstances. We are always looking to improve the information we make available and will use any feedback provided to us to develop this statement. If you wish to provide any feedback on the policy please contact Travel Assist (travelassist@birmingham.gov.uk).
2. This policy is divided up by the following age groups as the relevant legal provisions in the Education Act 1996 are grouped this way:

Part 1: Pre-compulsory school age (0-4 year olds) – someone in this category is referred to in this policy as a pre-schooler.

Part 2: Compulsory school age (5-16 year olds) – someone in this category is referred to in this policy as a child. Children become of compulsory school age at one of three points during the school year in which they turn 5, depending on when exactly their birthday is. Children cease to be of compulsory school age on the last Friday in June of the school year in which they turn 16.

Part 3: Young persons of sixth form age (16-18 year olds) – someone in this category is referred to in this policy as a young person. The legal definition is a person over compulsory school age but under the age of 19, but this definition also includes a person who began a particular course of education or training at a school or college before turning 19 and continues to attend that course.

Part 4: Adult learners (19+) – someone in this category is referred to in this policy as an adult.

3. Part 5 then sets out how to apply for travel assistance and how to appeal against decisions about travel assistance.

Key Principles

4. The following key principles apply across all age ranges covered in this policy:

Admission does not confer automatic entitlement to travel assistance:

Admissions and travel assistance are separate matters and acceptance at a particular school or other institution, or the naming of a school/institution in an EHC plan, does not automatically entitle the child or young person to travel assistance.

Budgetary considerations: The Council has a limited budget for the provision of travel assistance to those in education. Any discretionary decision about the provision of travel assistance will take account of this and the number and type of competing claims that are made upon it.

Changes in circumstances: Parents or carers (in the case of those aged under-18) of children in receipt of travel assistance and recipients of travel assistance themselves (in the case of those aged over-18, or any person acting on their behalf) must tell the Council immediately of any change in circumstances which may affect their entitlement to travel assistance.

Independent travel training: Applicants for travel assistance will be assessed for independent travel training (ITT) and recipients of travel assistance will be expected to undertake suitable ITT as part of their education to help them develop their independence.

Other means of travel: When taking discretionary decisions about the provision of travel assistance, the Council will consider all other ways and means for the applicant to get to the school or institution in question.

Personal Transport Budgets: The Council encourages the use of personal

transport budgets wherever appropriate as this helps individuals and families to have the most control over their travel arrangements.

Parental involvement: Parents are expected to accompany their children to school or college where necessary until they turn 18 unless there is a good reason why this is not possible.

Reviews of travel assistance: All grants of travel assistance will be reviewed at least once per year and in all cases where there is, or may be, a significant change in circumstances affecting eligibility for travel assistance (e.g. change in school or home address, change in personal or family circumstances, change in recipient's needs). Where the recipient of travel assistance has an EHC plan then this review will be undertaken at or following the annual review of the plan. Any changes to travel assistance following a review will be implemented from the beginning of the next academic term, or sooner by mutual agreement.

Travel concessions, bursaries, state benefits etc: The Council expects young persons of sixth form age and young adults who apply for travel assistance to have applied for and/or made use of all travel concessions, bursaries, state benefits (including mobility cars) etc. for which they are eligible.

Travel for other purposes: When taking discretionary decisions about the provision of travel assistance the Council may take into account how the applicant travels (or is able to travel) for non-educational purposes, e.g. recreation, shopping, family visits etc.

Types of Travel Assistance

5. The Education Act 1996 and this policy use the phrase 'travel assistance' because the form this takes will vary and often does not involve the Council providing any transport at all. The Council will determine what is appropriate in each case, taking account of its legal obligations, the needs of the applicant, safety considerations, the best use of the Council's resources, any expressed preference and any other relevant matter. As a guide, the

following are the types of provision made in most cases:

- **Travel pass** – This is a free pass for the use on public transport and is the most common form of travel assistance provided.
- **Personal Transport Budget** – This will be paid on a monthly basis over 11 months to the parent or carer (in the case of those under-18) or the individual or a person acting on their behalf (in the case of those over-18). The parent/carers or adult individual then assumes full responsibility for the travel arrangements and getting the child or themselves to their place of education on time and achieving good attendance. It is anticipated that the use of personal transport budgets can meet most individual and family's needs and the Council encourages their use wherever appropriate.
- **Transport vehicles** – The provision of a vehicle to transport a child, young person or adult to and from their place of education. Vehicles and drivers are provided by a suitably qualified, registered, commercial provider working to contractual standards set by the Council. Whenever possible, individuals will travel together in a suitable vehicle, specially adapted as necessary to meet their needs. Each route will be planned on the basis of the start and finish times of the place of education and the shortest possible route for all passengers on a particular vehicle. Passengers will be picked up and dropped off at a convenient location, within a reasonable distance from their home, in many cases from recognised bus stops. A home pick up and drop off will only be made where it is deemed essential due to the individual's significant needs.
- **Provision of a Guide** – A pupil guide may be provided to accompany a child, young person or adult to their place of education whether using public transport or on Council provided transport. Pupil Guides will only be provided where they are necessary for the safe operation of vehicles and/or the care of children and young people

and where parents or carers are not reasonably able to accompany them.

- **Other** – The Council may provide any other form of travel assistance which is considered suitable and will consider any suggestions from applicants about any particular type of travel assistance

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Part 1: Pre-schoolers aged 0-4 (pre-compulsory school age)

6. The Council's policy is not to provide travel assistance to pre-schoolers except where the pre-schooler has an EHC plan and the circumstances can be said to be exceptional. Even where the Council does provide travel assistance to a pre-schooler it will make a charge for this, which will be calculated in the same way as the charge for the provision of travel to young persons as set out in Part 3.
7. The Council will consider whatever is said in any application but will have particular regard to the following:
 - Distance and journey time from the pre-schooler's home to their place of education and the cost of providing travel assistance to there
 - What alternative means of facilitating attendance there may be
 - What alternative placements or options there may be
 - The contents of any EHC plan (including anything about transport)
 - The best use of the Council's resources and the competing claims upon them

Part 2: Children aged 5-16 (compulsory school age)

8. The Education Act 1996 sets out the categories of children and young persons of compulsory school age who are eligible for free travel assistance. The Council's policy is to provide travel assistance to these categories of eligible children in accordance with its legal obligations, but not otherwise unless there are exceptional circumstances.
9. Where travel assistance is provided it will be whatever the Council considers is necessary and suitable for the purpose of facilitating the child's or young person's attendance at school for the normal school day. A list of the most usual types of travel assistance is set out at page 4 above.
10. There are 4 categories of eligible children to whom the Council is obliged to provide travel assistance free of charge as set out below. Where they refer to a "qualifying school" this means a school (or nursery) maintained by the Council ("state schools"), a pupil referral unit, a non-maintained special school, Academy or a place where a child is receiving education arranged by the Council otherwise than at school. A "home address" is considered to be a residential property that is the child's only or main residence and is either:
 - a) Owned by the child's parent(s), or the person with parental responsibility for the child; or
 - b) Leased to or rented by the child's parent(s), or the person with parental responsibility under lease or written rental agreement of not less than twelve months duration; and
 - c) Where parents have shared responsibility for a child, and the child lives with both parents for part of the week then the main residence will be determined as the address where the child lives the majority of the week. Parents may be requested to supply documentary evidence to satisfy the authority that the child lives at the address put forward by the parents.
11. The 4 categories of eligible children are as follows.

Category 1: Distance

12. Travel assistance will be provided for children who attend their nearest qualifying school and the distance between their home address and school is over the statutory walking distance. The statutory walking distances are:
- 2 miles for children under 8 years of age
 - 3 miles for children or young people aged 8 or over.
13. Below these distances the responsibility for the journey to school rests with the parents or carers. The statutory walking distance is measured along a route that a child might reasonably be expected to walk to school accompanied where necessary by a parent or carer.
14. Where a parent or carer chooses a school for the child but there is a qualifying school nearer to home which he or she could attend then travel assistance is not available under this heading. In the case of children with an EHC plan there may be cases where a school that is not the nearest qualifying school is named on the basis that the parents will be responsible for transporting them. Where this happens the EHC plan will be worded accordingly and make the position clear.

Category 2: Low income families

15. "Low income family" means one where the child or young person is entitled to free school meals or where one or both parents are in receipt of the maximum level of working tax credit. Children or young people in such families who do not qualify for travel assistance in category 1 (distance) above are nonetheless entitled to travel assistance if they satisfy the following criteria:
- Primary Aged Children: Children aged between 8 and 11 years of age from low income families are entitled to free travel assistance where they are attending their nearest qualifying school and that school is more than 2 miles from their home.

- Secondary Aged Children and Young People: Children and young people aged 11-16 (in year groups 7 to 11) from low income families are entitled to free travel assistance if they are attending a school more than 2 miles but not more than 6 miles from the home address and it is one of the three nearest suitable qualifying schools from their home. This distance is extended from 6 to 15 miles if the parents or carers have selected the nearest qualifying school based on their religion or belief and, having regard to the religion or belief in question, there is no suitable qualifying school nearer to home.

Category 3: Unsafe walking route

16. Travel assistance will be provided for all children and young people who cannot reasonably be expected to walk to the nearest suitable school because the nature of the route is deemed unsafe to walk.
17. The safety of a particular route will normally be assessed by an officer from Travel Assist in conjunction with an officer from the Council's Transport Department.

Category 4: Special Educational needs or disability

18. Children and young people who do not qualify for travel assistance under category 1 (distance), category 2 (low income) or category 3 (unsafe route) above are nonetheless entitled to travel assistance if they are attending the nearest qualifying school to their home which is suitable for their needs but have special educational needs, a disability or mobility problem and for this reason cannot reasonably be expected to walk to that school, even if accompanied.
19. As noted above in relation to category 1, in the case of children with an EHC plan there may be cases where a school that is not the nearest qualifying school is named on the basis that the parents will be responsible for transporting them. Where this happens the EHC plan will be worded accordingly and make the position clear.

Part 3: Young persons aged 16-18 (sixth form age)

20. This part of the policy includes the Council's Transport Policy Statement which the Education Act 1996 requires it to publish each year, setting out what travel assistance is available, from the Council and other bodies, to facilitate the attendance of young persons of sixth form age receiving education or training at schools, FE colleges/institutions, 16-19 Academies, and certain other institutions maintained or funded by the Council.

21. The vast majority of young people do not receive or require travel support from the Council and, unless the circumstances are exceptional, the only category of young persons of sixth form age the Council will consider providing travel assistance for are those with an Education Health and Care Plan, a disability or learning difficulties. In considering whether to provide travel assistance the Council will have regard to the following:

- The needs of those for whom it would not be reasonably practicable to attend a particular establishment to receive education or training if no arrangements were made;
- The needs of those who are vulnerable to becoming not in education, employment or training (NEET) at the age of 16 or 17, or who have already become NEET;
- The needs of young persons who are parents;
- The need to ensure that persons in the Birmingham area have reasonable opportunities to choose between different establishments at which education or training is provided;
- The Council's legal duties, including the duty to ensure that enough suitable education and training is provided to meet the reasonable needs of 16-18 year olds;
- Distance and journey time from the student's home to establishments of education and training, the cost of transport there and alternative means of facilitating attendance at establishments;
- The nature of the route or alternative routes which the young person could reasonably be expected to take;

- Any preference to attend a particular educational establishment based on religion or belief;
- The nature of the young person's special educational needs, disability or learning difficulty;
- Anything said in an EHC plan about transport;
- Whether there is a nearer institution which is suitable and can provide the same or similar qualification(s);
- The best use of the Council's resources.

22. As set out in the Key Principles above, the Council will also expect applicants first to have applied for and made use of all other sources of assistance. Financial assistance may be available from (or by applying through) the school or further education institution in question and Appendix 2 sets out full details of these schemes. In addition there are various concessionary travel schemes in Birmingham which may be available and these are set out in Appendix 3.

23. If the Council agrees to provide travel assistance it will usually take one of the forms set out at page 4 above.

24. Where the travel assistance consists of a taxi or specialist vehicle, the young person and/or his or her parents or carers will be required to contribute towards the cost of this. The amount that will be required is £780 per academic year or £390 if the young person is from a low income family. The Council will consider a young person to be from a low income family if he or she falls into any of the categories below:

- Families in receipt of Income Support.
- Families in receipt of Income Based Jobseekers Allowance (IB JSA).
- Families who receive Child Tax Credit and have an annual income below the relevant threshold.
- Families who receive Employment and Support Allowance (Income related).
- Families who receive The Guarantee Element of State Pension Credit.

- Families who receive support under Part VI of the Immigration and Asylum Act 1999.
- Families in receipt of the maximum level of Working Tax Credit.
- Families in receipt of benefits that supersede those listed above.

25. Young persons who receive Income Support or income based Job Seekers Allowance in their own right will also be considered to be from a low income family.

26. The payment is a contribution towards the cost of providing the transport and the Council will fund the balance. This contribution is required due to the high cost of such transport and the Council's limited resources. It enables the Council to provide transport and travel assistance to a greater number of young people with special educational needs or disability or learning difficulties than would otherwise be the case.

27. The amount of contribution will be reviewed annually and will take account of any change in the relevant Council budget. Any changes will be notified to the affected young persons and their parents or carers. This transport policy statement will be amended and re-published where any costs are changed.

28. Appendix 2 is a list of sources of travel support available to young persons through schools and further education institutions. Enquiries and applications in respect of these should be made through the young person's school or institution.

29. Appendix 3 is a list of travel concessions which may be available to young persons.

30. Appendix 4 is a list (in alphabetical order) of schools, Academies and Free Schools with sixth forms in the Council's area.

Part 4: Adults aged 19+

31. This part sets out the Council's transport policy statement as required by section 508G of the Education Act 1996 in respect of academic year 2019/20 for adults, that is to say persons who are not of compulsory school age or sixth form age. Section 508G of the Education Act 1996 requires the Council to specify in this document:

- a. any transport or other arrangements, and any payment of travelling expenses, made or to be made in relation to the academic year under section 508F in relation to adults (Post-19) with an EHC plan; and
- b. any travel concessions which are to be provided to adults (Post-19) with an EHC plan receiving education or training at certain institutions.

32. This policy statement also sets out the Council's arrangements under section 508F in relation to adults without an EHC plan.

33. The Council does not make any general arrangements for free transport or the payment of any travelling expenses under section 508F of the Education Act 1996 as it considers that these are unnecessary for the vast majority of adults. It will consider making arrangements for individuals if they have an EHC plan or their circumstances are exceptional. The Council will consider whatever is said in any application but will have particular regard to the following:

- The age of the applicant;
- The nature of the route or alternative routes the applicant could reasonably be expected to take;
- Distance and journey time from the applicant's home to their place of education and the cost of providing travel assistance to there;
- What alternative means of facilitating attendance there may be;
- What alternative institutions or options there may be;
- The contents of any EHC plan (including anything about transport);
- Any relevant legal duties upon the Council;
- The best use of the Council's resources and the competing claims upon them.

34. The Council is required by law to provide any travel assistance considered necessary under section 508F free of charge. The Council may also, in certain circumstances, pay all or part of travelling expenses.

35. Appendix 5 is a list of travel concessions and other sources of support for adults aged 19+.

Part 5: How to apply for travel assistance and appeals against decisions about travel assistance

36. A formal application must be made to the Council's Travel Assist Service for all travel assistance in this policy, and all applications must be made on the prescribed form. The forms are at Appendix 1 and are also available on the internet at www.birmingham.gov.uk/travelassist

37. For pre-schoolers and children the application should be made by a parent or carer. For young persons with an EHC plan attending a special school or college applications should be submitted by the learning establishment the young person attends direct to the Council's Travel Assist Service. For other young persons and adults, the application should be made by the young person or adult, or by a person acting on their behalf.

38. Each application will be processed as quickly as possible but during the application process parents of a child of compulsory school age remain under their legal duty to ensure the child attends school regularly, and all other applicants for travel assistance remain responsible for their attendance.

39. Consideration will be given to everything said in applications and all evidence provided in support as well as all matters to which the Council is required by law to have regard, in order to determine whether to provide travel assistance and if so, what form that

assistance should take and (where applicable) whether any charge will be made.

40. If an application for travel assistance is not approved by the Council, or the applicant disagrees with the type of travel assistance offered, there is a right of appeal as set out below. During the appeal stages, travel assistance will not normally be provided and changes to existing travel assistance will not normally be made.

41. Appeals should be made within 20 working days of the decision being received by the parents or carers and on the appropriate form which can be obtained by contacting Travel Assist as follows:

- Telephone: 0121 303 4955
- Email: travelassist@birmingham.gov.uk
- Website: www.birmingham.gov.uk/travelassist

42. The appeal will need to set out the exact nature and grounds of the appeal. The appeals process has two stages:

Stage 1 – A Council officer will consider the appeal within 5 working days of the receipt of the appeal form and the applicant will receive confirmation that the appeal is under review. Further evidence may be requested to support the appeal and consultation with caseworkers and professional bodies may be required. A decision and notification will be made within 20 working days from receipt of the appeals form. If the applicant remains dissatisfied with the outcome, they should notify the Council in writing within 20 working days of receiving the appeal decision and the appeal moves to stage 2.

Stage 2 – Stage 2 is a review by a panel of 3 Council officers independent of the original decision-making process which will take place within 40 working days. The panel will consider written and verbal representations from (or on behalf) of the applicant as well as from a

Council officer involved in the case and provide the applicant with written notification of its decision within 5 working days.

43. If the applicant remains dissatisfied, the further options are to complain to the Council using its complaints procedure, a complaint to the Local Government Ombudsman, a complaint to the Secretary of State for Education and legal proceedings but it is for applicants to decide which of these, if any, they wish to pursue.

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Appendices

Appendix 1: Application forms for travel assistance

Appendix 2: Travel support available from schools and further education institutions for young persons of sixth form age

Appendix 3: Travel concessions which may be available for young persons of sixth form age

Appendix 4: Birmingham Schools, Academies and Free Schools with Sixth Forms

Appendix 5: Travel Concessions and Other Sources of Support for adults aged 19+

Application for Travel Assistance Pupils Below Compulsory School Age (Aged 0 – 4)

Notes for Guidance

Sections 1 to 3 must be completed by the parent/carer(s).

Section 4 must be completed by the nursery.

Please read the relevant part of the Council's "Travel assistance policy for 0-25 year olds in education" (available [here](#)) before completing this form. As that document makes clear, the Council's policy is not to provide travel assistance to pre-schoolers except where the pre-schooler has an Education Health and Care (EHC) plan and the circumstances can be said to be exceptional. Even where the Council does provide travel assistance to a pre-schooler it will make a charge for this, which is payable by the parent/carer(s). Please complete this form carefully, ensuring all information provided is accurate and that you include everything you want to say in support of your application.

All sections must be completed or the form will be returned and there will be a delay in processing your application.

Travel Assist, PO Box 16541, Birmingham, B2 2DD

Telephone: 0121 303 4955

Email: travelassist@birmingham.gov.uk

Website: www.birmingham.gov.uk/travelassist

Application for Travel Assistance

Pupils Below Compulsory School Age (0-4)

Sections 1 to 3 must be completed by the parent/carer(s).

Section 4 must be completed by the nursery.

All fields are mandatory and must be completed

SECTION 1: PUPIL INFORMATION

1. Personal details:			
Surname		Date of birth	
First Name		Gender	
Home Address i.e. the pupil's only or main residence		Post Code	
Name of both Parents or Carers	Mother:	Father:	
Telephone Number:			
Email Address:			
Are you residing at the same address?	Mother: Yes / No If no, please confirm address:	Father: Yes / No If no, please confirm address	
Name and number of emergency contact			
Is the pupil a LAC Child			Yes No
If Yes, please confirm which Local Authority is responsible:			
Name of Social Worker, Contact Number and if applicable, Foster Agency Name:			
Does your child have an Education Health and Care Plan			Yes No
If yes, please confirm which Local Authority is responsible:			

If Birmingham City Council is not the Local Authority, please attach a copy of the plan.

Study, Training or Work Placement Details

Are you attending college, university, a training programme or work placement:	Mother:	Yes	No	Father:	Yes	No
Please indicate the days that you attend college/university/training programme/work placement plus start and finish times of seminars/lectures/training/placement undertaken each day.	Monday:	Tuesday:			Monday:	
	Tuesday:	Wednesday:			Tuesday:	
	Wednesday:	Thursday:			Wednesday:	
	Thursday:	Friday:			Thursday:	
	Friday:				Friday:	
Name & Address of College/University/Training Provider/Work Placement attended (including postcode):						

Employment Details

Are you employed?	Mother:	Yes	No	Father:	Yes	No
Please indicate the days that you work from Monday to Friday plus start and finish times of shifts undertaken each weekday.	Monday:	Tuesday:			Monday:	
	Tuesday:	Wednesday:			Tuesday:	
	Wednesday:	Thursday:			Wednesday:	
	Thursday:	Friday:			Thursday:	
	Friday:				Friday:	
Name & Address of Employer and Current Workplace (including postcode):						

2. Details of nursery/pre-school

Name of nursery/pre-school		Telephone number	
Address		Postcode	

Has your child started attending this nursery/pre-school?	Yes	No
Date Started/Date due to start		

3. Details of Application
Please tell us why assistance is being requested, providing as much information as possible.
What prevents you from taking your child to nursery or pre-school or making arrangements for someone else to do this? If you are unable to take your child to school as a result of your medical needs, you will need to provide evidence of this.

4. Type of Travel Assistance Sought		
Travel Pass	Yes	No
Personal Transport Budget	Yes	No
Guided Public Transport	Yes	No
A Transport Vehicle	Yes	No
Other	Yes	No
Please give your reasons for the type(s) of travel assistance requested:		
Guides are not automatically provided to accompany a child to school or nursery. If you are asking for your child to be transported on a transport vehicle, do you believe that a pupil guide required?	Yes	No
If yes, please tell us why you believe that a pupil guide is required?		
Would a guide require any special training?	Yes	No
If yes, please state what training would be required?		

5. Other Information			
Full name of all other children in your family under 16 years of age	Date of birth	Which school do they go to (including postcode)	School start and finish times

Tell us about your child's special educational and/or medical needs. Does your child have: (please tick or circle)			
Social, Emotional and Mental Health needs	Yes	No	
Cognition and Learning difficulties	Yes	No	
Speech, Language and Communication difficulties (including ASD)	Yes	No	
Physical difficulties	Yes	No	
Visual impairment	Yes	No	
Hearing impairment	Yes	No	
Please state any other special educational or medical needs:			
Tell us about your child's behaviour. Does your child: (please tick or circle)			
Have any difficulty walking or using public transport due to their behaviour?	Yes	No	
Challenge Authority?	Yes	No	
Exhibit violent or aggressive behaviour?	Yes	No	
Pose any risk to other passengers (children/driver/pupil guide)?	Yes	No	
If you have answered yes to any of these questions please describe these behaviours, tell us about anything that prompts your child to behave in this way and anything we need to be aware of to prevent these behaviours?			
Does your child have a full statement of special educational needs or an Education Health and Care Plan (EHCP)?	Yes	No	
Do you consent to the Travel Assist Service reviewing a copy of your child's statement or EHCP, including any assessment reports?	Yes	No	
Is this nursery/pre-school named in your child's statement of special educational needs or EHCP because it was the school that you preferred?	Yes	No	
Which nursery/pre-school did your child last attend?			
Has your child received transport assistance before? <i>If yes, please tell us below what assistance was provided</i>	Yes	No	

Do you have a vehicle?	Yes	No
If Yes, please provide the make and model of your car, the names of the people who are insured to drive it and details of any adaptations which have been made to the vehicle:		
If applicable, please provide the reason why the vehicle cannot be used to take your child to and from nursery/pre-school:		
How does your child travel the rest of the time, i.e. when they are not travelling to nursery/pre-school?		
Please use this space to tell us anything else that you would like taken into consideration:		
Your application should include any documents that you would like us to consider, including your child's EHCP or statement of special educational needs. Please list the documents that you have included with your application:		

7. Income		
Are you receiving any income related benefits?	Yes	No
If yes , please list the benefits that you receive below and provide documentary evidence of your entitlement.		

PARENTAL/CARERS DECLARATION

Please read the following declaration. We will not process your application for travel assistance if you do not sign and date the declaration.

The information I have given on this form is complete and accurate. I will inform you immediately of any change in circumstances which might affect any entitlement to travel assistance. I understand that if I give you false information, or fail to give complete information the Council may take action against me and travel assistance may be varied or removed. I will write and tell you immediately if the child leaves or transfers to a different educational setting.

If financial assistance is provided to me or on my behalf, and if, for whatever reason, I receive an amount which is more than I am entitled to, I will pay back any amount in excess of my entitlement.

I do/do not (**delete as applicable**) consent to the Travel Assist Service reviewing a copy of my child's EHCP and any assessment reports.

Please note a **minimum of 15 working days** is required from receipt of this form to make an assessment of this application. If a Pupil Guide is required or it is necessary to request specialised information concerning a pupil, extra time may be necessary for arrangements to be made.

Pupils will be transported by the most efficient and cost effective transport option available in consideration of their individual needs and information obtained from their EHCP.

Parent/Carer 1 signature:

Date:

Parent/Carer 2 signature:

Date:

Privacy notice under the General Data Protection Regulation (GDPR) (EU) 2016/679

The information you have provided on this form will be used by Birmingham City Council in accordance with the General Data Protection Regulation and any successor legislation to the GDPR or the Data Protection Act 1998.

The information will be used in accordance with the Education Transport Policy and for the purpose of processing applications for pupils travel assistance as required to fulfil the Council's duties under legislation, statutory or contractual requirement or obligation.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form within this authority for the prevention and detection of fraud. It may also share this information with external organisations whose business it is to assist in the service delivery of transport solutions to eligible students and with the Department of Education for statistical purposes only. The personal data is not shared with anyone else and will never be disclosed for marketing purposes.

The information contained on this application form will be retained until your child no longer requires travel assistance provided by the Council and then for a further 90 days from the date that travel assistance ceases and shall be processed in adherence to your legal rights, which are set out in our privacy notice which can be found at: www.birmingham.gov.uk/privacy. Your personal data will be stored and used in accordance with this Policy. Should you require a hard copy of our privacy statement then please contact our Data Protection Officer on 0121 303 4955.

SECTION 2: RISK ASSESSMENT

IF THE COUNCIL DECIDES THAT IT IS NECESSARY TO PROVIDE TRAVEL ASSISTANCE, THE FOLLOWING INFORMATION WILL BE USED TO MAKE A RISK ASSESSMENT OF THE CHILD'S NEEDS WHEN TRAVELLING.

In order to ensure each child can travel by the safest and most suitable form of transport we require as much information as possible. To help with this process, Travel Assist produces a Generic Home to School Transport Risk Assessment a copy of which is available from our documents webpage at www.birmingham.gov.uk/travelassist or a hard copy can be obtained from Travel Assist.

For some children not all of their needs will be covered in this assessment and an individual risk assessment is required. In order to make this decision please can you provide the following information:

2.1 Risk Assessment		
Does your child have any emotional/behavioural/medical/life threatening medical conditions? Please circle the appropriate answer.		
<u>Life Threatening</u>	Yes	No
If yes, please provide further information.		
<u>Behavioural</u>	Yes	No
If yes, please provide further information.		
Does your child currently wear a behaviour harness	Yes	No
<u>Medical</u>	Yes	No
If yes, please provide further information.		
<u>Emotional</u>	Yes	No
If yes, please provide further information.		
Does your child have any allergies? If yes, please provide details below	Yes	No
If you have answered yes to any of the above please provide a copy of your child's individual Health Care Plan or where appropriate Joint Epilepsy Care Plan (dated within the last 2 years).		

SECTION 3: TRANSPORT DETAILS

TRAVEL ASSIST WILL CONSIDER THE RESPONSES GIVEN BELOW IF YOUR CHILD IS AWARDED SPECIALISED TRANSPORT

3.1 Seating Arrangements (please tick or circle the appropriate response)		
Does your child require a booster cushion? Note: this must be provided for any child under twelve years old or 1.35 metres (4'4")	Yes	No
Does your child need lifting into a seat?	Yes	No
If yes , please state what type of assistance is required?		
Does your child have an exemption on medical grounds from wearing a seat belt? (If yes, please attach documents confirming the exemption)	Yes	No

3.2 Wheelchair Users Only: If your child is not a wheelchair user please move to <u>Section 4</u> (please tick or circle the appropriate answer)			
Can your child walk at all?	Yes	No	
Can your child transfer to a seat on a vehicle?	Yes	No	
If yes, does your child require assistance to do this?	Yes	No	
Please state what assistance is required?			
Does your child need to travel in a wheelchair on the vehicle?	Yes	No	
What is the make and model of the wheelchair?			
Is the Wheelchair:	Folding	Non-folding	Electric
What is the dimension (in centimetres) of the wheelchair when in use?	Length	Width	Height

SECTION 4: For Nursery/Pre-School/SENAR Completion only

Name of nursery/pre-school contact		Tel No		
Email address		Start time		
Date Transport is required to start?		Finish time		
Is the pupil a new starter?			Yes	No
If no , please explain why travel assistance has not been requested in the past				

Which days will the pupil attend school?

	Monday	Tuesday	Wednesday	Thursday	Friday
AM					
PM					

If specialised transport is provided, is any of the following equipment required? (Please circle or tick)

Booster Cushion	Child Safety Seat	Postural Harness	Harness for Challenging Behaviour*
<i>* written parental permission is required (please contact Travel Assist for further details)</i>			
If pupil is residential, please state what placement is being paid for e.g. 52 week/termly/weekly/other			

SECTION 7: DECLARATION Nursery/Pre-school/SEN

I certify that the details included on this form, including sections completed by parent/carer(s) are correct to the best of my knowledge.	
Nursery/Pre-School Representative / SEN signature:	Print name:
Position:	Date:

Please email this form to: travelassist@birmingham.gov.uk or return it to the following address: Travel Assist, PO Box 16541, Birmingham, B2 2DD

Application for Travel Assistance

Pupils of Compulsory School Age (Reception to Year 11)

Notes for Guidance

Sections 1 to 3 must be completed by the parent/carer(s).

Section 4 must be completed by the school.

Please read the relevant part of the Council's "Travel assistance policy for 0-25 year olds in education" (available here) before completing this form. Please note in particular that as that document makes clear, the Council's policy is to provide free travel assistance to the categories of eligible children in the Education Act 1996 but not otherwise unless there are exceptional circumstances. Please complete this form carefully, ensuring all information provided is accurate and that you include everything you want to say in support of your application. **All sections must be completed or the form will be returned and there will be a delay in processing your application.**

Travel Assist, PO Box 16541, Birmingham, B2 2DD

Telephone: 0121 303 4955

Email: travelassist@birmingham.gov.uk

Website: www.birmingham.gov.uk/travelassist

Application for Travel Assistance

Pupils of Compulsory School Age (Reception to Year 11)

Sections 1 to 3 must be completed by the parent/carer(s).

Section 4 must be completed by the school.

All fields are mandatory and must be completed

SECTION 1: PUPIL INFORMATION

1. Personal details:			
Surname		Date of birth	
First Name		Gender	
Home Address i.e. the pupil's only or main residence		Post Code	
Name of both Parents or Carers	Mother:	Father:	
Telephone Number:			
Email Address:			
Are you residing at the same address?	Mother: Yes / No If no, please confirm address:	Father: Yes / No If no, please confirm address	
Name and number of emergency contact			
Is the pupil a LAC Child?			<div>Yes</div> <div>No</div>
If Yes, please confirm which Local Authority is responsible:			
Name of Social Worker, Contact Number and if applicable, Foster Agency Name:			
Does your child have an Education Health and Care Plan			<div>Yes</div> <div>No</div>
If yes, please confirm which Local Authority is responsible:			

If Birmingham City Council is not the Local Authority, please attach a copy of the plan.

Study, Training or Work Placement Details

Are you attending college, university, a training programme or work placement:	Mother:	Yes	No	Father:	Yes	No
Please indicate the days that you attend college/university/training programme/work placement plus start and finish times of seminars/lectures/training/placement undertaken each day.	Monday:	Tuesday:			Monday:	
	Tuesday:	Wednesday:			Tuesday:	
	Wednesday:	Thursday:			Wednesday:	
	Thursday:	Friday:			Thursday:	
	Friday:				Friday:	
Name & Address of College/University/Training Provider/Work Placement attended (including postcode):						

Employment Details

Are you employed?	Mother:	Yes	No	Father:	Yes	No
Please indicate the days that you work from Monday to Friday plus start and finish times of shifts undertaken each weekday.	Monday:	Tuesday:			Monday:	
	Tuesday:	Wednesday:			Tuesday:	
	Wednesday:	Thursday:			Wednesday:	
	Thursday:	Friday:			Thursday:	
	Friday:				Friday:	
Name & Address of Employer and Current Workplace (including postcode):						

2. Details of school

Name of school		Telephone number	
Address		Postcode	
Has your child started attending this school?			Yes No

Date Started/Date due to start	
--------------------------------	--

3. Categories of Eligible Children	
Please tell us which of the three categories of eligible children you believe that your child falls into? (The three categories are set out at page xx of the Council's policy referred to above)	
Category 1: Distance – complete part 4 below.	
Category 2: Low income – complete part 5 below	
Category 3: Special educational needs or disability – complete parts 6, 7, 8 and 9 below	
None of the above - (Exceptional circumstances) – complete parts 7, 8 and 9 below	

4. Category 1 (Distance) Applicants				
Distance from Home Address in section 1 above	miles/kilometres			
Approximate journey time	AM		PM	

5. Category 2 (Low Income)		
Is your child entitled to free school meals?	Yes	No
Are one or both parents in receipt of the maximum level of working tax credit?	Yes	No
Which of the following applies? (please tick)		
a) My child is aged between 8 and 11 years and their school is more than 2 miles from home		
b) My child is aged between 11 and 16 years and their school is between 2 and 6 miles from home		
c) My child is aged between 11 and 16 years, their school is between 6 and 15 miles from home and that school was chosen on the basis of our religion or belief		

6. Category 3 (Special Educational Needs and Disability)		
Tell us about your child's special educational and/or medical needs and/or disability. Does your child have: (please tick or circle)		
Social, Emotional and Mental Health needs	Yes	No
Cognition and Learning difficulties	Yes	No
Speech, Language and Communication difficulties (including ASD)	Yes	No
Physical difficulties	Yes	No
Visual impairment	Yes	No
Hearing impairment	Yes	No
Please state any other special educational or medical needs or disabilities:		

Tell us about your child's behaviour. Does your child: (please tick or circle)		
Have any difficulty walking or using public transport due to their behaviour?	Yes	No
Challenge Authority?	Yes	No
Exhibit violent or aggressive behaviour?	Yes	No
Pose any risk to other passengers (children/driver/pupil guide)?	Yes	No
<p>If you have answered yes to any of these questions please describe these behaviours, tell us about anything that prompts your child to behave in this way and anything we need to be aware of to prevent these behaviours?</p>		
Does your child have a full statement of special educational needs or an Education Health and Care Plan (EHCP)?	Yes	No
Do you consent to the Travel Assist Service reviewing a copy of your child's statement or EHCP, including any assessment reports?	Yes	No
Is this school named in your child's statement of special educational needs or EHCP because it was the school that you preferred?	Yes	No
Which school did your child most recently attend?		

7. Other Information (only complete this part of the form if you are applying under category 3 or believe your circumstances are exceptional)			
Please state why you are applying for travel assistance and why you say that the circumstances are exceptional:			
Full name of all other children in your family under 16 years of age	Date of birth	Which school do they go to (including postcode)	School start and finish times

Has your child received transport assistance before? <i>If yes, please tell us below what assistance was provided</i>	Yes	No
Do you have a vehicle?	Yes	No
If Yes, please provide the make and model of your car, the names of the people who are insured to drive it and details of any adaptations which have been made to the vehicle:		
If applicable, please provide the reason why the vehicle cannot be used to take your child to and from school:		
How does your child travel the rest of the time, i.e. when they are not travelling to school?		
Please use this space to tell us anything else that you would like taken into consideration:		
Your application should include any documents that you would like us to consider, including your child's EHCP or statement of special educational needs. Please list the documents that you have included with your application:		

8. Type of Travel Assistance Sought		
Travel Pass	Yes	No
Personal Transport Budget	Yes	No
Guided Public Transport	Yes	No
A Transport Vehicle	Yes	No
Other	Yes	No
Please give your reasons for the type(s) of travel assistance requested:		
Guides are not automatically provided to accompany a child to school or nursery. If you are asking for your child to be transported on a transport vehicle, do you believe that a pupil guide is required?	Yes	No
If yes, please tell us why you believe that a pupil guide is required?		
Would a guide require any special training?	Yes	No
If yes, please state what training would be required?		
All recipients of travel assistance are expected to undertake independent travel training. If you do not think your child should be considered for independent travel training, please explain why below:		

9. Income		
Are you receiving any income related benefits?	Yes	No
If yes , please list the benefits that you receive below and provide documentary evidence of your entitlement.		

PARENTAL/CARERS DECLARATION

Please read the following declaration. We will not process your application for travel assistance if you do not sign and date the declaration.

The information I have given on this form is complete and accurate. I will inform you immediately of any change in circumstances which might affect any entitlement to travel assistance. I understand that if I give you false information, or fail to give complete information the Council may take action against me and travel assistance may be varied or removed. I will write and tell you immediately if the

child leaves or transfers to a different educational setting.

If financial assistance is provided to me or on my behalf, and if, for whatever reason, I receive an amount which is more than I am entitled to, I will pay back any amount in excess of my entitlement.

I do/do not (**delete as applicable**) consent to the Travel Assist Service reviewing a copy of my child's EHCP and any assessment reports.

Please note a **minimum of 15 working days** is required from receipt of this form to make an assessment of this application. If a Pupil Guide is required or it is necessary to request specialised information concerning a pupil, extra time may be necessary for arrangements to be made.

Pupils will be transported by the most efficient and cost effective transport option available in consideration of their individual needs and information obtained from their EHCP.

Parent/Carer 1 signature:

Date:

Parent/Carer 2 signature:

Date:

Privacy notice under the General Data Protection Regulation (GDPR) (EU) 2016/679

The information you have provided on this form will be used by Birmingham City Council in accordance with the General Data Protection Regulation and any successor legislation to the GDPR or the Data Protection Act 1998.

The information will be used in accordance with the Education Transport Policy and for the purpose of processing applications for pupils travel assistance as required to fulfil the Council's duties under legislation, statutory or contractual requirement or obligation.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form within this authority for the prevention and detection of fraud. It may also share this information with external organisations whose business it is to assist in the service delivery of transport solutions to eligible students and with the Department of Education for statistical purposes only. The personal data is not shared with anyone else and will never be disclosed for marketing purposes.

The information contained on this application form will be retained until your child no longer requires travel assistance provided by the Council and then for a further 90 days from the date that travel assistance ceases and shall be processed in adherence to your legal rights, which are set out in our privacy notice which can be found at: www.birmingham.gov.uk/privacy. Your personal data will be stored and used in accordance with this Policy. Should you require a hard copy of our privacy statement then please contact our Data Protection Officer on 0121 303 4955.

SECTION 2: RISK ASSESSMENT

IF THE COUNCIL DECIDES THAT IT IS NECESSARY TO PROVIDE TRAVEL ASSISTANCE, THE FOLLOWING INFORMATION WILL BE USED TO MAKE A RISK ASSESSMENT OF THE CHILD'S NEEDS WHEN TRAVELLING.

IN ORDER TO ENSURE EACH CHILD CAN TRAVEL BY THE SAFEST AND MOST SUITABLE FORM OF TRANSPORT WE REQUIRE AS MUCH INFORMATION AS POSSIBLE. TO HELP WITH THIS PROCESS, TRAVEL ASSIST PRODUCES A GENERIC HOME TO SCHOOL TRANSPORT RISK ASSESSMENT A COPY OF WHICH IS AVAILABLE FROM OUR DOCUMENTS WEBPAGE AT

www.birmingham.gov.uk/travelassist or a hard copy can be obtained from Travel Assist.

FOR SOME CHILDREN NOT ALL OF THEIR NEEDS WILL BE COVERED IN THIS ASSESSMENT AND AN INDIVIDUAL RISK ASSESSMENT IS REQUIRED. IN ORDER TO MAKE THIS DECISION PLEASE CAN YOU PROVIDE THE FOLLOWING INFORMATION:

2.1 Risk Assessment		
Does your child have any emotional/behavioural/medical/life threatening medical conditions? Please circle the appropriate answer.		
<u>Life Threatening</u>	Yes	No
If yes, please provide further information.		
<u>Behavioural</u>	Yes	No
If yes, please provide further information.		
Does your child currently wear a behaviour harness	Yes	No
<u>Medical</u>	Yes	No
If yes, please provide further information.		
<u>Emotional</u>	Yes	No
If yes, please provide further information.		
Does your child have any allergies? If yes, please provide details below	Yes	No
If you have answered yes to any of the above please provide a copy of your child's individual Health Care Plan or where appropriate Joint Epilepsy Care Plan (dated within the last 2 years).		

SECTION 3: TRANSPORT DETAILS

TRAVEL ASSIST WILL CONSIDER THE RESPONSES GIVEN BELOW IF YOUR CHILD IS AWARDED SPECIALISED TRANSPORT

3.1 Seating Arrangements (please tick or circle the appropriate response)		
Does your child require a booster cushion? Note: this must be provided for any child under twelve years old or 1.35 metres (4'4")	Yes	No
Does your child need lifting into a seat?	Yes	No
If yes , please state what type of assistance is required?		
Does your child have an exemption on medical grounds from wearing a seat belt? (If yes, please attach documents confirming the exemption)	Yes	No

3.2 Wheelchair Users Only: If your child is not a wheelchair user please move to <u>Section 4</u> (please tick or circle the appropriate answer)			
Can your child walk at all?	Yes	No	
Can your child transfer to a seat on a vehicle?	Yes	No	
If yes, does your child require assistance to do this?	Yes	No	
Please state what assistance is required?			
Does your child need to travel in a wheelchair on the vehicle?	Yes	No	
What is the make and model of the wheelchair?			
Is the Wheelchair:	Folding	Non-folding	Electric
What is the dimension (in centimetres) of the wheelchair when in use?	Length	Width	Height

SECTION 4: For School/SENAR Completion only

Name of school contact		Tel No		
Email address		School start time		
Date Transport is required to start?		School Finish time		
Is the pupil a new starter?			Yes	No
If no , please explain why travel assistance has not been requested in the past				

Which days will the pupil attend school?					
	Monday	Tuesday	Wednesday	Thursday	Friday
AM					
PM					

If specialised transport is provided, is any of the following equipment required? (Please circle or tick)			
Booster Cushion	Child Safety Seat	Postural Harness	Harness for Challenging Behaviour*
* written parental permission is required (please contact Travel Assist for further details)			
If pupil is residential, please state what placement is being paid for e.g. 52 week/termly/weekly/other			

SECTION 7: DECLARATION SCHOOL/SEN

I certify that the details included on this form, including sections completed by parent/carer(s) are correct to the best of my knowledge.	
School Representative / SEN signature:	Print name:
Position:	Date:

Please email this form to: travelassist@birmingham.gov.uk or return it to the following address: Travel Assist, PO Box 16541, Birmingham, B2 2DD

Application for Travel Assistance Young Persons of Sixth Form Age (16-18)

Notes for Guidance

Sections 1 to 4 must be completed by you, the student, or your parent/carer(s).

Section 5 must be completed by the school/college.

Please read the relevant part of the Council's "Travel assistance policy for 0-25 year olds in education" (available [here](#)) before completing this form. Please note in particular, that as that document makes clear, the Council's policy is that unless the circumstances are exceptional, the Council will only consider providing travel assistance for young persons of sixth form age who have an Education Health and Care (EHC) Plan, a disability or learning difficulties. Even where the Council does provide travel assistance to a young person of sixth form age it will make a charge for this. Please complete this form carefully, ensuring all information provided is accurate and that you include everything you want to say in support of your application.

All sections must be completed or the form will be returned and there will be a delay in processing your application.

Application for Travel Assistance

Young Persons of Sixth Form Age (16-18)

Sections 1 to 4 must be completed by you or your parent/carer(s).

Section 5 must be completed by the school/college.

SECTION 1: YOUNG PERSON / EDUCATION INFORMATION

1. Personal details of the young person ('you')			
Surname		Date of birth	
First Name		Gender	
Home Address i.e. your only or main residence		Post Code	
Name of person completing this form on your behalf		Relationship to you	
Name of both Parents or Carers	Mother:	Father:	
Telephone Number:			
Email Address:			
Do your parents live at the same address?	Mother: Yes / No If no, please confirm address:	Father: Yes / No If no, please confirm address	
Name and number of emergency contact			
Are you a 'Looked After Child' in Local Authority Care?			Yes No
Name of Social Worker, Contact Number and if applicable, Foster Agency Name:			
Name of Social Worker and Contact Number			
Do you child have an Education Health and Care Plan?			Yes No
If yes, please confirm which Local Authority is responsible:			

If Birmingham City Council is not the Local Authority, please attach a copy of your plan.						
Employment Details						
Are your parents employed:	Mother:	Yes	No	Father:	Yes	No
Please indicate the days that they work from Monday to Friday plus start and finish times of shifts undertaken each weekday.	Monday: Tuesday: Wednesday: Thursday: Friday:			Monday: Tuesday: Wednesday: Thursday: Friday:		
Name & Address of Employer and Current Workplace (including postcode):						
Study, Training or Work Placement Details						
Do your parents attend college, university, a training programme or work placement:	Mother:	Yes	No	Father:	Yes	No
Please indicate the days that they attend college/university/training programme/work placement plus start and finish times of seminars/lectures/training/placement undertaken each day.	Monday: Tuesday: Wednesday: Thursday: Friday:			Monday: Tuesday: Wednesday: Thursday: Friday:		
Name & Address of College/University/Training Provider/Work Placement attended (including postcode):						
2. Which college/sixth form/other educational institution will you be attending?						
Name of College/Sixth Form/other				Telephone number		
Address				Postcode		
Do you already attend this college?				Yes		No

Date started/date due to start			
Title of course studied/due to be studied			
Pick up / drop off address (if different to home)		Postcode	
Whose address is this?			

3. Details of Application
Please tell us why assistance is being requested, providing as much information as possible.
What prevents your parents from taking you to school or college, or making arrangements for someone else to do this?

4. Type of Travel Assistance sought			
Please tick what type of assistance is required:			
Train Pass		Personal Transport Budget	
Bus Pass		Guided Public Transport	
A Transport Vehicle (Complete all sections below)		other	
Please give your reasons for the type(s) of travel assistance requested:			
Guides are not automatically provided to accompany a young person to school or college. If you are asking to be transported on a transport vehicle, do you believe that a guide is required?	Yes	No	
If yes, or you have asked for guided public transport, please tell us why you believe that a guide is required?			
Would a guide require any special training?	Yes	No	
If yes, please state what training would be required?			

Are you eligible for a Post 16 Bursary?	Yes	No
Are you eligible for help from the Discretionary Learner Support Fund?	Yes	No
Do you have a Concessionary Pass to use on public transport?	Yes	No
Is the young person <u>only</u> applying for a Bus/Train pass?	Yes	No
If yes, you do <u>not</u> need to complete Section 3.		

5. Other Information			
Do you have any other children?			
Full name of all other children in your family under 16 years of age	Date of birth	Which school do they go to (including postcode)?	School start and finish times
Tell us about your special educational and/or medical needs. Do you have: (please tick or circle)			
Social, Emotional and Mental Health needs		Yes	No
Cognition and Learning difficulties		Yes	No
Speech, Language and Communication difficulties (including ASD)		Yes	No
Physical difficulties		Yes	No
Visual impairment		Yes	No
Hearing impairment		Yes	No
Please state any other special educational or medical needs:			
Tell us about your behaviour. Do you: (please tick or circle)			
Have any difficulty walking or using public transport due to their behaviour?		Yes	No
Challenge Authority?		Yes	No
Exhibit violent or aggressive behaviour?		Yes	No
Pose any risk to other passengers (children/driver/pupil guide)?		Yes	No
If you have answered yes to any of these questions please describe these behaviours, tell us about anything that prompts you to behave in this way and anything we need to be aware of to help to prevent these behaviours?			
Do you have a full statement of special educational needs or an Education		Yes	No

Health and Care Plan (EHCP)?		
Do you consent to the Travel Assist Service reviewing a copy of your statement or EHCP, including any assessment reports?	Yes	No
Is this college/sixth form/other educational institution named in your statement of special educational needs or EHCP because it was the school that you or your parents preferred?	Yes	No
Which school/college/sixth form/other educational institution did you last attend?		
Have you received transport assistance before? <i>If yes, please tell us below what assistance was provided</i>	Yes	No
Do your parents have a vehicle?	Yes	No
If yes, please provide the make and model of their car, the names of the people who are insured to drive it and details of any adaptations which have been made to the vehicle:		
How does you travel the rest of the time, i.e. when you are not travelling to college/sixth form?		
Please use this space to tell us anything else that you would like taken into consideration:		
Your application should include any documents that you would like us to consider, including your EHCP or statement of special educational needs. Please list the documents that you have included with your application:		
All Recipients of travel assistance are expected to undertake independent travel training. If you do not think you should be considered for independent travel training, please explain why below:		

7. Income		
Are you or your parents receiving any income related benefits?	Yes	No
If yes , please list the benefits that you/they receive below and provide documentary evidence of your/their entitlement.		

SECTION 2: RISK ASSESSMENT

IF THE COUNCIL DECIDES THAT IT IS NECESSARY TO PROVIDE TRAVEL ASSISTANCE, THE FOLLOWING INFORMATION WILL BE USED TO MAKE A RISK ASSESSMENT OF YOUR NEEDS WHEN TRAVELLING.

In order to ensure each young person can travel by the safest and most suitable form of transport we require as much information as possible. To help with this process, Travel Assist produces a Generic Home to School Transport Risk Assessment a copy of which is available from our documents webpage at www.birmingham.gov.uk/travelassist or a hard copy can be obtained from Travel Assist.

FOR SOME STUDENTS NOT ALL OF THEIR NEEDS WILL BE COVERED IN THIS ASSESSMENT AND AN INDIVIDUAL RISK ASSESSMENT IS REQUIRED. IN ORDER TO MAKE THIS DECISION PLEASE CAN YOU PROVIDE THE FOLLOWING INFORMATION:

2.1 Risk Assessment (please tick or circle)		
Do you have any emotional/behavioural/medical/life threatening medical conditions that need to be taken account of before transport would commence? If yes, please circle appropriate box(es)		
<u>Life Threatening</u>	Yes	No
If yes, please provide further information.		
<u>Behavioural</u>	Yes	No
If yes, please provide further information.		
Do you currently wear a behaviour harness	Yes	No
<u>Medical</u>	Yes	No
If yes, please provide further information.		
<u>Emotional</u>	Yes	No
If yes, please provide further information.		

Do you have any allergies. If yes, please provide details below:	Yes	No
If you have answered yes to any of the above please provide a copy of your individual Health Care Plan or where appropriate Joint Epilepsy Care Plan (dated within the last 2 years).		

SECTION 3: TRANSPORT DETAILS

You do not need to complete section 3 if you are only requesting a bus / train pass.

3.1 If you are unable to transport the young person to school / college and would like to request for specialised transport to be considered, you will need to make a contribution towards these costs. Please select and tick one of the following:	
I agree to pay a contribution of £780 towards the cost of the specialised transport for this academic year.	
I agree to pay a contribution of £390 towards the cost of the specialised transport for this academic year because I, or my parents, are in receipt of: <ul style="list-style-type: none"> • Income Support • Income based Job Seekers' Allowance. • Income related Employment and Support Allowance. • Support under Part VI of the Immigration and Asylum Act 1999. • The Guaranteed element of State Pension Credit. • Child Tax Credit provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190. • Maximum Working Tax Credit (no reduction for income) • Working Tax Credit Run-on – paid for 4 weeks after you stop qualifying for Working Tax Credit. • The young person receives income support or income based job seekers allowance in their own right. • Universal Credit <p><i>You must provide <u>recent</u> evidence of the benefits you receive. In the case of Tax Credit notifications, <u>all pages</u> must be provided</i></p>	
3.2 How do you want to pay?	
I wish to pay the whole amount prior to the start of the Academic year, or prior to starting on transport if applying during the academic year. You can make a payment by debit or credit card. You will be advised how to do this accordingly if assistance is agreed.	
I wish to pay on a monthly basis by direct debit. Arrangements will be made for you to be charged upon receipt of the signed direct debit mandate over an 8 month period starting from October to May. Payment of either £97.50 per month, or £48.75 per month if your family is on a low income, will be taken on the 1 st of each month and you will be advised how to do this accordingly if assistance is agreed. N.B. If	

your child starts on transport during the academic year then you will make fewer payments but for higher monthly amounts as full payment has to be received by 31 May..	
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TRAVEL ASSIST WILL CONSIDER YOUR RESPONSES GIVEN BELOW IF YOUR CHILD IS AWARDED SPECIALISED TRANSPORT

3.3 Seating Arrangements (please tick or circle)		
Do you require a booster cushion? Note: this must be provided for any young person under 1.35 metres (4'4")	Yes	No
Do you need lifting into a seat?	Yes	No
If yes , please state what assistance is required?		
Do you have an exemption on medical grounds from wearing a seat belt? (If yes, please attach documents confirming the exemption)	Yes	No

3.4 Wheelchair Users Only: (please tick or circle)			
Can you walk at all?	Yes	No	
Can you transfer to a seat on a vehicle?	Yes	No	
If yes, do you require assistance to do this?	Yes	No	
Please state what assistance is required?			
Do you need to travel in a wheelchair on the vehicle?	Yes	No	
What is the make and model of the wheelchair?			
Is the Wheelchair:	Folding	Non-folding	Electric
What is the dimension (in centimetres) of the wheelchair when in use?	Length	Width	Height

SECTION 4: DECLARATION

Please read the following declaration. We will not process your application for support if you do not sign and date the declaration.

The information I have given on this form is complete and accurate. I will inform you immediately of any change in circumstances which might affect any entitlement to travel assistance. I understand that if I give you false information, or fail to give complete information the Council may take action against me. I will write and tell you immediately if I/the young person leaves or transfers to a different educational setting.

If financial assistance is provided to me or on my behalf, and if, for whatever reason, an amount which is more than I am entitled to, I will pay back any amount in excess of my entitlement.

Your signature:	Date:
Parent/Carer 1 signature:	Date:
Parent/Carer 2 signature:	Date:

Privacy Notice under the General Data Protection Regulation (GDPR) (EU) 2016/679

The information you have provided on this form will be used by Birmingham City Council in accordance with the General Data Protection Regulation and any successor legislation to the GDPR or the Data Protection Act 1998.

The information will be used in accordance with the Education Transport Policy and for the purpose of processing applications for pupils travel assistance as required to fulfil the Council's duties under legislation, statutory or contractual requirement or obligation.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form within this authority for the prevention and detection of fraud. It may also share this information with external organisations whose business it is to assist in the service delivery of transport solutions to eligible students and with the Department of Education for statistical purposes only. The personal data is not shared with anyone else and will never be disclosed for marketing purposes.

The information contained on this application form will be retained until your child no longer requires travel assistance provided by the Council and then for a further 90 days from the date that travel assistance ceases and shall be processed in adherence to your legal rights, which are set out in our privacy notice which can be found

at: www.birmingham.gov.uk/privacy. Your personal data will be stored and used in accordance with this Policy. Should you require a hard copy of our privacy statement then please contact our Data Protection Officer on 0121 303 4955.

SECTION 5: For Completion by School / College / SENAR only

5.1 Tell us about the Course				
Full Course Title <i>If 'A' Levels please list all subjects</i>		Start date		
		Finish date		
		Placement		
Is the course full time? <i>(The Course must be a minimum of 450 guided hours of study, approximately 12 guided hours per week)</i>			Yes	No
Is this a special needs course?			Yes	No
Is this the nearest school/college to the family's home that provides the course?			Yes	No
<p>If no, please state the reasons why the young person is attending this school / college. Attach supporting evidence where necessary.</p> 				

5.2 Tell us about the School / College				
Name of school / college contact		Tel No		
Email address		School / college start time		
Date Transport is required to start		School / college Finish time		
Does the school / college currently receive a home to school transport service?			Yes	No
Is the pupil a new starter?			Yes	No
<p>If no, please state why a transport request has not been submitted in the past</p> 				

Which days will the student attend college/school?					
	Monday	Tuesday	Wednesday	Thursday	Friday
AM					
PM					

What type of transport / seat is required? (Please circle or tick)			
Car	Black Cab	Mini Bus	Wheelchair Accessible vehicle
Booster Cushion	Child Safety Seat	Postural Harness	Harness for Challenging Behaviour*
* written parental permission is required (please contact the Education Transport Service for further details)			
If student is residential please state what placement is being paid for e.g. 52 week/termly/weekly/other			

SECTION 7: DECLARATION SCHOOL / COLLEGE / SENAR

I certify that the details included on this form, including sections completed by parent / carer are correct to the best of my knowledge.	
School/College Representative / SENAR signature:	Print name:
Position:	Date:
<p>Please note a minimum of 15 working days is required from receipt of this form to make an assessment of this application. If a Pupil Guide is required or it is necessary to request specialised information concerning a pupil, extra time may be necessary for arrangements to be made.</p> <p>Pupils will be transported by the most efficient and cost effective transport option available in consideration of their individual needs and information obtained from their EHC Plan.</p>	

Please email this form to: travelassist@birmingham.gov.uk or return it to the following address: Travel Assist, PO Box 16541, Birmingham, B2 2DD

Application for Travel Assistance Adults (19+)

Notes for Guidance

Sections 1 to 4 must be completed by you, the student, or your parent/carer(s).
Section 5 must be completed by the school/college.

Please read the relevant part of the Council's "Travel assistance policy for 0-25 year olds in education" (available [here](#)) before completing this form. Please note in particular, that as that document makes clear, the Council's policy is that unless the circumstances are exceptional, the Council will only consider providing travel assistance for adults who have an Education Health and Care (EHC) Plan. Please complete this form carefully, ensuring all information provided is accurate and that you include everything you want to say in support of your application.

Please note that this application form only applies to travel assistance applications to and from an adult's educational institution.

All sections must be completed or the form will be returned and there will be a delay in processing your application.

Application for Travel Assistance Adults (19+)

Sections 1 to 4 must be completed by you or your parent/carer(s).

Section 5 must be completed by the school/college.

SECTION 1: YOUNG PERSON / EDUCATION INFORMATION

1. Personal details of the young person ('you')			
Surname		Date of birth	
First Name		Gender	
Home Address i.e. your only or main residence		Post Code	
Name of person completing this form on your behalf		Relationship to you	
Name of both Parents or Carers	Mother:	Father:	
Telephone Number:			
Email Address:			
Do your parents live at the same address?	Mother: Yes / No If no, please confirm address:	Father: Yes / No If no, please confirm address	
Name and number of emergency contact			
Are you a 'Looked After Child' in Local Authority Care?			Yes No
Name of Social Worker, Contact Number and if applicable, Foster Agency Name:			
Name of Social Worker and Contact Number			
Does you have an Education Health and Care Plan			Yes No

If yes, please confirm which Local Authority is responsible:						
If Birmingham City Council is not the Local Authority, please attach a copy of your plan.						
Employment Details						
Are your parents employed:	Mother:	Yes	No	Father:	Yes	No
Please indicate the days that they work from Monday to Friday plus start and finish times of shifts undertaken each weekday.	Monday:			Monday:		
	Tuesday:			Tuesday:		
	Wednesday:			Wednesday:		
	Thursday:			Thursday:		
	Friday:			Friday:		
Name & Address of Employer and Current Workplace (including postcode):						
Study, Training or Work Placement Details						
Do your parents attend college, university, a training programme or work placement:	Mother:	Yes	No	Father:	Yes	No
Please indicate the days that they attend college/university/training programme/work placement plus start and finish times of seminars/lectures/training/placement undertaken each day.	Monday:			Monday:		
	Tuesday:			Tuesday:		
	Wednesday:			Wednesday:		
	Thursday:			Thursday:		
	Friday:			Friday:		
Name & Address of College/University/Training Provider/Work Placement attended (including postcode):						
2. Which college/sixth form/other educational institution will you be attending?						
Name of College/Sixth Form/other			Telephone number			

Address		Postcode	
Do you already attend this college?		Yes	No
Date started/date due to start			
Title of course studied/due to be studied			
Pick up / drop off address (if different to home)		Postcode	
Whose address is this?			

3. Details of Application
Please tell us why assistance is being requested, providing as much information as possible.
What prevents your parents from taking you to school or college, or making arrangements for someone else to do this?

4. Type of Travel Assistance sought					
Please tick what type of assistance is required:					
Train Pass		Personal Transport Budget			
Bus Pass		Guided Public Transport			
A Transport Vehicle (Complete all sections below)		other			
Please give your reasons for the type(s) of travel assistance requested:					
Guides are not automatically provided to accompany young people and adults to school or college. If you are asking to be transported on a transport vehicle, do you believe that a guide is required?			<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> </table>	Yes	No
Yes	No				
If yes, or you have asked for guided public transport, please tell us why you believe that a guide is required?					

Would a guide require any special training?	Yes	No
If yes, please state what training would be required?		
Are you eligible for a Post 16 Bursary?	Yes	No
Are you eligible for help from the Discretionary Learner Support Fund?	Yes	No
Do you have a Concessionary Pass to use on public transport?	Yes	No
Are you <u>only</u> applying for a Bus/Train pass?	Yes	No
If yes, you do <u>not</u> need to complete Section 3.		

5. Other Information			
Do your parents have any other children?			
Full name of all other children in your family under 16 years of age	Date of birth	Which school do they go to (including postcode)?	School start and finish times
Tell us about your special educational and/or medical needs. Do you have: (please tick or circle)			
Social, Emotional and Mental Health needs	Yes	No	
Cognition and Learning difficulties	Yes	No	
Speech, Language and Communication difficulties (including ASD)	Yes	No	
Physical difficulties	Yes	No	
Visual impairment	Yes	No	
Hearing impairment	Yes	No	
Please state any other special educational or medical needs:			
Tell us about your behaviour. Do you: (please tick or circle)			
Have any difficulty walking or using public transport due to their behaviour?	Yes	No	
Challenge Authority?	Yes	No	
Exhibit violent or aggressive behaviour?	Yes	No	
Pose any risk to other passengers (children/driver/pupil guide)?	Yes	No	

<p>If you have answered yes to any of these questions please describe these behaviours, tell us about anything that prompts you to behave in this way and anything we need to be aware of to help to prevent these behaviours?</p>		
Do you have a full statement of special educational needs or an Education Health and Care Plan (EHCP)?	Yes	No
Do you consent to the Travel Assist Service reviewing a copy of your statement or EHCP, including any assessment reports?	Yes	No
Is this college/sixth form/other educational institution named in your statement of special educational needs or EHCP because it was the school that you or your parents preferred?	Yes	No
Which school/college/sixth form/other educational institution did you last attend?		
Have you received transport assistance before? <i>If yes, please tell us below what assistance was provided</i>	Yes	No
Do you or your parents have a vehicle?	Yes	No
If yes, please provide the make and model of the car, the names of the people who are insured to drive it and details of any adaptations which have been made to the vehicle:		
How do you travel the rest of the time, i.e. when you are not travelling to college?		
Please use this space to tell us anything else that you would like taken into consideration:		
Your application should include any documents that you would like us to consider, including your EHCP or statement of special educational needs. Please list the documents that you have included with your application:		

All Recipients of travel assistance are expected to undertake independent travel training. If you do not think you should be considered for independent travel training, please explain why below:

7. Income

Are you or your parents receiving any income related benefits?

Yes

No

If **yes**, please list the benefits that you/they receive below and provide documentary evidence of your/their entitlement.

SECTION 2: RISK ASSESSMENT

IF THE COUNCIL DECIDES THAT IT IS NECESSARY TO PROVIDE TRAVEL ASSISTANCE, THE FOLLOWING INFORMATION WILL BE USED TO MAKE A RISK ASSESSMENT OF YOUR NEEDS WHEN TRAVELLING.

In order to ensure each young person can travel by the safest and most suitable form of transport we require as much information as possible. To help with this process, Travel Assist produces a Generic Home to School Transport Risk Assessment a copy of which is available from our documents webpage at www.birmingham.gov.uk/travelassist or a hard copy can be obtained from Travel Assist.

FOR SOME STUDENTS NOT ALL OF THEIR NEEDS WILL BE COVERED IN THIS ASSESSMENT AND AN INDIVIDUAL RISK ASSESSMENT IS REQUIRED. IN ORDER TO MAKE THIS DECISION PLEASE CAN YOU PROVIDE THE FOLLOWING INFORMATION:

2.1 Risk Assessment (please tick or circle)		
Do you have any emotional/behavioural/medical/life threatening medical conditions that need to be taken account of before transport would commence? If yes, please circle appropriate box(es)		
<u>Life Threatening</u>	Yes	No
If yes, please provide further information.		
<u>Behavioural</u>	Yes	No
If yes, please provide further information.		
Do you currently wear a behaviour harness	Yes	No
<u>Medical</u>	Yes	No
If yes, please provide further information.		
<u>Emotional</u>	Yes	No
If yes, please provide further information.		
Do you have any allergies. If yes, please provide details below:	Yes	No
If you have answered yes to any of the above please provide a copy of your individual Health Care Plan or where appropriate Joint Epilepsy Care Plan (dated within the last 2 years).		

SECTION 3: TRANSPORT DETAILS

You do not need to complete section 3 if you are only requesting a bus / train pass.

3.1 If you are unable to transport the young person to school / college and would like to request for specialised transport to be considered, you will need to make a contribution towards these costs. Please select and tick one of the following:		
I agree to pay a contribution of £780 towards the cost of the specialised transport for this academic year.		
<p>I agree to pay a contribution of £390 towards the cost of the specialised transport for this academic year because I, or my parents, are in receipt of:</p> <ul style="list-style-type: none"> • Income Support • Income based Job Seekers' Allowance. • Income related Employment and Support Allowance. • Support under Part VI of the Immigration and Asylum Act 1999. • The Guaranteed element of State Pension Credit. • Child Tax Credit provided they are not also entitled to Working Tax Credit and have an annual gross income of no more than £16,190. • Maximum Working Tax Credit (no reduction for income) • Working Tax Credit Run-on – paid for 4 weeks after you stop qualifying for Working Tax Credit. • The young person receives income support or income based job seekers allowance in their own right. <p><i>You must provide <u>recent</u> evidence of the benefits you receive. In the case of Tax Credit notifications, <u>all</u> pages must be provided</i></p>		
3.2 How do you want to pay?		
I wish to pay the whole amount prior to the start of the Academic year, or prior to starting on transport if applying during the academic year. You can make a payment by debit or credit card. You will be advised how to do this accordingly if assistance is agreed.		
I wish to pay on a monthly basis by direct debit. Arrangements will be made for you to be charged upon receipt of the signed direct debit mandate over an 8 month period starting from September to April. Payment of either £97.50 per month, or £48.75 per month if your family is on a low income, will be taken on the 1 st of each month and you will be advised how to do this accordingly if assistance is agreed. N.B. If your child starts on transport during the academic year then you will make fewer payments but for higher monthly amounts as full payment has to be received by 30 April.		

TRAVEL ASSIST WILL CONSIDER YOUR RESPONSES GIVEN BELOW IF YOUR CHILD IS AWARDED SPECIALISED TRANSPORT

3.3 Seating Arrangements (please tick or circle)		
Do you require a booster cushion?	Yes	No

Note: this must be provided for any young person under 1.35 metres (4'4")		
Do you need lifting into a seat?	Yes	No
If yes , please state what assistance is required?		
Do you have an exemption on medical grounds from wearing a seat belt? (If yes, please attach documents confirming the exemption)	Yes	No

3.4 Wheelchair Users Only: (please tick or circle)			
Can you walk at all?		Yes	No
Can you transfer to a seat on a vehicle?		Yes	No
If yes, do you require assistance to do this?		Yes	No
Please state what assistance is required?			
Do you need to travel in a wheelchair on the vehicle?		Yes	No
What is the make and model of the wheelchair?			
Is the Wheelchair:	Folding	Non-folding	Electric
What is the dimension (in centimetres) of the wheelchair when in use?	Length	Width	Height

SECTION 4: DECLARATION

Please read the following declaration. We will not process your application for support if you do not sign and date the declaration.

The information I have given on this form is complete and accurate. I will inform you immediately of any change in circumstances which might affect any entitlement to travel assistance. I understand that if I give you false information, or fail to give complete information the Council may take action against me. I will write and tell you immediately if I/the young person leaves or transfers to a different educational setting.

If financial assistance is provided to me or on my behalf, and if, for whatever reason, an amount which is more than I am entitled to, I will pay back any amount in excess of my entitlement.

Your signature:	Date:
Parent/Carer 1 signature:	Date:
Parent/Carer 2 signature:	Date:

Privacy Notice under the General Data Protection Regulation (GDPR) (EU) 2016/679

The information you have provided on this form will be used by Birmingham City Council in accordance with the General Data Protection Regulation and any successor legislation to the GDPR or the Data Protection Act 1998.

The information will be used in accordance with the Education Transport Policy and for the purpose of processing applications for pupils travel assistance as required to fulfil the Council's duties under legislation, statutory or contractual requirement or obligation.

This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form within this authority for the prevention and detection of fraud. It may also share this information with external organisations whose business it is to assist in the service delivery of transport solutions to eligible students and with the Department of Education for statistical purposes only. The personal data is not shared with anyone else and will never be disclosed for marketing purposes.

The information contained on this application form will be retained until your child no longer requires travel assistance provided by the Council and then for a further 90 days from the date that travel assistance ceases and shall be processed in adherence to your legal rights, which are set out in our privacy notice which can be found at: www.birmingham.gov.uk/privacy. Your personal data will be stored and used in accordance with this Policy. Should you require a hard copy of our privacy statement then please contact our Data Protection Officer on 0121 303 4955.

SECTION 5: For Completion by College / SENAR only

5.1 Tell us about the Course				
Full Course Title <i>If 'A' Levels please list all subjects</i>		Start date		
		Finish date		
		Placement		
Is the course full time? <i>(The Course must be a minimum of 450 guided hours of study, approximately 12 guided hours per week)</i>			Yes	No
Is this a special needs course?			Yes	No
Is this the nearest school/college to the family's home that provides the course?			Yes	No
<p>If no, please state the reasons why the young person is attending this school / college. Attach supporting evidence where necessary.</p> 				

5.2 Tell us about the School / College				
Name of school / college contact		Tel No		
Email address		School / college start time		
Date Transport is required to start		School / college Finish time		
Does the school / college currently receive a home to school transport service?			Yes	No
Is the pupil a new starter?			Yes	No
<p>If no, please state why a transport request has not been submitted in the past</p> 				

Which days will the student attend college/school?					
	Monday	Tuesday	Wednesday	Thursday	Friday
AM					
PM					

What type of transport / seat is required? (Please circle or tick)			
Car	Black Cab	Mini Bus	Wheelchair Accessible vehicle
Booster Cushion	Child Safety Seat	Postural Harness	Harness for Challenging Behaviour*
* written parental permission is required (please contact the Education Transport Service for further details)			
If student is residential please state what placement is being paid for e.g. 52 week/termly/weekly/other			

SECTION 7: DECLARATION SCHOOL / COLLEGE / SENAR

I certify that the details included on this form, including sections completed by parent / carer are correct to the best of my knowledge.	
School/College Representative / SENAR signature:	Print name:
Position:	Date:
<p>Please note a minimum of 15 working days is required from receipt of this form to make an assessment of this application. If a Pupil Guide is required or it is necessary to request specialised information concerning a pupil, extra time may be necessary for arrangements to be made.</p> <p>Pupils will be transported by the most efficient and cost effective transport option available in consideration of their individual needs and information obtained from their EHC Plan.</p>	

Please email this form to: travelassist@birmingham.gov.uk or return it to the following address: Travel Assist, PO Box 16541, Birmingham, B2 2DD

Appendix 2

Travel Support available from schools and further education institutions

The following is a list of sources of travel support available through schools and further education institutions. Enquiries and applications in respect of these should be made through the young person's school or institution.

16-19 Bursary Fund

Help is available for the most vulnerable 16 - 19 year olds to continue in full-time education or training after 16. Young people can apply to their school or college or training provider for the new 16 -19 Bursary Fund.

The scheme is made up of two parts – a guaranteed payment to a small group of the most vulnerable and a discretionary fund for schools and colleges to distribute. Guaranteed bursaries of £1,200 a year will be paid to the most vulnerable groups.

This includes young people in care, care leavers; young people claiming Income Support or Universal Credit, disabled young people in receipt of Employment Support Allowance and Disability Living Allowance.

The second element of the scheme enables schools and colleges to award discretionary bursaries to any students who face genuine financial barriers to participation, such as the costs of transport, meals, books and equipment etc.

Schools and colleges set their own eligibility criteria, decide on how much is paid and set their own conditions for students to meet in order to receive a bursary, for example, linked to behaviour or attendance.

Further information about the 16 -19 Bursary Scheme can be found at: www.gov.uk/1619-bursary-fund

Care to Learn

Care to Learn provides financial support to young parents who want to continue their education or training and need support with the cost of their childcare, and associated travel. Care to Learn pays up to £160 per child per week to the childcare provider.

Further details can be obtained on Tel no 0800 121 8989 or visit www.gov.uk/care-to-learn

Dance and Drama Awards

DADA are scholarships that offer greatly reduced tuition fees, and income-assessed support with living and learning costs, at some of the leading independent dance and drama schools in England.

The awards give learners the chance to compete for a high quality training place. They are offered to learners by the school on the basis of talent demonstrated at audition and not financial circumstances, and provide high quality training for people who want to directly enter the profession.

Further details can be obtained on Tel no 0800 121 8989 or visit www.gov.uk/dance-drama-awards

Residential Support Scheme

The Residential Support Scheme provides help with the accommodation costs of learners aged 16 and over, who need to live away from home to study because their course is not available locally. It covers Education Fund Agency and Skills Funding Agency Learner Support Responsive funded

courses which must require more than 16 hours attendance per week and be of at least 10 weeks duration. The course must be of a first level 2 or level 3 qualification.

Further information can be obtained from the national helpline on Tel No 0800 121 8989 or visit: www.gov.uk/residential-support-scheme

Appendix 3

Travel concessions which may be available

Public Transport Assistance

Birmingham has a comprehensive public transport network which includes buses, trains and metro. Network West Midlands is the new name that connects all public transport in the West Midlands metropolitan area. This includes Birmingham, Dudley, Coventry, Sandwell, Solihull, Walsall and Wolverhampton. It clearly identifies the complete network of bus, train and metro services.

Further information can be found at: www.networkwestmidlands.com

Network West Midlands, the West Midlands Integrated Transport Authority, is responsible for promoting and developing public transport across the West Midlands metropolitan area. They co-ordinate local transport information for Birmingham and publish bus timetables. This includes the Network West Midlands Map and Guide to Public Transport in Birmingham.

The Birmingham map shows all bus operators, routes, rail and metro services and the frequency of bus services. The bus map is available online at:

<http://www.networkwestmidlands.com/Maps/maps-home.aspx>

A journey planner is also available on line at: www.networkwestmidlands.com or via the free NetNav and Net WM App's.

The majority of school journeys that are made by bus use public operated transport, although there are a number of special bus services procured directly by schools or run commercially and some dedicated bus services run by private operators. The Network West Midlands Sustainable Travel Team informs individual schools and Council School Travel Advisers within the West Midlands when school specific buses are being withdrawn or of any changes in timings of which they are aware.

Network West Midlands's Sustainable Travel Team work with schools in Birmingham to assist with the public transport elements of school travel plans and promote sustainable travel. The support offered includes the following:

- Year 6 transition workshops
- Special Needs School Travel Training Workshops and hire of Resources
- <http://futuretravel.org.uk> is an interactive web site with downloadable teacher notes, lesson plans and worksheets suitable for key stages 1 - 3.
- Bespoke public transport packs
- Journey planning advice
- Dedicated Education officers
- Travel awareness sessions & route planning for pupils and staff
- Advice on public transport aspects of travel plans.
- Liaison on behalf of school with transport operators to ensure services are running at appropriate times.
- Bus behaviour issues
- Attend events to promote public transport and sustainable travel.

Network West Midlands works in partnership with the Safer Travel Police Team, West Midlands Local Authorities and Transport Operators. Within local authorities Network West Midlands liaise with School Travel Advisers, TravelWise Officers and Post-16 Transport Partnership Groups.

Network West Midlands – 16 - 18 Photocard

There is an extensive public transport network of buses, trains and metro in the Birmingham area. Students aged 16-18 (Years 12 & 13) and in full-time education (minimum 12 hours per week) can

purchase a '16 - 18 Photocard' (valid for one academic year). It costs £10 and is available through an online application process at www.networkwestmidlands.com/16-18.

Unique Validation Codes (UVC's) are only available from the student's school or college and these are required to successfully apply for a 16-18 Photocard. Information is available from **Network West Midlands ticketing on 0345 303 6760**.

The photocard card entitles the student to pay child fares (approximately half adult cash fares) to and from school or college on buses, trains and trams within the West Midlands area and also allows students to purchase child rate weekly, 4 weekly, Direct Debit and term season tickets. This concession is funded by Network West Midlands.

Applications for the Network West Midlands 16 – 18 photocard can now only be made online. A Unique Validation Code is required with every application and these are only available from the school or college the student will be attending. Students cannot apply for one until they enrol. At peak times (the start of the academic year) it normally takes ten working days for the photocard to be returned.

Direct Debit and season tickets may be purchased as soon as they go on sale and used until 30th September without a photocard. The photocard must be in place by 1st October to continue to use the pass.

IMPORTANT: Applications for a 16 - 18 photocard received from students who are not eligible due to their age, 18 or over by 1st September of the current academic year or because they do not meet the residence criteria may forfeit the £10 fee. Refunds will only be given at the discretion of Network West Midlands.

The 16 - 18 Photocard is valid during the following times:

16 - 18 Photocard and Cash Fare	Monday to Friday term time only and journeys to / from the school or college only. From start of daytime services to the learning provider before 0930 and from 1530 until 1800 and, if in connection with the school or college curriculum, outside these times.
16 - 18 Photocard and NX West Midlands Scholar's Ticket	Scholar's tickets are not available for retail sale but may be provided for those students with Learning Difficulties and / or Disabilities from the Local Authority and are only valid on National Express West Midlands services. Monday to Friday term time only and journeys to/from the school or college only. From start of daytime services to before 0930 and from 1530 to before 1800 and, if in connection with the school or college curriculum, any time up to 2215.
16 - 18 Photocard and Network Scholar Season Ticket	As above but valid on any operator's bus and train and Metro within the West Midlands County.
16 - 18 PHOTOCARD AND TERM NETWORK	ON SALE 3 TIMES PER YEAR, USUALLY AUGUST, MARCH / APRIL AND DECEMBER, 3 COVER A FULL YEAR. VALID ON ANY BUS, TRAIN OR METRO WITHIN THE WEST MIDLANDS COUNTY. 16 - 18 PHOTOCARD WITH CHILD RATE SEASON TICKETS ARE VALID WHENEVER THE TICKETS ARE VALID INCLUDING WEEKENDS AND HOLIDAYS.

16 - 18 PHOTOCARD AND
TERM NETWORK BY
DIRECT DEBIT
(N RAIL FOR CHILD TRAIN
ONLY TRAVEL AND N BUS
FOR CHILD ALL
OPERATOR BUS TRAVEL
IS ALSO AVAILABLE FROM
NETWORK WEST
MIDLANDS DIRECT
DEBIT)

VALIDITY AS ABOVE PLUS RAIL ADD-ON AVAILABLE FROM STATIONS OUTSIDE THE WEST MIDLANDS. DIRECT DEBIT OFFERS GREAT SAVINGS AND FLEXIBILITY AS THE TICKET IS VALID ALL DAY, EVERY DAY AND DURING SCHOOL HOLIDAYS. TICKETS START ON THE 1ST OF EACH MONTH AND YOU CAN NOW BUY YOUR FIRST MONTHS TICKET USING A DEBIT AND CREDIT CARD WHILE YOUR APPLICATION IS BEING PROCESSED. 10 MONTHLY PAYMENTS ARE MADE FOR 12 MONTHS TRAVEL AND TICKETS ARE DELIVERED BY POST EACH MONTH. THESE TICKETS CAN BE USED UNTIL 1ST OCTOBER WITHOUT A VALID 16-18 PHOTOCARD AFTER THAT A VALID 16-18 PHOTOCARD MUST BE USED WITH THIS TICKET.

**CONTACT NETWORK WEST MIDLANDS DIRECT SALES TEAM ON 0121 214 7550 OR VISIT
WWW.NETWORKWESTMIDLANDS.COM/DIRECTDEBIT**

16 - 18 PHOTOCARD AND
NX WEST MIDLANDS
TERM PLUS

On sale 3 times per year usually August, March / April and December, 3 cover a full year. Can be used all day, every day on all National Express West Midlands bus services during its validity, including weekends, evenings and relevant holidays.

Can usually be purchased in August without a valid 16 - 18 Photocard providing person is eligible for and obtains one no later than 1st October in relevant year. **Tel no: 0121 254 6363 for confirmation.** Not valid on certain special services.

Network West Midlands Free Travel Pass (for people with eligible disabilities)

Network West Midlands organises travel concessions for people with certain eligible disabilities. It is available to all age groups 5 upwards providing they are a permanent resident of the West Midlands. A free permit is provided for use on bus, rail and Midland Metro services valid at the following times:

Mondays to Fridays	0930hrs to end of daytime service
Weekends and Bank Holidays	Anytime

Further details can be obtained on Tel no 0121 214 7550 or web site
www.networkwestmidlands.com

There is also a free 'add-on' ticket for those young people between the ages of 16 to 18 years which is available to those in education and receiving the above travel concession. This add-on allows travel before 9.30am on bus, rail and metro services in the West Midlands.

You must be studying for more than 16 hours per week to qualify for this free 'add-on' ticket. Unique Validation Codes (UVC's) are only available from the student's school or college and these are required to successfully apply for a free 'add-on' ticket.

Further information about the 'add-on' ticket is available from Network West Midlands Ticketing on 0345 303 6760.

National Express West Midlands – Travel Cards and Term Plus

NATIONAL EXPRESS WEST MIDLANDS OFFERS A WHOLE RANGE OF PRODUCTS SUITABLE FOR YOUNG PEOPLE BETWEEN THE AGES OF 16 -18, PROVIDING THEY QUALIFY FOR AND OBTAIN A NETWORK WEST MIDLANDS 16 -18 PHOTOCARD. THERE IS ALSO A DIRECT DEBIT OPTION THAT DOES NOT REQUIRE A NETWORK WEST MIDLANDS 16 -18 PHOTOCARD, BUT PROOF FROM THE STUDENT'S SCHOOL/COLLEGE THAT THEY ARE IN FULL TIME EDUCATION IS REQUIRED.

TRAVEL CARDS

The National Express West Midlands products available are 1 week and 4 week travel cards and Term Plus. These travel cards can be used all day, everyday on all Travel West Midlands buses during their validity, as many times as required. Term Plus is available by Direct Debit you can apply to join the scheme whenever you wish.

Further details can be obtained on 0121 254 6363 or web site www.nxbus.co.uk/west-midlands for Direct Debit information call 0121 254 6322.

For timetable information call Traveline 0871 200 22 33.

FOR FULL DETAILS ON THE TYPES OF PASSES THAT CAN BE PURCHASED PLEASE GO TO THE NETWORK WEST MIDLANDS WEB SITE: WWW.NETWORKWESTMIDLANDS.COM AND THE NATIONAL EXPRESS WEST MIDLANDS WEB SITE: WWW.NXBUS.CO.UK/WEST-MIDLANDS

NETWORK WEST MIDLANDS ALSO HAS AN INTERNET JOURNEY PLANNER AVAILABLE AT ITS WEB SITE WHICH ENABLES STUDENTS TO SEE WHICH PUBLIC TRANSPORT ROUTES THEY WOULD NEED TO USE TO TRAVEL FROM HOME TO THE SCHOOL OR COLLEGE THEY ARE ATTENDING. THE NEW NETNAV AND NET WM JOURNEY PLANNING APPLICATIONS ARE NOW AVAILABLE THROUGHOUT THE WEST MIDLANDS.

WEST MIDLANDS SPECIAL NEEDS TRANSPORT LTD (WMSNT) – RING AND RIDE

WMSNT is the largest, non-statutory, accessible passenger transport provider of its kind not only in the West Midlands but also the world. It operates a range of services all focussing on the needs of people with limited mobility in the West Midlands urban area.

These include Ring and Ride, a door to door bus service for people unable to use mainstream public transport provision. Ring and Ride is aimed at meeting individual travel needs, enabling people to maintain their independence whilst being supported by appropriately trained driving staff throughout their journey.

It also has a contracts division which currently provides complete home to school transport solutions for eleven special needs schools in Birmingham plus a number of smaller contracts at other similar schools. In addition to home to school, it also provides transport for activities during and also outside the school day.

All **WMSNT's** activities are supported by its own training department which is an NVQ approved body as well as being certified to provide RoSPA Advanced Driver Training. It also provides external training including pupil guides for Birmingham Local Authority and also registered taxi drivers for Coventry City Council. As a registered Charity, with 30 years of specialist experience, recently recognised by the DfT “....as best practice for home to school transport in the UK”, **WMSNT** offers cost effective, “not for profit” transport solutions to include and beyond the statutory obligation to get children to and from school.

Further details can be obtained from Sue Cozens, Operations Manager on 0121 327 8128 or email: sue.cozens@wmsnt.org

School Travel Plans

The Birmingham City Council Sustainable Modes of Travel Strategy sets out how Birmingham will develop and promote sustainable travel within the city, so that the needs of children and young people are better catered for. It has four main objectives:

- Increase the use of sustainable travel on the school journey
- Work with all Birmingham Schools to develop and implement a school travel plan
- Provide infrastructure to support sustainable travel

- Take a partnership approach to sustainable travel to school issues

In 2015 the Council adopted Modeshift STARS (MSS) a sustainable travel online tool which is a nationally accredited awards scheme that supports schools in the promotion of active, sustainable and safe travel. The online tool is provided, maintained and endorsed by the Department for Transport (DfT) and is included in their Cycling and Walking Investment Strategy (CWIS). This scheme is the only national accreditation scheme for rewarding sustainable School Travel Plans.

Whilst the online tool is universally available to schools, the 'self-service' nature of Modeshift STARS enables schools to achieve a national school award that demonstrate excellence in supporting road safety, cycling and walking.

Most Birmingham schools have a School Travel Plan (STP) and the Council is encouraging schools to review their travel plan using Modeshift STARS with the aim of achieving either a Bronze, Silver or Gold accreditation.

When signing schools up to Modeshift STARS and developing activities/initiatives with schools this will be co-ordinated with existing delivery programmes. All these delivery programmes are linked to the accreditation process and address low activity levels and high incidence of obesity in Birmingham's school children along with tackling local traffic congestion and reducing road accidents.

School Travel Plans help improve the fitness of children by setting targets aiming for the increased of walking and cycling and enhance parent and child interaction. They can ease traffic congestion and pollution around schools by reducing the number of vehicles arriving at the beginning and end of the school day. Additionally, they can draw attention to local issues of road safety and are used to support requests for highway improvements.

The Council can support schools with resources to help promote sustainable travel and the first step towards this is for schools to sign up to Modeshift STARS www.modeshiftstars.org. The Council will then work with schools to start the process of reviewing their plan.

For more information, please contact the Transportation Behaviour Change Team by emailing connected@birmingham.gov.uk or call 0121 303 1873.

Contacts:

Children and Young People

Travel Assist Service
PO Box 16541
Birmingham
B2 2DD

Email: travelassist@birmingham.gov.uk

Telephone: 0121 303 4955

Website: www.birmingham.gov.uk/travelassist

16-19 Bursary Fund

Telephone: 0300 303 8610 web site: www.gov.uk/1619-bursary-fund

Care to Learn

Telephone: 0300 303 8610 web site: www.gov.uk/care-to-learn

Dance and Drama Awards

Telephone: 0300 303 8610 web site: www.gov.uk/dance-drama-awards

Residential Support Scheme

Telephone: 0300 303 8610 web site: www.gov.uk/residential-support-scheme

Network West Midlands website: www.networkwestmidlands.com or telephone 0345 303 6760

Travel West Midlands web site: <http://nxbus.co.uk/west-midlands/>

Appendix 4

Birmingham Schools, Academies and Free Schools with Sixth Forms

(In alphabetical order)

Archbishop Ilsey Catholic Technology College and Sixth Form Centre
Victoria Road, Acocks Green B27 7XY
Tel 0121 706 4200

Arthur Terry School
Kittoe Road, Sutton Coldfield, B74 4RZ
Tel 0121 323 2221

Aston Manor Academy
Phillips Street, Aston, B6 4PZ
Tel 0121 359 8108

Aston University Engineering Academy
1 Lister Street, B7 4AG
Tel 0121 380 0570

Baskerville School
Fellow Lane, Harborne, B17 9TS
Tel 0121 427 3191

Baverstock Foundation School and Specialist Sports College
501 Bells Lane, Kings Heath, B14 5TL
Tel 0121 430 7924

Bishop Challoner Catholic College
Institute Road, Kings Heath, B14 7EG
Tel 0121 444 4161

Bishop Vesey's Grammar School
Lichfield Road, Sutton Coldfield B74 2NH
Tel 0121 250 5400

Bishop Walsh Catholic School
Wylde Green Road, Sutton Coldfield, B76 1QT
Tel 0121 351 3215

Bordesley Green Girls' School and Sixth Form
Bordesley Green Road, Bordesley, B9 4TR
Tel 0121 464 61010

Braidwood School for the Deaf
Bromford Road, Hodge Hill, B36 8AF
Tel 0121 464 5558

Broadway Academy
The Broadway, Perry Barr, B20 3DP
Tel 0121 566 4334

Calthorpe Academy
Darwin Street, Highgate, B12 0TT
Tel 0121 773 4637

Cockshut Hill Technology College
Cockshut Hill, Yardley, B26 2HX
Tel 0121 464 2122

Colmers School and Sixth Form
Bristol Road South, B45 9NY
Tel 0121 453 1778

Dame Elizabeth Cadbury Technology College
Woodbrooke Road, Bournville, B30 1UL
Tel 0121 464 4040

Fairfax School
Fairfax Road, Sutton Coldfield, B75 7JT
Tel 0121 378 1288

Fox Hollies School
Highbury Campus,
Queensbridge Road, B13 8QB
Tel 0121 464 6566

George Dixon Academy
Portland Road, B16 9GD
Tel 0121 566 6565

Great Barr School
Aldridge Road, Great Barr, B44 8NU
Tel 0121 366 6611

Greenwood Academy
Farnborough Road, B35 7NL
Tel 0121 464 6101

Hallmoor School
Hallmoor Road, Kitts Green, B33 9QY
Tel 0121 783 3972

Hamstead Hall Academy
Craythorne Road, Handsworth Wood, B20 1HL
Tel 0121 386 7510

Handsworth Grammar School
Grove Lane, Handsworth, B21 9ET
Tel 0121 554 2794

Handsworth Wood Girls' Academy
Church Lane, Handsworth Wood, B20 2 HH
Tel 0121 554 8122

Harborne Academy
Harborne Road, Edgbaston, B15 3JL
Tel 0121 464 2737

Heartlands Academy
Gt. Francis Street, Nechells, B7 4QR
Tel 0121 464 3931

Hillcrest School and Sixth Form Centre
Stonehouse Lane, Bartley Green, B32 3AE
Tel 0121 464 3172

Holte School
Wheeler Street, Lozells B19 2EP
Tel 0121 566 4370/4371

Holyhead School
Milestone Lane, Soho, B21 0HN
Tel 0121 378 1946

John Wilmott School
Reddicap Heath Road, Sutton Coldfield, B75 7DY
Tel 0121 378 1946

King Edward VI Aston School (Academy)
Frederick Road, Aston, B6 6DJ
Tel 0121 327 1130

King Edward VI Camp Hill School for Boys (Academy)
Vicarage Road, Kings Heath, B14 7QJ
Tel 0121 444 3188

King Edward VI Camp Hill School for Girls (Academy)
Vicarage Road, Kings Heath B14 7QJ
Tel 0121 444 2150

King Edward VI Five Ways School (Academy)
Scotland Lane, Bartley Green, B32 4BT
Tel 0121 475 3535

King Edward VI Handsworth School (Academy)
Rose Hill Road, Handsworth, B21 9AR
Tel 0121 554 2342

King Edward VI Sheldon Heath Academy
Sheldon Heath Road, Sheldon, B26 2RZ
Tel 0121 464 4428

Kings Norton Boys School
Northfield Road, Kings Norton, B30 1DY
Tel 0121 628 0010

Kings Norton Girls School and Sixth Form College (Academy)
Selly Oak Road, Kings Norton, B30 1HW
Tel 0121 675 1305

Lordswood Boys School and Sixth Form Centre (Academy)
Hagley Road, Harborne, B17 8BJ
Tel 0121 464 2837

Lordswood Girls School and Sixth Form Centre (Academy)
Knightlow Road, Harborne, B17 8QB
Tel 0121 429 2838

Mayfield School
Wheeler Street,Lozells, B19 2EP
Tel 0121 523 7321

Moseley School
College Road, Moseley, B13 9UU
Tel 0121 566 6444

Nishkam High School
Great North Street North,Hockley,B19 2LF
Tel 0121 348 7660

North Birmingham Academy
395 College Road, Erdington, B44 OHF
Tel No 0121 373 1647

Oscott Manor School
Old Oscott Hill, Kingstanding, B44 9SP
Tel 0121 360 8222

Perry Beeches II: the Free School
156 Newhall Street, B3 1SJ
Tel 0121 270 8090

Perry Beeches III: the Free School
23 Langley Walk, B15 2EF
Tel 0121 647 2760

Perry Beeches IV: the Free School
St Georges Court, 1 Albion Street, B1 3AH
Tel 0121 647 2760

Plantsbrook School (Academy)
Upper Holland Road, Sutton Coldfield, B72 1RB
Tel 0121 362 7310

Priestley Smith School
Perry Beeches Campus, Beeches Road, B42 2PY
Tel 0121 325 3900

Queensbury School
Wood End Road, Erdington, B24 8BL
Tel 0121 373 5731

Selly Oak Trust School
Oak Tree Lane, Selly Oak, B29 6HZ
Tel 0121 472 0876
Shenley Academy
Shenley Lane, Northfield. B29 4HE
Tel 0121 464 5191

Small Heath School and Sixth Form Centre
Muntz Street, Small Heath, B10 9RX
Tel 0121 464 7997

St Alban's Academy
Conybere Street, Highgate, B12 OYH
Tel 0121 446 1300

St Edmund Campion Catholic School
Sutton Road, Erdington, B23 5XA
Tel 0121 464 7700

St John Wall Catholic School
Oxhill Road, Handsworth, B21 8HH
Tel 0121 554 1825

St Paul's Catholic School for Girls
Vernon Road, Edgbaston, B16 9SL
Tel 0121 454 0895

St Thomas Aquinas Catholic School
Wychall Lane, Kings Norton B38 8AP
Tel 0121 464 4643

Sutton Coldfield Grammar School for Girls (Academy)
Jockey Road, Sutton Coldfield, B73 5PT
Tel 0121 354 1479

Swanshurst School
Brook Lane, Billesley, B13 OTW
Tel 0121 464 2400

The Birmingham Ormiston Academy
1 Grosvenor Street, B4 7QD
Tel: 0121 359 9300

Uffculme School, Post 16
40 Russell Road, Moseley, B13 8RE
Tel 0121 464 5250

University of Birmingham School and Sixth Form College (Free School)
Weoley Park Road, Selly Oak, B29 6QU
Tel 0121 424 4858

Victoria School
Bell Hill, Northfield, B31 1LD
Tel 0121 476 9478

Washwood Heath Academy
Burney Lane, B8 2AS
Tel 0121 675 7272
Waverley School
Yardley Green Road, Small Heath, B9 5QA
Tel 0121 566 6600

Waverley Studio College
470 Belchers Lane, B9 5SX
Tel 0121 566 6622

Wilson Stuart School (Academy)
Perry Common Road, Erdington B23 7AT
Tel 0121 373 4475

Birmingham Colleges

Birmingham City University
Perry Barr, Birmingham, B42 2SU
Tel 0121 **331 5595 / 5000**
Web site: www.bcu.ac.uk

Birmingham Institute of Art and Design
Birmingham City University
Gosta Green, Corporation Street B4 7DX
Tel 0121 331 5800
Web site: www.bcu.ac.uk

Birmingham Metropolitan College - Matthew Boulton Campus
Jennens Road, Birmingham B4 7PS
Tel 0845 155 0101
Web site: www.bmetc.ac.uk

Birmingham Metropolitan College - Sutton Campus
Lichfield Road, Sutton Coldfield B74 2NW
Tel 0845 155 0101
Web site: www.bmetc.ac.uk

Birmingham Metropolitan College – James Watt Campus
Aldridge Road, Birmingham B44 8NE
Tel 0845 155 0101
Web site: www.bmetc.ac.uk

Bournville College of Further Education
Longbridge Lane, Longbridge B31 2AJ
Tel 0121 477 1300
Web site: www.bournville.ac.uk

Cadbury College
Downland Close, Off Redditch Road, Kings Norton B38 8QT
Tel 0121 458 3898
Web site: www.cadcol.ac.uk

Joseph Chamberlain Sixth Form College
1 Belgrave Road, Highgate B12 9FF
Tel 0121 446 2200
Web site: www.jcc.ac.uk

Mander Portman Woodward College
17-18 Greenfield Crescent, Edgbaston, B15 3AU
Tel 0121 454 9637
Web site: www.mpw.ac.uk/locations/birmingham

Queen Alexandra College
Court Oak Road, Harborne, B17 9TG
Tel 0121 428 5050
Web site: www.qac.ac.uk

South & City College – Bordesley Green Campus
300 Bordesley Green, Birmingham B9 5NA
Tel 0800 111 6311
Web site: www.sccb.ac.uk

South & City College – Digbeth Campus, Fusion Centre & Women's Enterprise Hub
High Street, Deritend, B5 5DY
Tel 0800 111 6311
Web site: www.sccb.ac.uk

South & City College – Golden Hillock Women's Centre
103-105 Golden Hillock Road, Small Heath, B10 0DP
Tel 0800 111 6311
Web site: www.sccb.ac.uk

South & City College – Hall Green Campus
Colebank Road, Hall Green B28 8ES
Tel 0121 694 5002
Web site: www.sccb.ac.uk

South & City College – Handsworth Campus
The Council House, Soho Road, Handsworth B21 9DP
Tel 0800 111 6311
Web site: www.sccb.ac.uk

Trinity Specialist College
Lindridge Farm, Lindridge Road, B75 7JB
Tel 0121 378 3242
Web site: www.trinityspecialistcollege.co.uk

University College Birmingham
Summer Row B3 1JB
Tel 0121 604 1000
Web site: www.ucb.ac.uk

APPENDIX 5

TRAVEL CONCESSIONS AND OTHER SOURCES OF SUPPORT

1. Support available for access to further education institutions

The following is a list of sources of support that may be available through further education institutions. Enquiries and applications in respect of these should be made through the adult's education institution or directly to the provider.

Personal Independence Payment

This payment helps with extra costs caused by long-term ill health or a disability if you are aged 16-64. This includes a Daily Living as well as a mobility component.

Disabled Student's Allowances

Disabled Students' Allowances (DSAs) are paid on top of your other student finance. They help you pay the extra costs you may have because of your disability. They don't have to be repaid.

You can get help with the costs of:

- specialist equipment, e.g. a computer if you need one because of your disability
- non-medical helpers
- extra travel because of your disability
- other disability-related costs of studying

Higher Rate Mobility Component of Disability Living Allowance (HRMC DLA)

This allowance is provided by the [Department for Work and Pensions \(DWP\)](#) and can be used to cover the cost of a lease agreement with Motability Operations Ltd. As of 12 April 2017, this allowance is £58.00 per week. To lease a car through the Motability Scheme, you must have at least 12 months' award length of the HRMC DLA remaining.

Enhanced Rate Mobility Component of Personal Independence Payment (ERMC PIP)

As part of its welfare reform programme, the Government has started to replace Disability Living Allowance (DLA) with a new benefit called [Personal Independence Payment \(PIP\)](#) for disabled people aged between 16 and 64. The Motability Scheme works with PIP in the same way as it does with DLA. For more information, go to dwp.gov.uk/pip. As of 12 April 2017, this allowance is £58.00 per week.

Ring and Ride

Ring and Ride is a door to door service for anyone living in the West Midlands that struggles to use conventional transport.

The service is ideal for disabled people who want the convenience of a door to door service. It operates 6 days a week from 8am to 10.30pm. This service is subsidised by Birmingham City Council.

Adult Learning Grant (ALG) for students who are 19+

To get ALG, you need to be 19 or over, and studying in England. Whether you are eligible also depends on the course you are taking, and your income. Applications can be made at the start of the course at the following contacts:

Telephone: 0800 121 8989. **Website:** www.direct.gov.uk

Care to Learn

Care to Learn provides financial support to young parents who want to continue their education or training and need support with the cost of their childcare, and associated travel. Care to Learn pays up to £160 per child per week to the childcare provider.

Telephone: 0800 121 8989. **Website:** www.gov.uk/care-to-learn

Residential Support Scheme

The Residential Support Scheme provides help with the accommodation costs of learners aged 16 and over, who need to live away from home to study because their course is not available locally. It covers Education Funding Agency and Skills Funding Agency Learner Support Responsive funded courses which must require more than 16 hours attendance per week and be of at least 10 weeks' duration. The course must be of a first level 2 or level 3 qualification.

Telephone: 0800 121 8989. **Website:** www.gov.uk/residential-support-scheme

2. Travel concessions which may be available

Public Transport Assistance

Birmingham has a comprehensive public transport network which includes buses, trains and metro. Network West Midlands is the new name that connects all public transport in the West Midlands metropolitan area. This includes Birmingham, Dudley, Coventry, Sandwell, Solihull, Walsall and Wolverhampton. It clearly identifies the complete network of bus, train and metro services.

Website: www.networkwestmidlands.com

The West Midlands Combined Authority is responsible for promoting and developing public transport across the West Midlands metropolitan area. They co-ordinate local transport information for Birmingham and publish bus timetables. This includes the Network West Midlands Map and Guide to Public Transport in Birmingham.

The Birmingham map shows all bus operators, routes, rail and metro services and the frequency of bus services. The bus map is available online at:
<http://www.networkwestmidlands.com/Maps/maps-home.aspx>

A journey planner is also available on line at: www.networkwestmidlands.com or via the free NetNav and Net WM Apps.

The English National Concessionary Pass (for people with eligible disabilities)

The English National Concessionary Pass gives disabled people free travel by bus anywhere in England during off-peak times – between 9:30am and 11:00pm Monday to Friday and all day at weekends and on public holidays.

Residents of the West Midlands are also entitled to free train and Metro travel during these times. A pre 9:30am enhancement will be added to the concessionary card of eligible applicants aged 5-15 and those aged 16-18 in full time education. The enhancement is valid until the 31st August of the academic year the applicant turns 18. This will allow for travel before 9:30am.

You can apply for The English National Concessionary Pass by accessing the following link:
<https://www.networkwestmidlands.com/tickets-and-passes/disabled-persons-pass/>

TRAVEL CARDS

The National Express West Midlands products available are 1 week and 4 week travel cards and Term Plus. These travel cards can be used all day, everyday on all Travel West Midlands buses during their validity, as many times as required. Term Plus is available by Direct Debit you can apply to join the scheme whenever you wish.

Telephone: 0121 254 6363. **Website:** www.nxbus.co.uk/west-midlands

For timetable information call TraveLine on: 0871 200 22 33.

FOR FULL DETAILS ON THE TYPES OF PASSES THAT CAN BE PURCHASED PLEASE GO TO:

NETWORK WEST MIDLANDS WEB SITE: WWW.NETWORKWESTMIDLANDS.COM; **AND**

NATIONAL EXPRESS WEST MIDLANDS WEB SITE: WWW.NXBUS.CO.UK/WEST-MIDLANDS

NATIONAL EXPRESS WEST MIDLANDS ALSO HAS A JOURNEY PLANNER AVAILABLE ON ITS WEBSITE WHICH ENABLES STUDENTS TO SEE WHICH PUBLIC TRANSPORT ROUTES THEY WOULD NEED TO USE TO TRAVEL FROM HOME TO THE SCHOOL OR COLLEGE THEY ARE ATTENDING. THE NEW NETNAV AND NET WM JOURNEY PLANNING APPLICATIONS ARE NOW AVAILABLE THROUGHOUT THE WEST MIDLANDS.

Contacts:

Travel Assist, People Directorate, PO Box 16541, Birmingham, B2 2DD

Telephone: 0121 303 4955. Website: www.birmingham.gov.uk/school-travel

Adult Learning Grant (ALG):

Telephone: 0800 121 8989. Website: www.direct.gov.uk

Care to Learn

Telephone: 0300 303 8610. Website: www.gov.uk/care-to-learn

Department for Education

Telephone: 0800 121 8989.

Website: www.direct.gov.uk/en/EducationAndLearning/14To19/MoneyToLearn

National Express West Midlands, 51 Bordesley Green, Birmingham, B9 4BZ

For live chat tweet: @nxwestmidlands. Website: <http://nxbus.co.uk/west-midlands>

Residential Support Scheme

Telephone: 0300 303 8610. Website: www.gov.uk/residential-support-scheme

West Midlands Combined Authority, PO BOX 9421, Birmingham, B13 3TR:

Telephone: 0345 303 6760. Website: www.networkwestmidlands.com

Draft Policy – Main Changes

The following list summarises the main changes proposed in the new draft policy:

- **Combining the two existing, and one draft, policies into a single 0 – 25 policy:**

Currently the Council has a policy for its eligible compulsory school aged children, another for young people of sixth form age and a draft policy for young adults aged over 19. The new policy will be a single point of reference for applicants of all ages and stages of education.

- **Explaining the Council's policy relating to applications from children below compulsory school age**

The Local Authority does not have, and is not legally required to have, a policy or offer travel assistance to pupils who are below compulsory school age. However, due to the increased number of applications from pupils in this age group who are being placed at special nurseries named in Education, Health and Care Plans, it has become necessary to explain that the Local Authority will not routinely provide transport assistance to this group and will charge parents where transport is provided.

- **Set out the Council's policy in relation to travel assistance for young people over the age of 19**

The Council is legally obliged to have a written policy explaining the approach it will take to provide travel assistance to education for young people over the age of 19, and currently the policy only exists in draft.

- **Increasing the contribution made by families**

Where travel assistance is awarded on a discretionary basis, e.g. the child is 4 or under or over 16 and the family's circumstances are exceptional, parents are required to make a contribution towards the cost of the travel assistance awarded. This charge has not been increased since 2013. It is proposed that the charge is raised to the same level as Warwickshire County Council, which charges £780 unless the family is in receipt of income related benefits, in which case the charge is £390. In either case, the charge can be paid in up to eight monthly instalments.

- **The second stage of the appeals process will now be before a panel of officers, rather than members.**

If parents are unhappy with a decision not to award their child travel assistance, or with the type of assistance offered, the first stage of the appeals process is a review of the decision by another Travel Assist Officer. If parents remain dissatisfied, they can request a second stage appeal which is heard by a panel of elected members but it is proposed that this would be changed to a panel of officers who were independent of the original decision and the stage 1 appeal. Further detail is required about how those officers would be identified to ensure that the process was fair and transparent.

- **An increased emphasis on Independent Travel Training**

There is a presumption that all children who are awarded travel assistance will undertake ITT, unless there is a good reason why this would not be appropriate. The Local Authority has always had the power to offer ITT but there will be a change in emphasis in the draft policy.

- **An increased emphasis on the use of Personal Transport Budgets**

There is currently a limited use of PTBs, but it is proposed that they will be offered to the majority of families who apply under the new policy, giving them greater independence over decisions relating to transport. This is not a change as the Local Authority has always had the power to use PTBs, but a change in emphasis in the new policy.

- **Making clear that the Local Authority expects parents to accompany their children to school wherever possible.**

Parents must volunteer to accompany their child to and from school if they are of compulsory school age and are eligible for transport assistance, under section 508B of the Education Act 1996. However, the current policy does not emphasise that the general expectation, as explained in the statutory guidance, is that parents will accompany their child to school unless there is a good reason why they are unable to and the new policy aims to make this expectation clearer.

- **Explains that how the child travels on other journeys will be a relevant consideration**

The previous policy did not explain that the child's ability to travel on other journeys would be considered, whereas the new policy and application forms state that parents must explain how a child travels outside of school so that, for example, if the family of a post-16 student have a Motability car and do not work they will be expected to transport the young person to and from school, unless there is good reason why they cannot.

Draft 0-25 travel assistance policy. Summary of consultation activity outside of the Be Heard survey.

This report summarises the activity that took place as part of Birmingham City Council's consultation on a draft 0-25 travel assistance policy.

The draft travel assistance policy and a document which summarised the changes proposed were used as part of the consultation which ran from 15 February 2019 to 2 April 2019.

A consultation survey was posted on Be Heard and the feedback received to this is summarised in a separate appendix.

In addition to the Be Heard survey, consultation activity

Councillors and MPs

- An email was sent to all Birmingham councillors and MPs on the day the consultation launched, Friday 15 February, to inform them of the consultation and provide information on opportunities for them to be briefed.
- Officers were available before the Full Council meetings on 26 February and 2 April for any councillors who had queries about the consultation.
- Three briefing sessions were arranged for councillors and one of these included MPs.
- A meeting took place with opposition shadows.
- A meeting took place with members of the Children's Social Care Overview and Scrutiny Committee.
- The Cabinet Member for Children's Wellbeing also offered to meet with councillors individually or in small groups and sent emails to this effect.

Schools

- In advance of the consultation launching, officers worked with special schools to arrange dates for parents' meetings.
- An email was sent to all Birmingham headteachers (including special schools) on Friday 15 February to let them know the consultation had been launched and ask them to share with parents and carers.
- Information was also included in the weekly School Noticeboard bulletin which is sent to all Birmingham schools.
- Information about the consultation was shared with 171 special educational needs coordinators (SENCOs) working in Birmingham schools as part of the regular SENCo network meetings that took place in March 2019.
- Council officers also discussed the consultation with headteachers as part of the regular primary, secondary and special forum meetings.

Parents and carers

- A letter was sent to all families currently receiving assistance from Travel Assist. This informed them of the consultation, provided the link to respond on Be Heard and also listed the sessions that had been arranged at special schools.
- Meetings took place at eight special schools during the consultation period (Hunters Hill, Langley, Wilson Stuart, Selly Oak, Pines, Hamilton, Fox Hollies and Priestley Smith).
- A total of 179 parents attended these meetings and notes were taken at each session.
- The main themes raised by parents at these meetings were:

- Concerns over charging for transport at Post 16. Some parents felt their children's needs were such that employment or training at age 16 would not be possible and so education was their only option. As such, some parents felt that transport should be provided as it is for children of compulsory school age and not charged for.
- Some parents felt that the way the policy had been written was confusing as they found it difficult to distinguish between the application for assistance for children and young people with SEND and the application under the low income/distance criteria.
- Many parents said they would welcome more information and clarity about the assessment process, particularly what 'exceptional circumstances' meant.
- Parents welcomed the opportunity to attend Stage 2 appeal hearings in person and said they felt this would give them the opportunity to explain their circumstances to the panel.
- Parents felt the information provided about personal transport budgets (PTBs) was not very clear as they were not sure how they worked.
- Parents were positive about independent travel training but asked for assurances that ITT would only take place if/when it was appropriate for the young person's needs.
- A meeting was held with 15 members of Birmingham Parent Carer Forum to discuss the consultation.

Colleges and sixth forms

- Information about the consultation was shared with all college/sixth form heads/principals on Monday 25 February.

Staff

- A letter was sent on 25 February 2019 to all guides employed by Travel Assist to let them know about the consultation.
- Information about the consultation was sent to all staff working in Education and Skills by Tim O'Neill on 15 February 2019.
- The consultation was included in the Chief Executive's weekly bulletin email and sent to all Birmingham City Council staff on 22 February 2019.
- The consultation was shared with Adults Social Care staff in Graeme Betts' fortnightly bulletin twice during the consultation period.
- Information was shared with staff working in Birmingham Children's Trust.

Governors

- Information about the consultation was shared with governors in the Friday Update that is issued by School and Governor Support.
- A presentation was also delivered to Chairs of Governors at the Chairs Network meeting at the mac on 18 March.

Other local authorities

- An email was sent to 16 local authorities (Coventry City Council, Derby City Council, Derbyshire County Council, Dudley MBC, Lincolnshire County Council, Nottingham City Council, Nottinghamshire County Council, Sandwell MBC, Shropshire County Council, Solihull MBC, Staffordshire County Council, Telford & Wrekin Council, Walsall MBC, Warwickshire County Council, Wolverhampton MBC and Worcestershire County Council) on 25 February 2019 notifying them of the consultation.

Transport providers

- Information about the consultation was sent to all 24 transport providers on Friday 15 February when it launched.

Transport for West Midlands

- Information about the consultation was provided to Transport for West Midlands who confirmed they would share it.
- TfWM also provided a detailed written response to the consultation.

Young people

- As part of the consultation, the views of children and young people were sought via the schools they attend.
- 323 children and young people responded and their feedback is summarised in a separate appendix.

Department for Education

- A formal notification about the consultation was sent to the DfE on 26 February and an email was received confirming it would be directed as appropriate and they would be providing a response.
- A response from the DfE was received on Tuesday 9 April. Despite being received after the consultation ended, the detailed comments provided by the DfE will be considered along with the rest of the feedback received.

Community and voluntary groups

- Engagement with these groups was arranged via Birmingham Voluntary Service Council who included it in their bulletin.
- Separate engagement was carried out with Midland Mencap.

Other

- During the consultation period a meeting was held with members of staff from Birmingham's Special Educational Needs & Disability Information, Advice and Support Service (SENDIASS). They were also notified of the consultation as soon as it launched.
- Birmingham Education Partnership were notified of the consultation by email on Friday 15 February (email sent to the Chief Executive, the Head of Continuous School Improvement and the office).

General public

- Information about the consultation was included in the Birmingham Bulletin on 22 February 2019. This was sent by email to approximately 82,000 Birmingham residents.
- Social media was used to promote the consultation with the wider public (Council facebook and twitter accounts).

Training providers

- Details of the consultation were sent to the Protocol Group on Friday 15 February for them to circulate to their network.

BIRMINGHAM CITY COUNCIL

TRAVEL ASSIST
ONLINE CONSULTATION REPORT
V 1.1

April 2019

Insight and Performance Team



Contents

Introduction	3
Summary	3
A single travel assistance policy for 0-25 year olds in education	4
Stage 2 Appeals.....	5
Financial contribution for children and young people not of compulsory school age	6
Travel assistance for young adults over the age of 19	8
Independent Travel Training.....	9
Personal Transport Budgets.....	10
Rights and responsibilities of parents towards accompanying their children to school.....	11
Factors considered when the Council makes a decision about an application for travel assistance ...	12
When the Council is proposing that the draft policy would start to be used.....	13
Any other comments	14
Appendix 1 – ‘About You’ Respondent Type	16
Appendix 2 – Equalities Profile of Survey Respondents	17
Appendix 3 – Respondents by Ward.....	20

Introduction

To provide a report on the 0-25 travel assistance policy consultation held online and feedback the results of the consultation, highlighting the areas where the public consultation indicated that citizens agreed/ disagreed with the proposals contained in the travel assistance policy for 0-25 year olds in education document.

Summary

This draft report summarises responses to Birmingham City Council's 0-25 travel assistance policy consultation held online. This was held on the Council's 'Be Heard' system and ran from 15th February 2019 to 2nd April 2019. It was based upon the 'Travel Assistance Policy for 0-25 year olds in Education' document. Questions about the policy were split into 11 themes and detailed summary of findings against each are listed from the next page onwards¹.

A total of 402 responses were received for the online 'Be Heard' online survey. Of which:

- 47% of responses received were responding for themselves.
- 53% responded on behalf of someone else. Of these, 93% were parent, carers, or guardians.

The top three respondent types consisted of:

- Birmingham Resident.
- Parent/carers of child or young person with special educational needs or disability.
- Birmingham City Council employee.

The top three travel assist services for respondents consisted of:

- Minibus.
- Guide.
- Taxi.

Overall more people agreed than disagreed with the proposals.

The top three categories in the questionnaire where respondents overall agreed with (based upon the totals) were:

- Stage 2 appeals: Attending the Stage 2 appeals (87%).
- Stage 2 appeals: Stage 2 officers (65%).
- Travel assistance for young adults over the age of 19 (63%).

Areas of most disagreement were in the following categories:

- Financial contribution for children and young people not of compulsory school age (48%).
- Travel assistance for children below compulsory age: Pre-school charge (37%).
- Travel assistance for children below compulsory age: Transport policy (35%).

Any Other Comments

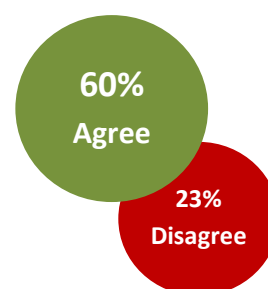
Respondents to the online survey were also asked for any other comments. The survey received a total of 149 wide-ranging and detailed comments and suggestions under this question.

There were most comments around the importance of travel assistance to families with special educational needs and disabilities (SEND) and the impact of the new policy on parents/carers.

¹ Please note that, due to rounding of the numbers in the tables, the results for the questions on the following pages may not appear to total 100% or to match total agree and total disagree.

A single travel assistance policy for 0-25 year olds in education

Question 1: To what extent do you agree that it is helpful for there to be one policy that outlines the provision available for 0-25 year olds rather than separate policies for each age range?



Total Responses: 402

	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree		Don't Know	
Q1	137	34%	106	26%	58	14%	51	13%	40	10%	10	2%

Key Findings

60% of respondents agreed compared to 23% who disagreed. 154 respondents provided comments for this section.

The most popular theme to emerge was agreeing with the single policy (45%) for varying reasons. The main reason for agreement was having one policy was less confusing and complex, and that a streamlined document was easier for families to read and understand. A number of respondents agreed with a policy inclusive of all age groups, as they thought needs should be prioritised over age: some SEND children will need travel assistance even as a young adult.

Another prevalent theme is that having a single policy does not account for the complexity and variety of SEND children and young adults (43%). Separate policies would be preferable, as a blanket policy could not address the needs and entitlements of both a young child and a young adult, or for different disabilities and special needs. Some also raised that there is different legislation/benefits for different age groups. There were a few comments disagreeing with the policy as they found it unclear about the cost impacts and travel implications for different age groups and needs.

The above themes dominated responses to this question, with only a few other miscellaneous reasons for disagreement, including a small amount of criticism for current policy. Six respondents made suggestions for how the policy could be improved, such as how to split up age groups, or providing in-depth guides for different types of transport.

The following comments are typical of many points raised.

"As a parent and school governor, remembering what to do with different age groups can be confusing - combining the policy would be easier to reference."

"If the legal requirements are different then you need different policies for each group."

"Children's needs change with age. Regardless of [special] needs or not"

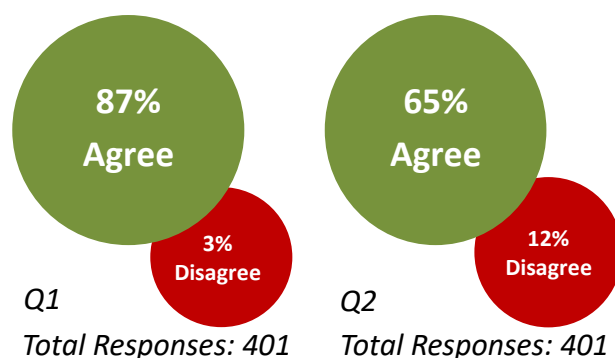
"As a parent with a child moving through the age bands consulting 1 document would make it easier and more transparent."

Stage 2 Appeals

Two questions were asked in relation to stage 2 appeals:

Question 1: To what extent do you agree with the proposal that parents and carers would be able to attend the Stage 2 appeal?

Question 2: To what extent do you agree with changing the Stage 2 Appeal Panel to a panel of independent Council officers?



	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree		Don't Know	
Q1	229	57%	119	30%	27	7%	11	3%	3	1%	12	3%
Q2	126	31%	133	33%	67	17%	26	6%	24	6%	25	6%

Key Findings

The response was overwhelmingly positive for parents/carers attending appeals panels. 87% agreed with this proposal, with only 3% disagreeing.

This level of agreement was lower for the use of independent council officers, but still with the majority (65%) agreeing, compared with those disagreeing (12%).

124 respondents commented on these two proposals. 44% of those commenting agreed with parents/carer being able to attend. Most of these thought parents /carers should be able to input and have a voice about their child's appeal, including putting across their own point of view, their circumstances, any issues they've encountered, and to answer any of the panel's questions in person.

27% of the comments supported the introduction of independent council officers, with varying reasons, including transparency, impartiality, and consistency. Some of those who supported independent council officers did so with the hope that it would not lead to council budgets being prioritised over a child's needs. Some who disagreed with the independent officers were concerned over this aspect, too.

A number of respondents commented on the importance of expertise for panel officers, such as involving those with direct experience of SEND children, or training the independent officers for the panels.

There were also a few suggestions, including providing translators for parents who struggled with English, and advocates for those who need help representing themselves at the panel.

The following comments are typical of many points raised.

"At all stages, the parents/ carers should be involved, to be given a chance to explain their views, and more importantly, their circumstances, which is not always easy to write, but can be explained verbally and the panel then has the chance to ask questions for clarification, which can't happen if the parents/ carers are not there."

"It makes sense that a stage 2 appeals panel should consist of 'hands off' representatives so the decision making is as transparent and free of bias."

"The independent council officers [will] need specific training. Will this be provided?"

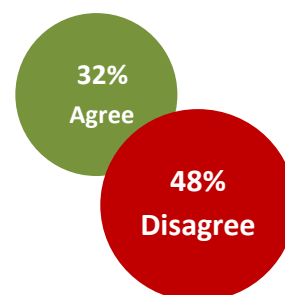
"Having been through a stage 2 appeal myself, I would have loved the chance to have attended the panel as I found it very hard to know what extra information would be required for the appeal having provided all the evidence I thought needed in the first place."

Financial contribution for children and young people not of compulsory school age

Question 1:

The amount that would be required is £780 per academic year or £390 if the child or young person is from a low income family.

To what extent do you agree with this change in the charge?



Total Responses: 399

	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree		Don't Know	
Q1	44	11%	82	21%	65	16%	93	23%	100	25%	15	4%

Key Findings

32% of respondents agree to the proposals compared to 48% who disagree. 180 respondents provided comments for this question.

The most popular theme was the negative impact of the increased charges on family income (42%). Many respondents thought the new charges were too high, that families caring for children/young adults with SEND were more likely to be struggling financially, and that this charge would increase financial hardship.

There were a number of respondents who agreed with the charge (22%). This was for a wide range of reasons, including: families with SEND shouldn't receive any more help than other families; families on benefits should pay; respondents who were willing to pay to keep the service; agreements with provisos on how to make it easier for families to pay. There was a mix of respondents suggesting means-tested assessments as financial circumstances for families will vary.

Just over a fifth (21%) were generally against the charges, considering it wrong to charge children with SEND for assisted transport to go to school. Respondents also raised that children with SEND had little choice in terms of specialist provision and often had to travel far distances. A few considered it discriminatory against vulnerable children that required assisted transport.

The following comments are typical of many points raised.

"I would rather pay the charges as I know my child would be able to travel to and from college in a safe and secure manner"

"...as a full-time carer the only time I can work is when my [child] is at school which means I am limited to the kind of jobs I can do and what I can earn. There is no way I would be able to sustain these costs and the system would be contributing to furthering our disadvantage. I am a single parent with no support or childcare."

"Families are living on the breadline. Wages are not going up but cost of living is. What if a family has more than 1 child in a special school? families are being offered schools away from their local community either due to their level or need but usually due to the lack of school places."

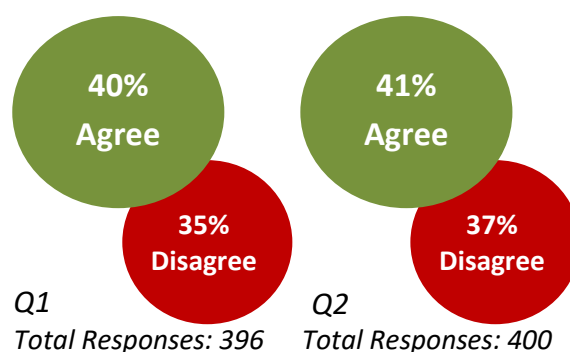
"Any requests for assistance with funding should be taken on a case by case basis, some can pay some cannot. Makes sense that the costs have risen so more should be contributed where possible."

Travel assistance for children below compulsory school age

Two questions were asked in relation to stage 2 appeals:

Question 1: To what extent do you agree with the Council's proposed transport policy in relation to children who are below compulsory school age?

Question 2: To what extent do you agree that parents of pre-school age children should contribute to the cost of travel assistance, where it is provided?



	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree		Don't Know	
Q1	57	14%	103	26%	74	19%	75	19%	65	16%	22	6%
Q2	52	13%	112	28%	72	18%	71	18%	77	19%	16	4%

Key Findings

For Q1, 40% agreed compared to 35% disagreeing. For Q2, 41% agreed compared to 37% disagreeing.

128 respondents commented on these two proposals. There were similar themes to the previous question on Financial Contributions.

Just over a quarter of respondents (27%) commented on why they agree with at least part of the policy, including: it's 'reasonable' for the parents to pay; it's the parents' 'choice' to send children to school early, and that those receiving benefits should be charged.

A small number suggested it should depend on circumstances: a child's level of need, or the family's income. There were some suggesting means-tested assessments as financial circumstances for families will vary (16%). A few suggested that those with EHCPs should be entitled to free transport.

The negative impact of the increased charges on family income (22%) was popular theme. As with the previous section, many respondents thought the new charges were too high and would have a negative impact on low-income families who have a difficult, stressful life already.

There were comments questioning why children needed the provision before compulsory age. Others mentioned with the benefits of early intervention and education access for children with SEND being key for their development (18%).

The following comments are typical of many points raised.

"...I do not think it is unreasonable for parents to be asked to contribute to the cost of transport, as long as it is within their financial means and it is a reasonable sum."

"The policy needs to be clear that this refers to Nursery age children, not under 5s. Nursery children with EHCPs clearly need specialist provision....The youngest children are often our most vulnerable... Sometimes early intervention means that the children make rapid and sustained progress..."

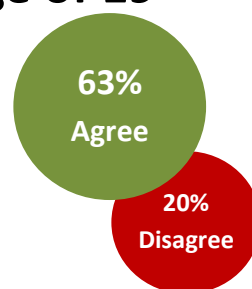
"We know that early intervention is crucial to a lot of special needs. A lower income family is unlikely to be able to afford even the reduced contribution and therefore an already disadvantaged child may not be able to access early education and intervention because of financial hardship."

Travel assistance for young adults over the age of 19

Question 1:

The Council would only consider applications from young adults who have an Education Health and Care plan or the circumstances are exceptional and would only award transport assistance where it considers it necessary.

To what extent do you agree with the Council's approach towards providing travel assistance for young adults over the age of 19?



Total Responses: 400

	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree		Don't Know	
Q1	103	26%	149	37%	53	13%	42	11%	39	10%	14	4%

Key Findings

63% of respondents agree to the proposals compared to 20% who disagree. 117 respondents provided comments for this section.

Over a third commented (39%) on why they agree with at least part of the policy; this included those who agreed with the policy because they agree that young adults should have travel assist support (16%), as opposed to specifics of the new policy. There were also those who agreed depending on the needs of the young person being assessed first (13%).

Another common theme was that young adults with SEND should be assessed based on needs and ability to travel, rather than age (30%). Not all young adults with SEND will travel safely without assisted transport as their condition is life-long and/or they do not mature at the same rate as children without SEND. The long journey to a special school far away will leave many young adults vulnerable to unpredictable or dangerous situations. This concerned a number of commenters to this question.

There was a desire to reflect the need to support young people before the age of 19 to develop key life skills through their education. These would include the ability to travel and live independently, general learning skills and socialising.

15% of comments were generally against the charges, that young adults with special needs should not be penalised for their differences but supported. This included those who thought young adults with EHCPs should still receive travel assist.

The following comments are typical of many points raised.

"The young adults who qualify for this service should be entitled to the same opportunities as their peers."

"Just because a child with special needs becomes an adult does not mean that his needs cease to exist"

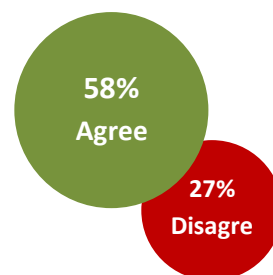
"Disability is a life long thing, just because the person has gotten older does not mean that their physical or mental age has increased enough to no longer need assistance"

"Travel training needs to be more widely available and then I do not think so many people would require transport. If money was invested earlier on for travel training then this would help for their future."

Independent Travel Training

Question 1:

To what extent do you agree that all children who are awarded travel assistance should be considered for independent travel training, unless there is a good reason why it would not be appropriate?



Total Responses: 401

	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree		Don't Know	
Q1	99	25%	132	33%	53	13%	67	17%	41	10%	9	2%

Key Findings

58% of respondents agree to the proposals compared to 27% who disagree. 162 respondents commented on this question.

Over a third of respondents who commented agreed (36%) with the training, however, a large proportion of those agreed with conditions attached (23%). This mainly centres on having training only where assessed as appropriate and suitable for the child/young adult, depending on their needs. Some children would still require travel assistance. There were also those who agreed because they viewed it as aiding independence and increasing life skills.

There were also comments that mentioned not all children will be suitable for travelling independently (28%), with concerns over child safety and stress if they were made travel when not suitable. Parents/carers who commented were keen to ensure that where travel training was undertaken it was appropriate for the individual child and travel arrangements were not withdrawn until it was clear the child was able to travel independently longer term. Some respondents perceived Birmingham as an increasingly dangerous place to travel.

Also, a number commented that thorough assessments should be done on a case-by-case basis (28%), involving consultation with those who know the child best or specialists in that field (15%).

The following comments are typical of many points raised.

"Autistic young person does behave differently when accompanied by others during training, as soon as they get freedom they started behaving very dangerously for themselves and others"

"But only with a very clear criteria for assessment. Children who are clearly less able to get to school by themselves through distance or risk should be given priority and parents should be expected to support more over shorter distances etc"

"Independence should be encouraged if appropriate to the young person."

"I agree if the child is over the age of 11 and [is] fully assessed to ensure the child is able and mature enough to be considered for independent training. Discussions with family and the child have to be discussed fully, openly and agreed."

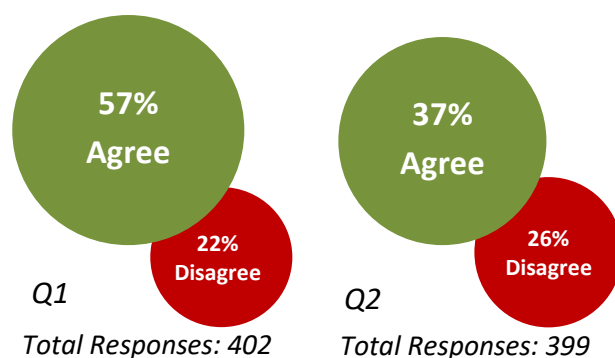
"I have concerns surrounding the number of travel trainers available to support the children & young people."

Personal Transport Budgets

Two questions were asked in relation to personal transport budgets:

Question 1: To what extent do you agree that a personal transport budget may be useful for families who are eligible for transport?

Question 2: To what extent do you agree that the policy is clear about when the Council may offer a family a personal transport budget?



	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree		Don't Know	
Q1	87	22%	142	35%	71	18%	48	12%	40	10%	14	3%
Q2	38	10%	111	28%	125	31%	70	18%	35	9%	20	5%

Key Findings

For Q1, 57% of respondents agreed compared to 22% who disagree. For Q2, 37% agreed compared to 26% who disagreed. 136 respondents commented on this question.

There were a large proportion of comments concerned with the direct negative impact of a personal transport budget may have (35%). This included placing too much stress and responsibility onto parents/carers, who would not have the capacity to deal with this extra pressure (22%). Some were worried about the extra anxiety and confusion it would cause over handling complex financial decisions, or how to cope with multiple children, distant specialist provision, or the complexity of organising the alternative transport to distant specialist provision.

A few pointed out that this policy would not necessarily lower air pollution as more children would potentially be using individual cars through private hire or other means, and this would lead to more vehicles on the road, and congestion around the special schools.

There was also concern that as some families with SEND are struggling financially, the money for the transport would be used to pay for other budget pressures (14%). Many respondents wanted a personal transport budget to be a choice, not mandatory (24%), and were concerned the council would force the budget on families.

Some respondents were sceptical that the budget would cover all the costs (10%).

The following comments are typical of many points raised.

"Because of the lack of wrap around care available for special needs student it will have a huge negative impact on families; siblings will miss out on after school activities ... As most parents will have to drive students or hire a taxi traffic at school site will become dangerous ... There will also be a huge environmental impact of increased vehicle usage."

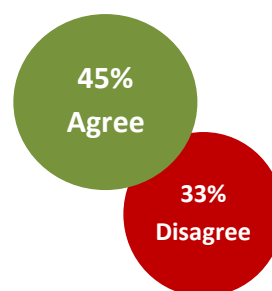
"No amount of money will enable me to get 2 young children to two different schools at the same time. I would not use a taxi and my other [child's] school does not provide school club facilities."

"I don't think it is a good idea ... because a lot of families are already struggling and they may spend it with the intention of putting it back this again would cause problems for our most vulnerable families."

Rights and responsibilities of parents towards accompanying their children to school

Question 1:

To what extent do you agree that the draft policy is clear about this issue?



Total Responses: 400

	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree		Don't Know	
Q1	60	15%	118	30%	76	19%	72	18%	61	15%	13	3%

Key Findings

45% of respondents agreed compared to 33% who disagreed. 148 commented on this question.

Respondents' views on the main areas impacted by this part of the policy are discussed below.

Having school-age children at more than one school and how would it be possible to get all children to different schools (30%). This may lead to parents/carers having to choose which children are not accompanied to school or dealing with a complicated school run.

Another factor was the lack of specialist provision choice, with long journeys required to get there (26%) because of the distance from home or others children's schools. This would make it difficult to get all children to school on time. For a few respondents, the distance would mean a 2-3 hour round trip.

Also, there was discussion on how the above two factors would impact on working parents /carers (30%), and whether the parents/carers would have to give up work to do these long school runs.

This all lead to some discussion of how it might affect child's school attendance, if the parent/carer could not overcome the above challenges. There were also a few respondents who mentioned the impact on single parent families, who would have to manage all of this without support.

Some commented on how families with SEND required the extra support that other families don't, or that families with SEND faced more challenges with travelling to school than others. This was partially because of the issue with specialist provision being so far, or that their children would never be able to walk to school safely on their own, unlike children without SEND.

The following comments are typical of many points raised.

"parents of children with SEN often have other children who they are required to accompany to different schools and/or jobs to get to. we rely on transport for our children with SEN to ensure they are safely delivered to school and home again. we cannot be at two schools at the same time and if we are late taking children to school we face fines. we have to juggle this along with jobs if we don't want to struggle on benefits and would prefer to contribute to society."

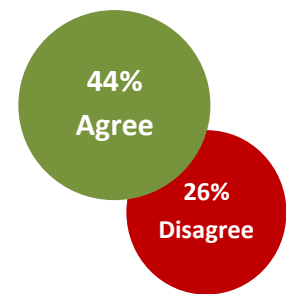
"Personal budgets would not be in the best interests of families with disabled children. It would also increase the number of vehicles travelling to schools and therefore increase pollution."

"The closest school to meet my child's needs is 1 hr 15 mins away. That is not our fault. If I were to transport or accompany my child daily that would be 5 hours of my day gone."

Factors considered when the Council makes a decision about an application for travel assistance

Question 1:

Do you agree that the draft policy is clear about how decisions are made?



Total Responses: 400

	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree		Don't Know	
Q1	30	8%	145	36%	97	24%	73	18%	32	8%	23	6%

Key Findings

44% of respondents agreed to the proposals compared to 26% who disagreed. 67 respondents commented on this section.

Nearly half (46%) did not find the policy clearly written for various reasons. The main reason given (34%) was that it was not specific enough in certain sections or definitions, particularly around 'good reason' and 'exceptional circumstance'. There was criticism that it was confusing, too broadly written, and needed more criteria and examples. A few thought it was generally not clear, or had jargon.

Another popular theme centred on criticism of objectives and other content in the new policy (43%). This included how it would negatively impact families and did not acknowledge this; how it was focused on budgets over child needs; inconsistencies within the policy and application forms, and a couple mentioning how it contradicted certain sections of the Education Act.

There was also criticism on the current Travel Assist policy and the poor quality of the service (13%), particularly how difficult and stressful it is for families to contact someone at the service or generally to get assistance.

The following comments are typical of many points raised.

"The Draft Policy said nothing about how decisions are made it just Stated the procedure used to make the decisions NOT how decisions are made."

"It is not clear what 'exceptional circumstances' might be if a child had an EHCP and required travel assistance."

"No firm criteria or measurement or information about how decisions are to be made. "Reasonable" ?? "Good reason"???"

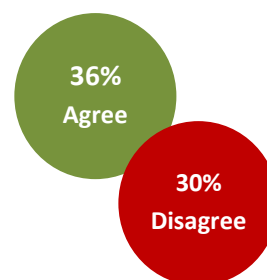
"The wording is commendably clear."

"It's a policy to reduce cost failing to take into account safety of students, welfare of students, parents and siblings. It shows no concern for the wider economic or environmental impact."

When the Council is proposing that the draft policy would start to be used

Question 1:

To what extent do you agree with the Council's proposals for implementing the new policy, if it is approved?



Total Responses: 401

	Strongly Agree		Agree		Neither Agree nor Disagree		Disagree		Strongly Disagree		Don't Know	
Q1	36	9%	110	27%	111	28%	67	17%	52	13%	25	6%

Key Findings

36% of respondents agreed compared to 30% who disagreed. 81 respondents commented on this question.

There was some criticism over the timing of the consultation/policy implementation (16%) and the impact if the policy started in the next school year. Some commented that the implementation of the policy could affect those who've already applied for school places. A few commented that it would not give families enough time to prepare for these changes, such as the timescale for families applying for travel assist under the new policy, saving up for the increased charges, or making alternative childcare/work arrangements. Also, two respondents commented that this was too short notice for schools to prepare.

There were also suggestion on improving the policy (22%), including: making the policy more specific on implementation timelines; phasing the policy in over a longer period; delaying it for a year; introducing it initially to new applicants only; carrying out a pilot first; and working better with Transport West Midlands and other public sector travel services.

There was also criticism of current policy and service quality (19%), including parents finding it difficult and stressful, and scepticism over the council being able to introduce a new policy without problems.

The following comments are typical of many points raised.

"I don't have any issues about the way they want to introduce the changes but I think it need to be clearer to parents the specifics of how they will be affected and what will be in place to replace this current arrangements as soon as possible"

"Having a child with any disability is hard enough and this is stress no parent needs"

"I think it needs to be implemented later. There are too many factors to consider and it would possible mean that new applicants will be left struggling to get their children into school at the start of Sept 2019"

"My only observation at this point would be regarding decisions about Independent travel training for older children. This will take time and therefore there needs to be significant input in terms of funding for training before this part of the policy is fully implemented."

"I am sceptical about the capacity for the Council to be able to implement this without there being issues for families."

Any other comments

In summarising open-ended comments with no specific question asked, there is by necessity a degree of simplification and categorisation. This should be borne in mind when reading the analysis below.

The survey received a total of 149 wide-ranging and detailed comments and suggestions under this question.

The top themes of comments were:

- The importance of travel assistance to families with SEND (31%);
- The impact of the new policy on parents/carers (27%);
- Suggestions for improvement with policy/consultation (25%);
- Current service not fit for purpose (21%);
- The impact on vulnerable children (17%).

The most popular theme was on the general importance of travel assist, how vulnerable child/families with SEND need the support of the service, and for the council not to prioritise cost cutting over children's wellbeing and outcomes. *"...if a child or young adult has an EHCP they should automatically have assistance and transport to gain as much of a life as possible. Money should not come into it it should be part of their education and health."*

Within this theme, some parents and carers feel discriminated and mistreated, *"At what point do parents have to be at to stop having to fight for everything a mainstream school would have without having to continually pay for it."*

This was often tied into another theme, that making changes to the TA service would have a negative impact on families, for whom life was already very difficult and stressful: *"As a single parent, my mother struggles every day to support me as she has [chronic health issues]. She gets up every morning snow, rain and no matter what the weather or extreme pain she is in to get my son to his dropping off point away from her house. Every day is a struggle for her and her health is getting worse ... If there was any other way that I could get my child to school to make it easier I would be there...."*

There were particular concerns over the financial impact on families already struggling due to benefit and service cuts: *"Please think about the challenges that caring for a severely disabled child bring in virtually every field. Budgets in support of families have been severely restricted over the years...."* There were also some miscellaneous concerns over impact on working parents' employment, as well as increased air pollution from more cars.

The difficulty and stress parents and carers faced were sometimes linked into issues with the current service that was considered by some to be not fit for purpose. There were concerns that reduced budgets would impact on service delivery - *"We families cannot sustain anymore cuts or changes that affect our kids safe access to education"* or because of specific problems found within the service. These problems included long delays and lack of help with applications, to poor customer service communications, to issues with buses: *"...most of the time dirty ", "...never on time"; "...have had old buses break down..."*

There were also concerns about the negative impact on the children with SEND, particularly around educational access and development. *"I work within a special school and see how important travel assistance is to our parents/families. Some of our children are so complex and having support is vital to ensure that they receive a good education. The cuts to our current transport has made it so difficult for our parents to access. "*

Many respondents made suggestions for improvement to the policy/consultation, including: working with experienced specialists and families to improve service and shape policy; provision of more and better supported guides; more clearly written and defined policy; re-introduction of collection from home; more time for implementation; clear communication and notice given for any changes; flexible transport options and more joined up working with other organisations; after school care; driver consistency; school attendance at panel; and fairer policy.

There were a few other miscellaneous comments on those who agreed with policy, other positive thoughts on the service, and a few sceptical that this feedback will make any difference.

There was only one off-topic comment, in relation to bins.

Appendix 1 – ‘About You’ Respondent Type

Are you responding to this consultation on behalf of someone else or yourself?	% of respondents
I am responding on behalf of someone else	53%
I am responding for myself	47%
Total	100%

If you are completing this survey on behalf of someone else, please specify your relationship with them.	% of respondents
Parent/carer/guardian	50%
Sibling	1%
Other family member	1%
Friend	1%
Teacher	6%
Support worker	3%
Social worker	0%
Medical professional	0%
Other (please specify below)	1%

Firstly, which of the following are you (or the person you are completing this on behalf of)? Please tick all that apply.	% of respondents
I am a resident of Birmingham	66%
I am a child or young person currently receiving support from Travel Assist	15%
I am the parent or carer of a child or young person with special educational needs or disability	54%
I work for the NHS	3%
I represent a charity that covers the Birmingham area	1%
I represent a community group in Birmingham	1%
I work for Birmingham City Council	22%
I work in a Birmingham school or academy	19%
I am a governor at a Birmingham school or academy	6%
I am a Birmingham councillor or MP	0.5%
I represent a transport company	0.2%
I represent a public sector organisation	1%
Other (If you have selected 'Other' - please specify below)	2%

Note: percentages do not add up to 100% as respondents allowed more than one option and question was optional

Question 4: If you are a child, young person, parent or carer with experience of using services provided by Travel Assist, please specify these below. Please tick all that apply.	% of respondents
Bus/train/tram pass	8%
Independent travel training	2%
Personal transport budget	2%
Minibus	51%
Guide	32%
Taxi	15%
One to one transport (where a single child/young person is transported on a vehicle)	4%
Other (please specify below)	1%

Note: percentages do not add up to 100% as respondents allowed more than one option and question was optional

Appendix 2 – Equalities Profile of Survey Respondents

Age Group	% of respondents	% responding on behalf of
0 - 4	0%	0%
5 - 9	0%	27%
10 - 14	0%	32%
15 - 17	1%	20%
18 - 19	0%	5%
20 - 24	1%	2%
25 - 29	3%	0%
30 - 34	6%	0%
35 - 39	15%	0%
40 - 44	19%	0%
45 - 49	19%	0%
50 - 54	14%	0%
55 - 59	8%	1%
60 - 64	4%	0%
65 - 69	1%	0%
70 - 74	1%	0%
75 - 79	0%	0%
80 - 84	0%	0%
85+	0%	0%
Prefer not to say	7%	11%
Grand Total	100%	100%

Gender	% of respondents	% responding on behalf of
Female	18%	56%
Male	74%	25%
Prefer not to say / not answered	8%	18%
Total	100%	100%

Ethnicity	% of respondents	% responding on behalf of
Asian / Asian British	13%	13%
Black / African / Caribbean	7%	4%
Mixed / multiple ethnic groups	5%	9%
Other ethnic group	0%	1%
White	67%	51%
Prefer not to say / Not answered	7%	18%

Note: percentages do not add up to 100% as respondents allowed more than one option

Religion	% of respondents	% responding on behalf of
Buddhist	0%	0%
Christian (including Church of England, Catholic, Protestant, and all other Christian denominators)	48%	39%
Hindu	1%	0%
Jewish	0%	0%
Muslim	16%	18%
Sikh	0%	0%
No Religion	21%	21%
Any Other Religion	1%	1%
Prefer not to say / not answered	13%	20%
Total	100%	100%

Sexual Orientation	% of respondents	% responding on behalf of
Bisexual	1%	1%
Gay or Lesbian	1%	1%
Heterosexual or Straight	73%	52%
Other	1%	3%
Prefer not to say / Not answered	24%	43%
Total	100%	100%

Any long-term physical or mental health conditions or illnesses	% of respondents	% responding on behalf of
Yes	18%	77%
No	66%	11%
Prefer not to say	16%	11%
Total	100%	100%

Affected by the following long-term physical or mental health conditions or illnesses	% of respondents	% responding on behalf of
Vision (e.g. blindness or partial sight)	1%	8%
Hearing (e.g. deafness or partial hearing)	2%	5%
Mobility (e.g. walking short distances or climbing stairs)	5%	23%
Dexterity (e.g. lifting and carrying and carrying objects, using a keyboard)	2%	11%
Learning or understanding or concentrating	3%	38%
Memory	2%	13%
Mental Health	9%	16%
Stamina or breathing or fatigue	3%	6%
Socially or behaviourally (e.g. associated with autism, attention deficit disorder or Asperger's syndrome)	3%	36%
Other (please specify)	2%	4%
Prefer not to say	13%	6%

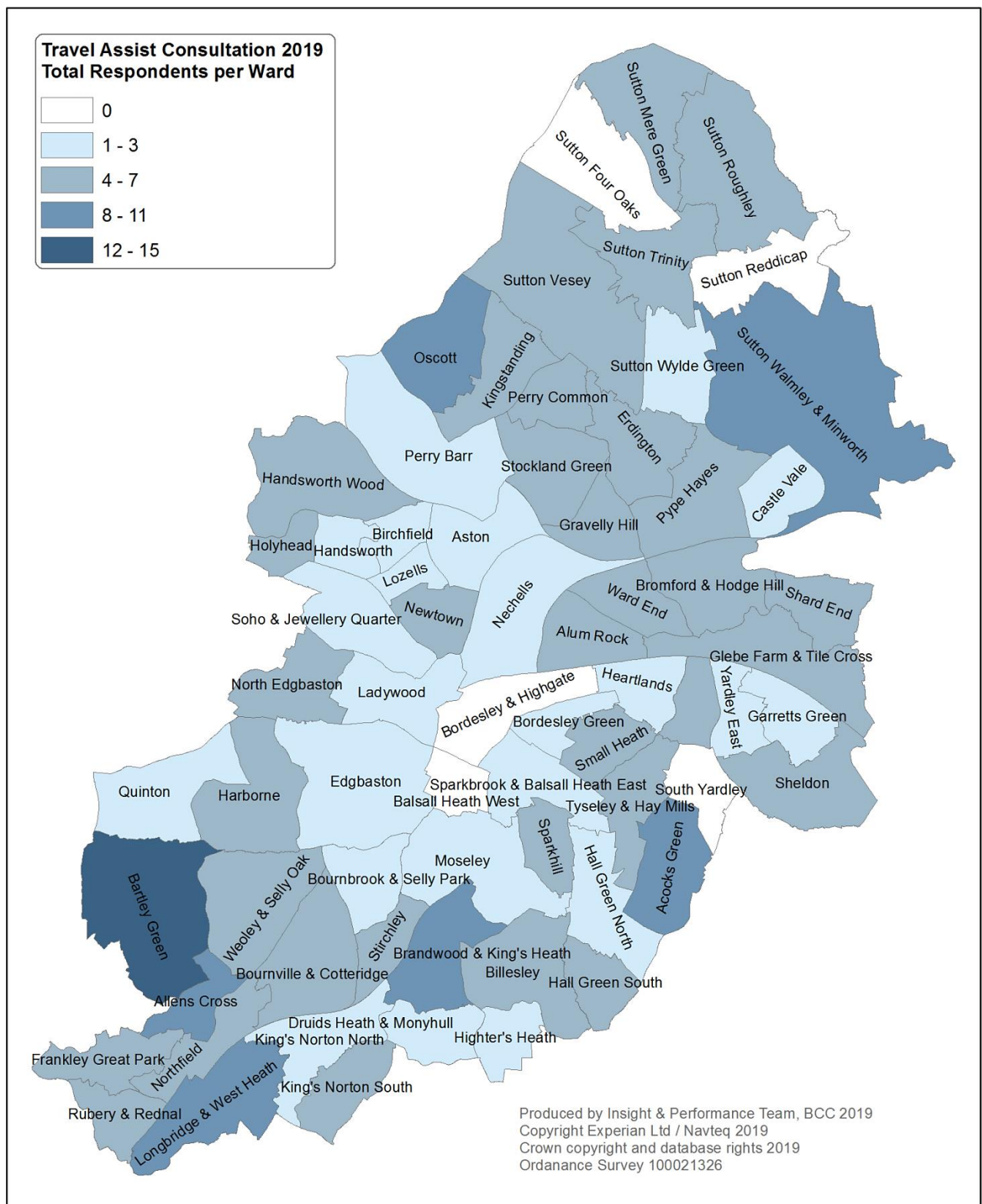
Note: percentages do not add up to 100% as respondents allowed more than one option

Caring Responsibilities	% of respondents	% responding on behalf of
None	20%	47%
Primary carer of child/children under 18	39%	3%
Primary carer of disabled child/children	32%	2%
Primary carer of disabled adult (18 and over)	7%	1%
Primary carer of older person/people (65 and over)	2%	0%
Secondary carer	6%	0%
Prefer not to say	9%	10%

Note: percentages do not add up to 100% as respondents allowed more than one option

Appendix 3 – Respondents by Ward

Of the **307** respondents who provided a valid postcode, **5%** live outside of Birmingham. The remaining residents are based in the following wards.



Please note this is only showing counts of those who directly responded.

Birmingham Ward	Total Respondents
Bartley Green	15
Brandwood & King's Heath	11
Oscott	10
Acocks Green	9
Allens Cross	9
Longbridge & West Heath	9
Sutton Walmley & Minworth	8
Frankley Great Park	7
Holyhead	7
Pype Hayes	7
Sutton Mere Green	7
Sutton Vesey	7
Ward End	7
King's Norton South	6
Rubery & Rednal	6
Small Heath	6
Stockland Green	6
Weoley & Selly Oak	6
Billesley	5
Bournville & Cotteridge	5
Erdington	5
Kingstanding	5
North Edgbaston	5
Northfield	5
Sheldon	5
Stirchley	5
Alum Rock	4
Bromford & Hodge Hill	4
Glebe Farm & Tile Cross	4
Gravelly Hill	4
Hall Green South	4
Handsworth Wood	4
Harborne	4
Newtown	4
Perry Common	4

Birmingham Ward	Total Respondents
Shard End	4
Sparkhill	4
Sutton Roughley	4
Sutton Trinity	4
Tyseley & Hay Mills	4
Yardley West & Stechford	4
Bournbrook & Selly Park	3
Hall Green North	3
Highter's Heath	3
King's Norton North	3
Moseley	3
Perry Barr	3
Yardley East	3
Aston	2
Birchfield	2
Bordesley Green	2
Castle Vale	2
Druids Heath & Monyhull	2
Edgbaston	2
Handsworth	2
Lozells	2
Nechells	2
Soho & Jewellery Quarter	2
Sparkbrook & Balsall Heath East	2
Sutton Wylde Green	2
Garretts Green	1
Heartlands	1
Ladywood	1
Quinton	1
Balsall Heath West	0
Bordesley & Highgate	0
South Yardley	0
Sutton Four Oaks	0
Sutton Reddip	0

Travel Assist Policy Consultation: Parent Sessions

Performance, Research and Insight Team

April 2019



Contents Page

Introduction.....Slide 3

Methodology.....Slide 4

A Single Policy..... Slide 5

6th Form Contribution Increase..... Slide 7

Over 19 Arrangements (only with EHCP plans)..... Slide 9

Contributions for CYP Below Compulsory School Age..... Slide 10

Second Stage Appeals.....Slide 12

Independent Travel Training..... Slide 14

Increased Use of Personal Transport Budgets.....Slide 15

Policy Outlining Parent Responsibilities..... Slide 17

Other: Guides..... Slide 18

Conclusion..... Slide 19

Introduction

- As part of the Travel Assist Policy consultation, sessions were conducted with parents and children and young people (CYP) who currently use the Travel Assist service. This enabled the service to capture their feedback on the proposals, helping to better understand their views and use these to inform future discussions.
- This was done in conjunction with other consultation activity, which included an online survey.
- The sessions will enable the service to capture parents' and CYP's feedback on the proposals, helping to better understand their views and use these to inform future discussions about the way forward.

Methodology

- **Activity:** 8 sessions in total run by officers from the Children and Young People directorate at various SEN schools across the city
- **Sample:** Sessions were attended by parents and CYP who currently use the Travel Assist service.
- **Data collection:** notes were taken at each meeting by officers from the Children and Young People directorate
- **Analysis:** thematic analysis completed by the Performance Research and Insight (PRI) Team. While answers were given in response to questions, only the questions asked by parents and CYP will be reported here.
- **Reporting:** summary report produced by PRI team. This will feed into the Cabinet Report produced by colleagues from Children and Young People directorate.

A Single Policy (1)

- There were a number of positive comments, with parents from 3 different sessions describing the policy as a “*good idea*”, “*easier*”, “*straightforward*” and “*mak[ing] sense*” and providing parents with clarity to understand “*what is coming next*”.
- A couple of parents did, however, feel the policy could be simplified more and have better signposting.
- Some parents had some questions, and wanted clarity about:
 - What the benefits of a single document were.
 - Who would be affected by it.
 - Whether there was a new application form.
 - Where the responsibility for the paperwork lies.
 - How often parents would need to reapply.
 - Whether distance was a factor in being eligible for support.

A Single Policy (2)

- There were also specific comments relating to age, including:
 - Different ages require different types/levels of support.
 - The focus should be on mental age and not actual age.
 - 16-19 year old CYP are being disadvantaged as it does not provide them with enough support.
 - Section relating to post 19 is not taking in account exceptional circumstances sufficiently in the criteria.

Sixth Form Contribution Increase (1)

- There was one positive comment made, which stated the contributions were *“reasonable, and not a lot to get [CYP] into school safe with a guide every day”*.
- There were a number of questions relating to the process and the assessment. These included:
 - Whether there would be a new assessment.
 - What the guidelines/criteria for assessment are (e.g. income threshold levels, if CYP are on benefits and will be making the contribution (instead of parent), will there be a different in amount of contribution required).
 - Whether someone comes out to make the assessment.
 - How long the assessment takes.
- Other questions included:
 - When exactly contributions are required – e.g. at 16 years old or start of sixth form.
 - Whether they work with schools or council when applying for travel assistance.
 - Whether parents choice (e.g. not choosing the closest school) will impact on type of travel assistance received.

6th Form Contribution Increase (2)

- Some spoke about potential issues and impact on their lives:
 - Life is already difficult.
 - Concerns about affordability and difficulty paying and as a result incurring fines
 - May have little choice in allocation of school and location.
 - In exceptional cases (e.g. low income household, those in receipt of benefits, those with little control over type and location of school), is it possible to take circumstances into account in the assessment and consider waiving, reducing or means testing the contribution?

- Other comments included:
 - Issues with quality of service, with some asking whether this will improve if parents/CYP have to make contributions. One parent commented that they felt they would have no control over the service provided and were concerned about the lack of control and accountability relating to poor service.
 - One parent asked why they would be charged for 5 days when their CYP only attends for 4 days.

Over 19 Arrangements (only with EHCP plans)

- Parents had some key comments and questions concerning:
 - What the law says about post 19 provision.
 - Whether the charge is the same despite the distance.
 - Clarification on where responsibilities lie under different circumstances, i.e. when is it education and when is it adult social care?
 - Clarity on what exceptional circumstances are.
 - Vagueness of information in the policy, which requires more explanation.
 - The definition of CYP. Parents thought a definition would be helpful, with clarity around whether the age referred to is actual age or mental age.
- Some of the potential Issues and impacts identified included:
 - Concerns about being able to afford transport.
 - Policy was affecting those that were already struggling.
 - A likelihood of increased anxiety.
 - Feel like they are fighting for everything they get.
 - The perceived reduction in provision was described as potentially “*discriminatory*” as the risk is it will reduce the ability to access education.
 - How a smooth transition be ensured.

Contributions for CYP Below Compulsory School Age (1)

- All of the parents in one of the group sessions had no issues with this policy.
- In the other group sessions, questions were raised regarding the following:
 - What the criteria is.
 - What constitutes as an 'exceptional circumstance'.
 - Whether the policy is talking about council owned nurseries or private nurseries.
 - When the policy would be changed/implemented.
 - Whether it can be means tested.
 - Whether there would be additional travel assist staff available to parents to help with queries and provide support.
 - Whether parents can get money back if the service they receive is poor quality (e.g. poor/inconsistent communication).
 - What is the position if the child has an EHCP plan? Some parents felt that a delay in diagnosis (including where a diagnosis is not possible at such a young age) and production of EHCP plan could delay their access to travel assistance.

Contributions for CYP Below Compulsory School Age (2)

- Some of the potential issues and impacts identified included:
 - Contributions were seen as a potential barrier to accessing education.
 - Concerns that child's needs will not be met.
 - Increase in stress and anxiety among parents.
 - Concerns about how families are going to manage.

Second Stage Appeals (1)

- Some positive comments about changes to the appeals process included:
 - Like the idea of parents being able to attend appeals, with some perceiving parents to be the best advocates for CYP.
 - Increased frequency of meetings is welcome as it could speed up decisions and make the service more efficient.
- There was a mixed response to the proposed independent panel, with some stating that they prefer councillors, some preferring officers and professionals who know the child, some requesting “independent people from independent bodies” and others preferring a mixture of the above.
- The following, sometimes conflicting, factors were identified as important in a panel: impartiality/independence; ability to understand CYP special needs and family circumstances; and, parent struggles someone who is accountable to the public.

Second Stage Appeals (2)

- The following concerns were identified:
 - Whether council staff on the panel can remain impartial and not have a conflict of interest.
 - Whether councillors have enough understanding of CYP with SEN.
 - Whether an independent panel will sufficiently understand the needs of CYP with SEN.
 - While for some parents advocating for their children is positive, others stated that some parents would not be capable of doing this effectively (e.g. parents who themselves have SEN and those who do not speak English fluently or at all).
- Advocates were seen as very important and one suggestion was that parents could be offered the option of taking their own support (e.g. family member) or offering them a professional advocate.
- One parent stated a timeline of the appeals process would be useful.

Independent Travel Training

- There were some positive comments which acknowledged that the Independent Travel Training could be beneficial for some CYP. One parent stated, *“I love the independence for my child.”* Others, however, caveated their statements stating that it would be useful to some but inappropriate for others, and that it needed to *“be done properly”* for it to work.
- Some required clarity around the policy and process, for example:
 - What age groups is the training is appropriate for.
 - Whether the training will be voluntary or not.
 - Whether there is a cost for the training.
 - What “checks and balances” will be in place to ensure the safety of CYP.
 - Whether training was available to parents as well.
- Key concerns included:
 - Parent anxiety, particularly in relation to ensuring CYP are safe.
 - CYP may find it difficult to cope with (e.g. if they have never had experience using public transport or find it difficult to communicate with drivers etc).

Increased Use of Personal Transport Budgets (1)

- Three parents stated or suggested that personal transport budgets was a good idea, with two of these, however, caveating this by stating either that it was not suitable for their own child or that it would depend on the school location/distance of journey.
- Key questions raised included:
 - What is the budget?
 - Will the personal transport budget cover all of the transport costs?
 - Are the personal travel budgets going to increase in line with inflation?
 - What is the criteria? This needs to be clearer.
 - Will there be an assessment? If so, who will assess them?
 - When can you apply for it?
 - For those that have used it before, how easy is the process to sign up to?
 - Has the practical implications of this policy been assessed?
 - Are there other options or not, as it currently reads like it will be imposed on people?
 - Can this option be extended to 16-19 year old and post 19 CYP?

Increased Use of Personal Transport Budgets (2)

- Concerns and potential impacts identified include:
 - Perception that pushing the personal transport budgets means less travel provision, potentially resulting in more provision being taken away from those that are already struggling.
 - Whether the budget would cover the full travel costs.
 - Whether additional support will be available to provide assistance for unexpected costs arising (e.g. car breakdown, Green Air Zone charge) ?
 - Whether transport will be available to those that find personal transport budget unsuitable.
 - May impact on CYP's ability to access to education, making it more difficult.
 - Whether it will be the parents' responsibility to make travel arrangements etc (with particular concern for parents who do not have capacity to make arrangements) and how this will be assessed and dealt with.

Policy Outlining Parent Responsibilities

- Key comments included:
 - Parents driving their children to school is at odds with the city's clean air ambitions.
 - Clarity around what would be deemed an 'exceptional circumstance' was (e.g. siblings schools too far from each other, parents' inability or difficulty maintaining work).
 - Some thought the policy needs rewording for greater clarity, including clear distinction on what the responsibilities of schools, council and parents are.
 - A number of parents also sought clarity of process (e.g. how do they apply and when?)
- Concerns raised included:
 - Impact on ability to work and in turn the financial impact it could have on the household income – e.g. one parent currently relies on the afternoon transport to maintain employment.
 - Whether parents will face fines for CYP consistently being late for school, suggesting it will be harder to get their children to school on time.
 - Whether there are additional responsibilities parents need to take on e.g. buying insurance, checking drivers' licence, MOT and insurance etc).

Other: Guides

- There were a number of questions relating specifically to guides, including:
 - whether there would be changes to the guide service (e.g. reduction in the number of guides, whether guides will be provided at all, provision of “generic” guides as opposed to named guides),
 - who makes the decision about who is assigned a guide and who is not,
 - how it will be assessed,
 - whether the provision of guides can be guaranteed on travel assist buses, and,
 - whether guides have been spoken to.

- There were also a few comments regarding parents’ experience of the guide service. Key points included:
 - communication could be improved (e.g. being informed about the change in guides, how a change in circumstance affects service entitlement, reporting and resolving issues with guides),
 - guides do not fully understand the needs of the CYP,
 - guide turnover is an issue (i.e. one CYP has had 5 guides)
 - not having a guide means if there are issues there is no one there to help,

Conclusion (1)

- While there was some appreciation for simplification of policies, parents wanted further clarity on things such as:
 - The specific policies and processes.
 - Who is responsible for what (i.e. parents, schools, council etc).
 - What the definition of an 'exceptional circumstance' is.
 - Whether parents have any influence over the type of travel assistance they receive or whether the decision will be made for them (e.g. personal transport budget and independent travel training).
- Feedback relating to the second stage appeals were largely mixed, with no consensus about what a 'good' panel would look like (e.g. independent vs. knowing and understanding the needs of the CYP and family) and who should make up the panel (e.g. councillors or council officers or independent persons or a mixture of these).
- There were several comments about the benefits of parents being able to attend appeals and the importance of advocates, whether that be parents, family or friends or professional advocates.

Conclusion (2)

- While there was some feedback suggesting the proposals are reasonable, there were many concerns about the potential impact of these, for example:
 - CYP needs not being met.
 - Potentially making it more difficult for CYP to access education.
 - Causing anxiety and stress among parents Impact on parents' ability to maintain their job.
 - Impact on parents' ability to maintain their job.
 - Potential risk for families already struggling financially, with some fearful that they will not be able to pay and what the consequences of this may be.
- Some suggestions to help mitigate these concerns included:
 - Explore possibility of means testing, reducing or waiving contributions in exceptional circumstances.(low income household, parents or CYP in receipt of benefits, where families have no choice in school allocation and distance the CYP has to travel).
 - Having additional support via Travel Assist staff available to help with queries and support families through the transition.

Draft 0-25 travel assistance policy consultation

Views of children and young people

Birmingham City Council undertook a consultation on a draft travel assistance policy for 0-25 year olds between 15 February 2019 and 2 April 2019. As part of this consultation, we wanted to hear from children and young people about how they feel about the travel assistance they receive, what they like and what they'd like to change.

Consultations were led in the main by schools using a range of specialist communication styles such as braille, symbols and adapted work sheets. Questions were always open to allow pupils to describe a child/ young person focused experience of their home to school journey.

In total 323 pupils responded.

- 126 aged 5-10
- 107 aged 11-16
- 82 aged 16-18
- 8 aged 19+

These children and young people attended 11 special schools (Fox Hollies, Oscott Manor, The Pines, Dame Ellen Pinsent, Springfield House, Skilts, Hunters Hill, Priestley Smith, Calthorpe, James Brindley and Brays).

In two schools, longer sessions were held with young people aged 16-18 and 19+. These sessions were led by Councillor Kate Booth, Cabinet Member for Children's Wellbeing, and an officer from the Local Authority. In these sessions young people described the transition from transport to Independent travel training. From fear to confidence was a common theme. Most notable was the growth in confidence to access transport and activities outside of the school curriculum.

The analysis of the open questions revealed common themes as outlined below.

Things I like or enjoy about my journey

Meeting children/ young people from different schools	Socialising with friends	Sleeping	Listening to music
9	133	15	66

Quality of service

Good driver / drives at a good speed/ friendly/ sensible	Nice and friendly guide	Delivers service – gets me to school and back, safely and on time
81	110	64

Things I don't enjoy

Driving too fast	Children too noisy	Cold/ uncomfortable/ dirty/ rickety/ needs refurbishing	Journey too long
9	68	33	51

Speaking to children and young people, it was clear that their experiences were similar to others with similar conditions. For example, young people attending ASC provision valued quiet on the bus and it arriving at the same time each day. Other young people enjoyed music playing and interaction with the guide. This is incredibly helpful feedback that we need to think about when planning transport routes in future.

The young people also spoke positively about the impact independent travel training had had on them.

Title of proposed EIA *	<div>Travel Assistance Policy for 0-25 year olds in Education</div> <div>Please provide the title of your policy or service area.</div>
Reference No	<div>EQUA190</div> <div>Please do not amend. A reference number will automatically be applied once the form is saved.</div>
EA is in support of *	<div>Amended Policy</div>
Review Frequency *	<div>Annually</div> <div>Please select how regularly you plan to review the assessment.</div>
Date of first review *	<div>31/05/2020</div> <div>Based on the review frequency, please enter the date when your first review will take place.</div>
Directorate *	<div>Children and young people</div>
Division	<div>Children with SEND and Vulnerable groups</div>
Service Area	<div>Travel Assist</div> <div>Please add if applicable</div>
Responsible Officer(s) *	<div>Jennifer Langan x</div> <div>This is the person responsible for completing, submitting and reviewing the assessment.</div>
Quality Control Officer(s) *	<div>Simon J Field x</div> <div>This is the person responsible for checking the quality of the assessment.</div>
Accountable Officer(s) *	<div>Anne Ainsworth x</div> <div>This is the person responsible for making the final decision on the EIA and the policy, plan, procedure etc.</div>
Purpose of proposal *	<div>Update on Consultation Response and introduction of new policy</div>
Data sources	<div> <input checked="" type="checkbox"/> Survey(s) <input checked="" type="checkbox"/> Consultation Results <input type="checkbox"/> Interviews <input checked="" type="checkbox"/> relevant reports/strategies <input type="checkbox"/> Statistical Database (please specify) <input type="checkbox"/> relevant research <input type="checkbox"/> Other (please specify) </div> <div>What sources of data have been used to produce the screening of this policy/proposal? (Please tick all that apply)</div>
Please include any other sources of data	<div>Feedback from face-to-face meetings with parents and other stakeholders</div>
ASSESS THE POTENTIAL IMPACT AGAINST THE PROTECTED CHARACTERISTICS	<div></div> <div>Include how any potential negative impact be removed or mitigated.</div>
Protected characteristic: Age *	<div> <input checked="" type="checkbox"/> Service Users / Stakeholders <input type="checkbox"/> Employees <input type="checkbox"/> Wider Community <input type="checkbox"/> Not Applicable </div> <div>Please select those directly impacted or affected.</div>
Age details:	<div> <p>Birmingham's home to school transport service provides travel assistance to over 5,780 children and young people. There are approximately 4,250 pupils transported to and from school, college or centre every day using transport provision i.e. accessible/non accessible minibus, MPV or taxi and approximately 1,600 pupils are issued a bus pass.</p> <p>The consultation asked respondents about the proposal for and changes to, a new 0-25 Transport Assistance Policy for Education.</p> </div>

The changes proposed include combining policies into one 0-25 document; changing the stage 2 appeals process from a member panel to officers and enabling parents to attend any stage 2 meetings; strengthening the emphasis on independent travel training and personal transport budgets; greater clarity regarding the application and decision-making processes and the rights and responsibilities of parents.

In addition changes to the policy proposed; increasing the financial contribution from families for post 16 transport; introducing a contribution for pre-school transport and setting out the council's policy in relation to travel assistance for young adults over the age of 19.

For the selected characteristics, please add further details. Describe the potential positive and negative impact of the policy or service and how any negative impacts will be mitigated. Describe who is affected, how they are affected and any additional comments.

Protected characteristic: Disability *

- ☒ Service Users / Stakeholders
☐ Employees
☐ Wider Community
☐ Not Applicable

Please select those directly impacted or affected.

Disability details:

Birmingham's home to school transport Service was established to fulfil the Council's statutory duty to make transport arrangements for eligible children with Special Educational Needs and Disabilities (SEND)

Any changes to transport primarily affect children with SEND. The outcome of the consultation was broadly in line with the proposed changes to the policy. What became clear was that service users want the service to improve and want more communication and involvement in the development of the service.

The main changes within the policy that will affect service users is the increase in the contribution for post 16 users and the introduction of a contribution for pre-school children. Other changes largely relate to clarity concerning aspects of home to school transport, the decision making and appeals process as well as the application process.

An additional emphasis on independent travel training and an improved personal transport offer was broadly supported, but respondents were keen that the council did not 'impose' any changes on families, but worked with them as appropriate.

Work is taking place to review the location of specialist education across the city to bring provision closer to children and to seek to reduce travel which will enable more options to be available to families regarding travel to school.

For the selected characteristics, please add further details. Describe the potential positive and negative impact of the policy or service and how any negative impacts will be mitigated. Describe who is affected, how they are affected and any additional comments.

Protected characteristic: Gender *

- ☐ Service Users / Stakeholders
☐ Employees
☐ Wider Community
☒ Not Applicable

Please select those directly impacted or affected.

Gender details:

There are no specific gender implications.

Protected characteristics: Gender Reassignment *

- ☐ Service Users / Stakeholders
☐ Employees
☐ Wider Community
☒ Not Applicable

Please select those directly impacted or affected.

Gender reassignment details:

For the selected characteristics, please add further details. Describe the potential positive and negative impact of the policy or service and how any negative impacts will be mitigated. Describe who is affected, how they are affected and any additional comments.

Protected characteristics: Marriage and Civil Partnership *

- ☐ Service Users/ Stakeholders
☐ Employees
☐ Wider Community
☒ Not Applicable

Please select those directly impacted or affected.

Marriage and civil partnership details:

For the selected characteristics, please add further details. Describe the potential positive and negative impact of the policy or service and how any negative impacts will be mitigated.

Protected characteristics: Pregnancy and Maternity *

☐ Service Users / Stakeholders

☐ Employees

☐ Wider Community

☒ Not Applicable

Please select those directly impacted or affected.

Pregnancy and maternity details:

For the selected characteristics, please add further details. Describe the potential positive and negative impact of the policy or service and how any negative impacts will be mitigated. Describe who is affected, how they are affected and any additional comments.

Protected characteristics: Race *

☐ Service Users / Stakeholders

☐ Employees

☐ Wider Community

☒ Not Applicable

Please select those directly impacted or affected.

Race details:

For the selected characteristics, please add further details. Describe the potential positive and negative impact of the policy or service and how any negative impacts will be mitigated. Describe who is affected, how they are affected and any additional comments.

Protected characteristics: Religion or Beliefs *

- ☐ Service Users / Stakeholders
☐ Employees
☐ Wider Community
☒ Not Applicable

Please select those directly impacted or affected.

Religion or beliefs details:

For the selected characteristics, please add further details. Describe the potential positive and negative impact of the policy or service and how any negative impacts will be mitigated. Describe who is affected, how they are affected and any additional comments.

Protected characteristics: Sexual Orientation *

- ☐ Service Users / Stakeholders
☐ Employees
☐ Wider Community
☒ Not Applicable

Please select those directly impacted or affected.

Sexual orientation details:

	<p>For the selected characteristics, please add further details. Describe the potential positive and negative impact of the policy or service and how any negative impacts will be mitigated. Describe who is affected, how they are affected and any additional comments.</p>
<p>Please indicate any actions arising from completing this screening exercise.</p>	<p>Any changes to home to school transport will affect the families of children with SEND primarily. The impact of the proposed changes have been considered as part of the consultation, and the feedback received. This is reflected within the cabinet report.</p>
<p>Please indicate whether a full impact assessment is recommended</p>	<p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO</p> <p>If yes, please continue to complete the remaining questions. If no, please go to the quality control section below.</p>
<p>What data has been collected to facilitate the assessment of this policy/proposal?</p>	<p>The findings of the consultation were broadly in line with the proposals of within the new policy.</p> <p>The only area where on-line respondents did not agree with a proposal was to increase the polct 16 contribution for transport. 48% disagreed, whilst 32% agreed and 16% neither agreed nor disagreed.</p> <p>It was felt that this increase could disadvantage families who may already be struggling financially.</p> <p>The results of the consultation showed that many respondents were particularly focused on how the service is delivered and the quality of the service, alongside good communication and involvement with the service in the future and less concerned about the policy itself.</p>
<p>Consultation analysis</p>	<p>What are the main findings from the analysis of the data?</p> <p>The consultation has been quite comprehensive. Face to face meetings have been held with parents; voice of the child workshops undertaken; all statutory stakeholders have been contacted; sessions for elected members and MPs have been held and an on-line questionnaire was launched.</p> <p>The feedback from the consultation was broadly in line with the proposed changes.</p>
<p>Adverse impact on any people with protected characteristics.</p>	<p>Who was consulted, what are the results of the consultation exercise?</p> <p>Any changes to the service will have an impact on families who have children with SEND.</p> <p>The increased contribution for post 16 and the introduced contribution for pre-school children could have an impact on the financial circumstances of families and their ability to pay for transport.</p>
<p>Could the policy/proposal be modified to reduce or eliminate any adverse impact?</p>	<p>Based on the analysis of the data does the policy/proposal have any adverse impact?</p> <p>The intention is that this change in policy is part of improvements to service delivery and greater engagement with families, which ultimately will support children in their transition to adulthood and greater independence.</p>

	<p>Families will have access to information about other sources of funding/travel concessions to help them manage transport arrangements.</p> <p>The contribution towards transport does include a lower fee for low-income families and the amount requested have been kept relatively low. The increase contribution is an additional £15 per month for families and £7 per month for low-income families.</p>
<p>How will the effect(s) of this policy/proposal on equality be monitored?</p>	<p>Can the policy/proposal be modified to reduce or eliminate any adverse impact? on any particular group(s)?</p> <p>There will be a new quality assurance framework for decision-making and more information on-line that helps to explain how the service works.</p> <p>The team will work with the parent/carer forum, and four sessions each academic year will be arranged with parents to hear directly from them their experiences of the service.</p> <p>Greater oversight from elected members will be also be established, outside of scrutiny arrangements, to be established by the Cabinet Member for Children's Wellbeing.</p>
<p>What data is required in the future?</p>	<p>Information regarding applications, decisions taken and appeals.</p> <p>Numbers and type of complaints and how they have been managed and responded to.</p> <p>Any changes to the number of individuals accessing transport provision.</p> <p>Number of young people undertaking independent travel training.</p> <p>Please describe the data needed to ensure effective monitoring of this policy/proposal?</p>
<p>Are there any adverse impacts on any particular group(s)</p> <p>If yes, please explain your reasons for going ahead.</p>	<p><input checked="" type="checkbox"/></p> <p>There is the possibility that increasing the contribution to post 16 transport will have an adverse impact on some families.</p> <p>The recommendation is to continue with this proposal as some young people and families told us that they would pay the increased contribution as they value the service. Some respondents also told us that the contribution provided an incentive to undertake independent travel training, which ultimately provide great benefits to the young person and their families. In addition, the service already has a considerable budget pressure. If this increased contribution is not applied it could mean further reductions in service delivery that may impact on a greater number of families.</p>
<p>Initial equality impact assessment of your proposal</p>	<p>Birmingham's Travel Assist Service was established to fulfil the Council's statutory duty to make transport arrangements for eligible children including those with Special Educational Needs and Disabilities (SEND) Travel Assist provides a variety of transport options to over 4,250 children and young people on a daily basis, with an additional 1,600 receiving bus passes and has an overall budget of £18.4m for 2018/19. The majority of the children using the service have requirements related to SEND but the service also supports looked after children; children in temporary accommodation and other vulnerable groups. The service operates more than 590 routes and has a range of support options including: 1-to-1's; mini bus/coach transport/taxis/MPV's;</p>

Travel Guides; personal transport budgets; bus passes and independent travel training.

It is proposed that the service strengthens the offer to parents to make decisions that best suit them and their families, through the use of personal transport budgets; widen the offer for independent travel training and make available a wide variety of transport options for families, and promote independence.

As part of the modernisation of the service it is important to keep reviewing the service, looking at examples of good practice from elsewhere, and developing our offer to children and families.

The service will continue to deliver its statutory duties, and will focus on improving the offer currently available to school-age children.

The consultation has proposed changes to transport assistance for 0-25 years olds to education. The consultation involved parents/carers and schools; health and children's social care colleagues, schools and a considerable number of statutory stakeholders.

We want to strive toward co-production in this next stage of the development of the service.

A SEND Improvement Board currently is meeting weekly to develop closer alignment of work between the Council and Birmingham Children's Trust, Birmingham Clinical Commissioning Group and Birmingham Community Health Care Trust. Other partners will also be involved in discussion including schools, parent carer forums, GPs and the Third Sector partners.

Please give details on any initial assessment carried out. For a full assessment please complete the rest of the form. AS OF 29/11/2018 YOU ARE NO LONGER REQUIRED TO COMPLETE THIS BOX.

Consulted People or Groups

AS OF 29/11/2018 YOU ARE NO LONGER REQUIRED TO COMPLETE THIS BOX

Informed People or Groups

AS OF 29/11/2018 YOU ARE NO LONGER REQUIRED TO COMPLETE THIS BOX

Summary and evidence of findings from your EIA *

Due to the nature of the service any changes will have an impact on Children and Young People with Special Educational Needs impacting on both the protected characteristics of age and disability. New processes will be put in place to ensure that any impact is understood and that decision-making is transparent and robust.

An evidence base from the outcome of the consultation is available to all partners and stakeholders to provide clarity about the level of impact of any proposed changes and whether they will have operational, policy or service provision impact for children and other stakeholders.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?



Please add any documents including any consultation or engagement findings. Attach any source data using the attachment button above. Please include how you will mitigate against any negative impacts.

Quality Control Officer comments

Please untick 'Submit to quality control officer box' before saving.

Decision by Quality Control Officer

Proceed for final approval

IMPORTANT: Quality Control Officer - Please untick the above box 'Submit to the Quality Control Officer for reviewing?' before provide your decision.

Submit draft to Accountable Officer?



Quality Control Officers only - Please tick the box when you are happy for the assessment to be submitted for approval.

Decision by Accountable Officer

Approve

IMPORTANT: Accountable Officer - Please untick the above box 'Submit draft to Accountable Officer' before providing your final decision.

Date approved / rejected by the Accountable Officer



Reasons for approval or rejection

Please print and save a PDF copy for your records



Version: 64.0

Created at 08/11/2018 11:04 AM by Simon J Field

Last modified at 12/04/2019 11:36 AM by Workflow on behalf of Anne Ainsworth

Save

Cancel

RISK REGISTER

Project:

Transport Policy 0-25

Item No.	Title	Description & Consequence	Countermeasures / Mitigation	Probability
1	Policy not adopted by Cabinet	Policy not agreed by Cabinet in April 2019. The policy for post 16 and post 19 need agreement by 31 May 2019, to be compliant with national legislation.	Full explanation of the results of the consultation. Complete overview of the consultation, to reflect robustness and transparency. Differing views sampled to reflect the variety of responses and not just one position.	Low
2	Risk of Call-in	If the cabinet report and policy were to be called-in by Scrutiny, it is likely that the policy would not be published before the end of May deadline, and therefore the Council would not be compliant with national legislation.	As above. The report and appendices reflect the level of engagement undertaken and the results of the consultation.	Medium
3	Legal challenge to the consultation process	Legal challenge from service users, or organisations acting on their behalf, challenging the consultation process.	Robust legal advice was sought with regards to the consultation. National advice and best practise was reviewed. The consultation involved a range of different communication approaches; including face-to-face meetings and on-line responses. Responses to the consultation were analysed every week, to assess whether any additional sessions needed to be added during the consultation period.	Medium
4	Legal challenge to the policy or particular aspects of the policy	Legal challenge from service users, or organisations acting on their behalf, challenging parts or all of the policy.	Robust internal and external legal advice was sought with regards to the policy and any changes proposed. Other Local Authority policies were reviewed to ensure that Birmingham was in line with their policies and the feedback received included a response from the Department for Education.	Medium
5	Inability to implement the policy	Lack of resources to implement changes within the policy effectively that may involve contacting a large number of parents, changing processes and procedures, establishing new arrangements. These are additional tasks to usual service delivery.	The Head of Service has been fully involved in the drafting of the new policy, and discussions concerning the implementation of the policy have already taken place. Support will be provided by the SRO and other related teams, to ensure there are additional resources available if required, to put new arrangements in place.	Medium



Impact	Status	Management Level	Business Owner	Progress Update
High	Open	SRO	Anne Ainsworth	
High	Open	SRO	Anne Ainsworth	
Medium	Open	SRO	Anne Ainsworth	
Medium	Open	SRO	Anne Ainsworth	
High	Open	SRO	Anne Ainsworth	

Last Updated:



Department
for Education

Home to school travel and transport guidance

Statutory guidance for local authorities

July 2014

Contents

Summary	5
Review date	5
What legislation (including statutory instruments) does this guidance refer to?	5
Who is this guidance for?	5
Main points	6
Local authorities' statutory duties	6
Part 1 - Statutory duties	7
1.1 Sustainable school travel	7
Assessing the travel and transport needs of children and young people	7
Audit of infrastructure to support sustainable school travel	8
Strategy to develop infrastructure to support travel needs of pupils	8
Promoting sustainable travel and transport to and from school	9
Publication of Sustainable Modes of Travel Strategy	9
1.2 Provision of travel arrangements	9
1.3 Provision of travel arrangements: Eligible children	10
Statutory walking distances eligibility	10
Special educational needs, a disability or mobility problems eligibility	10
Unsafe route eligibility	11
Extended rights eligibility	11
Accompaniment	11
Assessing route safety	12
Measurement of routes	12
Timing of assessment of eligibility	12
Qualifying school	13
Travel arrangements made by the local authority or other bodies/persons	13
Suitability of arrangements	14
Part 2 - Discretionary Arrangements	16
Travel arrangements for other children	16
Religion or belief	16
Part 3 - Transport Considerations	18

Safeguarding requirements	18
Training and Equalities	18
Bus safety considerations	18
Poor behaviour on school buses/other modes of transport	19
Partnership	19
Part 4 – Policy Changes	20
Publication of general arrangements and policies	20
Policy Changes	20
Part 5 - Appeals process	21
Further information	22
Post-16 transport	22
Sustainable transport	22
DBS (formerly CRB) employee suitability checks	22
Definitions	24
Key term Glossary	25
Annex 1: Case Studies	26
Sustainable travel	26
Darlington Borough Council case study	26
Impact/benefits	26
Details of the approach	26
How was the change made?	26
Advice for other LAs contemplating such an initiative	27
Stoke-on-Trent case study	28
Impact/benefits	28
Details of the approach	28
How was the change made?	28
Advice for other LAs contemplating such an initiative	28
Home to school travel assistance for pupils with SEN or disabilities	29
Coventry City Council case study	29
Impact/savings achieved	29
Details of the new approach	29

How was the change made?	29
Advice for other LAs implementing the change	29
Capacity building with schools and transport operators	31
Hertfordshire County Council case study	31
Impact/savings achieved	31
Details of the new approach	31
How was the change made?	31
Advice for other LAs implementing the change	31
Demand responsive service in rural areas	33
Staffordshire County Council case study	33
Impacts/Benefits	33
Details of the approach	33
How was the change made?	33
Advice for other LA's implementing the change	33
Annex 2: Recommended Review/Appeals Process	35
Stage one: Review by a senior officer	35
Stage two: Review by an independent appeal panel	36
Home to school travel and transport: flowchart of the review/appeals process	37

Summary

This is statutory guidance from the Department for Education. This means local authorities are under a duty to have regard to it when carrying out their duties in relation to home to school travel and transport, and sustainable travel.

This guidance is issued under duties placed on the Secretary of State by sections 508A and 508D of the Education Act 1996 (the Act). It deals with sections 508A, 508B, 508C, 509AD, and Schedule 35B of the Act which were inserted by Part 6 of the Education and Inspections Act 2006 (the EIA 2006).

This guidance replaces Home to School Travel and Transport Guidance Ref: 00373-2007BKT-EN.

Review date

This guidance will next be reviewed in 2017.

What legislation (including statutory instruments) does this guidance refer to?

This guidance refers to the following legislation (including statutory instruments):

- Sections 444, 508A, 508B, 508C, 508D, 509AD and Schedule 35B of the Education Act 1996 (the Act), as inserted by [Part 6 of the Education and Inspections Act 2006](#) (the EIA 2006)
- Regulation 5 and Part 2 of Schedule 2 to The School Information (England) Regulations 2002, [as amended](#)
- Equality Act 2010
- [School Admissions Code](#)
- European Convention on Human Rights
- The School Travel (Pupils with Dual Registration)(England) Regulations 2007
- Public Service Vehicles (Carrying Capacity) Regulations 1984
- Section 48 of the School Standards and Framework Act 1998

Who is this guidance for?

This guidance is for:

- Local authorities
- Leaders of maintained schools, academies and free schools
- Parents
- Other interested parties, e.g. Transport Providers

Main points

- There has been no change to school transport legislation and the associated duties continue to rest with local authorities.
- With the widening of the academies programme, the introduction of the free schools programme, and all schools now having the power to decide their session times, there will be an increasing need for local stakeholders to work together in partnership to agree and deliver transport policies that meet the particular needs of their area¹.
- The guidance on appeals has changed and is intended to ensure greater consistency in approach and to be clearer and more transparent for both parents and local authorities.
- The policy for post 16 transport is different from that for compulsory school aged children (5-16). The link to the department's guidance on post 16 transport is provided in the '[Further information](#)' section of this guidance.
- Local authorities should review travel policies, arrangements and contracts regularly to ensure best value for money is achieved.

Local authorities' statutory duties

In order to comply with their home to school transport duties local authorities must:

- Promote the use of sustainable travel and transport (Part 1.1).
- Make transport arrangements for all eligible children (Part 1.2).

¹ See Hertfordshire County Council's approach to capacity building in the [case study at Annex 1](#).

Part 1 - Statutory duties

1.1 Sustainable school travel

1. Section 508A of the Act places a general duty on local authorities to promote the use of sustainable travel and transport². The duty applies to children and young people of compulsory school age who travel to receive education or training in a local authority's area³. The duty relates to journeys to and from institutions where education or training is delivered.

2. There are five main elements to the duty which local authorities must undertake:

- an assessment of the travel and transport needs of children, and young people within the authority's area;
- an audit of the sustainable travel and transport infrastructure within the authority's area that may be used when travelling to and from, or between schools/institutions;
- a strategy to develop the sustainable travel and transport infrastructure within the authority so that the travel and transport needs of children and young people are best catered for;
- the promotion of sustainable travel and transport modes on the journey to, from, and between schools and other institutions; and
- the publication of Sustainable Modes of Travel Strategy.

3. The Act defines sustainable modes of travel as those that the local authority considers may improve the physical well-being of those who use them, the environmental well-being of all or part of the local authority's area, or a combination of the two.

Assessing the travel and transport needs of children and young people

4. Local authorities should, in large part, base their assessment of children and young people's travel and transport needs on the data provided by schools or colleges, often contained within school travel plans. Effective school travel plans, updated as necessary, put forward a package of measures to improve safety and reduce car use, backed by a partnership involving the school, education, health and transport officers from the local authority, and the police. These seek to secure benefits for both the school and the children by improving their health through active travel and reducing congestion caused by school runs, which in turn helps improve local air quality. Many travel plans

² See Darlington Borough Council's approach to sustainable travel in the [case study at Annex 1](#).

³ 'Child', 'compulsory school age' and 'sixth-form age' are defined respectively in sections 579(1), 8 and 509 AC of the Act.

are produced as a result of planning conditions placed on new developments by local authority planning departments. This highlights the need for all relevant departments (e.g. highways departments, planning departments, transport departments, children's services, environment departments, and public health) to be fully engaged when addressing this duty.

Audit of infrastructure to support sustainable school travel

5. Local authorities already collect much of the information required for the audit of the infrastructure supporting sustainable school travel. Local authorities should audit infrastructure in accordance with any relevant guidance and the requirements of any infrastructure implemented. Specific school routes audits are considered good practice. The specifics of the audit and how often it should be reviewed are for a local authority to decide on as appropriate. However, the audit should include a mapping exercise showing how schools are served by:

- bus and other public transport routes (including school transport provided by the local authority);
- footpaths, cycle ways, roads and associated features (including crossing points and patrols, traffic calming measures, speed limits, 20mph zones); and
- any other arrangements made to support sustainable school transport that may be in operation (including the provision of cycle training, road safety training, and independent travel training; the provision of walking promotion and barrier removal schemes, car sharing schemes, park and stride/ride schemes, cycle parking).

6. The audit should also consider data relating to [personal safety and security](#), and other factors that influence travel choices, such as poor behaviour on school buses and/or the incidence of bullying on the journey to school. School travel plans will help local authorities understand any specific local issues, including perceptions of pupils and parents.

7. The arrangements or requirements for children with special education needs (SEN) or disabilities should also be considered and whether, for example, some might benefit from independent travel training which can result in a skill for life⁴.

Strategy to develop infrastructure to support travel needs of pupils

8. Following the assessment of pupil needs, and audit of the sustainable transport infrastructure that supports travel to school, local authorities must establish a strategy for

⁴ See Coventry City Council's approach to independent travel training in the [case study at Annex 1](#).

developing that infrastructure so that it better meets the needs of children and young people in their area. These improvements should address a range of objectives, including environmental improvements, health benefits and enhanced child safety and security. The strategy should be a statement of the authority's overall vision, objectives and work programme for improving accessibility to schools and will be an important source of information to parents on the travel options available to them when expressing their preferences for particular schools in the admissions round.

9. The strategy should be evidence-based, including an assessment of the accessibility needs and problems of the local authority's area. Local authorities must monitor the implementation of their strategy and revise these as they feel necessary.

Promoting sustainable travel and transport to and from school

10. Local walking, cycling, and bus strategies should inform the local authority's duty to promote sustainable school travel. In line with the physical Olympic and Paralympic legacy, as set out in HM Government's document '[Moving More, Living More](#)', promotion of walking and cycling to school can be an effective way to increase physical activity in children.

11. The sustainable school travel duty should have a broad impact, including providing health benefits for children, and their families, through active journeys, such as walking and cycling. It can also bring significant environmental improvements, through reduced levels of congestion and improvements in air quality to which children are particularly vulnerable.

Publication of Sustainable Modes of Travel Strategy

12. The Education (School Information) (England) Regulations 2002, as amended require local authorities to publish their Sustainable Modes of Travel Strategy on their website by 31 August each year⁵.

1.2 Provision of travel arrangements

13. Sections 508B and 508C of the Act make provision for local authorities to ensure that suitable travel arrangements are made, where necessary, to facilitate a child's attendance at school.

⁵ S.I. 2002/2897, amended by [The Education \(School Information\) \(England\) \(Amendment\) Regulations 2007 \(S.I. 2007/1365\)](#).

14. These provisions apply to home⁶ to school travel arrangements, and vice versa⁷. They do not relate to travel between educational institutions during the school day⁸.

15. Parents are responsible for ensuring that their children attend school regularly. However, section 444(3B) of the Act provides that a parent will have a defence in law against a prosecution by a local authority for their child's non-attendance at school where the local authority has a duty to make travel arrangements in relation to the child under section 508B and has failed to discharge that duty.

1.3 Provision of travel arrangements: Eligible children

16. Section 508B of the Act deals with the duty on local authorities to make such travel arrangements as they consider necessary to facilitate attendance at school for eligible children. Schedule 35B of the Act defines eligible children – those categories of children of compulsory school age (5-16) in an authority's area for whom free travel arrangements will be required local authorities are required to:

Statutory walking distances eligibility

- provide free transport for all pupils of compulsory school age (5-16) if their nearest suitable school⁹ is:
 - beyond 2 miles (if below the age of 8); or
 - beyond 3 miles (if aged between 8 and 16)

Special educational needs, a disability or mobility problems eligibility

- make transport arrangements for all children who cannot reasonably be expected to walk to school because of their mobility problems or because of associated health and safety issues related to their special educational needs (SEN) or disability¹⁰. Eligibility, for such children should be assessed on an individual basis to identify their particular transport requirements. Usual

⁶ A child's 'home' is the place where he/she is habitually and normally resident.

⁷ Including to boarding provision, where applicable.

⁸ When a dual placement is outlined on an EHC Plan or statement, a local authority should use its discretion to decide on how best to cater for this child's individual circumstances.

⁹ Taken to mean the nearest [qualifying school](#) with places available that provides education appropriate to the age, ability and aptitude of the child, and any SEN that the child may have.

¹⁰ As per Schedule 35 of The Act, disability is as defined in S.6 of EA 2010: a person has a disability if they have (a) a physical or mental impairment, and (b) that impairment has a substantial a long-term effect on the ability to carry out normal day-to-day activities. Therefore a chronic health condition may lead to eligibility under this definition.

transport requirements (e.g. the statutory walking distances) should not be considered when assessing the transport needs of children eligible due to SEN and/or disability.

Unsafe route eligibility

- make transport arrangements for all children who cannot reasonably be expected to walk to nearest suitable school because the nature of the route is deemed unsafe to walk.¹¹.

Extended rights eligibility

- provide free transport where pupils are entitled to free school meals or their parents are in receipt of maximum Working Tax Credit ¹² if:
 - the nearest suitable school is beyond 2 miles (for children over the age of 8 and under 11);
 - the school is between 2 and 6 miles (if aged 11-16 and there are not three or more suitable nearer schools);
 - the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16).

Accompaniment

17. In determining whether a child cannot reasonably be expected to walk for the purposes of 'special educational needs, a disability or mobility problems eligibility' or 'unsafe route eligibility', the local authority will need to consider whether the child could reasonably be expected to walk if accompanied and, if so, whether the child's parent can reasonably be expected to accompany the child. When considering whether a child's parent can reasonably be expected to accompany the child on the journey to school a range of factors may need to be taken into account, such as the age of the child and whether one would ordinarily expect a child of that age to be accompanied.

18. The general expectation is that a child will be accompanied by a parent where necessary, unless there is a good reason why it is not reasonable to expect the parent to do so.

19. Local authorities should, however, promote and ensure equality of opportunity for disabled parents. For example, if a parent's disability prevents them from accompanying

¹¹ Paragraphs 4 and 5 of Schedule 35B.

¹² Paragraphs 9-14 of Schedule 35B.

their child along a walking route that would otherwise be considered unsafe without adult supervision, a reasonable adjustment might be to provide free home to school transport for the child in question.

Assessing route safety

20. Creating safe walking, cycling and travel routes and encouraging more pupils to walk and cycle to school is one of the best ways to reduce the need for transport and associated costs. In assessing safety, local authorities should consider a range of risks, such as: canals, rivers, ditches, speed of traffic and fields of vision for the pedestrian or motorist. An authority should also consider whether it is reasonable to expect the child's parent to accompany the child along a route which would otherwise be classified as [being unsafe](#).

21. Good practice shows that using local knowledge, coupled with modern IT tools, is essential when assessing existing walking routes and identifying potential new ones. Putting in place suitable new paths, pedestrian crossings and cycle lanes can improve safety, but minimal investment can also reap significant rewards. This might be something as simple as trimming overgrown hedges or preventing illegal parking. Making parents aware of safe walking routes and the time taken to assess them can help alleviate concerns and significantly increase the amount of pupils choosing to walk.

Measurement of routes

22. The measurement of the statutory walking distances is not necessarily the shortest distance by road. It is measured by the shortest route along which a child, accompanied as necessary, [may walk safely](#). As such, the route measured may include footpaths, bridleways, and other pathways, as well as recognised roads.

23. The 2 mile limit for extended rights should be measured in the same way as the statutory walking distances. However, the 6 mile upper limit to a choice of schools, and the 15 mile upper limit to a school preferred on grounds of religion or belief are not walking routes, and should therefore be measured along routes that are passable using a suitable motorised vehicle. In short, the upper limits should be measured along road routes.

Timing of assessment of eligibility

24. At the point when transport eligibility is considered, the prospect of being able to secure a place in an alternative (usually nearer) school must be a real one. For most cases this will be during the normal school admissions round when places are allocated. A smaller number of cases will need to be considered during the course of the school year e.g. as a result of families moving to a new area.

25. Where entitlement to extended travel rights has been established the department's opinion is that local authorities should consider the pupil to be eligible for the entirety of

the school year for which the assessment has been made. If a pupil ceases to be eligible any change to provision made by the local authority must be considered in the context of the potential impact on the child. Disruption to a child's education should be avoided.

26. Where a pupil is registered at a school, but is attending a place other than that school as a result of temporary exclusion, [eligibility for home to school travel](#) will apply to the other place for the temporary period.

Qualifying school

27. The relevant educational establishment in relation to an eligible child will be either a qualifying school or the place, other than a school, where they are receiving education by virtue of arrangements made under section 19(1) of the Act¹³.

28. Regulations¹⁴ clarify the entitlement for eligible children, a small number of whom may be registered at more than one educational establishment, e.g. children of no fixed abode might be registered at more than one school, and other children may be registered at a hospital school and another school, etc.

29. Qualifying schools are:

- community, foundation or voluntary schools;
- community or foundation special schools;
- non-maintained special schools;
- pupil referral units;
- maintained nursery schools; or
- city technology colleges (CTC), city colleges for the technology of the arts (CCTA) or academies, including free schools and University Technical Colleges (UTC)¹⁵.

30. For children with SEN, an independent school can also be a qualifying school where this is named on the child's Education, Health and Care Plan (EHC Plan) or statement, or it is the nearest of two or more schools named.

Travel arrangements made by the local authority or other bodies/persons

31. Examples of other bodies or persons making travel arrangements might include: a parent consenting to use their car in return for a mileage allowance; a school or group of

¹³ Section 508B(10) of the Act.

¹⁴ [The School Travel \(Pupils with Dual Registration\)\(England\) Regulations 2007](#) (S.I.2007/1367).

¹⁵ Paragraph 15 of Schedule 35B.

schools reaching an agreement with a local authority to provide transport in minibuses owned by the school; or a transport authority providing free passes for all children on public transport. For example, in London, Transport for London provides free bus passes for all children under the age of 16. In many circumstances, London Boroughs may therefore not need to make any additional travel arrangements for children living in their area, particularly when eligibility would be through statutory walking distances or extended rights.

32. Subsection (4) of 508B and 508C of the Act list some of the travel and transport arrangements that may be made. These might include: provision of a seat on a bus or minibus provided by the local authority; provision of a seat in a taxi where more individualised arrangements are necessary; and provision of a pass for a public service bus, or other means of public transport.

33. On condition that the relevant parental consent has been obtained (annually or, if a child moves school, at that point too) by the local authority, a number of alternative arrangements might be considered to meet the local authority duty relating to travel arrangements. Examples include:

- a mileage allowance paid to a parent driving their eligible child to school in lieu of the local authority making arrangements for a taxi to transport the child;
- a cycling allowance paid by the local authority where the parent agreed for their child to cycle to and from school instead of catching a bus for, say a three mile journey; and
- local authority provision of a suitable escort to enable an eligible child with a disability to walk a short distance to school in safety, instead of making arrangements for a taxi to take them to and from school.

Suitability of arrangements

34. As a general guide, transport arrangements should not require a child to make several changes on public transport resulting in an unreasonably long journey time. Best practice suggests that the maximum each way length of journey for a child of primary school age to be 45 minutes and for secondary school age 75 minutes, but these should be regarded as the maximum. For children with SEN and/or disabilities, journeys may be more complex and a shorter journey time, although desirable, may not always be possible.

35. Consideration should also be given to the walking distance required in order to access public transport. The maximum distances will depend on a range of circumstances, including the age of the child, their individual needs and the nature of the routes they are expected to walk to the pick up or set down points and should try to be combined with the transport time when considering the overall duration of a journey. With regards to pick up points, local authorities may at their discretion use appropriate pick up points when making travel arrangements. For arrangements to be suitable, they must

also be safe and reasonably stress free, to enable the child to arrive at school ready for a day of study.

Part 2 - Discretionary Arrangements

Travel arrangements for other children

36. Section 508C of the Act provides local authorities with discretionary powers to go beyond their statutory duties and provide transport for children who are not entitled to free transport. Charges can be made, or, as stated in Subsection (5) of 508C local authorities may also pay all or part of the reasonable travel expenses of children who have not had travel arrangements made either under the statutory duty placed on local authorities, or under their discretionary powers to make travel arrangements. Where charges are imposed, good practice suggests that children from low income groups (those not eligible for extended rights, either due to being just outside financial eligibility or live outside of the distance criteria and therefore not in receipt of free travel) should be exempt.

37. It is very much for the individual local authority to decide whether and how to apply this discretion as they are best placed to determine local needs and circumstances. It is recognised that local authorities will need to balance the demands for a broad range of discretionary travel against their budget priorities. While the department offers guidance, the final decision on any discretionary travel arrangements must rest with the individual local authority who should engage with parents and clearly communicate what support they can expect from the local authority.

Religion or belief

38. Many parents will choose to send their children to a school as near as possible to their home. However, some parents choose to send their children to a school with a particular ethos because they adhere to a particular faith, or belief. Local authorities need to respect parents' religious and philosophical convictions as to the education to be provided for their children¹⁶, give careful consideration to discrimination issues and seek legal opinion if they are unsure about the effect of their policies, before publishing them each year.

39. Under the European Convention on Human Rights (ECHR), parents do not enjoy a specific right to have their children educated at a school with a religious character or a secular school, or to have transport arrangements made by their local authority to and from any such school and the Equality Act 2010 (which places a duty on local authorities

¹⁶ Article 2 of the First Protocol.

not to discriminate against a person on the grounds of their religion or belief), does not apply to the exercise of an authority's functions in relation to transport¹⁷.

40. However, the Secretary of State continues to attach importance to the opportunity that many parents have to choose a school or college in accordance with their religious or philosophical beliefs, and believes that wherever possible, local authorities should ensure that transport arrangements support the religious or philosophical preference parents express. In many cases these schools may be more distant and therefore the provision of transport and/or training, and the avoidance of unreasonable expenditure on travel are encouraged. However, the department appreciates that this may be incompatible, for example, on grounds of excessive journey length, or where the journey may have a detrimental impact on the child's education.

41. The Act places a duty on local authorities to make arrangements for secondary pupils from [low income](#) backgrounds to attend the nearest school preferred on grounds of "religion or belief", where that school is between 2 and 15 miles from their home. Local authorities may wish to use their discretionary powers to extend transport arrangements beyond the extended rights duty and facilitate attendance at such schools. The Secretary of State expects local authorities to consider all possible options before they disturb well established arrangements, some of which have been associated with local agreements or understandings about the siting of such schools. Local authorities should pay particularly careful attention to the potential impact of any changes on low income families (those not eligible under extended rights) whose parents adhere to a particular faith or philosophy, and who have expressed a preference for a particular school because of their religious or philosophical beliefs.

42. Local authorities will need to be aware of their obligation not to discriminate under article 14 of ECHR. For example, where local authorities use their discretionary powers to make travel arrangements for children on the basis of their parents' religious beliefs to schools designated with a religious character, the equalities implications should be considered, to facilitate parents' who wish their children to be educated in accordance with their philosophical convictions.

¹⁷ s31 of, and paragraph 11 of Schedule 3 to, the Equality Act 2010.

Part 3 - Transport Considerations

Safeguarding requirements

43. It is the responsibility of the individual local authority to ensure the suitability of its employees and any contractors or their employees by undertaking the required safeguarding checks on those whose work or other involvement will bring them into contact with children, or more widely, vulnerable adults. This should include bus drivers, taxi drivers and escorts, as necessary. The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) have merged to become the [Disclosure and Barring Service](#) (DBS). CRB checks are now called DBS checks. Please see [Further information](#).

Training and Equalities

44. All local authorities should ensure that all drivers and escorts taking pupils to and from school and related services have undertaken appropriate training, and that this is kept up to date. It is also considered good practice for those responsible for planning and managing school transport to have undertaken appropriate equality training. This training could consist of (but is not restricted to):

- an awareness of different types of disability including hidden disabilities;
- an awareness of what constitutes discrimination;
- training in the necessary skills to recognise, support and manage pupils with different types of disabilities, including hidden disabilities and certain behaviour that may be associated with such disabilities;
- training in the skills necessary to communicate appropriately with pupils with all types of different disabilities, including the hidden disabilities; and
- training in the implementation of health care protocols to cover emergency procedures.

Bus safety considerations

45. Buses and coaches used to take pupils to and from school are public service vehicles and, as such, are subject to specific legislation on safety standards. All coaches and minibuses carrying groups of children of 3 to 15 years of age on organised trips are required to be equipped with seat belts. The legal requirement to fit seat belts does not apply to other types of bus, including those on public service. These tend to travel relatively slowly, over short distances, with frequent stops. Schools or local authorities making arrangements for home to school transport are free to specify within their contracts that they will only accept vehicles fitted with seatbelts.

46. The [Public Service Vehicles \(Carrying Capacity\) Regulations 1984](#) allow the option of three children under the age of 14 to occupy a bench seat designed for two adults on a

service bus. Modern bus designs and seat belt requirements are reducing the circumstances in which this practice can be adopted and in the opinion of the Secretary of State, local authorities making arrangements for home to school travel should only make use of this concession on an exceptional basis.

Poor behaviour on school buses/other modes of transport

47. The department expects each school to promote appropriate standards of behaviour by pupils on their journey to and from school through rewarding positive behaviour and using sanctions to address poor behaviour. The EIA 2006 empowers headteachers to take action to address unacceptable behaviour even when this takes place outside the school premises and when pupils are not under the legal control of the school, but when it is reasonable to do so. In the department's view, this would include behaviour on school buses, or otherwise on the route to and from school, whether or not the pupils are in school uniform.

48. A number of local authorities have adopted a policy of withdrawing transport, either for a temporary period, or permanently for more serious or repeated cases of misbehaviour. Equally, the behaviour of pupils outside school can be considered as grounds for exclusion. This will be a matter of judgment for the Headteacher¹⁸. Local authorities might also consider that escorts are necessary to ensure safety of pupils on buses and can stipulate the provision of suitable escorts in their tender documents.

Partnership

49. The department strongly supports local authorities in developing cross-cutting approaches to home to school travel and transport. Relevant considerations would include sustainability, delivering value money and finding school and parent friendly solutions. This could be through strong partnerships between local authorities and academies, the use of Department for Transport policies and practices, such as Local Transport Plans and Local Sustainable Transport fund (see [Further information](#)) and partnership with parents, for example to allow them to top up transport costs through the payment of fees in order to maintain the provision.

50. Partnerships are strongly encouraged, particularly in rural areas, where the generally more limited transport services could disadvantage children¹⁹.

¹⁸ <https://www.gov.uk/government/publications/school-exclusion>

¹⁹ See Staffordshire County Council's approach to rural travel provision in [case study at Annex 1](#).

Part 4 – Policy Changes

Publication of general arrangements and policies

51. Local authorities must publish general arrangements and policies in respect of home to school travel and transport for children of compulsory school age. This information should be clear, easy to understand and provide full information on the travel and transport arrangements. It should explain both statutory transport provision, and that provided on a discretionary basis. It should also set out clearly how parents can hold local authorities to account through their appeals processes. Local authorities should ideally integrate their Sustainable Modes of School Travel strategies into these policy statements, and publish them together.

Policy Changes

52. Local authorities should consult widely on any proposed changes to their local policies on school travel arrangements with all interested parties. Consultations should last for at least 28 working days during term time. This period should be extended to take account of any school holidays that may occur during the period of consultation.

53. Good practice suggests that the introduction of any such changes should be phased-in so that children who start under one set of transport arrangements continue to benefit from them until they either conclude their education at that school or choose to move to another school. Parents make school choices based on, amongst other things, the home to school transport arrangements for a particular school, and any changes might impact adversely on individual family budgets.

Part 5 - Appeals process

54. Local authorities should have in place both complaints and appeals procedures for parents to follow should they have cause for complaint about the service, or wish to appeal about the eligibility of their child for travel support. The procedure should be published alongside the local authority travel policy statement. If an appellant considers that there has been a failure to comply with the procedural rules or if there are any other irregularities in the way an appeal was handled they may have a right to refer the matter to the Local Government Ombudsman. If an appellant considers the decision of the independent appeals panel to be flawed on public law grounds, they may apply for a judicial review.

55. In the past we have left it to local authorities to determine how their appeals procedures should operate in practice. However, in the interests of consistency and to be both clearer and more transparent, for both parents and local authorities, we have now set out a recommended review/appeals process in [Annex 2](#).

Further information

Post-16 transport

Guidance relating to post-16 transport is available on the [department's website](#)

Sustainable transport

British Cycling is the national governing body for cycling and can provide advice on cycling to school and cycle training. More information is available at www.britishcycling.org.uk

Department for Transport funding is available to Local Highway Authorities and Schools Games Organiser Host Schools for the provision of Bikeability cycle training for school children in England. This will teach children to cycle safely, confidently and competently on the roads. More information is available here: www.dft.gov.uk/bikeability/schools

The Department for Transport Local Sustainable Transport Fund was established to support authorities in delivering local economic growth whilst cutting carbon emissions from transport. Further information can be found at: <https://www.gov.uk/government/collections/local-sustainable-transport-fund>

Living Streets runs the national Walk to School campaign which reaches over 13 million people. The campaign successfully encourages and supports parents/carers and children to make walking to school part of their daily routine. More information is available on their website www.livingstreets.org.uk

Modeshift is the national sustainable travel organisation. Modeshift supports local authorities, schools, business and communities to increase levels of sustainable travel. More information is available on their website www.modeshift.org.uk

Moving More, Living More is a document produced by the Department of Health which builds on the work already under way to help realise the aim of having a more physically active nation as part of the legacy from the London 2012 Olympic and Paralympic Games: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/279657/moving_living_more_inspired_2012.pdf

Sustrans is the leading sustainable transport charity that provides practical advice that can be passed onto parents to increase confidence in walking and cycling. More information is available on their website: www.sustrans.org.uk

DBS (formerly CRB) employee suitability checks

Further information about DBS checks (and who requires them or is eligible, for example bus drivers for designated home to school transport are eligible, whereas those driving

public services are not) can be obtained from: <https://www.gov.uk/disclosure-barring-service-check>

Definitions

- Section 444(5) of the Act defines the statutory walking distances.
- Schedule 35B of the Act defines:
 - ‘eligible children’ (paragraphs 2-7 and 9-13);
 - ‘qualifying school’ (paragraph 15);
 - ‘disabled child’ (paragraph 15(4));
 - ‘religion and belief’ (paragraph 15(6)) and 509AD of the Act;
 - ‘low income family’ (paragraphs 9-14).
- Section 579 of the Act defines ‘child’.
- Section 509AC of the Act defines ‘compulsory school age’.
- The Equality Act 2010 defines ‘religion or belief’ for the purposes of this Act.
- The Children’s and Families Act section 10 defines ‘SEN’

Key term Glossary

- Home: A child's 'home' is the place where he/she is habitually and normally resident.
- Nearest suitable school: Taken to mean the nearest qualifying school with places available that provides education appropriate to the age, ability and aptitude of the child, and any SEN that the child may have.
- Parent: Reference to parent in this document should be equated to mean parent/carer/legal guardian.
- Philosophical Belief: For a philosophical "belief" to be worthy of protection, it must attain a certain level of cogency, seriousness, cohesion and importance; be worthy of respect in a democratic society; and not be incompatible with human dignity or the fundamental rights of the child. Examples of beliefs are humanism and atheism.
- Road routes: Reference to road route should be taken to mean a route passable by a motor vehicle, and could include distance covered on additional transport, e.g. via ferry.

Annex 1: Case Studies

Sustainable travel

Effective sustainable travel plans have wider benefits for a local area than simply improving access to schools and education. Evidence shows that school travel plans can have benefits ranging from increased road safety, to healthier, more alert and engaged pupils, to increasing independent travel and associated life skills for pupils with SEN. Enabling the increased use of sustainable modes of travel such as walking, cycling and the use of public transport has environmental benefits in reducing levels of noise, congestion and poor air quality - the latter of which children are particularly at risk to.

Darlington Borough Council case study

Impact/benefits

The data from 2011-12 indicates that on average, 7% of secondary school pupils are choosing to cycle to school. Before the Local Motion initiative began, this figure stood at just 1%.

Details of the approach

Darlington Borough Council has encouraged a modal shift away from the car to more sustainable modes under the brand 'Local Motion'. The Local Sustainable Transport Fund has provided funding for the continuation of this project since 2011. It ensures that schools, young people and their families receive relevant information, to enable them to choose sustainable travel options to get to and from school.

How was the change made?

The whole schools package is underpinned by the Modeshift STARS online accreditation scheme which recognises and rewards each school's commitment to promoting sustainable travel. All Darlington schools must engage with Modeshift STARS in order to access other support and resources from the Local Motion project.

A new Year 6 Transition Programme has been introduced to help pupils and their parents make informed choices about sustainable travel options to the secondary school they will be attending.

All Darlington secondary schools have converted to academy status, but have continued to engage with the Local Motion programme and continue to support sustainable travel.

Advice for other LAs contemplating such an initiative

The Local Motion Transition encourages families to start thinking about how they are going to travel to secondary school long before they start at the school, to avoid relying on private cars.

For further information please email Louise Neale: louise.neale@darlington.gov.uk

Stoke-on-Trent case study

Impact/benefits

After just one year of Sustrans' engagement (2013/14) regular cycling amongst pupils (once or twice a week or more) increased from 8.5% to 12.7% and those regularly being driven (once or twice a week or more) decreased from 49.9% to 45.3%. This is helping to reduce the impact of congestion from education travel which is estimated to cost £2.6m per year.

Details of the approach

Stoke is one of eight partner local authorities in the Access to Education (A2E) programme, led by Devon County Council and coordinated by Sustrans. It is funded by the Local Sustainable Transport Fund.

Using locally-tailored packages Sustrans provide a real alternative to the car for trips to schools, colleges and universities, reducing congestion, improving journey reliability and boosting local economies.

How was the change made?

- Intensive engagement from two Sustrans officers working with 21 primary and seven secondary schools
- Provision of 'Access to Bikes School Hubs' – shipping containers that contain 15 bikes, helmets, hi-viz jackets, pumps, locks, lights and maintenance tools placed in nine schools
- Installation of cycle parking and scooter pods at schools
- A programme of highway safety improvements, including new crossings and off-road cycle access links from residential areas to schools

Advice for other LAs contemplating such an initiative

Schools need to have intensive support over an extended period of time which would include building the skills, knowledge and confidence of 'champions' to deliver the ongoing work. The Sustrans School Mark, an accreditation scheme which recognises and supports schools' excellence in active and sustainable travel, provides a framework to drive this forward.

For further information please email Allan Williams: allan.williams@sustrans.org.uk

Home to school travel assistance for pupils with SEN or disabilities

Research indicates that there can be significant short and long term benefits in the application of independent travel training for pupils with special educational needs or disabilities. The training given can result in savings to transport budgets in the short term, but can also provide longer term benefits to the individual in terms of a skill for life that might lead to greater social inclusion and employment prospects.

Coventry City Council case study

Impact/savings achieved

As a result of this initiative and tighter control and work to secure efficiencies in the operation of the home to school travel assistance programme the Council made £326k savings in 2011/12. The savings made in 2012/13 equated to £374k which includes the reductions in expenditure on home to school escorts. The total reduction over the 2 years is a 19% fall in expenditure.

Details of the new approach

Successful work has been undertaken to provide independent travel training for secondary aged pupils and the provision of personal transport budgets to the parents of pupils in special schools. This has enabled young people to become more independent and given them valuable skills for life, as well as securing a reduction in spending for the Council.

How was the change made?

Impower Consultancy was commissioned to identify potential efficiencies. Focus groups of parents of pupils with SEN or disabilities were formed to seek views and identify new ways of working. Two key work streams were then established to take forward the provision of Independent Travel Training and Personal Transport Budgets (PTBs).

Two travel trainers now focus their work on school aged pupils, to help them improve their independence skills. This also reduces the number of adults needing training in subsequent years.

The Council also developed a scheme to offer PTBs to parents. The funding was high enough to incentivise parents, while being low enough to deliver savings for the Council. This was piloted in one school initially and then rolled out across all the special schools.

Advice for other LAs implementing the change

Special school headteachers are fully involved in this initiative and they help identify suitable young people to undertake training.

Contacting parents by telephone was resource intensive, but very positive in terms of fully explaining the benefits and options. PTBs are voluntary, tailored and non-prescriptive. The attendance and punctuality of pupils with a PTB is monitored. Beyond this there is no prescription and parents are not asked to account for expenditure.

For further information please email Marian Simpson: marian.simpson@coventry.gov.uk

Capacity building with schools and transport operators

In a financial climate where spending is reduced and costs are increasing local authorities may well find that they have less funding available to support discretionary transport provision, but there may be alternative solutions.

Many academies, with support from their local communities, are taking full advantage of their academy freedoms and are collaborating with other stakeholders and providers to offer discretionary transport to their schools. Local authorities can greatly assist with these initiatives by sharing their experience, expertise and influence in the procurement of transport.

Hertfordshire County Council case study

Impact/savings achieved

£5-6 million will be saved each year as a result of schools and commercial operators providing discretionary travel on routes previously funded and delivered by the Council.

Details of the new approach

From September 2012 Hertfordshire County Council introduced a statutory only home-school transport policy. The Council was keen to attract third party providers to arrange transport on routes which it had previously organised and subsidised and that catered mainly for children without a statutory entitlement to home to school transport.

The Council has worked to build capacity locally to encourage and enable schools, community groups and commercial operators to provide school transport. From September 2013 a total of 130 routes to schools of preference operate without a financial subsidy from the Council. Thirty of these routes have been operating since April 2012.

How was the change made?

The Council supported schools and parents to help develop transport plans. The Council also secured the involvement of the commercial sector and promoted awareness of business opportunities to it.

Advice for other LAs implementing the change

Commercial operators require routes to be financially secure, and therefore are only likely to consider taking on routes where there is a predicted, fare paying commitment from parents. School transport only accounts for 192 days a year.

Local authorities should act as facilitators with the commercial sector, to help schools with contracts and to ensure competition law is followed. Models should rely on parents being able to fund their family's school transport, without any subsidy from the LA. In the

current financial climate, there has been more opportunity for commercial coach companies to participate in this market, rather than commercial bus companies.

For further information please email Sarah Vize: sarah.vize@hertfordshire.gov.uk

Demand responsive service in rural areas

Counties with a large number of small rural communities face the challenge of ensuring that children in these communities are transported to their local schools whilst also providing a cost efficient transport network to the wider community to avoid rural isolation. Rural transport is essential in sustaining local rural communities and connecting people with essential services.

Staffordshire County Council case study

Impacts/Benefits

As a result of replacing infrequent existing local service buses and incorporating home to school transport on to a demand responsive service, a sustainable service has been developed which transports children to school and enables the rural population to be connected with essential services and the wider community. Children that have been transported to school frequently go on to use the service when they move up to middle or high school, increasing their independence despite their rural location.

Details of the approach

Moorlands Connect, a Demand Responsive Service was launched in 2010. The service incorporates the home to school transport to two village schools within the operating area which covers approximately 125 square miles. Outside school transport times the vehicles can be booked as a door to door service to transport people to work, appointments or other essential journeys. Using smaller vehicles and a demand responsive approach that is not tied to a scheduled route has meant that remote areas now have access to a service.

How was the change made?

A rural transport review was commissioned in 2008 and recommended the implementation of a demand responsive service. Residents in the area were consulted and current services, including home to school transport, were reviewed to establish which services could be incorporated on to a new service to increase its sustainability. Funding was sourced from various external agencies for the purchase of two fully accessible vehicles that carry bicycles and the service was launched in September 2010. It continues to be well used by the local communities and also by visitors to the area who can get out and about in the Peak District using the service.

Advice for other LA's implementing the change

The process in setting up the service should include service demand evaluation, assessment of service options, the associated costs and, importantly, comprehensive consultation. Such service complements existing local bus services and provides

alternative choice for passengers. The latter ensures new and continuing public and political support for the scheme. Ticketing options need to be considered, including onward ticketing and potential integration with the local bus service(s). All funding options should be explored at a local and national level; this connect service received initial funding from Districts, Staffordshire Police and Fire services. Once the service is operational there is the need to monitor and evolve the service to meet ongoing needs and changing travel patterns.

For further information please email: kathryn.grattage@staffordshire.gov.uk

Annex 2: Recommended Review/Appeals Process

Previous guidance made clear that local authorities should have in place and publish their appeals procedures, but left it to the individual authority to determine how this should operate in practice. We are now recommending that local authorities adopt the appeals process set out below, appreciating that specifics, such as the identification of an appeal compared to a complaint, will need to be decided by local authorities. The intention is to ensure a consistent approach across all local authorities, and to provide a completely impartial second stage, for those cases that are not resolved at the first stage.

Local authorities should publish annually their appeals process on their website. This should set out a clear and transparent two stage process (with paper copies available on request) for parents who wish to challenge a decision about:

- the transport arrangements offered;
- their child's eligibility;
- the distance measurement in relation to statutory walking distances; and
- the safety of the route.

Stage one: Review by a senior officer

- A parent has 20 working days²⁰ from receipt of the local authority's home to school transport decision to make a written request asking for a review of the decision.
- The written request should detail why the parent believes the decision should be reviewed and give details of any personal and/or family circumstances the parent believes should be considered when the decision is reviewed.
- Within 20 working days of receipt of the parent's written request a senior officer reviews the original decision and sends the parent a detailed written notification of the outcome of their review, setting out:
 - the nature of the decision reached;
 - how the review was conducted (including the standard followed e.g. Road Safety GB²¹);
 - information about other departments and/or agencies that were consulted as part of the process;
 - what factors were considered;
 - the rationale for the decision reached; and

²⁰ As with the whole appeals process the timings are recommended and not compulsory. We envisage many appeals will be dealt with much sooner than these timings, particularly those which have a time pressure, whilst complex cases may take longer.

²¹ Road Safety GB is the sole published standards known to the department, hence referenced.

- information about how the parent can escalate their case to stage two (if appropriate).

Stage two: Review by an independent appeal panel

A parent has 20 working days from receipt of the local authority's stage one written decision notification to make a written request to escalate the matter to stage two.

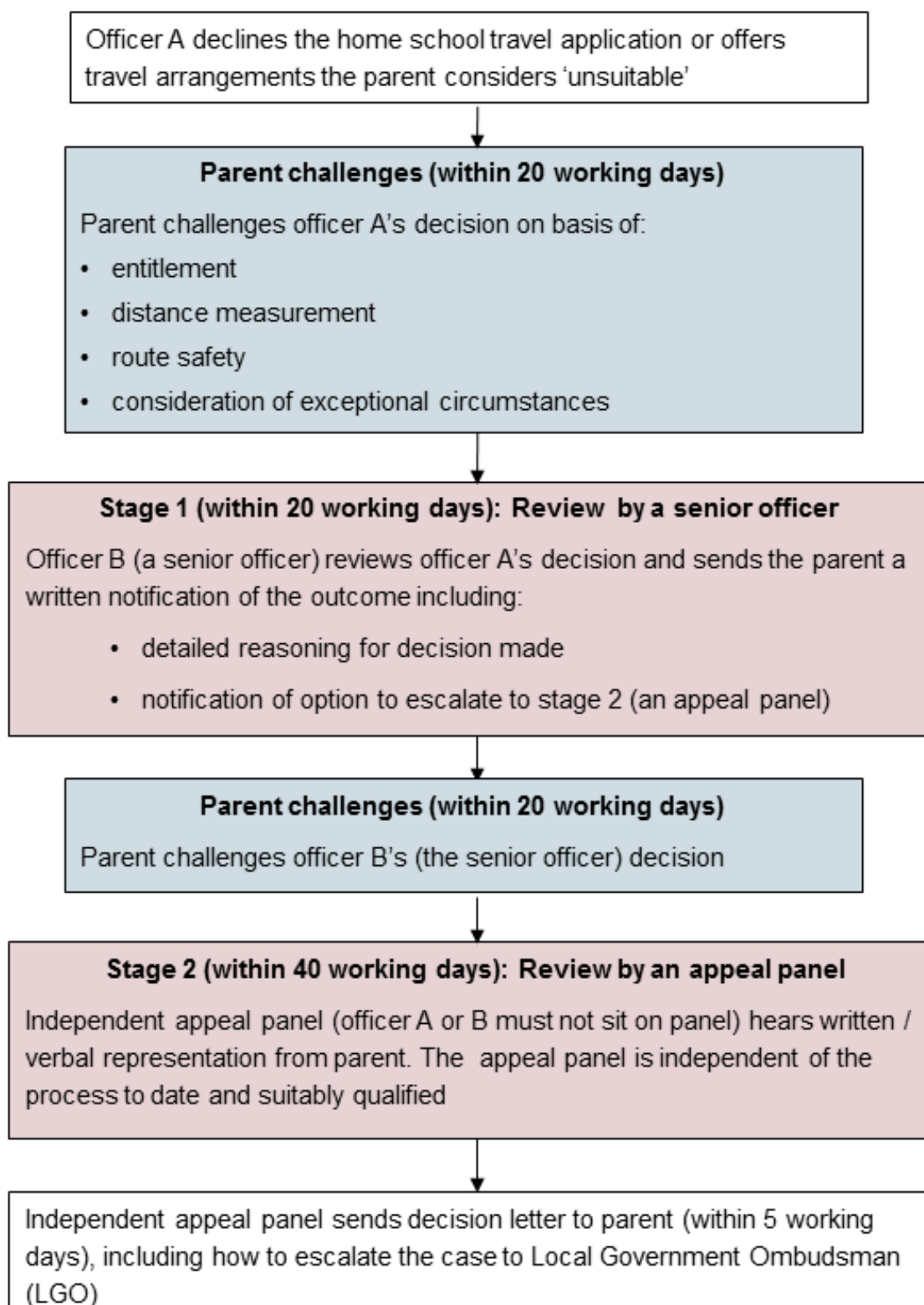
Within 40 working days of receipt of the parents request an independent appeal panel considers written and verbal representations from both the parent and officers involved in the case and gives a detailed written notification of the outcome (within 5 working days), setting out:

- the nature of the decision reached;
- how the review was conducted (including the standard followed e.g. Road Safety GB);
- information about other departments and/or agencies that were consulted as part of the process;
- what factors were considered;
- the rationale for the decision reached; and
- information about the parent's right to put the matter to the Local Government Ombudsman (see below).

The independent appeal panel members should be independent of the original decision making process (but are not required to be independent of the local authority) and suitably experienced (at the discretion of the local authority), to ensure a balance is achieved between meeting the needs of the parents and the local authority, and that road safety requirements are complied with and no child is placed at unnecessary risk.

Local Government Ombudsman – it is recommended that as part of this process, local authorities make it clear that there is a right of complaint to the Local Government Ombudsman, but only if complainants consider that there was a failure to comply with the procedural rules or if there are any other irregularities in the way the appeal has been handled. If the complainant considers the decision of the independent panel to be flawed on public law grounds, the complainant may also apply for judicial review.

Home to school travel and transport: flowchart of the review/appeals process





Department
for Education

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Department
for Education

Post-16 transport and travel support to education and training

Statutory guidance for local authorities

January 2019

Contents

Summary	4
About this guidance	4
Expiry or review date	4
What legislation does this guidance refer to?	4
Who is this guidance for?	4
Main changes from 2017 guidance	5
Key points	5
Local authority responsibility	6
Sustainable transport	7
Extent and coverage of the duties	7
Transport policy statement audience and content	8
Funding	10
Assessment of what arrangements are needed	10
Specific consideration of learners with special educational needs and disabilities	13
Local complaints process	14
Consulting key partners on the transport policy statement	16
Publication of the transport policy statement	17
In-year changes	17
Glossary	18
Appendix A –statutory provisions	19
508F Local authorities in England: provision of transport etc. for adult learners	19
508G Local authorities in England: transport policy statements etc. for young adults subject to learning difficulty assessment	20
508H Guidance: sections 508F and 508G	21
508I Complaints about transport arrangements etc. for young adult for whom EHC plan is maintained	22
509AA Local authorities in England: provision of transport etc. for persons of sixth form age	22

509AB Local authorities in England: further provision about transport policy statements for persons of sixth form age	24
509AC Interpretation of sections 509AA and 509AB	26
509AD Local authorities in England: duty to have regard to religion or belief in exercise of travel functions	27
509AE Complaints about transport arrangements etc. for persons of sixth form age in England	28
Appendix B – Model policy template	29
Appendix C – DfE annual compliance checks	38
Appendix D – Frequently Asked Questions	39
Appendix E - Further sources of information	41
Associated resources (external links)	41
Other departmental advice and guidance you may be interested in	41

Summary

About this guidance

This is statutory guidance from the Department for Education¹. This means that local authorities must have regard to it when carrying out their duties in developing their transport policy and publishing their transport policy statements for young people of sixth form age² and adults aged 19 and over (including those with an Education, Health and Care (EHC) plan) in education and training³.

We use the term ‘must’ when the local authority is required to do something in law. When setting out the department’s expectations we have highlighted areas where the local authority should also take reasonable account of the circumstances of learners.

Local authorities should take their own legal advice when preparing the policy statement and devising a local response to transport needs, to ensure that they are exercising their duties and powers in a manner which complies with the legislation and public law.

Expiry or review date

This guidance will be kept under review and updated versions will be published if necessary.

What legislation does this guidance refer to?

The guidance refers to legislation⁴ regarding the provision of transport to post-16 education and training for young people of sixth form age and legislation regarding the provision of transport to post-19 education and training for those aged 19 to 25 and for whom an EHC plan is maintained. Relevant legislation is set out in [‘Appendix A – statutory provisions’](#).

Who is this guidance for?

This guidance is for local authorities in England. It may also be of interest to:

- schools;
- parents;
- organisations involved in advising parents; and
- transport providers.

¹ Section 508H and Section 509AB(5).

² Section 509AC(1) of the Education Act 1996 defines persons of sixth form age for the purposes of the sixth form transport duty.

³ Sections 508F and 508G of the Education Act 1996.

⁴ Education Act 1996.

Main changes from 2017 guidance

There have been no changes to existing policy in this guidance update but changes have been made to:

- Further clarify the sixth form age and adult duties, including clearer explanation of when each applies;
- Include good practice suggestions;
- provide additional annexes containing an example Local Authority Transport policy template, information on compliance checks conducted by the department and Frequently Asked Questions (FAQs).

Key points

1. We are striving for world class education, training and care for everyone – whatever their background. This will create a more productive economy, fit for the future and ensure that everyone has a chance to reach their potential to live a more fulfilled life. Local authority transport policies play an important role in supporting young people's participation in education and training. By publishing their transport policies each year, local authorities enable young people (and their parents) to take reasonable account of the arrangements available when choosing between different options.
2. Local authorities must act reasonably, taking into account all relevant matters, such as the needs of their population, the local transport infrastructure and the resources available.
3. The planning of transport provision at a local level should take the following into account:
 - young people are now required to stay in education or training until their 18th birthday⁵. Local authorities are responsible for promoting the effective participation in education and training of young people who are subject to the duty to participate⁶; and
 - under the September Guarantee, every young person aged 16 or 17 should be offered a suitable place in education or training - further details are available at www.gov.uk/government/publications/september-guarantee-offers-of-education-or-training-for-16-to-17-year-olds.

⁵ Education and Skills Act 2008.

⁶ Participation of young people: education, employment and training - <https://www.gov.uk/government/publications/participation-of-young-people-education-employment-and-training>

Local authority responsibility

4. The statutory responsibility for transport for 16-19 year olds (who have started a course before their 19th birthday) rests with local authorities. Local authorities have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport, or otherwise that the authority considers necessary, to make to facilitate the attendance of all persons of sixth form age receiving education or training⁷.
5. The sixth form age duty applies to young people of sixth form age and young people with EHC plans up to age 25 where they are continuing on a course started **before** their 19th birthday.
6. The overall intention of the sixth form age transport duty is to ensure that:
 - learners of sixth form age are able to access the education and training of their choice; and
 - if support for access is requested, this will be assessed and provided where necessary.
7. Additionally local authorities have a duty under sections 508F and 508G of the Education Act 1996, as inserted by section 57 of the Apprenticeships, Skills, Children and Learning Act 2009. Under section 508F, the local authority is required to make such arrangements for the provision of transport as they consider necessary in respect of:
 - (a) adults (i.e. those who are aged 19 or over) for the purpose of facilitating their attendance at local authority maintained or assisted further or higher education institutions or institutions within the further education sector; and
 - (b) relevant young adults with an EHC plan (which can only be maintained up until the age of 25) for the purpose of facilitating their attendance at institutions where they are receiving education or training outside the further and higher education sectors. For those young adults, the local authority's duty only applies where the local authority has secured the provision of education or training at that institution and the provision of boarding accommodation in connection with that education or training.
8. The adult duty applies only to young people who are attending a course which they started **after** their 19th birthday, including those with EHC plans.
9. Where the local authority makes such arrangements, any transport provided must be free of charge. Where the local authority decides not to provide transport arrangements in a particular case, they still have discretion to pay all or part of the reasonable travelling expenses for the student.

⁷ Section 509AA of the Education Act 1996.

10. The local authority also has a duty under section 508G to prepare a transport policy statement setting out any transport or other arrangements that it proposes to make for that academic year in respect of adults aged under 25 with EHC plans.
11. The overall intention of the adult transport duty is to ensure that:
- Those with the most severe disabilities with no other means of transportation are able to undertake further education and training after their 19th birthday to help them move towards more independent living.

Sustainable transport

12. Section 508A of the Education Act places a general duty on local authorities to promote the use of sustainable travel and transport. The duty applies to young people of sixth form age who travel to receive education or training in a local authority's area. The duty relates to journeys to and from institutions where education or training is received.
13. There are five main elements to the duty which local authorities must undertake:
- an assessment of the travel and transport needs of children, and young people within the authority's area;
 - an audit of the sustainable travel and transport infrastructure within the authority's area that may be used when travelling to and from, or between schools/institutions;
 - a strategy to develop the sustainable travel and transport infrastructure within the authority so that the travel and transport needs of young people are best catered for;
 - the promotion of sustainable travel and transport modes on the journey to, from, and between schools and other institutions; and
 - the publication of Sustainable Modes of Travel Strategy.
14. The Education Act 1996 defines sustainable modes of travel as those that the local authority considers may either improve the physical well-being of those who use them, the environmental well-being of all or part of the local authority's area, or both.

Extent and coverage of the duties

15. The Education Act 1996 section 509AA duty applies to all local authorities in England in respect of arrangements for young people (over compulsory school age) aged 16-18 and those continuing learners up to age 25 with EHC plans who started their programme of learning **before** their 19th birthday.
16. The legislation recognises that a local response to transport arrangements is important in enabling young people's participation in education and training and as such the flexibility of the extent of an individual policy lies with individual local authorities. A local approach allows local circumstances to be taken into account. The legislation therefore gives local authorities the discretion to determine what transport and financial support

are necessary to facilitate young people's attendance. The local authority must exercise its power to provide transport or financial support reasonably, taking into account all relevant matters.

17. The local authority must publish a transport policy statement on or before 31 May each year. The statement must include the details of the transport arrangements and the details of the financial support in respect of reasonable travelling expenses that the local authority considers it necessary to make to facilitate access to education or training for learners of sixth form age⁸ for the following academic year. These arrangements could include but are not limited to:

- The availability of a concessionary fares scheme
- A bus pass or cash equivalent of a bus pass
- A bus pass or cash equivalent plus a companion pass or cash equivalent
- Independent travel training
- A fixed mileage allowance
- Provision of actual transport

18. The section 509F and 508G duties apply to all local authorities in England in respect of arrangements for adults aged 19 and over, who started their programme of learning **after** their 19th birthday.

19. The legislation recognises that it is important that decisions on whether local authority arranged transport for this age group is necessary, sits at a local level and, as with the previous duty, the flexibility of the extent of an individual policy lies with individual local authorities. Where local authorities do decide that it is necessary for them to provide transport, this must be provided free of charge, however, the legislation also gives local authorities the flexibility to contribute to, fund or charge for other transport solutions where it wishes.

20. Local authorities must prepare a transport policy statement by the end of May each year setting out any transport or other arrangements that it proposes to make for that academic year in respect of adults aged under 25 with EHC plans under the 508F duty.

Transport policy statement audience and content

21. The transport policy statement is intended to inform young people, in years 11, 12 and 13, and their parents about what transport arrangements and support are available locally. The statement should be a single point of reference providing information about transport arrangements to all types of provision, including arrangements made by bodies other than the local authority, including local transport providers. The statement must set out what the local authority's overall transport policy is in regard to young people and should include the rationale behind the policy. It is important that the local authority does not differentiate between providers or institutions in its arrangements.

⁸ See section 509AA(2), (3) and (7)(a) of the Education Act 1996.

The arrangements must be set out for learners of sixth form age who are receiving education or training at:

- a school;
- a further education institution;
- a local authority maintained or assisted institution providing higher or further education;
- a 16 to 19 Academy; or
- at any establishment (not falling within the above categories) at which the authority secures the provision of education or training under section 15ZA of the Education Act 1996.

22. Arrangements to support learners undertaking apprenticeships and traineeships should also be set out in the transport policy statement. These may include the costs of travelling to or from the place of learning or work placement. Employers and learning providers will want to take account of young people's likely transport arrangements when planning off-the-job training, particularly outside normal working hours.

23. The transport policy statement must also specify the arrangements proposed to be made by the governing bodies of schools maintained by the local authority and further education institutions in the local authority's area which may include support with transport costs or transport provision⁹. The local authority should only include arrangements that are actually going to be made and not make assumptions about what arrangements it thinks schools and colleges should make. Governing bodies are under a duty to co-operate in giving the local authority any information and other support that is reasonably required by the authority to enable them to prepare their statement¹⁰.

24. The transport policy statement should be clear and provide sufficient detail about the transport arrangements and support provided to inform young people in making their post-16 choices. Young people should be provided with information through the transport policy statement about who is eligible for transport support and how and when they should apply for support. Details of any concessionary fares, discounts, subsidies or travel cards should be included alongside the eligibility criteria for this support and how eligibility will be assessed¹¹. Clear signposting from the statement should point young people to sources of further information, for example local authority, college or transport provider websites or contact details.

25. Additionally the policy statement must include full details of how a young person or parent can appeal if they disagree with a local authority's decision and further avenues of complaint open to them if they remain dissatisfied following completion of the local procedure. Further details about complaints and appeals can be found at para 38 onwards.

⁹ Section 509AA(4) of the Education Act 1996.

¹⁰ Section 509AA(5) of the Education Act 1996.

¹¹ Section 509AA(2) of the Education Act 1996.

26. A template of a post 16 transport policy is included at Appendix B.
27. The DfE will undertake annual compliance checks on local authority statements in June each year, further details of these can be found at Appendix C.

Funding

28. Local authorities fund their responsibilities through the grants they receive from national government, which are not ring-fenced, and through generated income, such as council tax.

Assessment of what arrangements are needed

29. In assessing what transport arrangements or financial support may be required, the local authority has flexibility over the decisions it makes but must have regard to the following:

- a. **The needs of those for whom it would not be reasonably practicable to access education or training provision if no arrangements were made**¹²

Local authorities should satisfy themselves that they have made the transport arrangements or arrangements for financial support necessary to facilitate young people's participation in education or training. In doing so, they should consider the needs of the most vulnerable or socially excluded. The needs of young people with special educational needs and disabilities should be specifically considered and the arrangements in place for each group must be documented in the transport policy statement (see section '[Specific consideration of learners with special educational needs and disabilities.](#)'

Local authorities should also consider the needs of:

- those who are vulnerable to becoming not in education, employment or training (NEET) at the age of 16 or 17 or who have already become NEET. These young people should be offered a suitable course of education or training and provided with any transport support that is necessary to enable them to participate¹³;
- young parents – Care to Learn (C2L) can help pay for childcare and travel costs for learners aged 19 and under at the start of their course¹⁴. Learning providers should be encouraged to support young people to apply for C2L – further details are available at www.gov.uk/care-to-learn; and

¹² Section 509AB(3)(a) of the Education Act 1996.

¹³ Local authorities are reminded that all 16 and 17 year olds (i.e. those completing compulsory education in the current year, or who completed in the previous year) are entitled to an offer of a place in post-16 learning under the September Guarantee.

¹⁴ The additional costs of taking a child to and from childcare may be claimed, within a set weekly limit. C2L does not support the costs of travel to the learning provider.

- those who live in particularly rural areas where the transport infrastructure can be more limited.

b. The need to ensure that young people have reasonable opportunities to choose between different establishments at which education and training is provided¹⁵

Young people should have a reasonable opportunity to choose between the courses available to them at 16 and be supported to access their choices. Local authority transport policies must be supportive of reasonable choice. In defining what is 'reasonable', local authorities will want to take into account any complaints received in previous years in respect of local transport policy statements.

We would expect reasonable choice to include enabling young people to choose courses outside their home local authority boundaries if it makes sense for them to do so. Local authorities will want to be mindful of neighbouring transport policies and consider how their own transport policy can support movement across boundaries. The transport policy statement should set out the local authority's policy for travel to neighbouring local authority areas.

Reasonable choice should also include enabling young people to choose an establishment of education or training that is not the closest to where they live if it makes sense to do so.

When developing their transport policy, local authorities are required to consider their responsibilities to secure suitable education and training to meet the reasonable needs of young people of sixth form age and those aged 19 or over [and for whom an EHC plan is maintained].¹⁶ Transport arrangements will need to support commissioning arrangements to ensure that young people have access to the education and training provision that has been commissioned.

c. The distance from the learner's home to establishments of education and training¹⁷

Local authorities must consider distance in determining eligibility for support with transport. Young people in rural areas should not be worse off financially because they may need to travel further to access education and training provision than their peers in urban areas.

The statutory walking distance of 3 miles to school (along the nearest available route) for those of compulsory school aged 8 and over is set out under section 444(5) of the Education Act 1996. This can be taken into account by local authorities in defining the distance a young person might reasonably be expected to walk to access education or training.

¹⁵ Section 509AB(3)(b) of the Education Act 1996.

¹⁶ Section 15ZA(1) of the Education Act 1996.

¹⁷ Section 509AB(3)(c) of the Education Act 1996.

In determining whether transport arrangements are necessary, local authorities should take into account other factors, such as the impact a learning difficulty or disability may have on a young person's ability to walk this distance, and the nature (including safety) of the route, or alternative routes, which a young person could be expected to take.

d. The journey time to access different establishments¹⁸

Journey time also needs to be taken into account. Young people should be able to reach their education or training without incurring such stress, strain, or difficulty that they would be prevented from benefiting from the education provided.

For example, a young person should not have to make several changes of public service bus to get to their education or training, if that would result in an unreasonably long journey time. In this context, local authorities should consider which mode of transport will best meet the need to ensure a reasonable journey time.

Good practice suggests that a child of secondary school age may reasonably be expected to travel up to 75 minutes each way to access learning. Local authorities should apply similar expectations to young people of sixth form age.

e. The cost of transport to the establishments in question¹⁹

Local authorities are expected to target any support on those young people – and their families – who need it most, particularly those with a low income. The transport policy statement should set out clearly the criteria used to establish a learner's eligibility to receive transport/financial support.

Local authorities may ask learners and their parents for a contribution to transport costs and in exercising their discretion they should:

- ensure that any contribution is affordable for learners and their parents;
- ensure that there are arrangements in place to support those families on low income; and
- take into account the likely duration of learning and ensure that transport policies do not adversely impact particular groups. For example, as young people with special educational needs and disabilities are more likely to remain in education or training longer than their peers, any contribution sought from these families would need to allow for the fact they may have to contribute for longer.

Local authorities can take receipt of 16-19 bursary funding into account in assessing an individual's need for financial help with transport.

To aid transparency, it is good practice for local authorities to set out the average cost per young person of post-16 transport in their area before any subsidies are

¹⁸ Section 509AB(3)(c) as amended by the Education and Skills Act, section 83.

¹⁹ Section 509AB(3)(d) of the Education Act 1996.

deducted. Clearly setting out average costs will enable learners and parents to understand the extent of the local authority subsidy.

f. **Alternative means of facilitating attendance at establishments**²⁰

Local authorities must consider alternative, safe means of facilitating attendance at establishments of education or training. Suitable and appropriate alternatives may include transport solutions, for example:

- cycle schemes – which can support independence and also offer a sustainable form of transport provision.
- moped schemes – which can support individual learners (over the age of 17) to travel to education and training from rural areas where public transport may not be available.
- independent travel training to enable young people (often with special educational needs and disabilities) to travel on public transport independently. See section '[Specific consideration of learners with special educational needs and disabilities](#)' for further details.

g. **Preferences based on religion**

Local authorities must have regard to any preference the individual may have for a particular institution based on their religion or belief.

For the purposes of section 509AD²¹ “religion” means any religion and “belief” means any religious or belief.²² References to “religion” or “belief” include references to a lack of religion or belief.

h. **Non-transport solutions to facilitate learner access**

Local authorities should consider whether non-transport solutions could facilitate learner access to education or training: for example peripatetic teachers, mobile provision and e-learning options.

Specific consideration of learners with special educational needs and disabilities

30. The 16-19 transport duty applies to young people of sixth form age with special educational needs and disabilities aged up to 19 (and beyond the age of 19 if they are continuing on a particular course started before the age of 19).

²⁰ Section 509AB(3)(d) of the Education Act 1996.

²¹ Section 509AD(3) of the Education Act 1996 (as inserted by section 84 of the Education and Inspections Act 2006).

²² The Department's position is that Belief includes philosophical belief

31. Local authorities also have a duty under the Education and Skills Act 2008 to encourage, enable and assist the participation of young people with special educational needs and disabilities up to the age of 25 in education and training. It therefore follows that local authorities should include information on what transport arrangements are available and whether they are adequate to enable these young people to participate.
32. Section 509AB(1) of the Education Act 1996 requires local authorities to set out the extent to which the arrangements they have put in place pursuant to the transport statement prepared under section 509AA facilitate the attendance of young people with special educational needs and disabilities.
33. The transport needs of young people with special educational needs and disabilities must be reassessed when a young person moves from compulsory schooling to post-16 education, even if the young person is remaining at the same educational setting. Arrangements cannot be limited to those young people who had been assessed as having particular transport needs prior to the age of 16. The Children and Families Act 2014 places a duty on local authorities to publish a 'local offer' setting out their services for children and young people with special educational needs and disabilities, and this must include information on the arrangements for travel to and from post-16 institutions.
34. Young people with an EHC plan will have an institution named in their plan at Section I. There is no entitlement to transport to and from this named provider and transport should only be named in an EHC plan in exceptional circumstances. Local authorities should ensure during EHC plan discussions that parents are made aware that transport support will be considered in accordance with the local authority's own post-16 transport policy.
35. A learner with special educational needs and disabilities may take longer to complete a programme of learning or training, and therefore it will be good practice for the local authority to extend the arrangements for the provision of transport until a learner has completed their programme even if that is after they have reached the age of 19.
36. If the local authority and/or providers operate an independent travel training scheme it is good practice to include such initiatives in the transport policy statement.
37. Local authorities should be aware of the adult transport duty in carrying out their responsibilities for this group, and it would be good practice not to charge a contribution for transport for a young person assessed under the sixth form age duty if it likely that they will be eligible for free transport under the adult transport duty.

Local complaints process

38. Local authorities should publish as part of the transport policy statement the process which will be followed should a complaint or an appeal against a local authority decision be made on behalf of, or by, a young person. Complaints and appeals must first be taken up with the local authority²³. Good practice suggests using a similar 2 stage

²³ Section 509AE(4) of the Education Act 1996.

complaints process as that used for pre 16 appeals and once an application has exhausted the complaints process advising that no further applications can be made within the academic year unless there has been a material change in circumstances or further supporting evidence has been obtained. If these do not result in a satisfactory outcome, it may be appropriate for young people or their families to consider contacting the Local Government Ombudsmen (LGO) or complaining to the Secretary of State for Education. The LGO is an independent organisation that looks into complaints against councils. This is a free service and information can be found online at www.lgo.org.uk.

Complaints to the Secretary of State for Education

39. To complain to the Secretary of State, young people or their families should use the contact form on gov.uk - www.education.gov.uk/help/contactus. Any complaint should outline the case, set out the decision taken by the local authority and include any other relevant documentation, for example any advice or decisions from the LGO where appropriate.
40. Under section 509AA (9), of the Education Act 1996, the Secretary of State may direct a local authority to make transport arrangements to facilitate the attendance of those of sixth form age receiving education or training, or provide reasonable travelling expenses. This only applies where particular transport arrangements or financial support have not been included in, or are not covered by, the local authority's transport policy statement. The Secretary of State can make a direction where he/she considers it expedient to do so, having regard to the particular circumstances of the case.
41. Under section 508I of the Education Act 1996, the Secretary of State may choose to use his/her powers under sections 496 and 497 of the same Act to direct a local authority where they have exercised (or are proposing to exercise) their functions unreasonably or where they have failed to discharge a duty in relation to the adult transport duty. If the Secretary of State is satisfied that an authority has acted (or is proposing to act) unreasonably, he/she may give such directions as to the exercise of the power or performance of the duty as appear to him/her to be appropriate.
42. The Secretary of State may exercise his/her section 496 and 497 powers following a complaint, or if the matter is brought to the department's attention by other means. When a complaint is submitted to the department, officials will consider the evidence received and where appropriate, seek further information. If the department finds that it is not appropriate for the Secretary of State to intervene by making a direction, they will communicate this decision to the correspondent and, where appropriate, the local authority.
43. If the complainant is dissatisfied with the way in which the department has handled the case they can log a [service complaint](#). Further information on the department's complaints process can be found on gov.uk at www.gov.uk/government/organisations/department-for-education/about/complaints-procedure. A service complaint will prompt consideration of how the case has been

managed but there will not be a review of the substance of the decision made. The substance of the decision would only be considered if the complainant provided additional information relevant to the decision not to intervene.

44. If the complainant remains dissatisfied, they can ask their local MP to refer their case to the Parliamentary and Health Service Ombudsman (PHSO). If the PHSO accept a complaint for further consideration they could normally look at the department's handling of the case. The PHSO's role is not to reverse decision-making, but where it upholds a complaint, it can make recommendations to the department to put things right. Information on the PHSO can be found online at: www.ombudsman.org.uk.

Consulting key partners on the transport policy statement

45. The transport policy statement is the responsibility of the local authority. However, the local authority should try to achieve a consensus and work with other partners and stakeholders to develop a collaborative approach to transport solutions and the production of the transport policy statement. It is good practice for the different 41
46. departments within each local authority to take a joined up approach. For example, the transport department might need to speak to the social services department if the social services department also procures transport.
47. The local authority must consult with the following stakeholders in developing the statement to ensure that it provides a full picture of the available transport and support:
- any other local authorities it considers appropriate (including neighbouring local authorities that are in Wales or Scotland)²⁴. There will be occasions where learners will travel across local authority boundaries and this should not be a barrier for the learner. There are also clear benefits for local authorities to collaborate where similar challenges exist or to share good practice;
 - the governing bodies of schools and further education institutions²⁵. It is important to note that the power of schools and colleges to make arrangements is in addition to, and not instead of, the power of the local authority to make arrangements;
 - the appropriate transport administration body for your area²⁶;
 - Transport for London, if the local authority is a London borough council or the Common Council of the City of London²⁷; and
 - persons who will be of sixth form age at the time of the transport policy statement and their parents²⁸. Local authorities should set out in their transport policy statements how and when they propose to consult young people and their parents to inform the development of their transport policy statements in the following year.

²⁴ Section 509 AB(6)(a) of the Education Act 1996.

²⁵ Sections 509AB(6)(b) and 509AA(4).

²⁶ Section 509AB(7)(a).

²⁷ Section 509AB(7)(b).

²⁸ Section 54 of the Apprenticeships, Skills, Children and Learning Act 2009 inserts new subsection (ca) in s509AB(6.) This was commenced in April 2010, to apply for the academic year 2011/12.

48. Other bodies including education and training providers; higher education institutions; transport companies and authorities operating in the locality; public sector bodies; community groups; voluntary organisations and groups/organisations with an interest in disability issues (including independent specialist providers) should also be consulted where appropriate.

Publication of the transport policy statement

49. The transport policy statement must be published by the local authority by 31st May each year and must be clearly dated showing the academic year to which it applies.
50. The transport policy statement should be made available on the local authority's own website each year to inform young people's²⁹ choice of post-16 provision for the following academic year.
51. Local authorities are also responsible for ensuring that a link is made from their transport policy statement to the [GOV.UK](#). To facilitate this process the local authority's web team should complete the following actions:
- load the transport policy statement on to the council website; and
 - ensure a working link is available from GOV.UK page www.gov.uk/subsidised-college-transport-16-19.
52. To update the link or report broken links either raise a request via the Government Digital Service helpdesk which can be found at <https://govuk.zendesk.com> or email: local-direct-admin@digital.cabinet-office.gov.uk.

In-year changes

53. Local authorities should consider their approach to implementing what is set out in its transport policy statement and continue to monitor its progress throughout the year.
54. Local authorities may amend and republish their transport policy statements in-year in response to complaints. Local authorities must revise and republish their transport policy statements as soon as practicable if, as a result of a complaint, the Secretary of State has directed them to do so³⁰.

²⁹ Section 509AA (7)(a) of the Education Act 1996.

³⁰ Section 509AE (2) (3) of the Education Act 1996.

Glossary

In this guidance —

“adult” means a person who is neither a child nor a young person of sixth form age;

“young person of sixth form age” is a young person over compulsory school age but under 19 or a young person aged under 25, who has a current EHC plan and is on a course that started before their 19th birthday; and

“relevant young adult” means an adult who is aged under 25, started their current course after their 19th birthday and for whom an EHC plan is maintained.

Appendix A – statutory provisions

This appendix sets out the relevant statutory provisions in the Education Act 1996 (as amended) in relation to local authorities' responsibilities for the provision of transport for relevant young adults and persons of sixth form age³¹.

508F Local authorities in England: provision of transport etc. for adult learners

(1) A local authority in England must make such arrangements for the provision of transport and otherwise as they consider necessary, or as the Secretary of State may direct, for the purposes mentioned in subsections (2) and (3).

(2) The first purpose is to facilitate the attendance of adults receiving education at institutions—

- (a) maintained or assisted by the authority and providing further or higher education (or both), or
- (b) within the further education sector.

(3) The second purpose is to facilitate the attendance of relevant young adults receiving education or training at institutions outside both the further and higher education sectors, but only in cases where the local authority have secured for the adults in question —

- (a) the provision of education or training at the institution in question, and
- (b) the provision of boarding accommodation under section 514A.

(4) Any transport provided under subsection (1) must be provided free of charge.

(5) In considering what arrangements it is necessary to make under subsection (1) in relation to relevant young adults, a local authority must have regard to what they are required to do under section 15ZA(1)³² in relation to those persons.

(6) In considering whether they are required by subsection (1) to make arrangements in relation to a particular adult, a local authority must have regard (among other things) to the age of the adult and the nature of the route, or alternative routes, which the adult could reasonably be expected to take.

³¹ If a section number is followed by ... this denotes previous text in legislation has been repealed.

³² 15ZA Duty in respect of education and training for persons over compulsory school age: England

(1) A [local authority] in England must secure that enough suitable education and training is provided to meet the reasonable needs of—

- (a) persons in their area who are over compulsory school age but under 19, and
- (b) persons in their area who are aged 19 or over but under 25 and are subject to special educational needs and disabilities learning difficulty assessment.

(7) Arrangements made under subsection (1) by virtue of subsection (3) to facilitate full-time education or training at an institution outside both the further and higher education sectors must be no less favourable than the arrangements made for relevant young adults of the same age for whom the authority secure the provision of education at another institution.

(8) A local authority in England may pay all or part of the reasonable travelling expenses of an adult —

- (a) receiving education or training at an institution mentioned in subsection (2) or (3), and
- (b) for whose transport no arrangements are made under subsection (1)

(9) In this section —

“adult” means a person who is neither a child nor a person of sixth form age,

“sixth form age” is to be construed in accordance with section 509AC(1), and

“relevant young adult” means an adult who is aged [for whom an EHC plan is maintained]

508G Local authorities in England: transport policy statements etc. for young adults subject to learning difficulty assessment

(1) A local authority in England making arrangements, or proposing to pay travelling expenses, under section 508F in relation to relevant young adults must consult —

- (a) any other local authority that they consider it appropriate to consult;
- (b) governing bodies of institutions within the further education sector in the authority's area;
- (ba) proprietors of 16 to 19 Academies in the authority's area;
- (c) persons in the local authority's area who will be relevant young adults when the arrangements or payments have effect, and their parents;
- (d) the Secretary of State; and
- (e) any other person specified by the Secretary of State.

(2) The authority must prepare for each academic year a transport policy statement complying with the following requirements.

(3) The statement must specify any transport or other arrangements, and any payment of travelling expenses, made or to be made in relation to the year under section 508F in relation to relevant young adults.

(4) The statement must also specify any travel concessions (within the meaning of Part 5 of the Transport Act 1985)³³ which are to be provided under any scheme established under section 93 of that Act to relevant young adults receiving education or training at an institution mentioned in subsection (2) or (3) of section 508F.

(5) The authority must publish the statement by the end of May in the year in which the relevant academic year begins.

(6) In preparing and publishing the statement, the authority must have regard (among other things) to the need to —

- (a) include in the statement sufficient information about the matters that the statement must specify; and
- (b) publish the statement in time to enable relevant young adults and their parents to take reasonable account of those matters when choosing between different institutions at which education or training is provided.

(7) The publication of a statement under this section in relation to an academic year does not prevent an authority from —

- (a) making additional arrangements or payments under section 508F in relation to the academic year, or
- (b) providing additional travel concessions in relation to the academic year.

(8) The Secretary of State may amend subsection (5) by order to change the time by which the statement must be published.

(9) In this section —

“academic year” has the meaning given in section 509AC;

“governing body” has the meaning given in section 509AC; and

“relevant young adult” has the meaning given in section 508F.

508H Guidance: sections 508F and 508G

In making arrangements under section 508F(1) and preparing and publishing a statement under section 508G, a local authority must have regard to any guidance issued by the Secretary of State under this section.

³³ [The Transport Act 1985](http://www.legislation.gov.uk) can be viewed on www.legislation.gov.uk.

508I Complaints about transport arrangements etc. for young adult for whom EHC plan is maintained

(1) A local authority may revise a statement prepared under section 508G to change any matter specified under subsection (3) of that section if, as a result of a relevant young adult transport complaint, they have come to consider the change necessary for a purpose mentioned in section 508F(2) or (3).

(2) A local authority must revise a statement prepared under section 508G to change any matter specified in subsection (3) of that section if, as a result of a relevant young adult transport complaint, the Secretary of State has directed them to do so.

(3) An authority that revise a statement under subsection (1) or (2) must publish the revised statement and a description of the revision as soon as practicable.

(4) The Secretary of State need not consider whether to exercise any power under sections 496 to 497A (powers to prevent unreasonable exercise of functions, etc.) or subsection (2) of this section in response to a matter that is, or could have been, the subject of a relevant young adult transport complaint made to him or her unless satisfied that —

(a) the matter has been brought to the notice of the local authority concerned; and

(b) the authority have had a reasonable opportunity to investigate the matter and respond.

(5) In this section “relevant young adult transport complaint” means a complaint that is —

(a) about a local authority's exercise of, or failure to exercise, a function under section 508F or 508G in relation to relevant young adults; and

(b) made by a person who is, or will be, a relevant young adult when the matter complained of has effect, or by a parent of such a person

and “relevant young adult” has the meaning given in section 508F.

(6) For the purposes of sections 508G(7) and 508H, the revision of a statement under this section is to be treated as the preparation of a statement under section 508G.

(7) Where a local authority have published in a single document a statement prepared under section 509AA and a statement prepared under 508G, the requirement to publish a revised statement under subsection (3) is to be treated as a requirement to publish a version of the document that includes the revised statement.

509AA Local authorities in England: provision of transport etc. for persons of sixth form age

(1) A local authority in England shall prepare for each academic year a transport policy statement complying with the requirements of this section.

(2) The statement shall specify the arrangements for the provision of transport or otherwise that the authority consider it necessary to make for facilitating the attendance of persons of sixth form age receiving education or training —

- (a) at schools;
- (b) at any institution maintained or assisted by the authority which provides further education or higher education (or both);
- (c) at any institution within the further education sector;
- (ca) at any 16 to 19 Academy; or
- (d) at any establishment (not falling within paragraph (b), (c) or (ca)) at which the authority secures the provision of education or training under section 15ZA(1).

(3) The statement shall specify the arrangements that the authority consider it necessary to make for the provision of financial support in respect of the reasonable travelling expenses of persons of sixth form age receiving education or training at any establishment such as is mentioned in subsection (2).

(4) The statement shall specify the arrangements proposed to be made by the governing bodies of —

- (a) schools maintained by the authority at which education suitable to the requirements of persons over compulsory school age is provided; and
- (b) institutions within the further education sector in the authority's area

for the provision of transport for facilitating the attendance of persons of sixth form age receiving education or training at the schools and institutions and for the provision of financial support in respect of the travelling expenses of such persons.

(5) Those governing bodies shall co-operate in giving the local authority any information and other support that is reasonably required by the authority for the performance of their functions under this section and section 509AB.

(6) The statement shall specify any travel concessions (within the meaning of Part 5 of the Transport Act 1985 (c. 67)) which are to be provided under any scheme established under section 93 of that Act to persons of sixth form age receiving education at any establishment such as is mentioned in subsection (2) above in the authority's area.

(7) The authority shall —

- (a) publish the statement, in a manner which they consider appropriate, on or before 31st May in the year in which the academic year in question begins; and

(b) make, and secure that effect is given to, any arrangements specified under subsections (2) and (3).

(8) Nothing in this section prevents a local authority from making, at any time in an academic year, arrangements —

(a) which are not specified in the transport policy statement published by the authority for that year; but

(b) which they have come to consider necessary for the purposes mentioned in subsections (2) and (3).

(9) The Secretary of State may, if he considers it expedient to do so, direct a local authority to make for any academic year —

(a) arrangements for the provision of transport or otherwise for facilitating the attendance of persons of sixth form age receiving education or training at establishments such as are mentioned in subsection (2); or

(b) arrangements for providing financial support in respect of the reasonable travelling expenses of such persons

which have not been specified in the transport policy statement published by the authority for that academic year.

(10) The Secretary of State may by order amend subsection (7)(a) to change the time by which the statement must be published.

(11) Subsection (9) is subject to section 509AE (complaints about transport arrangements etc. for persons of sixth form age in England).

509AB Local authorities in England: further provision about transport policy statements for persons of sixth form age

(1) A statement prepared under section 509AA shall state to what extent arrangements specified in accordance with subsection (2) of that section include arrangements for facilitating the attendance at establishments such as are mentioned in that subsection of disabled persons and persons with learning difficulties.

(2) A statement prepared under that section shall —

(a) specify arrangements for persons receiving full-time education or training at establishments other than schools maintained by the local authority which are no less favourable than the arrangements specified for pupils of the same age attending such schools; and

- (b) specify arrangements for persons with learning difficulties [or disabilities] receiving education or training at establishments other than schools maintained by the authority which are no less favourable than the arrangements specified for pupils of the same age with learning difficulties [or disabilities] attending such schools.

(3) In considering what arrangements it is necessary to make for the purposes mentioned in subsections (2) and (3) of section 509AA the local authority shall have regard (amongst other things) to —

- (a) the needs of those for whom it would not be reasonably practicable to attend a particular establishment to receive education or training if no arrangements were made;
- (b) the need to secure that persons in their area have reasonable opportunities to choose between different establishments at which education or training is provided;
- (ba) what they are required to do under section 15ZA(1) in relation to persons of sixth form age;
- (c) the distances, and journey times, between the homes of persons of sixth form age in their area and establishments such as are mentioned in section 509AA(2) at which education or training suitable to their needs is provided; and
- (d) the cost of transport to the establishments in question and of any alternative means of facilitating the attendance of persons receiving education or training there.

(3A) In considering whether or not it is necessary to make arrangements for those purposes in relation to a particular person, a local authority in England shall have regard (amongst other things) to the nature of the route, or alternative routes, which he could reasonably be expected to take.

(4) ...

(5) In preparing a statement under section 509AA a local authority shall have regard to any guidance issued under this section by the Secretary of State.

(6) In preparing a statement under that section a local authority shall consult—

- (a) any other local authority that they consider it appropriate to consult,
- (b) the governing bodies mentioned in subsection (4) of that section,
- (c) ...
- (ca) persons in the local authority's area who will be of sixth form age when the statement has effect, and their parents, and
- (d) any other person specified for the purposes of this section by the Secretary of State.

(7) In preparing a statement under that section a local authority shall also consult —

- (a) where they are a district council for an area in a metropolitan county, the Integrated Transport Authority for that county; and
- (b) where they are a London borough council or the Common Council of the City of London, Transport for London.

(7A) In preparing and publishing a statement under section 509AA, a local authority must have regard (among other things) to the need to —

- (a) include in the statement sufficient information about the matters that the statement must specify; and
- (b) publish the statement in time

to enable persons who will be of sixth form age when the statement has effect and their parents to take reasonable account of those matters when choosing between different establishments at which education or training is provided.

(8)...

509AC Interpretation of sections 509AA and 509AB

(1) For the purposes of sections 509AA and 509AB a person receiving education or training at an establishment is of sixth form age if he is over compulsory school age but —

- (a) is under the age of 19; or
- (b) has begun a particular course of education or training at the establishment before attaining the age of 19 and continues to attend that course.

(2) ...

(3) ...

(4) References in section 509AB to persons with learning difficulties [or disabilities] are to be construed in accordance with section 15ZA(6) and (7).

(5) In sections 509AA and 509AB and this section —

“academic year” means any period commencing with 1st August and ending with the next 31st July;

“disabled person” has the same meaning as in the Equality Act 2010;

“establishment” means an establishment of any kind, including a school or institution; and

“governing body”, in relation to an institution within the further education sector, has the same meaning as in the Further and Higher Education Act 1992.

(6) The Secretary of State may by order amend the definition of “academic year” in subsection (5).

509AD Local authorities in England: duty to have regard to religion or belief in exercise of travel functions

(1) A local authority in England must have regard, amongst other things, in exercising any of their travel functions in relation to or in connection with the travel of a person or persons to or from a school, institution or other place —

- (a) to any wish of a parent of such a person for him to be provided with education or training at a particular school, institution or other place where that wish is based on the parent's religion or belief; and
- (b) in a case where the person in question (or any of the persons in question) is of sixth form age (within the meaning given in section 509AC(1)), to any wish of that person to be provided with education or training at a particular school, institution or other place where that wish is based on the person's religion or belief.

(2) The “travel functions” of a local authority in England are their functions under any of the following provisions—

- section 508A (duty to promote sustainable modes of travel etc.);
- section 508B (travel arrangements for eligible children);
- section 508C (travel arrangements etc. for other children);
- section 508E and Schedule 35C (school travel schemes);
- section 508F (local authorities in England: provision of transport etc. for adult learners); and
- section 509AA (transport etc. for persons of sixth form age).

(3) For the purposes of this section—

- (a) “religion” means any religion;
- (b) “belief” means any religious or philosophical belief;
- (c) a reference to religion includes a reference to lack of religion; and
- (d) a reference to belief includes a reference to lack of belief.

509AE Complaints about transport arrangements etc. for persons of sixth form age in England

(1) A local authority may revise a statement prepared under section 509AA to change the arrangements specified under subsection (2) or (3) of that section if, as a result of a sixth form transport complaint, they have come to consider the change necessary for the purpose of the arrangements specified under the subsection in question.

(2) A local authority must revise a statement prepared under section 509AA to change the arrangements specified under subsection (2) or (3) of that section if, as a result of a sixth form transport complaint, the Secretary of State has directed them to do so.

(3) An authority that revise a statement under subsection (1) or (2) must publish the revised statement and a description of the revision as soon as practicable.

(4) The Secretary of State need not consider whether to exercise any power under sections 496 to 497A (powers to prevent unreasonable exercise of functions, etc.), section 509AA(9) (power to require local authority to make additional transport arrangements), or subsection (2) of this section in response to a matter that is, or could have been, the subject of a sixth form transport complaint made to him or her unless satisfied that —

(a) the matter has been brought to the notice of the local authority concerned; and

(b) the authority have had a reasonable opportunity to investigate the matter and respond.

(5) In this section “sixth form transport complaint” means a complaint that is—

(a) about a local authority's exercise of, or failure to exercise, a function under sections 509AA to 509AD in relation to persons of sixth form age; and

(b) made by a person who is, or will be, a person of sixth form age when the matter complained of has effect, or by a parent of such a person;

and “sixth form age” is to be construed in accordance with section 509AC(1).

(6) For the purposes of sections 509AA(8) and (9), 509AB(1) to (5), 509AC and 509AD, the revision of a statement under this section is to be treated as the preparation of a statement under section 509AA.

(7) Where a local authority have published in a single document a statement prepared under section 508G and a statement prepared under 509AA, the requirement to publish a revised statement under subsection (3) is to be treated as a requirement to publish a version of the document that includes the revised statement.

Appendix B – Model policy template

XXXX Council

Post-16 Transport Policy Statement 20xx – 20xx

Post-16 Transport Policy Statement - Academic Year 20xx – 20xx

Transport policy statement for young people aged 16-18 in further education, continuing learners aged 19 and those young people aged 19 – 24 (inclusive) with learning difficulties and/or disabilities

Department Responsible: xxxxx

Contact details: xxxxx

Document first release: xxxxx

Contents

Introduction	32
Aims and Objectives	32
Transport and travel support	32
Concessionary tickets for young people 16 – 25 from public transport providers	32
Travel support from schools and colleges	33
The 16-19 Bursary Fund	33
Young parents / Care to Learn	33
LA support	35
LA support for young people without special educational needs or a disability	35
LA support for Learners with special educational needs or a disability	35
Refunds	36
Travel training	36
Apprenticeships	36
Those not in education, employment or training (NEET)	36
LA support in other circumstances	36
Additional eligibility criteria	36
Applying for LA transport support	36
Appeals	36

Introduction

Local authorities do not have to provide free or subsidised post 16 travel support but do have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of transport or other support that the authority considers it necessary to make to facilitate the attendance of all persons of sixth form age receiving education or training.

All young people carrying on their education post 16 must reapply for travel support.

‘Sixth form age’ refers to those young people who are over 16 years of age but under 19 or continuing learners who started their programme of learning before their 19th birthday (years 12,13,14).

Local authorities also have a duty to encourage, enable and assist young people with learning difficulties / disabilities to participate in education and training, up to the age of 25.

This policy uses the term ‘Post 16’ to include both learners of sixth form age and those with learning difficulties / disabilities up to the age of 25.

This policy document specifies the support that **xxxxx** Council (the council) considers necessary to facilitate the attendance of Post 16 learners receiving education or training.

Education or training refers to learning or training at a school, further education institution, a council maintained or assisted institution providing higher or further education, an establishment funded directly by the Education Skills Funding Agency, learning providers delivering accredited programmes of learning which lead to positive outcomes and are funded by the council, for example, colleges, charities and private learning providers.

Aims and Objectives

The council has the following aims and objectives when assessing transport / travel support:

To include the council's high level objectives

Transport and travel support

Concessionary tickets for young people 16 – 25 from public transport providers

Overview of Concessionary schemes available from Public transport providers

- Page 12 onwards provides examples of other concessionary schemes that are available from bus companies and those provided by schools and colleges.

Travel support from schools and colleges

Details of any transport or support available from specific institutions

The 16-19 Bursary Fund

The 16 to 19 Bursary Fund provides financial support to help young people overcome specific barriers to participation so they can remain in education.

There are 2 types of 16 to 19 bursaries:

1. A vulnerable bursary of up to £1,200 a year for young people in one of the defined vulnerable groups below:
 - in care
 - care leavers
 - in receipt of Income Support, or Universal Credit in place of Income Support, in their own right
 - in receipt of Employment and Support Allowance or Universal Credit and Disability Living or Personal Independence Payments in their own right
 - discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of transport, meals, books and equipment
2. Discretionary bursaries which institutions award to meet individual needs, for example, help with the cost of transport, meals, books and equipment

To be eligible for the discretionary bursary young people must:

- be aged 16 or over but under 19 at 31 August 20xx or
- be aged 19 or over at 31 August 20xx and have an Education, Health and Care Plan (EHCP)
- be aged 19 or over at 31 August 20xx and continuing on a study programme they began aged 16 to 18 ('19+ continuers')
- be studying a programme that is subject to inspection by a public body which assures quality (such as Ofsted), the provision must also be funded by either a Government funding agency or the local authority

Schools and colleges are responsible for managing both types of bursary. Young people who want to apply for support from the bursary fund should contact their chosen school or college to make an application.

Further information can be found at www.gov.uk/ search for post 16 bursaries.

Young parents / Care to Learn

If you are a young parent under 20, Care to Learn can help pay for your childcare and related

travel costs, up to £160 per child per week, while you're learning.

Care to Learn can help with the cost of:

- childcare, including deposit and registration fees
- a childcare 'taster' session (up to 5 days)
- keeping your childcare place over the summer holidays
- taking your child to the childcare provider

Types of child care

The childcare provider must be Ofsted registered and can be a:

- childminder
- pre-school playgroup
- day nursery
- out of school club

If your child needs specialist childcare, the provider must also be on the Care Quality Commission's register for specialist provision.

If you want a relative to get Care to Learn for looking after your child they need to be both:

- providing registered childcare for children they're not related to
- living apart from you and your child

Payments

Childcare payments go directly to your childcare provider. Before your childcare provider can be paid:

- your childcare provider needs to confirm your child's attendance
- your school or college needs to confirm that you're attending your course

Payments for travel costs go to your school or college - they'll either pay you or arrange travel for you.

Attendance

Payments will stop if:

- you stop attending your course
- you finish your course
- your child stops attending childcare

Eligibility

You can get Care to Learn if:

- you're a parent under 20 at the start of your course
- you're the main carer for your child
- you live in England
- you're either a British citizen or a national of a [European Economic Area \(EEA\) country](#)
- your course is publicly funded (check with your school or college)
- your childcare provider is registered with Ofsted or the Care Quality Commission

Type of course

Care to Learn is only available for courses in England that have some public funding.

This includes courses that take place in:

- schools
- school sixth forms
- sixth form colleges
- other colleges and learning providers, including Foundation Learning
- your community at Children's Centres

Young parents are also entitled to apply for an Under 19 Bus Only Ticket or for those aged 19 and over can apply for the 19 – 25 card.

For more information please visit <https://www.gov.uk/care-to-learn/how-to-claim>

LA support

LA support for young people without special educational needs or disabilities

Details of support available from the council for young people on their area including any criteria used to decide eligibility.

Contribution required **(delete if N/A)**

Details of any charging policy for young people without special educational needs or disabilities including details of any concessions for low income families. (It may also be useful to detail how much the transport costs the council)

LA support for Learners with special educational needs or a disability

Details of support available from the council for young people with SEND including age ranges considered, criteria for eligibility, review information, types of transport available etc.

Contribution required **(delete if N/A)**

Details of any charging policy for SEND young people including details of any concessions for low income families. (It may also be useful to detail how much the transport costs the council)

Refunds

Details of the council's refund policy

Travel training

Details of the council's travel training policy.

Apprenticeships

Details of any specific provision in place for apprentices

Those not in education, employment or training (NEET)

Details of any specific provision in place for those NEET or at risk of becoming so.

LA support in other circumstances

Details of any help available the LA has decided to provide in specific circumstances for example where an LA has placed a student outside of the LA area or a student is in a residential setting.

Additional eligibility criteria

Details related to the categories below and of other considerations the LA wishes to include such as rules on residence or where young people are travelling outside the LA boundary.

Applying for LA transport support

Details of how to apply including contact details of the department responsible and dates of when applications can be accepted.

Appeals

Details of the LAs appeals procedure.

Details of concessionary fares, discounts, subsidies, passes or travel cards including any charges available for Post 16 young people.

This should include contact details for more information

May 20xx

Concessionary Fares (Commercial and Concessionary Passes available to young people in the **XXXX Area for use on Public Transport). Charges may change without notice.**

Scheme	User group	Concession	Times available	Registration cost	Journey cost/concession
The information contained below details how some schools and colleges provide extra transport help. If your school or college is not listed below please contact them directly for information.					

Appendix C – DfE annual compliance checks

The DfE will conduct compliance checks from June onwards on all local authority post 16 transport statements. In order for a statement to be deemed compliant it must:

- Be available on the local authorities website;
- Be clearly dated with the forthcoming academic year;
- Have a working link to the web page housing it from the gov.uk postcode search;
- Set out any arrangements available from educational institutions, including the 16-19 bursary fund;
- Set out any concessionary fares available from transport providers and other providers; and
- Detail the complaints process that a parent or young person should follow if they are not happy with the local authority's decision.

DfE will contact all local authorities with non-compliant statements and request that changes be made.

Appendix D – Frequently Asked Questions

Q: Why isn't post 16 transport free for everyone, in the same way as it is for school age pupils?

A: We expect local authorities to make reasonable decisions about what support should be available based on the needs of their population, local transport infrastructure and the resources they have available. It is, however, recognised that the cost of transport can be an issue for some young people and to help with this there is further support available. Information about what support is available locally is available from the local authority in their post-16 transport policy statement. The statement can be accessed on the LA website or through the postcode search at [gov.uk](https://www.gov.uk)

The Bursary Fund for 16-19 year olds has the flexibility to help meet transport costs for those young people who need this support most. You can find out more about the 16-19 Bursary Fund [here](#).

In addition, most transport companies also give some kind of discount for young people such as discounted fares or subsidised travel passes.

Some education and training providers also provide subsidised or free transport for example college buses, and travel subsidies from private training providers.

Q: What support is available for young people with special educational needs?

A: The post-16 transport duty also applies to young people with special educational needs aged up to age 25 (who have an EHC plan and started a course before their 19th birthday). Local Authorities' post-16 transport policy statements must include specific arrangements for these young people to ensure they have the necessary support. The transport needs of young people with special educational needs should also be reassessed by their local authority when a young person moves from compulsory schooling to post-16 education so that the appropriate support is put in place in accordance with the LA's post-16 transport policy.

Q: How do the duties apply for people with Special Educational Needs and Disabilities (SEND) as they turn age 19?

A: The duty a young person is assessed under is dependent on when they started their current course. If a young person with SEND started the course before their 19th birthday then they are assessed under the 16-18 duty. If they have started a new course after their 19th birthday then they are assessed under the adult duty.

Young people will qualify for free transport under the adult duty where the local authority assesses that in order to attend education or training they require transport arranged by the local authority, such as a specialised vehicle or minibus. If the young person's

requirements are a personal travel budget, mileage allowance or public transport pass then this does not need to be provided free by the local authority as they have not put the travel arrangements in place. However, in these circumstances the local authority has discretion to pay some or all of the travel expenses.

Young people can also receive free transport if they are attending institutions outside of the HE and FE sector and started after their 19th birthday in residential provision if the provision, boarding accommodation and transport were all arranged by the local authority. Again, in these circumstances the local authority has discretion to pay some or all of the travel expenses.

Q: What support is available to young people who live in rural areas to get to college or another type of education provider?

A: It is the responsibility of local authorities to put in place transport arrangements to help young people aged 16 to 18 to access education or training, using funds they have available locally.

The transport provided by local authorities varies in accordance with local needs, for example it sometimes involves giving 16-18 year olds access to school transport or to bus travel for payment of a flat fee.

Most young people in rural areas have access to a discount or concession on local bus or train travel, either from their local authority or local transport providers. The government also supports local bus travel, including in rural areas, through the Bus Service Operators Grant.

Guidance makes it clear that local authorities need to look at the transport needs of those who live in particularly rural areas where the transport infrastructure can be limited.

Appendix E – Further sources of information

Associated resources (external links)

- **Sustainable transport**

[Sustrans](#) is the leading sustainable transport charity that provides practical advice that can be passed on to parents and young people to increase confidence in walking and cycling.

Other departmental advice and guidance you may be interested in

- **[Home to school travel and transport statutory guidance](#) (for children of compulsory school age)**

Guidance relating to home to school travel and transport for pupils up to the age of 16 and of compulsory school age is available from the Department for Education's website.

- **[Participation of young people statutory guidance](#)**

The purpose of this guidance is to identify the key responsibilities of local authorities in relation to raising the participation age and promoting the participation of 16- and 17-year-olds. It is available from the GOV.UK website.



Department
for Education

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Annexe 2: Protocol – Public Sector Equality Duty

1. The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
2. If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (7.6) of executive reports for decision and then attached in an appendix; the term 'adverse impact' refers to any decision-making by the Council which can be judged as likely to be contrary in whole or in part to the equality duty.
3. A full assessment should be prepared where necessary and consultation should then take place.
4. Consultation should address any possible adverse impact upon service users, providers and those within the scope of the report; questions need to assist to identify adverse impact which might be contrary to the equality duty and engage all such persons in a dialogue which might identify ways in which any adverse impact might be avoided or, if avoidance is not possible, reduced.
5. Responses to the consultation should be analysed in order to identify:
 - a) whether there is adverse impact upon persons within the protected categories
 - b) what is the nature of this adverse impact
 - c) whether the adverse impact can be avoided and at what cost – and if not –
 - d) what mitigating actions can be taken and at what cost
6. The impact assessment carried out at the outset will need to be amended to have due regard to the matters in (4) above.
7. Where there is adverse impact the final Report should contain:
 - a summary of the adverse impact and any possible mitigating actions (in section 7.6 or an appendix if necessary)
 - the full equality impact assessment (as an appendix)
 - the equality duty (as an appendix).

Equality Act 2010

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1. The Council must, in the exercise of its functions, have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
2. Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
3. The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
4. Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:
 - a) tackle prejudice, and
 - b) promote understanding.
5. The relevant protected characteristics are:

a) Marriage & civil partnership	f) Race
b) Age	g) Religion or belief
c) Disability	h) Sex
d) Gender reassignment	i) Sexual orientation
e) Pregnancy and maternity	

Birmingham City Council

Report to Cabinet

16th April 2019



Subject: **ADOPTION OF THE LANGLEY SUSTAINABLE URBAN EXTENSION AND PEDDIMORE SUPPLEMENTARY PLANNING DOCUMENTS**

Report of: **DIRECTOR, INCLUSIVE GROWTH**

Relevant Cabinet Member: **Councillor Ian Ward, Leader**

Relevant O &S Chairs: **Councillor Tahir Ali, Economy and Skills**
Councillor Penny Holbrook, Housing and Neighbourhoods
Councillor Liz Clements, Sustainability and Transport

Report author: Craig Rowbottom, Development Planning Manager
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 Email Address: craig.rowbottom@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If yes, name(s) of ward(s): Sutton Reddicap and Sutton Walmley and Minworth		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 005623/2018		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

This report:

- 1.1 Provides Cabinet with an update on the outcomes of the public consultation into the draft Langley Sustainable Urban Extension (SUE) and Peddimore Supplementary Planning Documents (SPDs) carried out during September and October 2018.

- 1.2 Seeks authority from Cabinet to adopt the Langley SUE and Peddimore SPDs, attached in Appendix 1 and 2, as part of the City's planning framework, and
- 1.3 Provides information in respect of the SPD screening assessments (Appendix 7), under the Environmental Assessment of Plans and Programmes Regulations 2004, and seeks approval to the conclusion that a Strategic Environmental Assessment is not required for the reasons set out in section 7.2.3.

2 Recommendations

- 2.1 That Cabinet adopts the Langley SUE and Peddimore SPDs, attached in Appendix 1 and 2 as part of the City's planning framework against which planning applications for these sites will be assessed.
- 2.2 That Cabinet determines that a full Strategic Environmental Assessment is not required for the Langley SUE and Peddimore SPDs.

3 Background

- 3.1 The Birmingham Development Plan (BDP) was adopted by the City Council in January 2017, and guides decisions on development and regeneration activity. The plan allocated land at Langley for a SUE of approximately 6,000 homes, and 71 hectares (ha) of land for employment development at Peddimore (Appendix 3). Both of these sites make important contributions towards meeting the city's overall need for 51,100 additional homes and a minimum five year reservoir of 96 ha of land for employment uses.
- 3.2 Policies GA5 and GA6 of the BDP set out a number of requirements for Langley SUE and Peddimore. They include requirements to prepare SPDs to provide detailed guidance on design, phasing and site access to ensure a comprehensive development and relationship between the two sites.
- 3.3 During September and October 2018, a public consultation was carried out on the draft SPDs seeking views from the public and stakeholders on the guidance the documents contain. The consultation informed the broad range of stakeholders about the plans, including eight public drop-in sessions (attended by approx. 400 people). A number of meetings were also held with key stakeholders, including the Consultative Forum (which includes City Councillors and community groups), Sutton Coldfield Town Council, Langley Developer Consortium, IM Properties (as the Councils development partner for Peddimore) and other statutory consultees.
- 3.4 There were approximately 200 respondents to the consultation, including the comments from the public drop-in sessions. The Consultation Statement (Appendix 4) contains further details on the engagement that was carried out, the main issues raised and how they have been addressed in the final SPDs. In summary, the following key issues were raised:
 - Doubts were expressed that the visions will be achieved, and that the SPDs should be more detailed, such as the inclusion of site specific details.

- Langley will impact adversely on existing residents, and there are concerns about the lack of integration with the local area as the development may be too self-contained.
- Objections to the use of Greenbelt land when there are brownfield sites and vacant industrial premises available in Birmingham.
- A significant amount of comments were received on connectivity, including:
 - The need for clear movement strategy to support access to the development, with links needed to the strategic road network and better quality cycling infrastructure.
 - Concerns about additional traffic in the area from the development (including congestion, noise and air quality), and the need for this to be satisfactorily mitigated, including improvements to Webster Way, Walmley and public transport to Minworth. Without this the area will not benefit from better transport links.
 - Not all people on the developments should be expected to have access to Sprint buses and public transport, and that this will lead to more people driving private cars than has been estimated. The Sutton Park line and stations should be opened to passenger trains.
 - Peddimore should have more than one main access, with consideration of a direct link to the M42 and traffic management to prevent traffic from using the Minworth residential area.
 - Parking needs to be sufficient on both developments to prevent on street parking and related issues in the surrounding area.
- A range of housing should be provided, including for elderly and disabled people. A number of comments were raised about affordable housing, which should look to be provided at adequate levels, subject to consultation with local providers and community groups, and to make it indistinguishable from private houses.
- Questions were raised on the types of other uses required on the site. The need for additional retail facilities was challenged given the closure of shops in Sutton Coldfield and the rise of internet shopping. Additional specific uses were also promoted, including churches, leisure uses, and community facilities.
- Stronger requirements and standards should be in place to ensure the developments sustainability and place making credentials.
- There should be a clearer reference to natural capital gains from the development, and the early delivery of phased green infrastructure.
- Concerns that designs and precedent images in the draft SPDs do not fit in with the existing area, particularly on Langley SUE.

- Existing infrastructure capacity (including Good Hope Hospital) will not be able to accommodate new residents, and there should be a requirement for new infrastructure to be delivered early in the development (potentially before homes are occupied). In addition to transport, people are most concerned about schools and health care facilities. The benefits of new infrastructure to existing residents should be set out.
- There should be a requirement for disruption to be minimised during construction and for the developers to communicate this to local communities.

3.5 The comments have now been analysed and considered in the preparation of the final SPDs, which has led to some changes to the initial draft documents (set out in Appendix 4). In summary the SPDs include:

Langley SUE SPD

- A **Vision** to set out what the City expects Langley to be once it is developed, including a number of **Big Moves** that identify the key structuring elements that need to be delivered to make Langley a successful place.
- **Development Principles** to provide planning guidance and advice to developers on matters covering Connectivity, Activity and Design.
- **Delivery** requirements to support development, including site-wide strategies, infrastructure delivery and the planning process.

Peddimore SPD

- A **Vision** to set out what the City expects Peddimore to be once it is developed
- **Development Principles** to provide guidance and advice to developers on matters covering Connectivity, Design and Sustainability.
- **Delivery** requirements to support development, including partnership working, infrastructure delivery and business support.

3.6 The success of development at Langley SUE and Peddimore will rely on the timely delivery of sustainable infrastructure to serve the sites. The key infrastructure requirements and indicative phasing are included in the SPDs. This will be developed further and determined as part of the assessment of the planning applications for the sites.

3.7 The SPDs need to be adopted by the City Council in a timely manner to ensure the guidance and requirements can be used to influence decisions on planning applications for the sites, which are expected in the first half of 2019. A hybrid planning application was submitted in January 2019 for Peddimore, with a decision due in May 2019 following the adoption of the SPDs.

4 Options considered and Recommended Proposal

4.1 Option 1 – Do not adopt the SPDs. The SPDs are required by policies in the adopted BDP, and without them there is a risk that development on these sites will

not meet the requirements and expectations of the City Council, communities and stakeholders.

4.2 Recommended Proposal – Adopt both SPDs.

5 Consultation

- 5.1 The Leader and Cabinet Members for Homes and Neighbourhoods, and Transport and Environment have been briefed, with comments incorporated into the SPDs.
- 5.2 Officers from Strategic Planning, City Design and Conservation, Transportation Services, Legal Services, Finance and Birmingham Property Services have also been involved in the preparation of the SPDs.
- 5.3 Extensive external consultation on the principle of development at Langley SUE and Peddimore was carried out as part of the consultations on the BDP and the draft SPDs (see section 3). The statutory consultees for the Strategic Environmental Assessment purposes were also consulted (see section 7.2.3).

6 Risk Management

- 6.1 Risk has been managed during the production of the SPDs to ensure they are adopted in a timely manner (a risk assessment is included in Appendix 6). This allowed time for areas of disagreement from stakeholders to be discussed and addressed, and for the large number of comments to be processed. Other risks are addressed elsewhere in this report, including section 4 on the risks of not adopting the SPDs, and section 7.3 on the financial implications. Once adopted, the SPDs will be monitored to ensure they are effective and deliver the desired outcomes.

7 Compliance Issues:

- 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The SPDs will contribute towards the vision contained in Council Plan: 2018-2022 Outcome 1 'Birmingham is an entrepreneurial city to learn, work and invest in' and Outcome 4 'Birmingham is a great city to live in – Priority 2 We will have the appropriate housing to meet the needs of our citizens'. The SPDs are in line with the BDP, which was adopted by Full Council in January 2017.

7.2 Legal Implications

- 7.2.1 The relevant legal powers for adopting the SPDs is set out in the Planning and Compulsory Purchase Act 2004 (as amended), with detailed requirements set out in the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). This includes a requirement for a Consultation Statement (Appendix 4) and an Adoption Statement (Appendix 5). The SPDs also need to be consistent with the National

Planning Policy Framework, the BDP and Statement of Community Involvement.

7.2.2 Under the requirements of the European Union Directive 2001/42/EC (Strategic Environmental Assessment (SEA) Directive) and Environmental Assessment of Plans and Programmes Regulations (2004), specific types of plans that set the framework for the future development consent of projects must be subject to an environmental assessment, unless they fall within one of the exceptions to this requirement. Regulation 9 requires that the authority should make a formal determination as to whether or not the plan is likely to have significant environmental effects and therefore requires an SEA.

7.2.3 The City Council carried out a screening assessment of the SPDs (Appendix 7), under these Regulations, and concluded that a Strategic Environmental Assessment is not required as:

- the documents do not set the framework for future consents under the Environmental Impact Assessment Directive,
- an Appropriate Assessment under the Habitats Directive is not required, and
- there is no pathway or mechanism for significant environmental effects to arise as the SPDs are for guidance purposes, being an elaboration of existing policies in the BDP.

7.2.4 Comments received from the relevant statutory consultees for this process (Natural England, the Environment Agency and Historic England) supported the City Council's opinion.

7.3 Financial Implications

7.3.1 The costs for preparing the SPDs, including the public consultation, were funded from the Inclusive Growth Directorate's approved revenue budgets. There are no direct financial implications arising from adopting the SPDs.

7.4 Procurement Implications (if required)

7.4.1 No implications.

7.5 Human Resources Implications (if required)

7.5.1 No implications.

7.6 Public Sector Equality Duty

7.6.1 An Equality Analysis has been undertaken of the SPDs and is attached at Appendix 8. The assessment has not identified any specific impacts the SPDs will have on the protected characteristics. The developments will lead to improvements for the local population including new homes, job opportunities and infrastructure delivery.

8 Appendices

1. Langley SUE SPD
2. Peddimore SPD
3. Langley SUE and Peddimore Development Sites
4. Consultation Statement
5. Adoption Statement
6. Risk Assessment
7. Strategic Environmental Assessment Screening for the Langley SUE and Peddimore SPDs
8. Equality Analysis

9. Background Documents

- Cabinet report “Adoption of the Birmingham Development Plan” dated 13th December 2016.
- Leader Jointly with Corporate Director, Economy report “Public Consultation on the Draft SPDs for the Langley SUE and Peddimore Employment Site” (August 2018).



Langley Sustainable Urban Extension

Supplementary Planning Document

April 2019



CONTENTS

Contents

Foreword 3

1 Introduction 5

2 Context 9

3 Vision 13

- Big moves
- Development principles
 - Connectivity
 - Activity
 - Design

4 Delivery 43

The images included in the SPD are taken from other projects in the UK and abroad to illustrate similar exemplar developments and key projects. They are shown as examples of the quality that can be achieved on the basis of good design principles set out in this SPD, with the design of place and buildings on Langley SUE having its own site specific response.



FOREWORD

Foreword

The Langley Sustainable Urban Extension in the Royal Town of Sutton Coldfield is one of the largest single residential developments in the UK. It will become a cornerstone of the City's inclusive growth plans as we deliver 51,000 new homes over the next 12 years.

Langley is an unparalleled opportunity to not only deliver new homes, but to establish a new community and set a national benchmark for development at this scale. It is the chance to create a new place for people delivering an exemplar residential development for future generations.

The new community at Langley will be supported by a wide range of infrastructure from new public transport connections, to a network of walking and cycling routes, extensive green infrastructure and public spaces, to education facilities and local amenities.

In creating this new part of the City, there is the opportunity to incorporate new built form with the area's unique assets to create a distinct identity and living environment. This will mean the development integrates with the existing communities and into the setting of the Royal Town of Sutton Coldfield.

Following the public consultation in Autumn 2018 with the wider community and partners, the Supplementary Planning Document was amended and now sets out the City's vision and expectations for this nationally significant development opportunity.

Along with the development of Peddimore on the adjacent site, this is a great opportunity for Birmingham and the Royal Town of Sutton Coldfield to create thousands of homes, skilled jobs and modern infrastructure.

I am delighted that we have this formal planning guidance to create a new standard for residential development.

Councillor Ian Ward

Leader

Birmingham City Council



1 INTRODUCTION

Birmingham’s ambitious growth plans will see over 51,000 new homes delivered by 2031. As one of the largest development sites in the City, the decision to release the land from the Green Belt for approximately 6,000 homes was driven by the need to create new communities with all supporting infrastructure.

Langley Sustainable Urban Extension (SUE) is allocated in the Birmingham Development Plan (Policy GA5) and will make a significant contribution to meeting the needs of the growing population of the City. This Supplementary Planning Document (SPD) captures the essential ingredients for creating a successful place and community.

Creating a healthy place and flourishing community that responds to its timescale for delivery and stands the test of time will be crucial to achieving the ambition for this site. This will require a comprehensive approach to the planning, delivery, future management and maintenance. Establishing site-wide strategies for movement, green infrastructure, public facilities and utilities will be essential, forming the foundations for creating and sustaining a growing population. Working at this scale of development will require core place-making principles to be embedded into all aspects of the development and its integration with its surroundings and wider communities.

The delivery of Langley SUE and the associated wider infrastructure will be coordinated with the 71 hectare (ha) employment site at Peddimore, where a separate SPD has been adopted to guide the development of the site. Together these two developments will redefine this part of the City, and reposition Birmingham and enhance its standing as one of the UK’s most successful regional centres with international appeal.

Securing a truly exemplar form of development at Langley SUE will require all partners involved to commit to a collaborative approach to deliver a comprehensive development. The site is owned by several landowners and developers, with over 90% of the site represented by the Langley (Sutton Coldfield) Consortium. The approach will start from setting the foundations for a successful place, followed by building the layers of infrastructure and then development to build a cohesive environment for all, as set out in this SPD. The City Council is working with key partners to realise this opportunity.

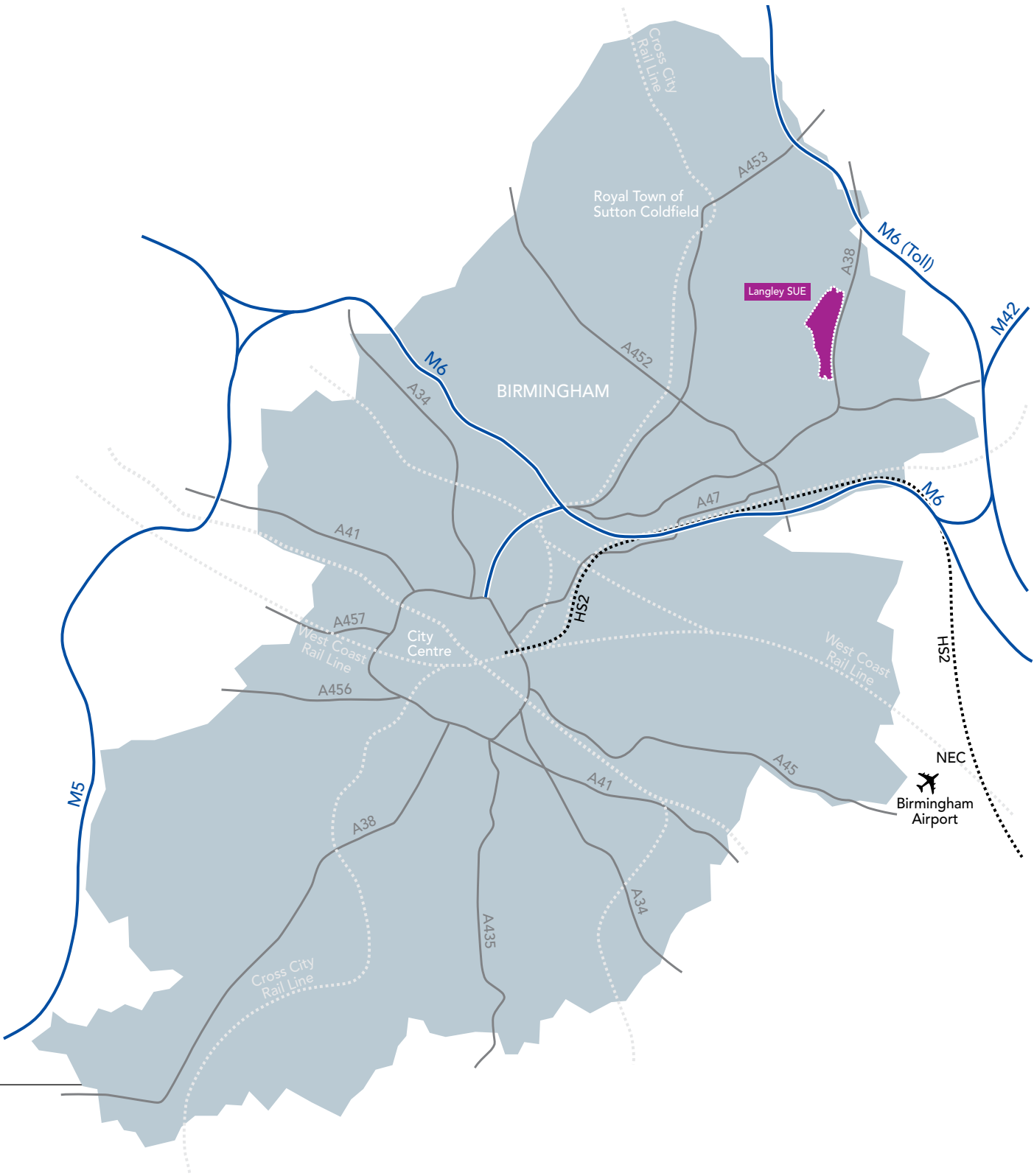
Purpose
The objective of this SPD is to ensure that Langley SUE is a sustainable development that creates an exemplar place and a thriving community. In line with the National Planning Policy Framework, this SPD adds detail and guidance to the statutory Birmingham Development Plan (BDP), expanding upon core policies (including GA5) to ensure the cohesive, coordinated and comprehensive development of the allocated site. The draft SPD was subject to a public consultation in Autumn 2018, and this led to changes to the final SPD.

This SPD sets out a clear framework and principles of what is expected from the development at the site-wide level, with flexibility to ensure detailed approaches are established through the planning application process. Alongside other policies and guidance, it is a material consideration when determining planning applications on this site. The SPD will be subject to regular review with key partners to ensure the detailed guidance remains relevant throughout the development.

Plan 1 Location plan



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2CONTEXT



Covering 274ha, Langley SUE is located in the north of the City adjacent to existing established residential areas, with New Hall Valley Country Park in close proximity and farmland to the east out toward the M6 toll road. The area is well connected, with access to the strategic road network on the A38 and M42, and public transport to key destinations and local train stations.

As an extension to the urban area Langley SUE will fall within the catchment of the nearby Sutton Coldfield Town Centre. The Town Centre is an important focal point for shopping and local services and has significant potential for investment. With the increasing population, the opportunities to enhance the Town Centre include an improved retail and leisure offer, transport interchange and public realm.

The scale of investment and opportunity across the wider City is considerable and over the next 15 years Birmingham will experience significant levels of new development and infrastructure. Major infrastructure schemes such as High Speed 2 (HS2) and the Midland Metro Tram extensions are already attracting private investors and new businesses to the region, with Birmingham becoming a focal point.

As part of this major investment programme, proposed Sprint/Rapid Transit services will provide fast, efficient, reliable, sustainable journeys and provide access to HS2. With £24.4m funding from the HS2 Connectivity programme, Langley will be served by Sprint/Rapid Transit as part of a wider public transport strategy that will connect to the City Centre and Sutton Coldfield Town Centre (phasing and routing to be confirmed). Subject to further feasibility, after 2026 a service should also

be provided between Sutton Coldfield Town Centre and the HS2 Interchange at Birmingham International Station.

Over the period to 2031, the increasing levels of investment and the growth in the City's population by 150,000 will put greater pressure on the need for more homes and associated infrastructure. A wide range of housing tenures will have to be provided to meet the needs of existing and future residents. The City's growth strategy provides a focus on brownfield sites, with approximately 90% of new homes expected on previously developed land.

With the City hosting the Commonwealth Games in 2022, there will be major investment in north Birmingham. This includes the delivery of modern infrastructure and over 1,000 homes in Perry Barr, and the redevelopment of the Alexander Stadium site to host national and international athletic events.

The Langley SUE, in combination with the Peddimore major employment site, will bring significant new investment into the area including new homes, new skilled jobs, improved public transport, green and social infrastructure (such as schools, healthcare, open spaces, leisure and recreation) and enhancements to the highway network.





3 VISION ION

As a new large scale residential sustainable development, Langley SUE will be a place that is connected, inclusive, resilient, green and vibrant; putting people at its heart. Integrated networks of green infrastructure, walking and cycling routes, public transport, and utilities will underpin the new communities within the development to create a cohesive, sustainable and healthy environment.

With a focus on family homes, and other housing types and tenures provided, the site will support a mixed community. It will be sustained by a comprehensive range of social infrastructure, including schools, shops, healthcare, recreation and leisure facilities, and opportunities for local training and employment.

Movement across the site will prioritise routes for walking and cycling, alongside integrated public transport including Sprint/ Rapid Transit and local buses providing connections to the wider area. The network will include a hierarchy of streets and will be designed with the principles of safety, convenience and quality ensuring walking and cycling are the preferred mode of travel.

Innovation in design, layout, architecture and construction will ensure a truly exemplar development delivering a high quality of place that is resilient, healthy and sustainable, with distinctive character areas, public realm, landscape and buildings.

Through high quality design, delivery of additional facilities and services, and provision of enhanced infrastructure (including off-site highway and walking and cycling improvements), the development will be integrated into the Royal Town of Sutton Coldfield.

This vision will be secured through the delivery of a series of Big Moves underpinned by key development principles.

BIG MOVES

Sprint/Rapid Transit

Sprint/Rapid Transit and bus services will serve the site, and will be prioritised on transport corridors to provide people with a high quality, quick and efficient way of getting from the development to major destinations in the City and beyond. Interchanges will be provided in Langley Centre and Community Hubs, and links will also be made to the local and national rail network.

A38 junctions

New vehicle access points will be provided into the site, including two new gateways from the A38. These will help to minimise traffic impacts in the local area. A wider network of vehicle routes will be created within the site to support fast and legible routes for pedestrians, cyclists and public transport, and essential journeys by car.

Langley Park

With a focus on enhancing existing green assets on the site, Langley Park will be a strategic green corridor linking New Hall Valley Country Park with the countryside to the east. The space will be publically accessible and support high biodiversity value.

Langley Brook

Langley Brook green space will form a high quality landscape setting for homes, offering the opportunity to provide pools and balancing ponds, with a distinct character for this part of the development.

Fox Hollies Boulevard

This is the central walking and cycling spine for the site, allowing safe, direct, and convenient movement in an attractive landscape setting, linking the northern and southern parts of Langley SUE.

Green buffer

This multifunctional green space, including opportunities for sustainable drainage, will integrate the site into the surrounding countryside and provide appropriate separation for new residents from the A38.

Vibrant services and community facilities

Langley Centre will be at the heart of the development, acting as a hub for community life with shopping, community, health, schools and cultural provision. Other clusters of community and local amenities will be integrated into the scheme to support people’s day to day needs in Community Hubs.

PLAN 3 Big moves

- Key
- Langley SUE boundary
 - Peddimore boundary
 - Langley Park
 - Langley Brook
 - Fox Hollies Boulevard
 - Green buffer
 - Sprint/Rapid Transit route
 - Langley Centre and Community Hubs (including schools and health facilities)
 - Primary access points



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DEVELOPMENT PRINCIPLES

The following site-wide development principles will, alongside the Big Moves, be at the forefront of delivering the vision for Langley SUE creating a truly exemplar development and legacy for future generations.

Connectivity

The layout, design and management of connectivity across and from the site will be focused on a movement hierarchy that promotes the most sustainable forms of transport including walking, cycling, Sprint/Rapid Transit and local bus services. Accommodating the car will be part of the strategy, including off-site highway improvements, and this will be aligned to the overall transport hierarchy. The quality of the public realm will need to focus on creating a consistent, high quality environment that incorporates, and links with, the green infrastructure.

Activity

Langley SUE will be defined by its focus on family housing, other housing types, community, education, recreation and complementary retail to create a vibrant place for people to live. The uses will be positioned to create clusters of activity that are safe, attractive and easy to access by foot, bicycle and public transport.

Design

The approach to the design of infrastructure, buildings, spaces and landscape will need to be focused on the delivery of a high quality of place that is fit for purpose in the long term. The sites environment and heritage assets will allow development to respond positively to its setting and create distinctive neighbourhoods. Buildings will be future proofed to account for climate change and provide flexibility as communities and technology change. Innovative methods for delivering energy, water management, drainage and other decentralised activity to support the local community will be vital to the development's overall sustainability.



A contemporary take on the concept of a community village green



Creative urban centre landscape



Innovative urban landscape



Sustainable drainage contributing to a distinctive sense of place



High quality school architecture - inspiring learning in a landmark community building



Visually interesting homes overlooking a safe public route

Establishing sustainable travel patterns that prioritise walking, cycling and public transport from the outset is a key aim that will impact on the design, layout and phasing of the development. There will be a clear strategy in place for Langley SUE to accommodate the increased population, with the creation of a Green Travel District and connections to Sutton Coldfield and beyond. Langley will be a place that is easy to understand and navigate, and will support investment in the wider transport network to mitigate the effects of the development. The details of the transport strategy and off-site improvements (including traffic management) will be established through the planning application process. The BDP transport evidence base should be utilised in setting the detailed transport strategy for the development.

Principal Movement Network
The Principal Movement Network (PMN) will be a key structuring element determining the built form and place-making requirements of Langley SUE. It will play an important role, integrating walking and cycling routes, prioritising accessibility for high quality public transport services, connecting Langley Centre and Community Hubs (including schools), and providing legible routes for traffic entering and exiting the site. The PMN will act as more than just conventional roads, and will include public space and street landscaping to a high specification.

- The PMN will need to:
- Create the necessary legibility and structure, providing a main network through the urban extension and connections to the wider area. This includes connecting each of the Langley Neighbourhoods with Langley Centre,

the secondary school and sports hub, and links for Neighbourhoods to the primary schools and Community Hubs within their catchment. It will also need to be designed to contribute towards the character of the site and facilitate integration with the local area.

- Provide primary access points into the site, which act as clear gateways marked by distinctive built form that takes account of the existing character of the area and includes safe crossing facilities for pedestrians and cyclists.
- Prioritise sustainable movement through the site, including walking and cycling routes, and public transport services. Routes will need to accommodate and maximise Sprint/Rapid Transit access (vehicles of 18m length), and support its business model for delivery and retention that achieves journey times acceptable to the City Council and Transport for West Midlands (TfWM.)
- Ensure that improvements can be made to the wider highway network to manage vehicle movements, avoid severe cumulative impacts in the wider area, and provide sustainable connections from Langley SUE.

A new junction with the A38 will be required in the south of the site. This will form a strategic access for both Langley SUE and Peddimore, including a walking and cycling bridge and access for Sprint/Rapid Transit. Another new junction onto the A38 will be provided as part of the PMN in the north of the site. This approach will encourage Langley SUE traffic to use the A38 to access Birmingham City Centre and the wider road network, limiting impacts on surrounding residential areas.

Junction 9 on the M42 will also be a vital junction for access to Langley SUE and Peddimore. Developers will need to work with Highways England, Warwickshire Country Council and the City Council

to deliver an appropriate solution to this junction to accommodate traffic movements.

Developers will be responsible for funding and delivering the PMN as indicated on Plan 4, including any changes/improvements to existing highways which are part of the transport strategy for the site.

Walking and cycling
A continuous network of walking and cycling routes will be required throughout Langley SUE, with priority on key routes over private vehicular traffic in appropriate ways. Walking and cycling routes will need to connect the development with the local area, including links to key destinations, such as New Hall Valley Country Park, Peddimore and other employment sites, Sutton Coldfield Town Centre, Walmley and other Local Centres, rail stations (existing and proposed), Birmingham and Fazeley Canal and the A38 underpass to the wider countryside. The network needs to take account of existing routes (including public rights of way and cycling routes) within and connecting to Langley SUE.

As part of the site network, major walking and cycling corridors will need to be provided as indicated on Plan 4, including connections to Langley Centre, Community Hubs and schools. These need to be dedicated routes, including a network within the major green infrastructure corridors. Where sections of the street network are used as part of these major routes, they will need to demonstrate that the right quality of environment is created which prioritises walking and cycling.

Safe and well-designed footways and cycle tracks will also be an integral part of the PMN, other streets and as part of the open space network. On the PMN and key routes to schools and other facilities, cycle tracks should be separated from vehicle traffic, where appropriate, serving both sides of the streets as part of a clear network of routes.

Wide footways and/or pedestrianised areas will be required in the Langley Centre and Community Hubs. Within residential areas, pedestrian-focused streets should be considered. Safe crossing facilities must be provided at suitable locations, including in Langley Centre, Community Hubs, and on the edge of the site to other areas.

The design of streets should follow Sport England's Active Design principles as a minimum standard. All routes need to be convenient, attractive and designed to an adoptable standard, and in line with the West Midlands Combined Authority Cycling Design Guidance, with suitable surface materials, lighting and wayfinding/signage.

Sprint/Rapid Transit, rail and public transport
A key principle is for Langley SUE and Peddimore to be served by the planned Sprint/Rapid Transit service, as well as other local bus services. The approach should also include arrangements for access to existing (including the Cross City North Line), and consideration of access to proposed (Sutton Park Line), rail stations in the Sutton Coldfield area. Developers of Langley SUE will need to liaise with the promoters of Peddimore, TfWM and bus companies to ensure a coordinated and effective approach to support the phasing and delivery of public transport that addresses the needs of both sites.

A strategy for public transport will be required to demonstrate how the Sprint/Rapid Transit service and other high quality services can serve Langley SUE and Peddimore. This needs to offer convenient, fast and accessible means of travel to key destinations on and off-site, with suitably located stops. The Sprint/Rapid Transit service connecting the site with Sutton Coldfield Town Centre and Birmingham City Centre is proposed to access the site at Walmley Ash Road in the south and Churchill Road in the north. This is subject to a detailed feasibility study being led by



Pedestrian/cycle route integrated with the green infrastructure network



vision / langleySUE
Sprint/rapid transit proposal



TfWM. Developers will need to financially contribute to deliver the public transport strategy for the site, including Sprint/Rapid Transit.

The indicative Sprint/Rapid Transit network shown on Plan 4 serves Langley Centre, each of the Neighbourhoods and Community Hubs whilst supporting early delivery and minimising impacts on environmental assets. There will need to be a phased roll-out for Sprint/Rapid Transit to support the growing community, with suitable arrangements in place for 2022 to support the TfWM delivery programme. The PMN will also need to accommodate long term proposals for the Sprint/Rapid Transit service between Sutton Coldfield Town Centre and the HS2 Interchange in Solihull, via Peddimore.

Developers will need to demonstrate that the majority of the new homes will be within a 400m walking catchment of the proposed Sprint/Rapid Transit stops. A central public transport interchange for the Sprint/Rapid Transit service and other connecting public transport services will be provided in Langley Centre, and include necessary facilities (e.g. sheltered waiting, seating and real-time information). High quality public transport interchanges, including Sprint/Rapid Transit services, should be included in the Community Hubs. Provision should be made for a southern Sprint/Rapid Transit and public transport interchange within appropriate walking distance of Peddimore.

Sprint/Rapid Transit and local bus services will need to have priority over private vehicles at junctions, in Langley Centre, Community Hubs and in other areas where there is the potential for delay, as appropriate. Local bus services are expected to use the PMN as well as other streets, offering connections to local destinations, including rail stations.

TfWM design guidance and accessibility standards for the Sprint/Rapid Transit and local bus services will need to be followed.

Consideration should be given to the suitability for a park and ride facility to serve the Sprint/Rapid Transit corridor. This could boost patronage on Sprint/Rapid Transit and ease pressure on the wider road network. This is being considered through a TfWM detailed feasibility study.

Design, access and street layout

A hierarchy of connected streets will need to be an essential part of the development, including the PMN and smaller roads. Pedestrians, cyclists and public transport need to be given priority in the design of streets and spaces.

In addition to the primary access points, local access points will be put in place. The junctions will be designed to dissuade unnecessary traffic from entering the site whilst providing public transport priority.

Within more urban, higher density areas on site, the layout of development should generally be relatively formal, offering a choice of well-connected walkable streets. Layouts should become more organic and informal towards green edges and in response to local topography. Streets should be safe and attractive places for people, well-landscaped (contributing to green infrastructure networks) and overlooked from building frontages, with parking sensitively designed. Variations in design should reinforce the street hierarchy and different neighbourhood characters.

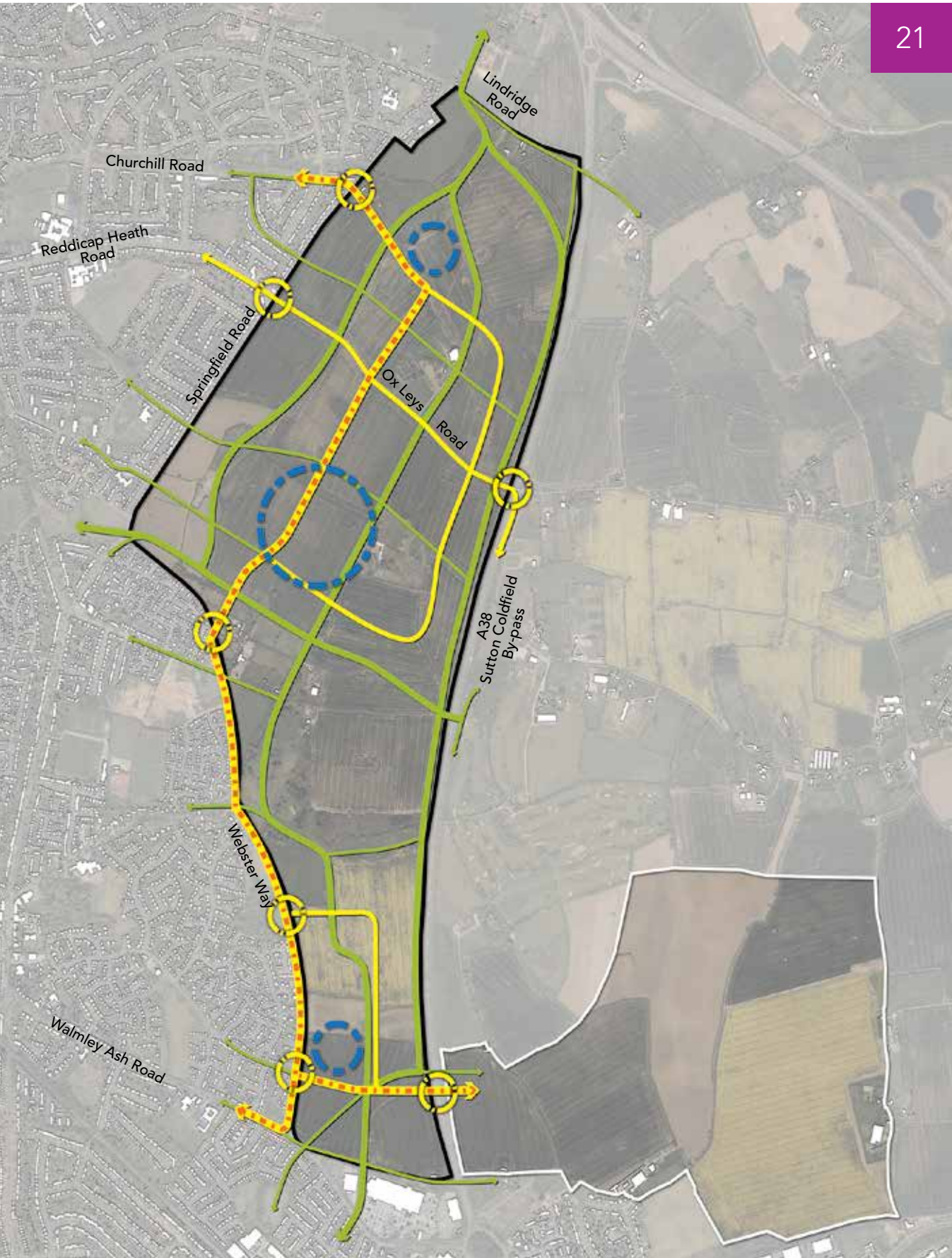
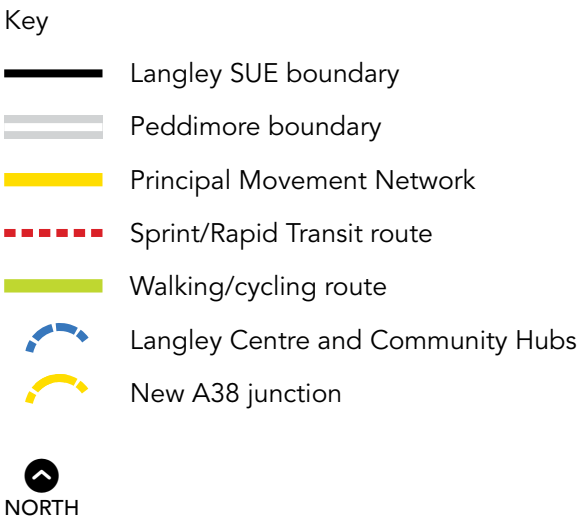
The PMN will need to be designed for speeds of up to 30mph, with all other residential areas and principal routes through Langley Centre, Community Hubs and near schools designated as 20mph zones to encourage safety and prioritise sustainable transport modes. Access, parking and servicing layouts for premises need to allow for the delivery of quick and efficient public transport services, particularly Sprint/Rapid Transit, and the effective flow of other traffic. This could include limits to on-street parking and loading.

Parking

Parking and servicing should contribute towards overall place-making, ensuring the delivery of an efficient, comprehensive and sustainable transport system, whilst making efficient use of land. An updated Car Parking Standards SPD is under preparation, and this will apply standards commensurate with the accessibility of locations. It will also set out standards for low emission vehicles, car clubs, people with disabilities, and cycle parking. Parking in Langley Centre and Community Hubs should be shared between uses.

Cycle parking should be safe and accessible to encourage its use. For houses, cycle storage should be integrated and provide storage close to the entrance to the home. For apartments, secure communal cycle storage should be provided. Other types of building should include appropriate cycle parking and changing facilities.

PLAN 4 Connectivity



A core element of Langley SUE will be securing the right mix of housing to help create neighbourhoods that contribute to high quality place-making and sustainability. These will be supported by a lively mix of services and conveniences that are an essential part of creating new healthy and inclusive communities, and to ensure people of all abilities have access to facilities for their day-to-day lives. Langley Centre and schools will act as a focus for community life, and will play a positive role in securing high quality design.

Mix of housing

The scale of Langley SUE provides the opportunity to deliver a wide variety of tenures and typologies of housing, and create the sustainable and healthy residential community that the City needs.

Development must aim to create mixed, balanced, vibrant, resilient and sustainable neighbourhoods, with a mix of housing by size, tenure and affordability in each Neighbourhood, including a primary focus on delivering family housing and homes that are affordable to live in over their lifetime. There should also be affordable homes, starter homes, and homes for the elderly and other people with particular needs. Consideration should also be given to provide self/custom build plots, and there is the potential for alternative forms of tenure, such as private rented accommodation. The location and design of housing will need to reinforce place-making, legibility and sustainability.

The mix will be subject to BDP policies GA5, TP30 and TP31, and will need to take account of the housing market and demographic profiles over the period which the development is delivered. The

affordable housing mix is likely to be for more home ownership than rent, based on housing need in this location. All housing, particularly affordable housing, should have clear connections to the public transport stops and walking and cycling routes on the development.

Shopping, facilities and Community Hubs

Langley SUE will need to provide a range of shopping and other facilities of an appropriate scale to serve new residents and visitors to the site. These areas should have a clear approach for activity, connectivity, and design and local identity as key components of successful Urban Centres. They need to be within defined areas, and located on the PMN, with convenient access to high quality public transport, and easily accessible by key walking and cycling routes (indicative locations are on Plan 4). They should also be the focus for higher density residential development on the site, supporting the creation of vibrant places.

Langley Centre should serve the whole site, with schools as a focus for creating vibrancy and footfall in the area. It will also include other community uses (such as nurseries, leisure, arts and culture, health care facilities, community halls, places of worship, and public space as a hub for events and activities), shops (potentially a small foodstore), other centre uses (such as restaurants, cafés, public houses), and new homes. Encouragement will be given to independent and niche retailers, and those that support healthy food choices. Subject to scale and role, this could be a District or Local Centre (BDP policy TP21).

Primary schools will be the focus for activity in the Community Hubs on site, potentially with other community uses and small scale retail to serve local catchments on the northern and southern parts of the urban extension (subject to scale and role, these can be Local Centres). The Hubs will

need to be located to support walkable neighbourhoods and be served by Sprint/ Rapid Transit.

The Centre and the Community Hubs need to fit appropriately within the Centres hierarchy of policy TP21 of the BDP, and should not undermine the vitality and viability of existing Centres. Community buildings, including schools, health care facilities and the Sports Hub, should be capable of supporting a number of uses and meet the needs of residents to form communities on the development.

Sports Hub

A Sports Hub will need to be provided as part of the development of Langley SUE. This will address the requirements of the City's Playing Pitch Strategy and support formal sports provision. It will become an important facility for Langley SUE residents, as well as nearby communities. A sports hall will also be required on the development, and should be part of the Sports Hub, the secondary school or Langley Centre. These proposals will need to take account of impact on existing facilities in the area, and demonstrate how they will complement current provision.

The Sports Hub will need to provide a range of sports pitches (artificial and natural), and a building offering a range of recreation and leisure uses (which should include changing rooms, function rooms, and supporting uses). Shared usage and/ or co-location of the facilities at the Sports Hub with schools needs to be explored to make efficient use of land on Langley SUE. The layout and design of the Sports Hub should be future proofed to accommodate potential for further expansion should the need arise. The Sports Hub should have a functional relationship with Langley Centre, and be easily accessible by walking, cycling and public transport from the wider Sutton Coldfield area.

Schools

A secondary school (approx. 8ha) must be provided as part of the development, and needs to be located within Langley Centre. It must be in close proximity to, and served by the PMN, with an active frontage to the street and public realm facilitating access by walking and cycling. Sports pitches should preferably be shared between the Secondary School and Sports Hub.

It is anticipated that three primary schools will need to be provided (approx. 2.5ha each), and these should be evenly distributed within Langley SUE. The preference is for these to be co-located within Langley Centre and Community Hubs to create walkable catchments, with measures included in the Travel Plan to support this. They will also need to be located in close proximity to and served by the PMN, with convenient access to high quality public transport, and accessed by key walking and cycling routes.

Subject to design, management (e.g. all-through school offering primary and secondary education) and the sharing of facilities (e.g. car parking, playing fields) the land required for schools will vary. The layout and design of schools should be future proofed to accommodate potential for further expansion should the need arise. Clear transport arrangements will need to be put in place for schools, supporting the sustainable travel patterns on the development. Special school education needs will also have to be addressed as part of the development, with options for delivery on and off the development.

Health care facilities

Health care facilities (approx. 1ha, subject to design and sharing of facilities) must be provided to meet the needs arising from the development. The type and phasing of facilities will be informed by the standards and requirements for health

and social care from the Birmingham and Solihull Sustainability and Transformation Partnership (STP). This will include provision of Primary Care (including GP surgeries), with other requirements subject to assessment (including secondary care, acute case and unplanned care, such as maternity and paediatrics). The necessary facilities would then need to grow along with the overall phasing of the development, and consider potential for future expansion should the need arise.

The facilities should be integrated into the overall development layout in a way which respects the clinical and operational requirements whilst meeting overall development and urban design objectives. They should be located within Langley Centre and Community Hubs, and served by the PMN, with an active frontage to the street and public realm facilitating access by walking and cycling. The facilities should also be suitably located near to homes for the elderly or other people with particular health needs (such as those with independent or supported living arrangements).



The design of Langley through its buildings, spaces, streets and infrastructure, will need to be focussed on delivering a strong sense of place that puts the health, safety and well-being of residents at its heart. It will be made up of a number of neighbourhoods with distinctive built characters that provide high quality homes and public spaces. Design will be inherently sustainable, making Langley resilient to future economic, social, technological and environmental changes. The development of Langley will need to have a measurable long term commitment to delivering net gains for natural capital.

Place quality

Development at Langley will need to deliver place-making principles, providing a strong, locally inspired identity. The overall approach will need to:

- Create distinctive neighbourhoods that respond to variations in topography and integrate significant existing site features, reflected in different approaches to built form and architecture informed by local context. Design should deliver high quality homes, other buildings and spaces of contemporary character that provide visual interest and sense of place (images in this document illustrate these principles). A clear hierarchy of street typologies, a range of public spaces, landmarks and views will contribute to character and make Langley a place that is unique, easy to understand, and connected and integrated into the existing area. Design will need to allow for the positive management of site assets.
- Design appropriately for different residential densities. Most of Langley SUE is expected to be medium density (35-40 dwellings per hectare (dph)), and will be highest (50-75dph) in and around Langley

Centre, Community Hubs and parts of the PMN. Lower density housing (10-25dph) will only be suitable as part of the design approach to natural and historic assets retained on site, such as within the Langley Parkland Neighbourhood. The location and appearance of affordable housing should be treated equally to market housing, ensuring that design quality is achieved and all homes are integrated into Langley.

- Meet residents' needs for space, natural light and tranquillity. The Technical Housing Standards - Nationally Described Space Standard will be the benchmark to assess the amount of space provided in new homes. Across the development, homes and spaces must consider design measures (such as access and usability) that reflect modern lifestyles and meet the needs of people at each stage of their life.
- Protect and enhance listed buildings and other heritage assets (including their character and setting) on and near the site (see Plan 5) in line with national policy and BDP policies TP12 and GA5. This includes site archaeology, which will need to be fully investigated in advance of each phase of the development, and green infrastructure of historic significance.
- Create a place that is resilient to climate change and maximise resource management (BDP policies TP1 to TP6). The approach will need to take a long term Fabric First and holistic approach to design of buildings and transport to minimise energy demand and consumption, and maximise energy efficiency (including use of the Standard Assessment Procedure for homes). This is particularly important for affordable housing. Technologies to enable new homes to be Smart Grid ready should be explored.
- Achieve the highest standards of sustainability, with low/zero carbon energy supply and generation, potentially

through a range of technologies with the first consideration given to the use of Combined Heat and Power. Design and siting requirements of this infrastructure should be considered from the outset, with the commercial areas of the site likely to be the preferred locations for certain technologies. Non-residential development over 1,000sqm should aim to meet BREEAM excellent standard in line with BDP policy TP3.

- Make a positive contribution to managing air quality (BDP policy TP44). The approach needs to take a lead in promoting sustainable energy, green infrastructure and transport which will contribute to mitigating/reducing air quality exceedances across the City. The design of the development should contribute towards reducing exposure to air pollutants.
- Prioritise the reduction, reuse, recycling (including home composting) and then recovery of waste (linked to low/zero carbon energy where possible). Design should ensure suitable access for collection vehicles, with appropriate space provided for waste collection requirements (currently three bins for each house).

Landscape and green infrastructure

Landscape will be a defining feature of Langley SUE that will provide a wide range of public spaces for the enjoyment and wellbeing of residents (BDP policy TP6-9). These will be multifunctional with important roles in creating local character, landscape and ecological networks, sustainable drainage and walking and cycling routes.

Development must be shaped by existing topography, watercourses and ponds, trees, hedgerows and wildlife habitats (see Plan 5), making a positive contribution to the detailed design of the urban extension. These green assets should be retained and enhanced unless there are overarching

reasons why this is not possible, and impacts should be minimised and fully mitigated to ensure there is a measurable net gain overall on the development.

To meet the needs of the new community and to deliver a high quality green environment, approximately a third of the site is expected to be open space and green infrastructure (approximately 6,000 dwellings equates to a minimum of 30ha of public open space and 18ha for sports pitches/playing fields based on BDP policy TP9). Sports pitches/playing fields can contribute towards open space requirements where they have public access. Other areas of open space and landscape treatment will also need to be provided as part of good place-making and ecological networks.

A network of public green spaces will permeate the development and connect to surrounding networks and paths, designed to be active, safe, and accessible. The site will need to include major green infrastructure corridors for Langley Park, Langley Brook, Fox Hollies Boulevard and a green buffer along the A38. Public open spaces within Neighbourhoods will have facilities for the new community's needs, including local play and multi-use games areas, formal event spaces within Langley Centre and Community Hubs, growing spaces (such as allotments and community orchards) and sports pitches/playing fields. Facilities should be designed to fit the local context and contribute to neighbourhood character. Open space should be designed for sustainable long term maintenance and environmental protection, with barriers to prevent inappropriate vehicle access. Where noise mitigation is required (such as next to the A38 within a green buffer), the design should result in living environments that meet national standards, including the WHO Community Noise Guidelines.

Sustainable Urban Drainage systems (SUDs) will be integral to development at Langley SUE as part of a site-wide approach to flood risk management (BDP policy TP6) and





biodiversity enhancements, with Langley Brook and Peddimore Brook on the site. All sources of flood risk will need to be assessed, including impacts downstream from the development. Langley Brook will be subject to further flood risk modelling and this will inform the design and layout of Langley Valley Neighbourhood to ensure flood risk is not increased, and where possible reduced. The overall design approach should seek to re-naturalise, enhance and preserve the water corridors, and seek to reduce and contribute towards the management of pollution before water enters watercourses. Design solutions need to create landscape assets such as ponds, swales and rain gardens as integral features of open spaces and streets. Consideration should also be given to implementing measures applied at the scale of buildings or plots, such as water harvesting and re-use. Some existing ponds and water bodies (and associated habitat) have populations of Great Crested Newts and appropriate protection, and mitigation measures will be required, such as the creation of occasional water bodies and habitats within open space.

Sites of Local Importance for Nature Conservation (SLINCs) must be retained and sensitively integrated into the development, potentially within informal open space (BDP policy TP8), with overall measurable net gains for biodiversity. Hedgerows and woodland areas, including semi-natural broad leaved woodland, and mature trees (including those with Tree Preservation Orders) should be incorporated into green open spaces and supplemented by new planting.

Public spaces, streets and front gardens should have environmental and visual links to the surrounding area, and landscaping informed by ecological design principles, such as use of locally native species, pollinator-friendly plants, climate-resilient plants, and ecologically sensitive maintenance. Opportunities should also

be taken to incorporate ecological design features in new buildings, including green walls/roofs on buildings (especially close to open spaces) and integrated bat and bird boxes. The design approach for private gardens should be for robust and low maintenance spaces with wildlife friendly planting. Ecologically sensitive lighting strategies will be implemented to ensure the impact of lighting on landscape and wildlife is minimised.

Design framework

Langley SUE will be built out over a 20 year period by a number of different developers. Clear guidance is required to ensure that all developments on the site achieve the highest standards of design and sustainability, and contributes to coherent place-making and neighbourhoods of distinctive character.

A Design Framework is essential to embed key principles to coordinate and guide development. This will form a suite of design information to be submitted by outline planning application stage. It should clearly set out how place-making and character will be delivered across Langley SUE, and how this relates to development phasing. The design rationale and process should be clearly explained and set out the approach for each Neighbourhood, the PMN and major green infrastructure corridors, identifying how character varies in response to existing assets, topography and other site conditions, as well as to proposed land uses and type of development. It will also need to address areas where land owners are not currently looking to bring forward development.

Guidance and standards relevant to aspects of development (such as health and education requirements, Sports England guidance, Manual for Streets, Secured by Design advice, and Lifetime Homes) needs to be referenced and proposals illustrated by referring to best practice case studies.

The Framework needs to be sufficiently detailed to establish:

- Streets and public space typologies, including scale, enclosure, form, typical features, materials and example sections.
- Typical building typologies including scale, massing, heights, appearance, boundary treatments, parking, cycling and waste provision.
- Indicative layouts with key views, block types (including the approach to parking), focal spaces, landmarks and other urban design features.
- Palettes of typical building and public realm materials, trees and other plants.
- How green infrastructure and utilities can be accommodated.

PLAN 5 Green infrastructure and features

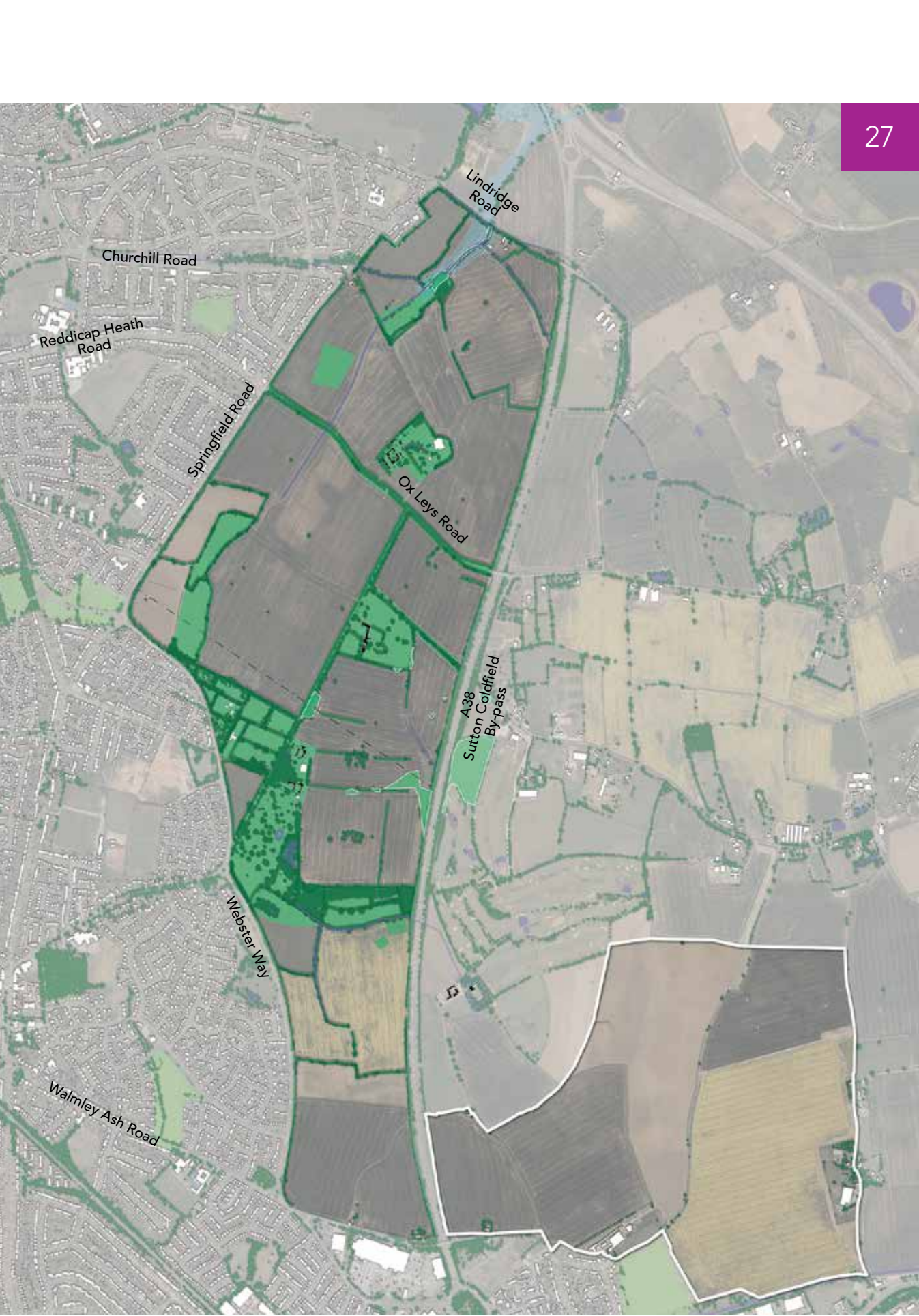
Key

	Peddimore boundary
	Site of Local Importance for Nature Conservation (SLINC)
	Area with amenity value and/or heritage value
	Trees/woodland
	Hedgerow
	Watercourse (over ground)/ponds
	Flood zones
	Pylons
	Listed buildings and buildings with character value

Plan shows designated assets of those identified from desk based studies.



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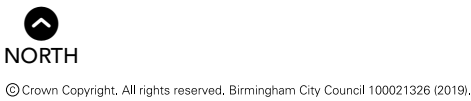
DISTINCTIVE NEIGHBOURHOODS

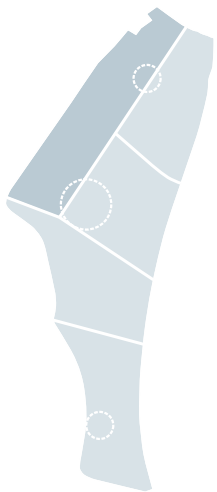
For developments of the size of Langley SUE, it is important to ensure that neighbourhoods of an appropriate scale, high quality design, distinctive character and accessibility are delivered as part of successful place-making. The approach will help support how people live and interact within their local area, fostering community cohesion. Indicative Neighbourhood areas have been identified (Plan 6), setting out important considerations and aspirations which will need to inform the next development design stages.

Each Neighbourhood will have a distinctive character that relates well to adjoining places and the overall site-wide masterplan and Design Framework. They will have well-defined gateways that help people to identify with their local area. Character will arise from the local context, including topography, landscape and heritage assets; and from new carefully considered design of buildings and public spaces. The design of parks, schools and other key facilities will reflect their role and contribute to distinctive local character. The use of different architects on the development is encouraged to create variety within a coherent design approach.

Public art has the potential to enhance place-making in the Neighbourhoods and at key locations, such as Langley Centre, Community Hubs and strategic green spaces, and to engage with all people during the development. Different forms of public art - temporary/permanent, site-specific works/wider cultural events - can positively contribute to Langley's identity.

PLAN 6 Distinctive neighbourhoods





This area will be defined by the central valley of the Langley Brook that will form a strategic green corridor between Langley Parklands in the south and Lindridge Road in the north. Development will be predominantly residential which relates well to the major landscaped public open space and to the adjoining residential areas off Springfield Road. The Neighbourhood will be a gateway into the development, with major transport links to be provided connecting new communities with existing residents.

Design and layout

- Major landscaped public open space along Langley Brook, including SUDs.
- Gateways into the development from Springfield Road as part of the PMN. Strong connections will be created with existing communities, with walking and cycling links.
- Medium density is the predominant form for housing, with some variations and opportunities for innovative design. Higher density close to Langley Centre and PMN.
- Strong high quality treatment onto Springfield Road through design and landscaping to integrate the development into the area. This should include housing fronting on to Springfield Road (formal), positively addressing existing residential areas, and on to the strategic green corridor (less formal).
- Homes designed to take advantage of views over open space, with potential for upper floor living.
- Noise mitigation, where required, achieved through building design or other forms of attenuation. Design approach at Langley Brook should ensure flood risk is reduced.

Existing features

- Langley Brook (including SLINC and heritage assets), with walking and cycling crossing points provided.
- Woodland, trees (including TPOs) and hedgerows.
- Ox Leys Road.



Strategic landscape corridor and wetland



Focal community space in park



Page 413 of 553
Landscape features add interest to green spaces



Planting forms attractive frontage to town houses



As a new settlement edge in the north-east of the site, the development will be predominantly residential in nature. This will be supported by significant green spaces, a primary school and a Community Hub. The PMN will help connect the Neighbourhood to the rest of the development.

Design and layout

- Design needs to take appropriate account of the undulating landform in this area.
- Strategic green corridors as key character features alongside the A38 (with noise attenuation buffer) and forming the northern section of Fox Hollies Boulevard.
- Medium density housing, with higher density towards the PMN and the Community Hub, reducing towards strategic green spaces.
- As a new settlement edge, street hierarchy needs to connect the area to the City network, including the PMN, with good access to the Langley Centre, Community Hub and public transport stops.
- Gateways into the development from the A38 as part of the PMN.
- Walking, cycling and green infrastructure links to proposed residential development to the north of Lindridge Road (in North Warwickshire) should be explored.

Existing features

- Ox Leys Road.
- Langley Hall (listed building) and nearby heritage assets.
- Hedgerows and trees to be retained.



Distinctively designed dual aspect house marking a corner location



Well designed outdoor amenity space



Simple detailing with good quality materials add rhythm and visual interest to the streetscape



Langley Gorse is an area of relatively high ground, which will become a predominantly residential neighbourhood. Fox Hollies Road will be a significant feature for the area, and along with the areas relationship with Langley Park and the Langley Centre, these will help to define character in this Neighbourhood.

Design and layout

- Major landscape infrastructure reflecting its location, including green space along the A38 (with noise attenuation buffer), with links to Langley Park and other strategic green corridors.
- Fox Hollies Road will be part of a major green corridor and a key character feature (also see Langley Parkland). It will be part of the green infrastructure, and a key part of walking and cycling networks on site.
- Medium density housing is the predominant form, with some variations reflecting closeness to the Langley Centre and the PMN. Closer to Langley Park, housing will need to relate to the more open landscape, resulting in a clearly defined change in character.
- Street layout will respond to topography, with the PMN as the key structuring feature. These layouts need to consider views into, out of and through the Neighbourhood. Ridges offer the potential to break up built form and mitigate visual impacts.

Existing features

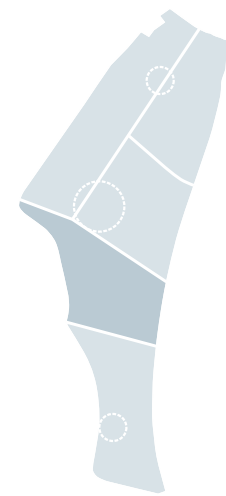
- Landscape features, including those associated with Fox Hollies Road and surrounding area (hedgerows, trees and semi-natural habitats (including TPOs and SLINCs)).
- Langley Gorse Farm and former alignment of Bulls Lane (heritage assets).
- Watercourse on eastern edge.



Sensitive integration of mature trees adds to distinctive sense of place



Simple high quality material palette and detailing



Within this Neighbourhood, Langley Park will be a strategic green corridor linking New Hall Valley Country Park with the countryside to the east, and will define the character of this Neighbourhood. It will utilise existing assets, including Fox Hollies Road, with a focus on multi-functional open spaces. The area will provide an important transition between the south of Langley SUE and the north, with a supporting movement network to connect the area. Residential development will seamlessly integrate into the surrounding landscape character.

Design and layout

- Strategic green corridor with an appropriate mix of green infrastructure primarily as an ecological network link. It will incorporate existing assets, and include informal public open space, play areas, SUDs and a noise attenuation buffer.
- Fox Hollies Road will be a key landscape character feature and will need to become a part of the green infrastructure, and walking and cycling networks on site as part of Fox Hollies Boulevard. Where it does not cause a significant impact on the purpose of this corridor, sections of this road (or alternative alignments) could possibly form part of the sustainable transport strategy (including public transport and localised vehicle movements), where necessary.
- Supporting movement infrastructure, including links to the Langley Centre and gateways into the site. Dedicated walking and cycling routes to be provided that connect New Hall Valley Country Park in the west and open countryside to the east, and link Langley South to the north of the site.
- Buildings within and sensitively integrated into a green landscape setting, working with undulating topography and including suitable architectural approaches, such as green roofs.
- Lower density is the predominant form for residential development, with opportunities for a bespoke approach to housing layout and design. Housing layouts, within large well-landscaped plots, should provide appropriate access to the PMN and Langley Centre.

Existing features

- Features associated with Fox Hollies Road and surrounding area, including estate parkland, grassland, woodland, mature trees, hedgerows, Peddimore Brook, wetlands and habitats (including TPOs and a SLINC).
- Langley Heath Farm and Fox Hollies (listed buildings), with access maintained.
- Utilise public rights of way, including A38 underpass.
- Power lines (proposals to put them underground will be supported where viable).



Forest walkway preserves ecological qualities of existing woodland



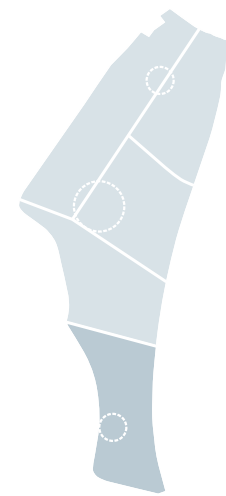
Houses overlooking and enclosing green space engender safety and local sense of ownership



Grouping houses provides sense of place and community



Local growing spaces help to develop sense of community



Langley South will be the southern gateway to the urban extension, with major access points from the A38 and Webster Way. The area will be predominantly residential, and the new homes will be supported by significant green spaces, a primary school and a Community Hub. The PMN will help connect the Neighbourhood to the rest of the development and Peddimore.

Design and layout

- Housing forms and building design reflecting its gateway location into Langley SUE, with an identifiable and distinctive character.
- Medium density is the predominant form for housing, with higher density towards the PMN and the Community Hub. Lower density housing in the north of the area to allow for links, landscaping, retention of existing assets and views to Langley Park.
- PMN and strategic access to be provided connecting the A38, Webster Way and the northern part of the site, including the Langley Centre. Dedicated walking and cycling routes are needed to link Langley South to the north of the site as part of a major green corridor, and to Peddimore.
- Legible layout based around PMN and a clear hierarchy of well-connected residential streets, including links to surrounding residential areas. The layout becoming less formal towards the A38 and Langley Park green spaces, with development near the A38 junction seamlessly integrating into the setting of this residential area.
- Strong high quality treatment onto Webster Way through design and landscaping to integrate the development into the area. The approach needs to address the current lack of existing frontages on the road and links into the existing community.
- Development will need to satisfactorily link to and address existing properties and destinations on Webster Way and Walmley Ash Lane (including Asda Minworth), and ensure residential amenity is protected.
- Strategic green spaces will need to be provided linking into the wider green infrastructure network, including Peddimore Brook, Fox Hollies Boulevard and open space alongside A38 with landscaping and noise attenuation buffer. Impacts to be considered on Peddimore Hall (to the east of the site), where the moat and associated land is a Schedule Monument.
- Design approach at Peddimore Brook should ensure flood risk is not increased, and where possible reduced.

Existing features

- Peddimore Brook.
- Hedgerows and trees (including TPOs).



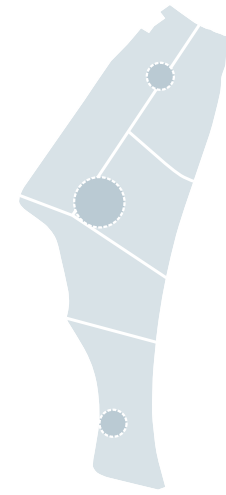
Housing architecture contributing to distinctive local character



Contemporary take on local vernacular buildings



Carefully considered detailing and materials add interest to appearance of houses



At the core of the urban extension is Langley Centre, just to the north of Langley Parkland, offering facilities and services for the whole site. Community Hubs must also be provided in accessible locations to serve people's day to day needs in the northern and southern parts of the site. These areas will be connected to all parts of the site by the PMN, high quality public transport services and key walking and cycling routes. Asda at Minworth is adjacent to Langley SUE, and suitable access should be considered, particularly if it is the primary way for retail needs to be met in the southern part of the site.

Design and layout

- Similar design approaches that reflect the role of the Langley Centre and the scale of the Community Hubs.
- Langley Centre will include appropriately scaled retail, commercial and community uses, Sprint/Rapid Transit interchange, an urban square/park, links to major green corridors, secondary and primary schools and a Sports Hub.
- Community Hubs should serve local catchments, with a focus on community uses, primary schools and public transport interchanges.
- Vibrant and bustling places with strong identity, acting as local landmarks. Should include contemporary architecture and high quality public realm design that takes a lead from other recent high quality, higher density development to create an instantly recognisable and distinctive place. Buildings should enclose, front onto, overlook and be accessed from the main streets. Encouragement given to independent and niche retailers, and distinctive approaches to design and signage.
- Public realm will need to include a public square/park capable of hosting events, and pedestrian-friendly streets. Significant green infrastructure to be provided, including street trees and SUDs, with links to the major green corridors.
- Layouts will need to enable easy accessibility by walking, cycling and public transport. The Centre and Community Hubs must be on the PMN, with a connection from Langley Centre to existing residential areas. Schools should have high quality walking and cycling routes to encourage sustainable travel.
- Vehicle (including car club and low emission vehicles) and cycle parking facilities should be shared between different uses to minimise the land take and impacts on the streetscape.
- Higher density is the predominant form for Centre and Hubs, with upper floors for apartments and potential for town houses. The highest density should be in Langley Centre. Servicing and delivery arrangements will need to be designed to support the creation of a high quality residential environment.



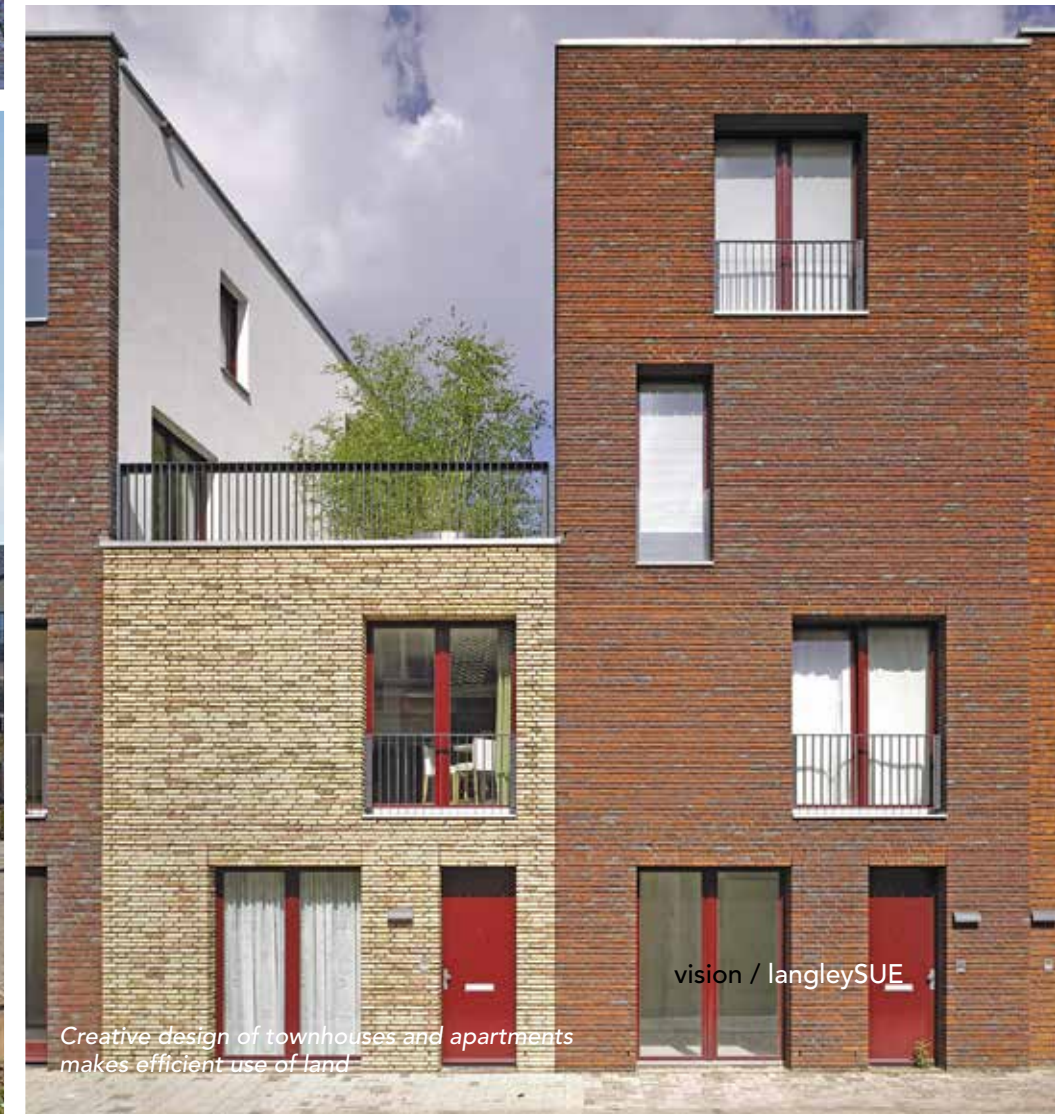
Contemporary mews housing



Apartments above shops add to local centre character, safety and vitality



Design of transport interchange contributes to sense of place



Creative design of townhouses and apartments makes efficient use of land



4 DELIVERY

In order to achieve the quality of development and place that is required by the BDP and this SPD, a comprehensive approach to the sites planning, development, delivery and long term management and maintenance is needed. This will mean working collaboratively across a range of themes, and setting clear strategies for the elements that will contribute to a development of this scale to deliver a new community in Sutton Coldfield and social value for the City.

The City Council, working with key stakeholders, including the Langley (Sutton Coldfield) Consortium, other landowners and developers, TfWM, the Town Council and local communities will have an important role in delivering the vision, and overseeing and monitoring the quality of the development at all stages. Feedback will be sought from local communities, and lessons learnt will feed into future planning and phases.

A joint approach to project management, communication and decision making will be put in place with key partners. This will include setting out the resources and skills required to deliver the agreed site-wide masterplan during the life of its development, with project teams and working groups to progress key topics. The planning and delivery of Langley SUE and Peddimore will be coordinated, and this will ensure high quality developments, timely infrastructure delivery, help build community relations and seek to minimise disruption in the local area.

An appropriate delivery model will need to be put in place to ensure a comprehensive and cohesive high quality development, and the phasing, coordination and comprehensive delivery of the infrastructure and built form across the whole allocated site. This could include the establishment of a master developer.

Site-wide strategies

The first step will be to produce a range of site-wide strategies covering key infrastructure to ensure that a clear approach is in place to deliver the vision, linked to the phasing and design quality of the development. They will need to refer to the BDP evidence base (as required) and provide updated evidence to make sure the strategies are suitable and deliverable. The strategies will need to be regularly reviewed during the development to ensure they remain up to date. It will be essential that the following interconnected strategies are put in place by the developers, involving key stakeholders, and agreed as part of the planning application process:

- **Community development and governance** - This will set out how local people and Councillors (currently represented through the Consultative Forum), the Town Council and businesses, will be involved in the development and creation of the new community. These stakeholders will be encouraged to have a meaningful stake and this will be supported by a community development and culture programme (funded by the developer) to support residents to meaningfully deliver wellbeing, social networks, groups and activities during all stages of the development. This will need to involve and have regard to existing communities in the area, and should be coordinated through key representatives. A Community Liaison Officer could be an effective way to deliver this. Future ownership and

management of community assets will also provide opportunities to help build a sustainable new community. The approach will need to be phased and reflect the growth of communities on the site, including a clear approach for keeping people up to date on progress of the development and impacts in the local area during construction. The approach should provide a structure to ensure a successful community on the site in the long term.

- **Social infrastructure** - This strategy will need to maximise the coordination, co-location and delivery of schools, health care and other community facilities serving the site. The approach will need to consider the likely community who will live on the development to ensure appropriate provision is made. It will need to have regard to impacts on existing facilities in the area, and demonstrate how the proposals will complement this provision. Clear trigger points to provide this infrastructure, linked to the delivery of new housing, will need to be made to ensure that essential services are provided at the right time.
- **Langley Centre and Community Hubs** - This should primarily focus on how the role and function of Langley Centre and the Community Hubs on the site will be coordinated in a comprehensive manner. It will need to address the scale and type of shops and facilities that will be provided, which places them into the network of Centres within Birmingham.

- **Housing** - This strategy should set out how the mix, tenure and typologies of high quality homes will support the successful creation of healthy and inclusive communities. It will support the effective and coordinated delivery and management of affordable housing in a comprehensive manner throughout the site, and set out how it will contribute towards the overall housing mix in each Neighbourhood.

- **Sustainable transport and movement** - As a key requirement of the development, this strategy will cover all movements (including walking and cycling) from the development, both on and off-site, including links to shops, schools, green space, other facilities and the wider area. It will need to be underpinned by a detailed Transport Assessment, informed by the Sutton Coldfield transport model, and consider mobility options such as autonomous vehicles. A Travel Plan will be a key part of the strategy to promote the use of sustainable modes of travel, including the need to provide high quality routes during construction phases. It will also need to set out a suitable strategy for construction traffic movements linked to phased delivery of the development.

- **Green infrastructure and heritage assets** - This will need to address all green infrastructure, including open space, landscape, the Sports Hub and other pitches, nature conservation sites and

heritage assets. The strategy should set the role of each part of the network, from the major green infrastructure corridors to more localised areas, and how they will be delivered as part of a natural capital planning led network approach. It will need to set out the approach to existing assets and how they will be accommodated (including any mitigation).

- **Sustainable drainage and flood risk** - This needs to offer a long term sustainable solution which contributes towards the overall character of the site, including the green infrastructure and movement networks. It will need to include flood risk assessment and potential opportunities to enhance the watercourses and reduce flood risk. This will need to comply with requirements for local water bodies under the Humber River Basin Management Plan. The strategy will need to demonstrate no additional spill to the water environment, including any cumulative impact.
- **Energy and utilities** - Developers will need to liaise closely with relevant agencies and service providers to ensure that sustainable power, water, waste and communications services are delivered when required and maintained. This should also be explored with the requirements and proposals associated with Peddimore. There should be a focus on incorporating a long term low/zero carbon strategy, underpinned by a Fabric First approach to high quality



healthy buildings. Current and emerging technologies should be considered for future needs, and provided for wherever possible (e.g. electric vehicle charging) at construction or through cost effective retrofit.

• **Digital infrastructure** - This will to need to accommodate wired and wireless infrastructure that contributes to overall place-making and the quality of life of residents. It should provide high speed ubiquitous internet access that is suitably integrated into the design and management of the development. It will need to demonstrate a long term view which can accommodate ongoing best practice and innovation in the industry.

• **Waste management** - This should set out a site management plan for how waste will be managed during construction, and once homes and other space are occupied. Consideration should be given to the most efficient and effective way for waste to be collected, including the use of central collection points.

• **Local employment** - Through the construction phase and the operation of social and commercial facilities on the development, there is the opportunity to develop skills and promote jobs, work experience and apprenticeships for local people (BDP policy TP26). The optimum way to deliver the right pathways into training and employment as part of an inclusive strategy will be explored with developers, contractors and their supply chains, local training providers and the City Council. The approach should consider an on-site jobs and skills training hub within Langley Centre or Community Hubs, with the potential for this to become a learning hub once the development is complete. These arrangements should be coordinated with those at Peddimore.

Development phasing and infrastructure delivery

The phasing of the development is crucial to ensure homes and communities are accompanied by the timely, suitably located and coordinated delivery of infrastructure, both on and off-site, and that the overall scheme integrates successfully into the local area. It is estimated that at its peak over 400 homes could be built on Langley each year. Based on the latest assessments with stakeholders, the phasing of the key physical and social infrastructure arising from the development at Langley SUE is summarised in Table 1 (to be provided on-site, unless stated otherwise), and further details will be set out through the planning application process. Other needs arising from the development will also be considered where they meet the legal tests for planning obligations.

A comprehensive site-wide delivery and infrastructure phasing plan will need to accompany the development. As the site is in multiple ownerships, the strategy will need to put in place an approach which shows how the development will be funded and delivered across all of the allocation. It will need to address how these costs (including ongoing maintenance and off-site requirements) and land required for social and physical infrastructure (including schools and public open spaces) will be split proportionally to ensure they are equitable between all landowners and developers bringing development forward on the site. Importantly the plan will also need to demonstrate how infrastructure will be brought forward to support the creation and growth of the residential communities, particularly in the early phases of the development. This includes long term low/zero carbon energy solutions that benefit from and drive forward the ongoing national energy system transformation. The strategy could include expansion of existing facilities

in the local area, such as school provision, or the combined use of facilities on-site as an interim measure.

This site-wide strategy will be developed with key partners, including all landowners and taking into account other matters to secure and coordinate delivery. This will include consideration of relevant standards and innovative long term ways to provide sustainable infrastructure, and agreement on trigger points for its provision. This will be agreed through the planning application process, and coordinated with Peddimore in appropriate ways.

Periodic reviews of agreed phasing plans and strategies will be carried out by the City Council and partners to ensure that they remain relevant during the construction period. Other proposed developments in the area (including North Warwickshire) which impact on the infrastructure from Langley will need to contribute proportionately to these costs. The City Council will work with neighbouring authorities to ensure this is coordinated and arrangements put in place.

Management and maintenance

Through the site-wide strategies, developers will need to demonstrate that a long-term strategy and business plan is in place for the governance, funding, management and upgrade of infrastructure and assets. Infrastructure to be adopted by the City Council must be built to appropriate standards, with funding provided by the developer to cover maintenance and other appropriate costs (such as the management, implementation and monitoring of Travel Plans), with the period of payments to be agreed with developers. The City Council will adopt the highway infrastructure.

Where infrastructure is not adopted by the City Council, the developer will need to demonstrate that the approach is sustainable, City Council standards have been applied, it meets recognised quality standards, and it has long-term management, maintenance and renewal arrangements in place. This could involve establishing a Community Development Trust.

In the case of parks, green spaces and potentially some facilities, the City Council may not adopt these assets, or may do so on an interim arrangement, with a view to transferring the assets to a suitable organisation or community at the earliest appropriate opportunity. Support will be given to communities to facilitate this process.

Planning application and funding

Developers will need to deliver a comprehensive approach and demonstrate that planning applications at Langley SUE reflect the agreed vision and objectives, and meet the policies and requirements of the BDP, this SPD and other relevant planning documents. The detailed locations for the requirements of this SPD will be agreed as part of the determination of planning applications. Overall developers will need to contribute towards a site-wide masterplan and individual schemes must not prejudice the overall development of the site.

The City Council will put in place an approach for planning applications which ensures comprehensive and coherent development, as well as the timely and appropriate phasing, funding and delivery of infrastructure. This will need to be flexible enough to respond to changing market conditions, housing needs and technology, as well as fixing the key elements required from development.

TABLE 1 Key infrastructure requirements

Key infrastructure requirements - indicative phasing	Lead delivery organisation
0-5 years (from commencement of development)	
New junction with the A38 and Peddimore (Langley South)	BCC/Peddimore Developer
Sprint/Rapid Transit services (interim arrangements as a minimum)	TfWM
Primary School	BCC/Developer
Secondary School (interim arrangements, potentially off-site provision)	BCC/Developer
Health care facilities - early phasing (interim arrangements as a minimum)	Developer/Birmingham and Solihull STP
5-10 years	
New junction with A38 (Langley North)	BCC/Developer
Secondary School	BCC/Developer
Primary School	BCC/Developer
Health care facilities	Developer/Birmingham and Solihull STP
Langley Centre	Developer
Sports Hub (interim arrangements for sports provision may be needed in early phases)	Developer
Community Hub	Developer
10+ years	
Sprint/Rapid Transit (full route)	TfWM
Primary School	BCC/Developer
Community Hub	Developer
Health care facilities - remaining requirements	Developer/Birmingham and Solihull STP
Delivered continually throughout development (including initial phases)	
Affordable housing (35% of total homes)	BCC/Developer
Green infrastructure including at least 30ha of public open space (based on 6,000 homes), playing fields, play areas, etc.	BCC/Developer
Principal movement network	BCC/Developer
Walking and cycling routes	BCC/Developer
Other high quality public transport services	BCC/Developer
Off-site highway improvements	BCC/Developer
Sustainable drainage systems and flood risk mitigation	BCC/Developer
Utilities, including low/zero carbon energy and digital infrastructure	BCC/Developer
Community facilities (potential for temporary space in early phases)	BCC/Developer

There will need to be a comprehensive, site-wide outline planning application for all of the allocation, which commits all landowners and developers to the overarching approach for development and infrastructure in a proportional and equitable manner. This will allow the next stage of key requirements and parameters to be set for the development. The Langley (Sutton Coldfield) Consortium is managed through a legal Collaboration Agreement to bring forward an outline planning application for the site.

An approved comprehensive, site-wide approach needs to be in place before detailed planning applications/proposals on individual sites will be considered positively by the City Council. The southern access point onto the A38 is likely to be subject to an initial and separate planning application as part of the Peddimore proposals, and this will need to demonstrate how it contributes to this comprehensive site-wide approach for the development of Langley SUE.

Key place-making information will need to be submitted with the outline planning application, and detailed schemes will need to show how they fit within the agreed site-wide approach. This includes:

- Site-wide illustrative masterplan to help all stakeholders to visualise and develop a common understanding of the place that Langley SUE will become.
- Parameter plans showing the spatial distribution of land uses, maximum building heights, a layout and street hierarchy (primary and secondary), gateways, urban design requirements and green infrastructure, with which future proposals must also comply. These plans must clearly relate to existing site assets and landform.

- Langley Design Framework setting out the design principles that will guide future development, including residential density, blocks (including edges), parking, built form and appearance of the Neighbourhoods, access and movement, and key public spaces. It should also include the approach to public art. Images should be included to illustrate these principles and how they relate to the overall masterplan (including 3D models, building elevations, street scenes, precedent images, and others as necessary). Design Briefs for specific sites and design codes may be used as an alternative or to support the Framework approach where details are not yet available.
- Design and Access Statement (DAS), to set out how the proposed development is a suitable response to the site and its setting, and demonstrate that it can be adequately accessed. It should set out the principles underpinning the design and how these have taken on board pre-application consultation and design review. The DAS has a different role to the Framework and could be incorporated within it.
- Site-wide strategies, including the Delivery and Infrastructure Phasing Plan.
- An Environmental Impact Assessment for the site as a whole.

The infrastructure funding strategy will need to be secured through appropriate planning conditions and/or captured in a section 106 agreement(s) and, where costs need to be tested, they will be evaluated using a viability assessment methodology to be agreed with the City Council to ensure transparency and consistency across the whole site. This will take into

account relevant legislation, best practice and guidance to secure appropriate contributions from all developers and landowners. To ensure the approach is fair and equitable, a protocol will be established through the outline planning application, and the Section 106 will set out the method for calculating proportionate contributions based on the proposed use of land. Planning Conditions will be used to ensure that all landowners and developers on the site contribute towards this approach. Where land is not provided, landowners and developers will need to make contributions (land or funding) to ensure the requirements are provided elsewhere. Affordable housing will be agreed as part of each Reserved Matters application in the context of the approved site-wide approach.

The City Council will establish Planning Performance Agreements (PPA) with developers within which the required project management and decision making structures will be agreed, coordinated and maintained for the project. It will capture the spatial vision and development objectives along with a project plan, programme and key terms of reference and responsibilities.

Waheed Nazir
Director of Inclusive Growth
Birmingham City Council



*“Langley SUE will be a place that is connected,
inclusive, resilient,
green and vibrant”*

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BIRMINGHAM
PLAN
2031



Peddimore

Supplementary Planning Document

April 2019



CONTENTS

Contents

Foreword 3

1 Introduction 5

2 Vision 9

Development principles

- Connectivity
- Design
- Sustainability

3 Delivery 21

The images included in the SPD are taken from other projects in the UK and abroad to illustrate similar exemplar developments and key projects. They are shown as examples of the quality that can be achieved on the basis of good design principles set out in this SPD, with the design of place and buildings on Peddimore having its own site specific response.

FOREWORD

Foreword

Peddimore is one of the most significant industrial development opportunities within the UK, with the potential to accommodate 265,000 square metres of new floorspace. Our decision to release 71 hectares of land from the Green Belt will create a world class employment estate and will see major new business space brought forward. Up to 10,000 jobs will be created and a £350 million contribution made to the local economy. It will rival other major UK industrial and distribution developments.

The development will be brought forward in stages, with the first phase of 37 hectares providing the infrastructure to serve the whole site, including a new junction onto the A38, public transport connections and major green infrastructure. In March 2018, the City Council announced IM Properties as our development partner who will deliver this scheme to the highest quality.

Following the public consultation in Autumn 2018 with the wider community and partners, this Supplementary Planning Document was amended and now sets out the City's vision and expectations for this unparalleled development opportunity. Along with the Langley Sustainable Urban Extension, this is a great opportunity for Birmingham and the Royal Town of Sutton Coldfield to create thousands of homes, skilled jobs and modern infrastructure.

I am delighted that we have this formal planning guidance in place to create a new standard for commercial development.

Councillor Ian Ward

Leader

Birmingham City Council



1 INTRODUCTION

Introduction

The Birmingham Development Plan (BDP) sets out the City’s growth strategy to deliver over 51,100 new homes, 100,000 jobs and associated infrastructure. With Birmingham’s population projected to increase by 150,000 by 2031, the strategy of the BDP is focused on meeting the needs of growth in the most sustainable way.

Peddimore is identified as a key employment allocation in Policy GA6 of the BDP, helping to address the need for land to accommodate major national and international investment in the industrial and logistics sectors. The City has an excellent history of providing high quality space for businesses, particularly for the advanced manufacturing sector.

With 71ha of developable employment land available in a highly accessible location, Peddimore has the potential to meet the requirements of large scale businesses, and also provide space for small and medium enterprises. The development can help the City to meet the demands of thriving sectors, capitalise on the emergence of new growth industries and support the delivery of the local industrial strategy.

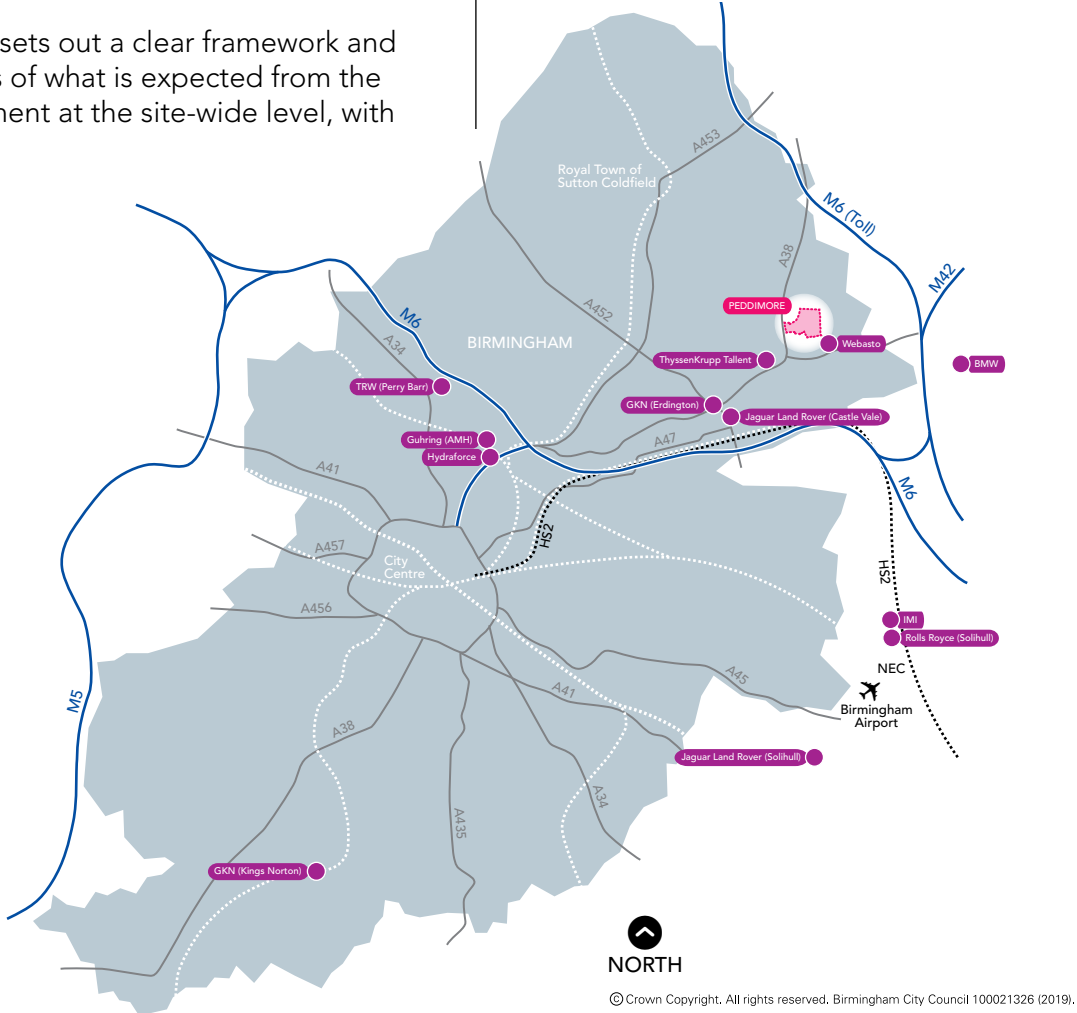
The provision of infrastructure will be co-ordinated with the development of approximately 6,000 homes on the adjoining Langley Sustainable Urban Extension (SUE). A separate SPD has been prepared for Langley SUE detailing the key principles, providing guidance on design, phasing and access, and ensuring that these developments are effectively integrated.

Purpose
In 2017, the City published the Peddimore Visioning Document to set out the high level approach for the development and delivery of the site. The objective of this SPD is to ensure that Peddimore is a sustainable development of the highest quality and creates the right conditions for business

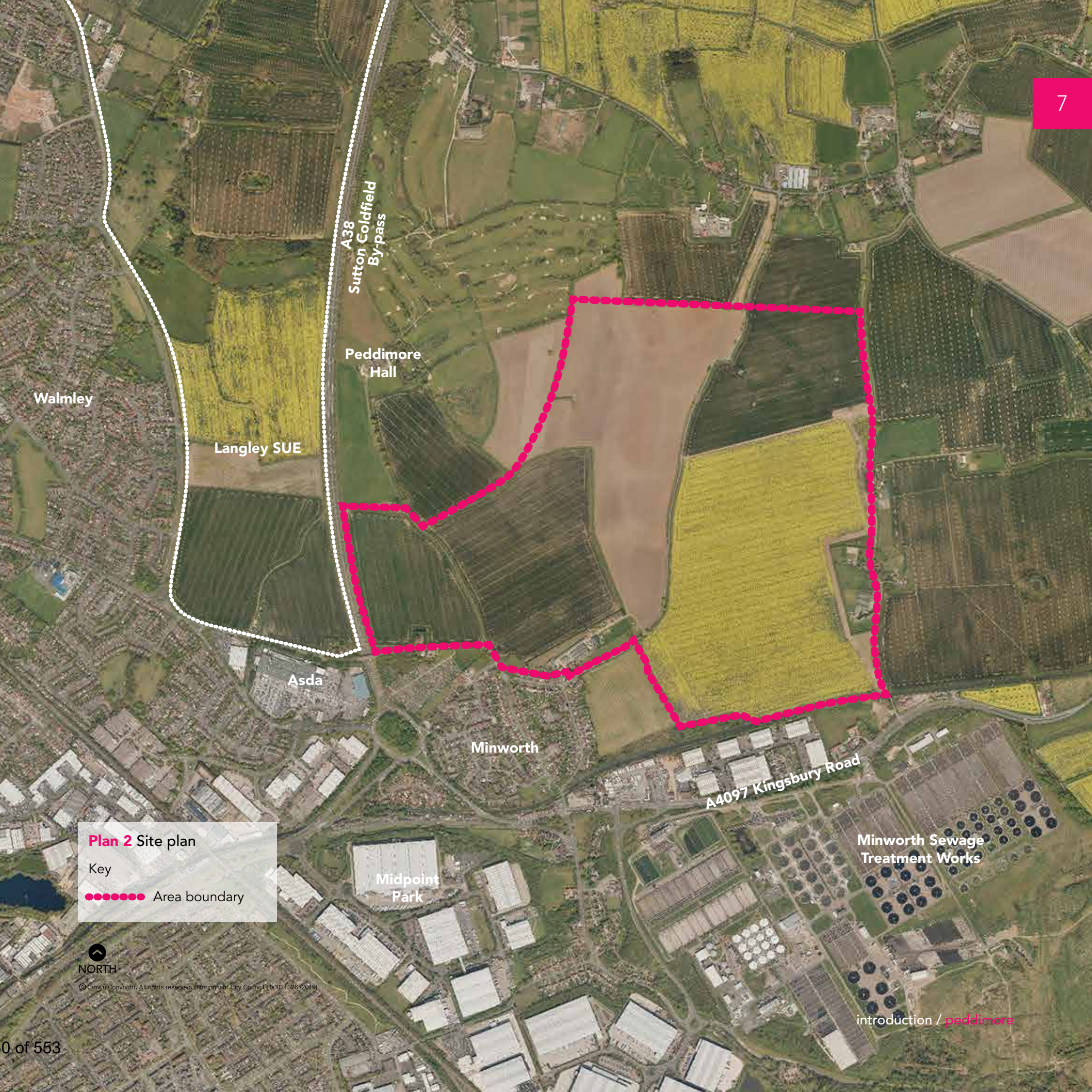
investment. In line with the National Planning Policy Framework, this SPD adds detail and guidance to the statutory BDP, expanding on core policies (including GA6) to ensure the cohesive, coordinated and comprehensive development of the allocated site. The draft SPD was subject to a public consultation in Autumn 2018, and this led to changes to the final SPD.

This SPD sets out a clear framework and principles of what is expected from the development at the site-wide level, with

flexibility to ensure detailed approaches are established through the planning application process. Alongside other policies and guidance, it is a material consideration when determining planning applications on this site. The SPD will be subject to regular review with key partners to ensure the detailed guidance remains relevant throughout the development.



Plan 1 Advanced manufacturing companies - city wide





2VISION

To create an exemplar and distinctive industrial development that provides the highest quality space with supporting infrastructure to attract new businesses in key growth sectors, including advanced manufacturing.

The site’s scale, access to the motorway network and major conurbations with first class connectivity and availability of skilled local labour, will make Peddimore a highly successful development that is a desirable place for businesses to invest, operate and grow. Through the provision of new employment space, the development will support significant new jobs and training opportunities for local people.

A masterplan-led approach, informed by the illustrative framework (Plan 3), is vital in successfully delivering the vision for Peddimore. This will set out in detail what development is going to take place and where, ensuring that development of business space and supporting infrastructure happens in a comprehensive and coordinated way.

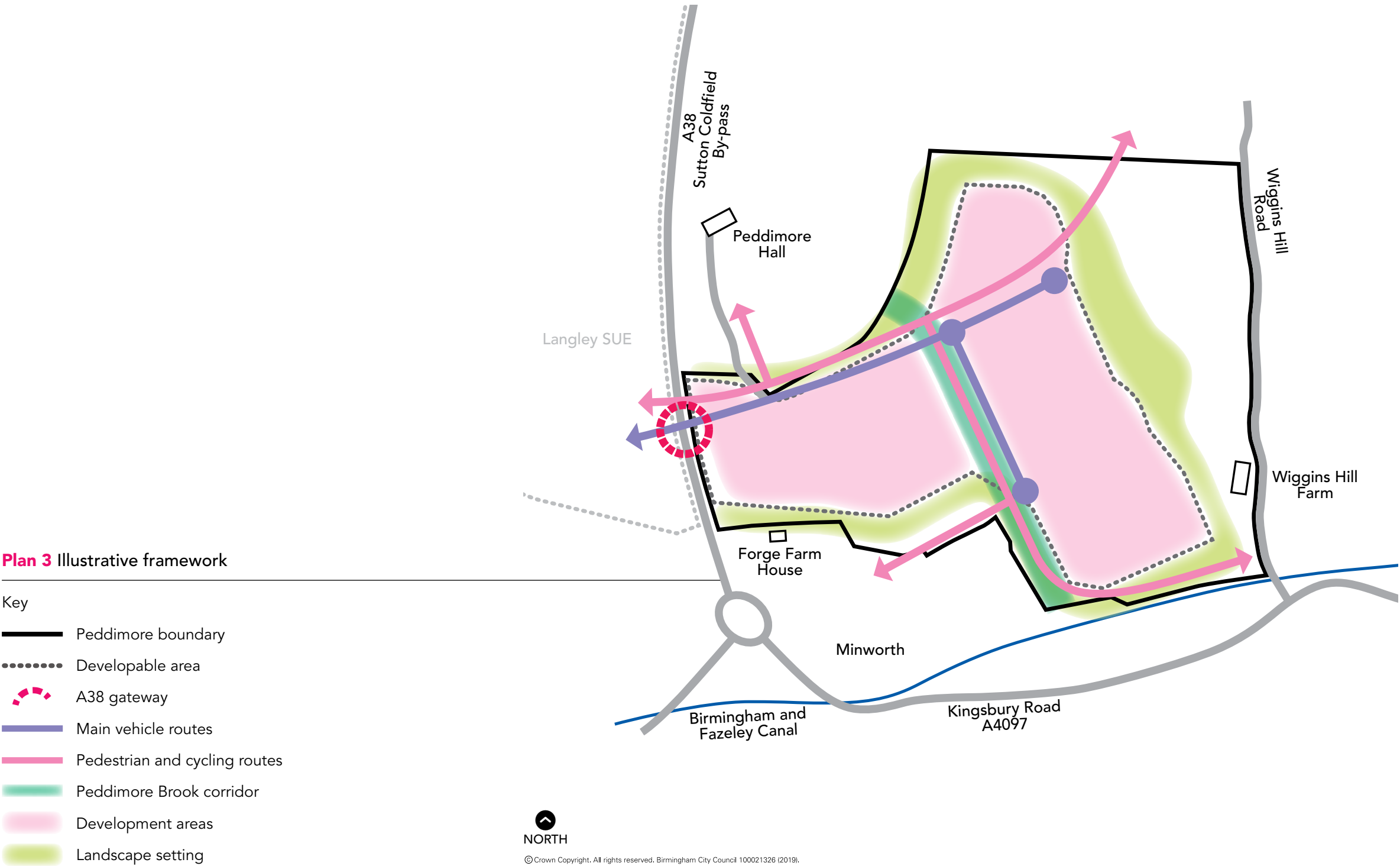
The vision will be secured through key development principles that will guide the overall masterplan and quality of place. They will ensure that Peddimore is a success in the long term and is integrated into the local area.

The key development principles are set out as:

Connectivity
Development at Peddimore will provide for sustainable travel, promoting walking, cycling and high quality public transport. A new strategic junction on the A38 and improvements to the existing road network are central to the transformation of the area.

Design
A strong design-led approach will be taken to ensure that buildings and infrastructure contribute towards creating the highest quality place that successfully integrates into the surrounding landscape.

Sustainability
Peddimore will deliver a multi-functional green infrastructure network, where valuable landscape and ecological assets are enhanced, increasing biodiversity and habitat connectivity. Buildings will also contribute towards these networks and will meet high sustainability standards.





Illustrative masterplan to show what Peddimore could look like. The design will be detailed through the planning application process

Establishing sustainable travel patterns, which prioritise walking, cycling, public transport and freight movement from the outset is a key aim for Peddimore that will impact on the design, layout and phasing of development.

A clear transport strategy will be put in place, underpinned by a Transport Assessment (informed by the Sutton Coldfield transport model) and travel plan. This also needs to consider mobility options such as autonomous vehicles. The strategy will be delivered through a Green Travel District to promote the use of sustainable modes of travel during construction and operation of the site.

The details of the transport strategy will be set through the planning application process, and will include investment in the local transport network (including traffic management) to mitigate the effects of the development, and will provide access to existing properties. The BDP transport evidence base should be utilised in setting the detailed transport strategy for the development.

Strategic access

A major access into Peddimore will be created on the A38 to connect Peddimore and the adjacent Langley SUE to the local and national road network.

This access point will need to be designed to accommodate high quality public transport, including Sprint/Rapid Transit services, and HGV freight vehicles. It will provide a separate bridge crossing for pedestrians and cyclists into the development. The junction will need to be designed as a high quality gateway to emphasise the sites importance as a leading business destination.

Junction 9 on the M42 will also be vital for Langley SUE and Peddimore. Developers will need to work with Highways England, Warwickshire County Council and Birmingham City Council to deliver an appropriate solution to this junction to accommodate traffic movements.

Walking and cycling

Peddimore will be served by a network of pedestrian and cycle routes that connect into the wider City network, including links to rail stations (existing and proposed). An internal network of routes will serve all buildings to ensure walking and cycling is an option for all. Where appropriate, the design of streets and routes should follow Sport England's 'Active Design' principles.

All routes need to be convenient, safe, attractive and designed to an adoptable standard and in line with the West Midlands Combined Authority Cycling Design Guidance, with suitable surface materials, lighting, wayfinding/signage and crossing points. Cycle tracks, separated from vehicle traffic, will be required along the road network, serving both sides of the streets as part of a clear network of routes. Potentially this could be within landscaped areas.

The nature of the industries at Peddimore means employees will be arriving and leaving at various times of the day. Routes will need to be overlooked from building frontages in suitable locations and well lit so they can be used at night.

Pedestrian and cycle routes will connect into existing networks in the area, and links via Wishaw Lane, Peddimore Lane, Walmley Ash Lane, Cottage Lane and Wiggins Hill Road will be enhanced. Existing public rights of way will be retained, or high quality, convenient alternatives will be provided.

Cyclists and pedestrians will be able to move between Peddimore and Langley SUE using a dedicated bridge across the A38, segregated from vehicular traffic. Routes will connect Peddimore with the local area, including links to key destinations, such as Langley SUE, Sutton Coldfield Town Centre, Walmley and other Local Centres, rail stations (existing and proposed), Birmingham and Fazeley Canal and to the wider countryside.

Sprint/Rapid Transit and high quality public transport

A public transport strategy will be required for the site to demonstrate how the Sprint/Rapid Transit and other high quality bus services can serve Peddimore and Langley SUE. It will need to support sustainable commuting to the site (including links to existing, and consideration of access to proposed, rail stations), allowing quick and efficient access from the local area, wider City and beyond.

High quality bus services will be vital to the delivery of Peddimore, including access to Sprint/Rapid Transit services. A Transport for West Midlands (TfWM) detailed study will determine the most feasible and effective routing for Sprint/Rapid Transit to serve Langley SUE and Peddimore. In the earlier phases, the Sprint/Rapid Transit route on Langley SUE offers an opportunity for Peddimore to have early nearby connections to this service. Subject to feasibility studies, Sprint/Rapid Transit will be extended to Peddimore after 2026 as part of the Sutton Coldfield to HS2 Interchange route.

Developers will need to liaise with the promoters of Langley SUE, TfWM, Birmingham City Council and bus companies to ensure a coordinated and effective approach to support the phasing and delivery of public transport that

addresses the needs of both sites. The transport assessment and travel plan for the development will need to include research about potential occupiers and shift patterns to ensure that public transport services are provided when required, avoiding and managing peak travel times appropriately. Conditions will be attached to planning permissions to ensure the delivery of public transport is linked to the occupation of buildings on Peddimore.

Developers will need to put in place public transport infrastructure to serve the site. The primary routes need to be able to accommodate Sprint/Rapid Transit (vehicles of 18m length) and bus services (TfWM design guidance will need to be followed). Stops should be suitably located and, where provided, be within 400m of the main entrance of each building, on roads with appropriate shelters, have real-time travel information, and link to walking and cycling routes. Where possible and viable, turn around areas and layover opportunities should be provided, and comfort facilities for drivers should be explored with bus operators and TfWM.

Consideration should be given to the suitability for a park and ride facility to serve the Sprint/Rapid Transit corridor. This could boost patronage on Sprint/Rapid Transit and ease pressure on the wider road network. This is being considered through a TfWM detailed feasibility study.

Access for freight and other vehicles

A hierarchy of streets is needed to serve and give a legible structure to the development, and to ensure safety and ease of access. Primary routes on the site will be via the new junction on the A38, and will accommodate the highest volumes of traffic (designed for speeds of 30mph), with secondary routes providing access to new premises (designed for speeds of 20mph). Impacts from vehicle

movements on residents near the site will need to be minimised. Emergency vehicle access points will also need to be provided, likely to be via Wishaw Lane to the north and south of the site.

Roads should ensure City Council standards are achieved for highway management and safety (including visibility splays), as well as contribute to the delivery of successful place-making on Peddimore. This will include landscaping on roads with grass verges and high quality structure planting to contribute to green infrastructure networks. Potential conflicts between commercial vehicles, cars, cyclists and pedestrians, will need to be designed out (including road safety audit procedures).

Parking

Parking and servicing should contribute towards overall place-making, ensuring the delivery of an efficient, comprehensive and sustainable transport system, and make efficient use of land. An updated Car Parking Standards SPD is under preparation, and this will apply standards commensurate with the accessibility of locations. It will also set out standards for low emission vehicles, powered two-wheelers, car clubs, people with disabilities, and cycle parking.

Appropriate parking provision for HGVs and freight vehicles (including overnight parking) will need to be provided on the site. Cycle parking should be safe and accessible to encourage its use. Secure and well lit cycle parking and shelters will be conveniently located close to the entrance of buildings. To avoid inappropriate parking in nearby residential areas, parking management should be monitored and measures introduced where appropriate and necessary, and should be linked into a site wide Travel Plan/coordinated individual Travel Plans.



The design of Peddimore will be a defining feature to create the highest quality of development. The approach will produce a business environment that is functional, distinctive, safe, sustainable and integrated with the surrounding landscape and green infrastructure networks.

A site-wide masterplan, informed by pre-application discussions and design review, will be required to visualise and develop a common understanding of the place that Peddimore will become. It will make the most of the sites topography, retain and enhance existing valuable landscape and heritage assets, and consider and create a series of interesting views.

The layout of Peddimore must be within the developable area of the site (71ha), including all employment land uses. The BDP requires a minimum of 40ha to be safeguarded for general and light industrial uses (Use Class B1(c) or B2), and it is envisaged that this will be delivered through both phases of the scheme. There is no limit on the amount of floorspace that development can bring forward, either on a plot by plot basis or overall, as long as it follows the principles set out in this SPD and the BDP, including meeting the requirements of the Best Quality Employment Land Portfolio (BDP Policy TP17).

Ancillary uses which serve and support the creation of a high quality and attractive environment for business staff and visitors will be supported where they are of an appropriate scale, in suitable locations and coordinated with provision on Langley SUE. Other enabling works (including utility requirements, infrastructure and landscaping) can fall outside the developable area where they relate to

measures to ensure the successful delivery of the site, are appropriately sited and mitigate visual impacts. The detailed locations for the requirements of this SPD will be agreed as part of the determination of planning applications.

Building design

New buildings at Peddimore will need to be designed to the highest and safest standard, contributing to a quality environment. They will need to be of high architectural and sustainability standards, with active elements, such as offices, reception areas and stairwells, forming strong features that animate and add interest to the public realm. Glazing areas should be maximised to allow views in to and out of buildings that enhance how it relates to its setting. This is most applicable to office elements, however it can also improve the work environment in other parts of the building and, by allowing views in, add interest to the surrounding public realm. Architectural detailing and use of materials should provide additional interest, particularly through innovative design of offices and entrance features. The images in this SPD illustrate how different design approaches can create architectural interest. Design will need to be considered in line with BDP policy TP3 on sustainable construction.

Whilst buildings will be visible from some places around the site, the layout of Peddimore will need to utilise measures to soften the appearance and break up the scale of buildings to reduce the visual impacts of the development. Subject to topography and local context, buildings should not stand more than 20m high to haunch (giving a clear internal height of 20m) and not more than 23.5m to the apex of the roof (measured from the floor

level). In the central parts of the site, taller buildings may be acceptable subject to addressing any adverse impacts, including visual amenity and historic environment considerations.

The use of green and brown roofs will be strongly encouraged to integrate the roofscape into the landscape, and to support ecology networks and sustainable water management.

Plot layouts should be designed so that buildings generally hide service yards from public view, with additional screening provided by structure planting. Service yards will need to allow articulated vehicles to manoeuvre and leave in a forward direction. The need for security fencing should be minimised, and, where required, it should be of a relatively unobtrusive design (such as green mesh), kept as low as possible, set back a significant distance from streets and public spaces, and integrated with landscape treatment to mitigate its visual impact.

Heritage assets

Heritage assets around Peddimore include listed buildings at Forge Farm House, Wiggins Hill Farm, Birmingham and Fazeley Canal and Peddimore Hall, where the moat and associated land is a Scheduled Ancient Monument. There are also known and potential archaeological deposits in the area. The design of the development will be required to protect and enhance archaeological features and the character and setting of heritage assets, in line with national policy and BDP policies TP12 and GA6. Archaeological excavations will be required in advance of development, followed by analysis of the results and publication of reports.

Lighting

Lighting will need to be appropriate to its purpose to meet the needs of occupiers, and must minimise impacts on the surrounding area, ecological receptors, landscape and visual amenity. It will need to utilise good quality 'dark sky' fittings, directed downwards and with no spillage above the horizontal to avoid light pollution. Consideration should be given to using responsive and low/zero carbon lighting on walking and cycling routes.

For access roads and car areas, all mounting heights for lighting should be between 8m to 10m. For HGV loading, access and docking areas, all mounting heights should be between 10m to 12m. All units will have flat glass and mounted horizontally. Lighting will also need to comply with national lighting standards and best practice.

Public art

Public art can play a strong role in shaping places and contributing to local identity, supporting the implementation of BDP policy PG3. On Peddimore, public art will need to add to the development's identity, with key opportunities on the A38 gateway and integration into the landscape to mark footpaths and cycleways within and around the site. Feature lighting can be used to highlight building frontages and other site features.



Sustainability and green infrastructure are key elements in making sure that Peddimore is a success in the long term. The environment and buildings on the site all have a role to play in delivering a sustainable development which responds to the sites local context. The development of Peddimore will need to have a measurable long term commitment to delivering net gains for natural capital. An Environmental Impact Assessment will be needed for the site which will inform the development of the detailed masterplan.

Green infrastructure

Green infrastructure will be a defining feature of Peddimore, and has a crucial role in delivering the highest quality development. It will need to provide an attractive and multi-functional landscape that integrates development with the surrounding area and provides for informal recreation use by the local community. The landscape framework will include woodland planting, reinstatement of hedgerows, new walking and cycling routes and wildlife habitats. Social spaces should be provided where people on the site can meet, with potential to host facilities/services such as food stalls and events.

Existing landscape and ecological assets need to be protected as far as possible in line with BDP policies TP6-9, including mature trees and hedgerows, with overall measurable net gains for biodiversity. Open space should be designed for sustainable long term maintenance and environmental protection, with barriers to prevent inappropriate vehicle access. Peddimore Brook will be a key feature of the development, within a significant green corridor (around 40m-60m wide) running through the site. The approach

will require the Brook to be re-aligned and naturalised, taking the opportunity to open up culverted sections where feasible. Other blue infrastructure, including wetland areas, need to be created throughout the site for sustainable drainage, and should be designed as valuable landscape and habitat features, preferably within publicly accessible green spaces.

Green infrastructure links and wildlife corridors will need to permeate the site and connect to the surrounding networks. In addition to the main landscaped areas, green corridors should also feature within roads, on buildings and between plots. Measures should include green roofs, green walls, and rain gardens as part of sustainable drainage, street trees and amenity planting.

As part of the approach to mitigate the effects of development (including noise), woodland planting around the edges of the site should be as naturalistic as possible, and hedgerow planting should reinstate areas of historic field patterns on the higher land north and east of Peddimore.

Planting will need create key vistas, enhance the setting and appearance of buildings and screen elements of the development where needed (such as service yards). Planting must also have ecological value, including the use of locally native species, pollinator-friendly and climate-resilient plants, and be managed in an ecologically sensitive manner. Non-native species could be used to highlight key locations, such as site entrances. Features such as bat roost units, bird nesting boxes and refuges for invertebrates should be provided for additional wildlife value. Ecologically sensitive lighting strategies will be implemented to ensure the impact of lighting on landscape and wildlife is minimised.

Habitat creation and enhancement should be informed by the ecological strategy for Birmingham and the Black Country, Birmingham and Black Country Nature Improvement Area themes, and the local Biodiversity Action Plan.

Planting design needs to be considered from the outset alongside utility easements, building layout and landform. This will ensure appropriate conditions, phased plant establishment and growth to fulfil its role, and ongoing management and maintenance arrangements.

Sustainable drainage and flood risk management

Peddimore will incorporate Sustainable Urban Drainage (SUDs) in line with BDP policy TP6. The surface water drainage strategy will be integral to the development masterplan and proposed measures need to make a positive contribution to the green infrastructure, streets and buildings on the site.

The overall design approach for watercourses should seek to re-naturalise, enhance and preserve the water corridors, and seek to reduce and contribute towards the management of pollution before water enters any watercourse (such as urban runoff or from previous land uses).

All sources of flood risk will need to be assessed and mitigated, including impacts downstream from the development, to ensure flood risk is not increased, and where possible reduced. This will need to comply with requirements for local water bodies under the Humber River Basin Management Plan. The strategy will need to demonstrate no additional spill to the water environment, including any cumulative impact.

The fluvial flood risk from Peddimore Brook will need to be assessed and opportunities taken to naturalise and re-align it, including de-culverting, to restore its natural character and integrate it into the landscape and walking and cycling routes on the site (initial Flood Risk Assessment and hydraulic modelling has identified the need for new ponds/wetlands). The Brook will need to remain as an open water habitat running north to south, linking to off-site blue infrastructure to the north and Birmingham and Fazeley Canal to the south. Reduction in the risk of blockage should be achieved by minimising crossings over watercourses (where necessary, these should be a minimum of 600mm above the 1 in 100 year plus climate change flood level).

Surface water discharge rates shall be limited to the equivalent site-specific greenfield runoff rates for all return periods up to the 1 in 100 year plus climate change event. Consideration will also need to be given to exceedance flows (greater than the 1 in 100 years plus climate change rainfall events). A perimeter drain should be installed around the site to intercept any runoff coming from higher ground, with the discharge route to be agreed with the City Council.

The overall strategy needs to also consider building and plot-level measures, such as rainwater harvesting, and permeable paving. Surface water conveyance systems should give precedence to swales and filter trenches over traditional pipework. Information on the operation of the drainage network should be set out, outlining the details of the responsible party and the site specific management and maintenance schedules.

Energy and utilities

Enhancing the environmental performance of buildings on Peddimore is an important part of making sustainable development, and will have a number of benefits for occupiers in achieving lean and green future operations. Buildings will need to aim to achieve BREEAM excellent accreditation as a minimum in line with BDP policy TP3, and are expected to achieve an Energy Performance Certificate (EPC) A rating.

Developers will also need to ensure that other sustainability policies of the BDP are addressed by examining every aspect of building and infrastructure design and operation. Design and siting of energy and utility infrastructure needs to be considered from the outset to ensure it fits in with building and landscaping design. Developers should liaise closely with relevant agencies and service providers to ensure that sustainable power, water, waste and digital infrastructure services are delivered when required and maintained.

The masterplan and subsequent development proposals will need to demonstrate a site-wide energy strategy for the use of low/zero carbon energy generating technologies (BDP policy TP4). A holistic approach to energy consumption across buildings and transport should be deployed. This will need to include consideration of how the power, heating and cooling demand can be met by on-site energy generation from low/zero carbon sources. Where possible, local renewable energy supply should be utilised and consideration should also be given to:

- Potential connection to off-site sources of local renewable energy supply.
- The use of solar photovoltaic panels, solar thermal, and air and ground source heat pumps.

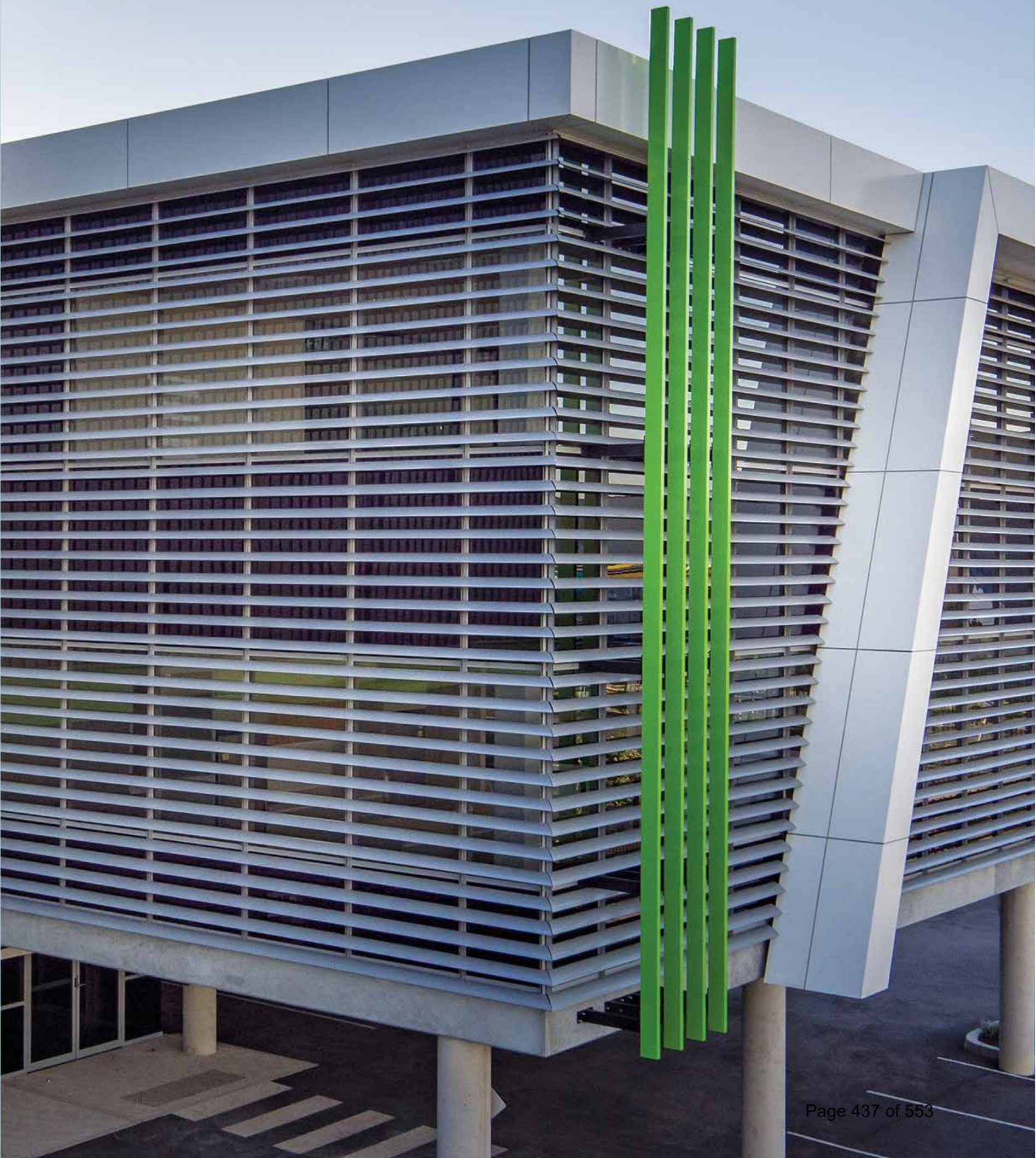
- Alignment between building energy use and vehicle charging or fuelling infrastructure.
- Energy from gases from the Minworth sewage works.
- Monitoring and smart metering; lighting and boiler specification and controls.

Air quality

Peddimore will need to take a proactive approach to its master planning and infrastructure development to make a positive contribution to managing air quality in the City (BDP policy TP44). This needs to take a lead in promoting sustainable energy, green infrastructure and transport to reduce its environmental impact, and contribute to mitigating/reducing air quality exceedances in the City. The design of the development should contribute towards reducing exposure to air pollutants.

Waste as a resource

Development will need to support the City's waste strategy in prioritising reduction, reuse, recycling and then recovery of waste. This includes allowing appropriate space for waste collection arrangements for businesses on streets and plot layouts. Infrastructure on Peddimore needs to support the management of waste up the waste hierarchy, during construction and operation, with opportunities explored to link this to the site-wide energy strategy.



3 DELIVERY

In order to achieve the quality of place that is required by the BDP and this SPD, a comprehensive approach to the sites planning, development, delivery and long term maintenance is needed. Making this happen requires commitment from developers, the City Council and other stakeholders to deliver this shared vision. Best practice case studies can offer a benchmark for this development, and relevant guidance and standards will be referred to and put in place through the planning application process.

Working in partnership

The City Council, as the owner of the majority of the site, is implementing a delivery strategy to realise the development potential. IM Properties has been appointed as the development partner to bring forward key infrastructure and the first buildings on Peddimore, with the remaining land being kept within the City Councils ownership.

Working with key stakeholders (including other landowners/developers, TfWM, the Town Council, local communities and Councillors (currently represented through the Consultative Forum) and site occupiers), the City Council will continue to have an important role in overseeing and coordinating all stages of the development. There is a need to:

- Ensure the planning infrastructure and phasing of development in accordance with relevant delivery plans, and coordinated with the development of Langley SUE.
- Require and monitor the delivery of consistent high quality of development in accordance with the guidance and principles set out in this SPD and the BDP.
- Agree the delivery of long term management and governance arrangements for the development.

There will need to be a Public Engagement Strategy for the site, setting out how local people and businesses will be encouraged to have a meaningful stake in the estate as it develops. This will need to include

a clear approach for keeping people up to date on progress of the development, including impacts in the local area during construction. Coordination should be made with the Langley SUE development to build community relations.

Development phasing and infrastructure delivery

New employment space at Peddimore will need to be accompanied by the timely, suitably located and coordinated delivery of infrastructure, including major highway works, public transport, walking, cycling, health, green spaces and utilities. The development will come forwarded in phases, the first of which will provide the key infrastructure to serve the whole site (including sustainable transport and landscaping proposals). This will provide essential services for future occupiers, assist in place-making and establish Peddimore as a premier place to invest and work.

A Delivery and Phasing Plan will need to accompany proposals. This should fix the key elements required from development and be flexible enough to respond to changing market conditions. Periodic reviews of this plan will be carried out by the City Council and partners to ensure that they remain relevant during delivery. This will be informed and supported by site-wide strategies covering key infrastructure to ensure a clear approach is in place to deliver the vision.

The costs of infrastructure will be met by developers and landowners, including the City Council, from the value generated by the development. These are expected to be secured through appropriate planning conditions and/or captured in a Section 106 agreement attached to planning permissions. In addition to the infrastructure set out in this SPD, other needs arising from the development will also be considered where they meet the legal tests for planning obligations.

Management and maintenance

Through the site-wide strategies based on the requirements of the SPD and BDP, developers will need to demonstrate that a long-term strategy and business plan is in place for the funding, management and upgrade of infrastructure and assets.

Infrastructure to be adopted by the City Council must be built to appropriate standards, with funding provided by the developer to cover maintenance and other appropriate costs (such as the management, implementation and monitoring of Travel Plans), with the period of payments to be agreed with developers.

Where infrastructure is not adopted by the City Council, the developer will need to demonstrate that it is sustainable, City Council standards have been applied, it meets recognised quality standards, and it has long-term management, maintenance

and renewal arrangements in place. In the case of green spaces and landscaping, the City Council may not adopt these assets, or may do so on an interim arrangement, with a view to transferring the asset to a management company or other suitable organisation. Support will be given to communities to facilitate this process.

Business support and training packages

Local people in Birmingham have a wealth of skills and knowledge that will be invaluable to businesses located in Peddimore. As the development partner, IM Properties has made a commitment to support communities by helping disadvantaged people into work, funding people onto the Building Birmingham Scholarship, and directing 50 per cent of its spend with local suppliers and small and medium size enterprises. The City Council will explore further local employment opportunities through the use of targeted employment strategies to link training to employer demand (BDP policy TP26).

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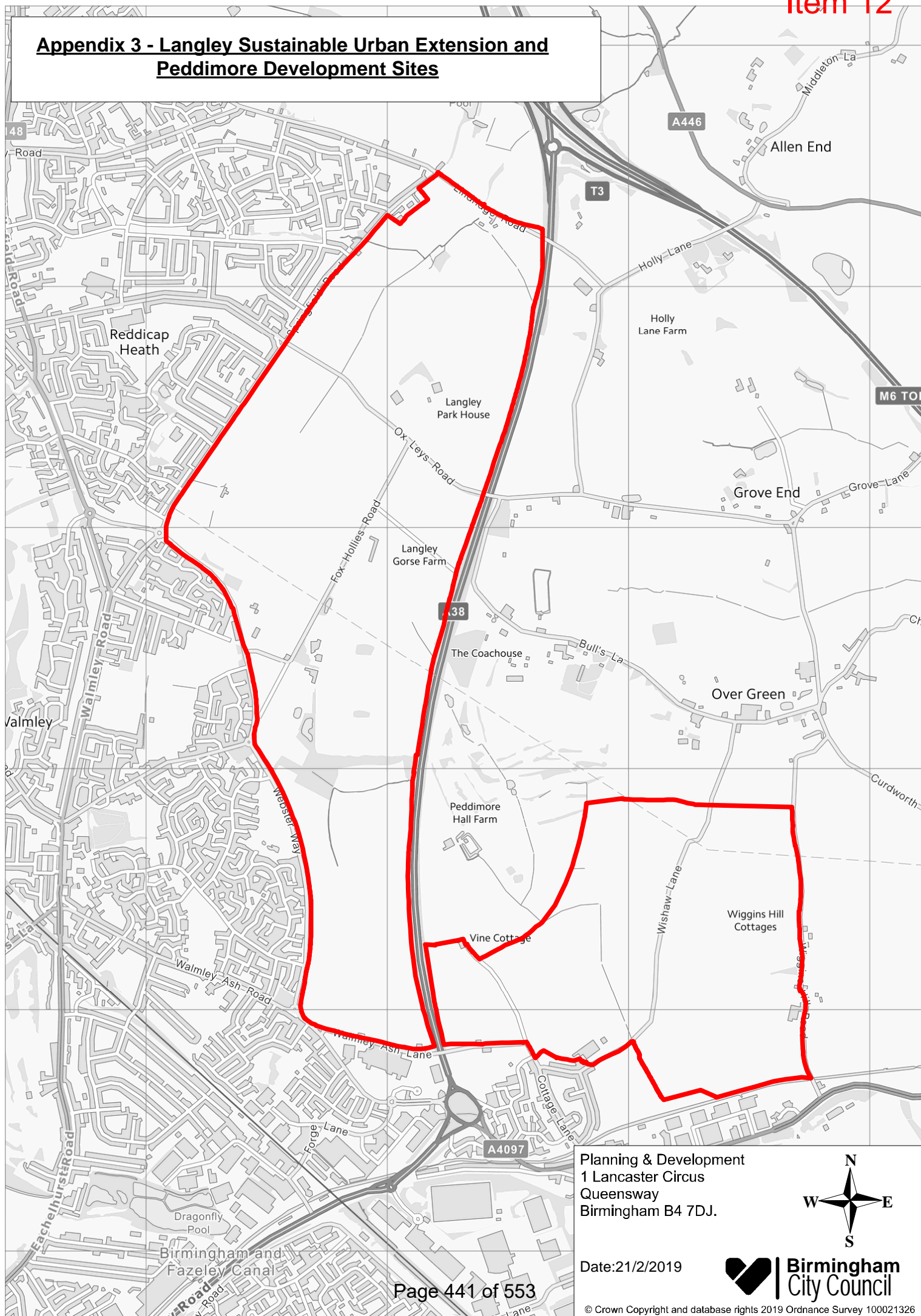
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The Peddimore Supplementary Planning Document produced by
Birmingham City Council, Planning and Development, Inclusive Growth Directorate.

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Appendix 3 - Langley Sustainable Urban Extension and Peddimore Development Sites



Birmingham City Council

Langley Sustainable Urban Extension and Peddimore Supplementary Planning Documents

Consultation Statement

1. Introduction

Birmingham City Council consulted on the Langley Sustainable Urban Extension (SUE) and Peddimore draft Supplementary Planning Documents (SPDs) in September and October 2018. This statement explains the development proposals, describes the level and type of responses received, the main issues raised and how they have been addressed in the final SPDs. The statement has been prepared in accordance with Regulation 12 (a) of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) and the Birmingham Statement of Community Involvement.

2. Purpose

Langley SUE and Peddimore development sites were allocated through the Birmingham Development Plan for approximately 6,000 homes, 71 hectares of employment land and supporting infrastructure.

The Langley SUE Draft SPD sets out:

- A Vision to set out what the City expects Langley to be once it is developed, including a number of Big Moves that identify the key structuring elements that need to be delivered to make Langley a successful place.
- Development Principles to provide planning guidance and advice to developers on matters covering Connectivity, Activity and Design.
- Delivery requirements to support development, including site-wide strategies, infrastructure delivery and the planning process.

The Peddimore Draft SPD sets out:

- A Vision to set out what the City expects Peddimore to be once it is developed
- Development Principles to provide guidance and advice to developers on matters covering Connectivity, Design and Sustainability.
- Delivery requirements to support development, including partnership working, infrastructure delivery and business support.

Public consultation on the draft SPDs was carried out for six weeks, from 10th September to 21st October 2018, when views were sought from stakeholders and the public on the guidance contained within the documents.

3. Engagement Strategy

An engagement strategy was developed to set out how the public consultation will be conducted on the draft SPDs, meeting the requirements of relevant regulations and guidance.

In 2017, the Langley SUE and Peddimore Consultative Forum was established by City Councillors for Walmley and Minworth to facilitate early engagement with community representatives. It includes:

- City Councillors for Sutton Walmley and Minworth and Sutton Reddicap,
- Representation from Sutton Coldfield Town Councillors, and
- Representation from key community groups, including Project Fields, Walmley Residents Association, Friends of Newhall Valley, Minworth Residents Association, St Johns Church, Holy Cross and St Francis, and Friends of Jones's Wood

The engagement strategy was based on two key approaches:

Methods to Inform

- The draft SPDs were uploaded onto the City Council's website with an opportunity to comment via BeHeard (the City Councils engagement website) through a structured survey
- They were publicised through a press release that was also put on the City Council's social media channels.
- Emails and / or letters were sent to all specific and general consultees (required by the relevant Regulations) identified in the Planning and Development Consultation Database, including:
 - Residents associations
 - Community groups
 - Neighbourhood forums
 - Ward Councillors
 - Sutton Coldfield Town Councillors
 - Local Members of Parliament
 - Local educational institutions
 - West Midlands Combined Authority
 - Neighbouring Local Authorities
 - Sutton Coldfield Town Council
 - Chambers of Commerce
 - Local Business Improvement Districts (BIDs)
 - Greater Birmingham and Solihull Local Enterprise Partnership
 - Disability User Groups
 - Landowners
 - Developers and agents
- Local Ward Councillors and resident groups were provided with leaflets to publicise the consultation.

Methods to Engage

- Meetings were held with the Consultative Forum and Sutton Coldfield Town Council to discuss and capture views on the draft SPDs.
- A briefing session was held for City Councillors of local Wards and two briefing sessions were held for Sutton Coldfield Town Councillors. Several meetings were held with Town Council Officers and a briefing was also provided to the MP. There was also a session conducted with Birmingham City Council's Planning Committee.
- A joint briefing session was arranged with the Sutton Coldfield Town Centre BID and Sutton Coldfield Chamber of Commerce, and meetings were held with other key stakeholders, including the Langley (Sutton Coldfield) Consortium and IM Properties. Separate from the consultation, Public Health also carried out a Health Impact Assessment of the SPDs and this led to some points of clarification being added to the documents.
- Eight public drop-in sessions were held in the areas surrounding the development sites to ensure the main community areas had chance to comments. Details of the events were published on the consultation website and materials. Two sessions were conducted on weekday afternoons, one on a weekday morning, two on weekday evenings and three sessions took place on weekends in order to provide options throughout the week for people to attend different sessions depending on their availability. This helped to capture responses from as wide a catchment as possible. Officers and consultation material were available to help discussions with members of the community. The venues were:
 - Falcon Lodge Community Centre
 - Holy Cross Church Hall
 - Walmley Library
 - Asda Minworth
 - Sutton Coldfield Library
 - Gracechurch Shopping Centre
 - St George's Church

The consultation on the SPDs was responded to by over 200 people / organisations. This includes almost 900 individual comments on the Langley SUE draft SPD, and over 400 on the Peddimore draft SPD.

4. Summary of Consultation Responses – Langley SUE

Vision

Theme:	Main issues raised:	How these are addressed in the SPD:
Principle of development	Comments were raised regarding the principle of development, mainly the decision to release land from the green belt, and the environmental implications development would have.	No change is required as the site area, and principle of development, has already been established in the Birmingham Development Plan which had a separate consultation process.
Delivering the vision	<p>Several respondents provided general support for the vision. However, numerous respondents expressed concerns that the vision will not be delivered.</p> <p>Numerous respondents also raised concerns regarding the potential impact of construction, and stressed the important of future community engagement.</p>	<p>The role of the SPD, and other relevant policies, is to ensure the delivery of the vision set out in the document. The site-wide strategies and partnership approach proposed by the SPD will ensure this happens, with the majority of developers / landowners already working together.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> Clearly state that developers need to engage with local communities (including the Consultative Forum), provide updates on progress, including the impact in the local area during construction.
Off-site highway improvements	Several respondents shared concerns regarding the impact the development on the road network, and stated the need for highway improvements throughout the area. Numerous respondents also expressed doubts that the proposed highway improvement works will be	<p>The SPD sets out that the development will support investment in the wider transport network to mitigate its effects in the Connectivity Development Principle.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> Clearly set out the need for off-site highway

	delivered.	improvements as part of the Vision.
Sprint	<p>Numerous respondents have questioned the justification for the decision to introduce Sprint into the transport strategy.</p> <p>Comments received regarding the use of Sprint mirrored the concerns raised in the Connectivity section. These included concerns over the width of the vehicles, the routes proposed, and their capacity to meet increasing demand.</p>	<p>Sprint provides a step change in the public transport offer for this area of the city, providing fast and reliable journey times to Birmingham City Centre, providing a viable alternative to the private car. Sprint can be delivered at less than a quarter of the price of Midland Metro, is faster to deliver, and is flexible enough to evolve its routing throughout the phasing of a developments build out. This part of the transport strategy was assessed as part of the Birmingham Development Plan. Therefore no change is required to the SPD.</p>

Connectivity

Theme:	Main issues raised:	How these are addressed in the SPD:
Congestion/capacity	<p>Numerous respondents expressed concerns that the existing road infrastructure will not cope with the increasing demand the development will generate. It was suggested that the roads should be widened in places.</p> <p>Respondents also raised concerns that the road network will have 'rat-runs' and will witness an increase in heavy goods vehicles using the road network.</p> <p>There were also concerns that the traffic surveys will be undertaken during the school holidays, when there is less traffic on the roads.</p>	<p>The SPD requires developers to mitigate the potential impact on the existing road network arising from the development (not to address existing issues). Some traffic will use existing roads; these will be improved where the development has had an impact. A key part of the transport strategy for Langley is to direct traffic to the A38 to minimise impacts on the local area.</p> <p>The detail of the proposed layout and transport strategy will be worked through at the detailed transport assessment stage through the planning application. Heavy Goods Vehicle access will be considered in detail as part of the planning application.</p> <p>Traffic surveys will be carried out at 'neutral times' in accordance with national guidelines. This was the case with the surveys that informed the Sutton Coldfield Transport Model.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Provide clarity that the details of the transport strategy and off-site improvements (including traffic management) will be established through the planning application process. • State that the Birmingham Development Plan evidence base should inform the approach as part of the planning application process (this includes initial details of off-site improvements that need further development).

Connectivity	<p>Respondents stated that the Principle Movement Network should be better integrated with the existing network. It was also suggested that a pedestrian crossing should be provided at the Asda footpath.</p>	<p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Include reference to the need for the Principle Movement Network to facilitate connections into the local area. • Require links to Asda from the site.
Sprint / Rapid Transit	<p>Several respondents expressed concerns with the Sprint proposal for the site (and wider area). Respondents stated the Sprint would be insufficient to meet the increasing demand. Numerous respondents were not satisfied with the routes proposed off-site.</p> <p>It was stated that Sprint vehicles are too wide for the roads, and should be shorter and double decker. It was also suggested that Sprint vehicles should be electric given the environmental impact of increased traffic in the area.</p>	<p>Sprint provides a step change in the public transport offer for this area of the city. It provides fast and reliable journey times to Birmingham city centre, and is a viable alternative to the private car. Sprint can be delivered at less than a quarter of the price of Midland Metro, is faster to deliver, and is flexible enough to evolve its route throughout the phasing of a development.</p> <p>Sprint is one part of the transport strategy, and is proposed in conjunction with a variety of sustainable transport modes. Improvements will be made to the existing road network as part of the Sprint project. Further detail of Sprint will come through the work being undertaken by Transport for the West Midlands.</p> <p>A number of these matters go beyond the SPD consultation and Sprint on the site. The issues raised have been shared with the Sprint team at Transport for the West Midlands.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Provide some points of clarification on Sprint / Rapid Transit.

Public transport	<p>Overall there was general support for the integration of improved public transport infrastructure, particularly the emphasis on encouraging walking and cycling. Although numerous respondents expressed concerns that people are unlikely to use sustainable modes of transport if they have the option to use a private car.</p> <p>Several respondents stated that the existing bus service is poor. Respondents also stated that the vision for public transport improvements should not be limited to Langley, and should extend to the wider area. It was also highlighted that transport infrastructure needs to be phased alongside residential development.</p> <p>Numerous respondents stated there should be improved rail provision in the area, and the Sutton Park line should be reopened.</p>	<p>The transport strategy for the development recognises that some people will need to drive, and new access routes are proposed to the A38 and links into the local area. The detail of the transport strategy will come forward as part of the transport assessments with the planning application. The details of phasing of public transport improvements will be agreed as part of the planning application process, linked to the delivery of new homes.</p> <p>A travel plan for the site will ensure there is a choice of high quality sustainable transport modes to encourage people to use other modes rather than the private car. Measures to encourage walking and cycling to schools will be included in the Travel Plan.</p> <p>Access to rail stations is included in the SPD, and is part of the public transport strategy. The Sutton Park line reopening is supported by Birmingham City Council.</p> <p>New development offers the opportunity to improve the viability of bus services in the wider area. In relation to the wider transport strategy, Birmingham City Council and Transport for West Midlands are working with developers to assess the wider public transport strategy, and ensure proposed transport infrastructure is successfully integrated into the existing network.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Emphasise the need for clear arrangements to
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		<p>encourage sustainable travel to schools.</p> <ul style="list-style-type: none"> • Be clearer on the links the development needs to put in place to existing rail stations (including the Cross City North Line) and future stations (on the Sutton Park Line).
Health and Safety	<p>Several respondents expressed concerns that additional traffic will have a detrimental effect on air and noise pollution in the area.</p> <p>Numerous respondents requested that cycle lanes be separated from motorised vehicles to improve safety. It was also suggested that walking and cycling routes should be well-lit.</p>	<p>The approach to air quality is set out in the SPD and will require assessment as part of the planning application process. The SPD requires cyclists to the separate from vehicle traffic on the Principle Movement Network and on key routes.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • State that the design of development should contribute towards reducing exposure to air pollutants. • Set out that walking and cycling routes need to be safe.
Car parking	<p>Several respondents expressed concerns regarding potential levels of parking (both high and low provision). It was suggested that parking should be minimised in the local centres, and park and ride facilities were suggested as an alternative (Although concerns were also raised on the inclusion of park and ride).</p>	<p>These matters are set out in the SPD in terms of the standards to be applied, design considerations, and the potential for park and ride facilities along the Sprint corridor (not specifically on this site).</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • State that parking standards will be set out in an updated Car Parking Standards SPD, due for consultation in 2019.

Activity

Theme:	Main issues raised:	How these are addressed in the SPD:
Services and facilities	Concerns were raised regarding new facilities not complementing, and integrating with existing provision in the area. It was stated that independent shops should be encouraged, and concerns were also expressed regarding the viability of shops given the challenges on the high street. Several respondents queried whether an additional supermarket is required, given the existing Asda store at Minworth. Alternative locations were suggested for the Hub in the south of the site. Further clarity was requested on how the Centres will fit within the hierarchy of Centres in the Birmingham Development Plan.	<p>The SPD already sets out that social infrastructure provision has to have regard to, and complement existing facilities in the area.</p> <p>With retail provision, the SPD supports an appropriate scale to fit in with the Centres hierarchy from the Birmingham Development Plan. The location of the Community Hub in the south is indicative; there is flexibility to locate the Hub elsewhere as long as the key requirements of the SPD are met.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Encourage independent, niche retailers, as well as those that support healthy food choices. • Provide some flexibility on where the Centres fit within the hierarchy of Centres in the Birmingham Development Plan • Provide clarity that new Centres / Hubs on site should not undermine the vitality and viability of the existing Centres. Reference to major shopping facilities has been amended, and acknowledges the role Asda could perform in meeting retail needs in the south of the site.
Education and healthcare infrastructure	Responses showed support for a variety of education and health care facilities to be encouraged and stressed that infrastructure must be delivered alongside houses. However,	The SPD sets out an indicative phasing plan for infrastructure. The SPD has been subject to involvement with NHS Trust and Education officers to ensure a strategy will be in place to provide services for additional homes. Discussions are taking place with

	<p>concerns were expressed regarding the lack of an additional hospital, and phasing of school places, particularly for the secondary school.</p>	<p>the NHS Trust to ensure facilities support their overall approach in the local area, including how hospital services could be delivered in the future. This could involve the health care facility on site providing additional services.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Include the approach to the early phasing of secondary school provision. • Be clear that health facilities should be in suitably located near to homes for the elderly and other people with particular needs.
Provision of Church of England Church and School	<p>Numerous respondents requested the provision of a Church of England School and Church with community facilities.</p>	<p>The SPD sets out requirements for schools. Places of worship and leisure uses are supported by the SPD. It is not considered appropriate for the SPD to set out who will operate / manage the schools.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Be clear that a social infrastructure strategy has to consider the likely community that will live on the development to ensure appropriate provision is made.
Sport facilities	<p>There was general support for leisure and recreation uses, with a need for a sports hall also identified. It was suggested that the location of the Sports Hub should be separate from the district centre, where there are good transport links, sufficient space for sports pitches to be provided, and facilities can grow to meet future demand. It was also suggested that Sports</p>	<p>Leisure facilities will be supported in Centres and Hubs. In relation to the provision of a swimming pool, the development does not generate enough need for a new swimming pool.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Add in the requirement for a sports hall, and state that sports pitches can be artificial or natural.

	<p>England Design Guidance should be followed and that sports facilities could include the provision of AstroTurf to support a variety of sports. Several respondents requested a swimming pool be included in the development.</p>	<ul style="list-style-type: none"> • Provide some flexibility on the location of the Sports Hub, as long as a functional relationship is maintained with Langley Centre. • Require guidance and standards relevant to aspects of the development to be referenced, and proposals illustrated by referring to best practice case studies
Safety	<p>Several concerns were raised regarding the promotion of safety in the development. It was stated that anti-social behaviour, litter, and vandalism are existing problems. West Midlands Police requested funding towards infrastructure.</p>	<p>Based on the submitted information, no additional infrastructure requirements have been added to the SPD.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Include safety as a requirement of the Design Development Principle. • State that other needs arising from the development will also be considered where they meet the legal tests for planning obligations.

Design

Theme:	Main issues raised:	How these are addressed in the SPD:
High quality design	<p>There was general support for high quality architecture and a mix of designs, however several respondents expressed concerns that high quality design will not be delivered, including some concerns that the images only depict contemporary designs.</p> <p>Other respondents voiced concerns that housing on the edge of the development will not integrate with existing buildings.</p> <p>Some respondents also felt the wording of the SPD should be more certain, and use words such as 'will' rather than 'should'.</p>	<p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Strengthen the wording on design expectations, and add annotations to images to illustrate the requirements. • Use language such as 'will' and 'need to' rather than 'should' in appropriate ways. • Set out a clear approach for design is required on the edge of the site near existing homes.
Housing Density, Design, Scale and Quantity	<p>Concerns were raised regarding the density of development, and the potential impact this will have on existing communities. Comments suggested low-density housing would be suitable, particularly towards the edge of the site. Several comments received stated the design would not integrate with the existing built environment. There were also concerns regarding the scale of development and quantity of houses.</p>	<p>The SPD sets out the overall approach to place making and high quality design, this includes a range of densities. Space standards from new homes are set out in the SPD. There is a need to create a variety of characters across Langley that reflects contemporary design and construction. The quantum of development has already been established in the Birmingham Development Plan.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Provide clarity on the overall design approach expected on the site, and add annotations to images to illustrate

		<p>the design principles.</p> <ul style="list-style-type: none"> • Require the design of the site be informed by local context, and integrate into the local area. • Emphasise the need for suitable design approaches on the edge of the site next to residential areas.
Biodiversity and Environmental Assessments	<p>Several respondents stressed the importance of creating a green environment with a variety of trees, hedges and shrubs. However, numerous respondents expressed concerns that further development will have a detrimental impact on the wildlife of the area. Concerns were also raised that biodiversity in the area has not been taken into account in the SPD process.</p> <p>Several respondents questioned whether an Environmental Impact Assessment had been completed.</p> <p>Other respondents requested the development include ecologically sensitive lighting. A respondent also suggested reference to blue infrastructure should be added to the SPD.</p>	<p>The SPD sets out an approach to retain and enhance existing assets, including biodiversity, unless there are overarching reasons as to why not, and these would therefore need to be mitigated. The Birmingham Development Plan evidence base included an ecological assessment of areas proposed for release from green belt, and was subject to a Strategic Environmental Assessment. An Environmental Impact Assessment will be required through the planning application process.</p> <p>The definition of green infrastructure in the Birmingham Development Plan includes blue infrastructure so a change to the SPD is not required.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Be clearer on the need for measurable net gains for natural capital and biodiversity. • Include a reference that ecologically sensitive lighting strategies will be implemented.

Green space	Responses highlighted the need for existing green space to be protected, and additional green space to be provided in the new developments, particularly on the edge of sites (as a buffer for the development). Several respondents requested the provision of playing fields, orchards, and community allotments.	<p>The SPD sets out the approach to the provision of new green infrastructure, and indicates the quantum of open space and landscaping required on the development. It also identifies the types of open space to be provided, including those requested.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Emphasise the need for suitable design approaches on the edge of the site adjacent to residential areas.
Sustainability	<p>Numerous respondents requested new buildings should be low or zero carbon, and of Passivhaus and BREEAM standards. It was also suggested that buildings should use low carbon or recycled materials, include solar panels, rainwater harvesting, electric charging points and use renewable energy sources.</p> <p>Concerns were also raised regarding the need for efficient waste management and recycling.</p>	<p>The requirement for low / zero carbon is set out in the Design Development Principle and Delivery sections of the SPD. However, the SPD needs to be consistent with the Birmingham Development Plan so cannot require Passivhaus standards.</p> <p>In relation to waste management, the SPD sets out the approach for waste collection arrangements to be considered.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • State that the highest standards of sustainability need to be achieved (this is consistent with the Birmingham Development Plan). • Specify where BREEAM standards are required in line with the BDP.
Flooding / drainage	Several respondents expressed concerns regarding potential flooding, and stated that flood management needs to be considered and addressed in more detail.	<p>The SPD requires sustainable urban drainage systems, and flood risk assessment and management.</p> <p>The SPD has been amended to:</p>

		<ul style="list-style-type: none"> • Provide further details on the requirements and standards for the assessment of flood risk, and the design approach to reduce flood risk, where possible.
Heritage	Several respondents stressed that heritage assets, such as listed buildings, should be protected in the development.	<p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Place greater emphasis on the historic environment requirements and the need for consistency with the policies in the Birmingham Development Plan.

Neighbourhoods

Theme:	Main issues raised:	How these are addressed in the SPD:
Neighbourhoods	Several respondents supported the principle of distinctive neighbourhoods designed in a more 'human-scale'. One comment stated there should be more differentiation between neighbourhoods, and another respondent commented that neighbourhoods are not required, and communities should develop organically.	The SPD sets out an approach to address the scale of development proposed. The Neighbourhood areas have been included to ensure the principles are in place to ensure the development integrates into existing communities, is at an appropriate scale, design and character, and has flexibility to allow communities to grow naturally. Therefore no change is required to the SPD.
Community	Community was a recurring theme in the responses received. Numerous respondents stated that high-quality community facilities were imperative to secure a sense of community and identity. Suggested community uses included: multi-purpose community centre, health facilities, as well as outdoor and indoor play facilities for children. Concerns were raised that the distinctive neighbourhoods will lead to segregation and have a negative impact on existing communities nearby.	The SPD seeks to put in place a design approach to create a community and deliver character in the Neighbourhoods. It supports community uses on the site, and states that the provision of new facilities must have regard to existing provision in the area. It is unlikely each Neighbourhood will be able to sustain its own facility; however the Centres and Hubs and more localised facilities such as play equipment and public art can support communities. The approach in the SPD supports an inclusive and cohesive development, and reflects the scale of the site, and how communities may become established. Therefore no change is required to the SPD.
Mix of housing	Comments received highlighted general support for the inclusion of social and affordable housing within the development. Several respondents stated that controls should be put in place to ensure it is provided. Numerous respondents	The SPD requires a mix of housing in each Neighbourhood, including affordable housing (examples are available where careful design has ensured the successful integration of affordable housing). The approach to affordable housing delivery will be set out in the planning application process and should not

	<p>stated that affordable housing should be well integrated throughout all of the neighbourhoods. Concerns were raised that affordable homes are likely to stand out due to their design. One respondent suggested a definition of 'affordable' needs to set out clearly in the SPD. Several respondents also requested the provision of homes for the elderly.</p>	<p>then be subject to individual applications for phases of development. High level viability assessments for the site indicate that developers can provide 35% affordable housing; this will be confirmed through the planning application stage. Furthermore, a housing strategy for the site is required by the SPD. The affordable housing approach within the SPD is consistent with the definitions in the Birmingham Development Plan and National Planning Policy Framework.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Require the location and appearance of affordable housing to be indistinguishable from market housing.
Biodiversity and heritage conservation	<p>Several respondents advised there were further biodiversity and heritage assets in and around the site. Respondents welcomed the protection of these assets.</p>	<p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Address the suggested additional assets on the site.

Delivery

Theme:	Main issues raised:	How these are addressed in the SPD:
Infrastructure and phasing	<p>There was general support for the provision of infrastructure alongside the delivery of housing. However concerns were raised that insufficient infrastructure will be provided to meet the demand the development will generate, particularly in relation to school places and health care facilities.</p> <p>Several respondents also requested that education, health care and road infrastructure be delivered prior to new residents moving into the development.</p> <p>It was also suggested that the demand generated from the development should be under constant review.</p> <p>Numerous respondents requested greater clarity regarding when site-wide strategies will be agreed, with an additional suggestion for a Local Employment strategy.</p>	<p>The SPD puts in place a strategy to ensure development provides infrastructure to meet the additional demand, and mitigates its impacts in the local area. Discussions have and will continue to take place for service providers to ensure the need arising from the development is met. Indicative infrastructure phasing is included in the SPD. The phasing plan will be developed further through the planning application stage. Key infrastructure will be provided at agreed / identified trigger points. A partnership approach will be put in place for the development, including the delivery of infrastructure.</p> <p>The SPD supports the delivery of infrastructure linked to the delivery of new housing, rather than providing all up front. The phasing of transport infrastructure has to be informed by transport assessments and the delivery of housing.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Include the approach to the early phasing of secondary school provision and the Sports Hub. • Add in a requirement for a Local Employment site-wide strategy based on the requirement of BDP policy TP26. • Set out that the site-wide strategies will be agreed as part of the planning application process.
Accountability and	Several respondents expressed concerns that the details set out in the SPD will not be delivered.	The role of the SPD, and other relevant policies, is to ensure the delivery of the vision set out in the document. The site-wide

Partnerships	<p>Respondents also questioned who will ensure delivery. There was general support for partnership working. However, concerns were raised that a cohesive development will not be brought forward due to the number of landowners. It was also suggested that a Community Development Trust could be established to manage community facilities.</p>	<p>strategies and partnership approach proposed in the SPD will ensure this happens. The majority of developers / landowners are already working together.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • The SPD has been amended to state that a Community Development Trust could be an option for community governance on the site.
Construction works	<p>Several respondents expressed concerns that the construction work will disrupt local residents, and cause a detrimental impact on noise and traffic.</p>	<p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Clearly state that developers need to engage with local communities, and provide updates on progress, including the impact in the local area during construction.
Affordable housing	<p>It was stated that affordable housing should be delivered as a priority at the early stages of the development.</p> <p>It was also suggested that the site-wide housing strategy should provide more detail regarding the role of Birmingham Municipal Housing Trust, and future management of affordable housing.</p>	<p>The SPD states that affordable housing is required in the initial phases of development; the details will be set through the planning application process. The details of delivery of affordable housing will be set out in the site-wide strategy.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Ensure the site-wide housing strategy includes future management arrangements.
Funding	<p>Several respondents asked how the development will be funded; some suggested that a tariff per dwelling should be applied in the SPD to fund infrastructure requirements.</p>	<p>High level viability assessments for the site indicate that developers can fund the required infrastructure. This will be confirmed in the planning application process. It is not considered appropriate to set development tariffs in the SPD. This approach is in line with the SPD and other policy</p>

	Numerous respondents requested the developer contribute to the unfunded service costs and facilities required to make the development sustainable.	<p>requirements.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • State that other needs arising from the development will be considered where they meet the legal tests for planning obligations.
Comprehensive Approach	The SPD should be clearer on the tools that will be used to deliver a comprehensive development.	<p>The SPD sets out the approach that landowners and developers should follow, and how the City Council will manage this through the planning application process.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Provide further clarity on the use of planning conditions and contributions to ensure a comprehensive approach is taken by all interested parties.

Other

Theme:	Main issues raised:	How these are addressed in the SPD:
Other	A number of concerns were raised that were also raised in the Activity, Design, Connectivity and Delivery sections. These include: the principle of development, the request for a Church and Church of England School, the need for high quality design, concerns regarding congestion, and the use of Sprint. Several respondents expressed concerns regarding the impact of construction works on existing communities.	These issues have been addressed in the Activity, Design, Connectivity and Delivery sections. Therefore no change is required to the SPD.
Lack of detail in the SPD	Numerous respondents raised concerns that the SPD did not provide sufficient details.	The SPD intends to provide further detail to policy GA5 in the Birmingham Development Plan. It sets a framework to help inform decisions, whilst providing some flexibility. The SPD requires developers to bring forward site-wide strategies for key infrastructure, and sets out clear partnership arrangements that will ensure the project phases move forward positively. Therefore no change is required to the SPD.
Flexibility	The scope and flexibility within the SPD should be made apparent	<p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Be clear that there is flexibility within the SPD, and that detailed approaches will be established through the planning application process.

5. Summary of Consultation Responses – Peddimore

Vision

Theme:	Main issues raised:	How these are addressed in the SPD:
Principle of development	Comments were raised regarding the principle of development, mainly the decision to release land from the green belt, and the environmental implications development would have.	No change is required, as the site area, and principle of development, has already been established in the Birmingham Development Plan which had a separate consultation process.
Delivering the vision	<p>Several respondents provided general support for the vision. However, numerous respondents expressed concerns that the vision will not be delivered.</p> <p>Numerous respondents also raised concerns regarding the potential impact of construction, and stressed the important of future community engagement.</p>	<p>The role of the SPD, and other relevant policies, is to ensure the delivery of the vision set out in the document. The site-wide strategies and partnership approach proposed by the SPD will ensure this happens.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Provide clarity that developers need to commit to continuous engagement throughout the development.
Businesses	Several respondents supported the provision of local businesses in the area. One respondent questioned whether the development would attract appropriate businesses. It was also requested that the SPD specify what type of businesses would choose to locate to the development.	<p>At the Birmingham Development Plan inquiry, evidence was provided to show industrial land in the City, and the need for additional sites of this size. IM Properties are leading on the promotion of future occupiers.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • State that advanced manufacturing is a key growth sector that could be attracted to the site due to its high quality

Connectivity

Theme:	Main issues raised:	How these are addressed in the SPD:
Congestion/capacity	<p>As with Langley SUE comments, numerous respondents expressed concerns that the existing road infrastructure across Walmley and Minworth struggles to cope with demand and the development will exacerbate the existing problems of congestion with increased Heavy Goods Vehicles on the roads.</p> <p>Respondents also expressed concerns that there will be an increase in heavy goods vehicles using the road network.</p> <p>Many respondents were concerned about the resulting impact on air quality from increased congestion.</p>	<p>The SPD requires developers to mitigate the potential impact on the existing road network. Some traffic will use existing roads; these will be improved where the development has had an impact. A key part of the transport strategy for Peddimore is to direct traffic to the A38 to minimise impacts on local area.</p> <p>The transport strategy recognises that some people will need to drive and highway mitigation measures as well as local access points will be provided. Heavy Goods Vehicle access will be considered in detail as part of the planning application.</p> <p>The approach to air quality is set out in the SPD and will require assessment as part of the planning application process.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> Specify that the details of the transport strategy and off-site improvements (including traffic management) will be established through the planning application process and state that the Birmingham Development Plan evidence base should inform the approach as part of the planning application process (this includes initial details of off-site improvements that need further development).

Access	<p>Many respondents suggested that additional connections to the A38 would be required with suggestions that a flyover for the A38 would be required. Some respondents said they would like to see improved links to the M6.</p> <p>Several respondents were concerned by the location of the emergency access route.</p> <p>Respondents felt that Plan 3 should show a vehicle access to Peddimore Hall.</p>	<p>The SPD sets out that the development will support investment in the wider transport network, including the M6, to mitigate its effects in the Connectivity Development Principle. This detail and the layout and transport strategy will be worked through in the transport assessment as part of the planning application process, including suitable junction designs and mitigation measures.</p> <p>The SPD sets out an indicative location only for the emergency access route and the details will be worked through in at planning application stage.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Provide clarity that the details of the transport strategy and off-site improvements (including traffic management) will be established through the planning application process. • State that the Birmingham Development Plan evidence base should inform the approach as part of the planning application process (this includes initial details of off-site improvements that need further development). • Provide some clarity on the emergency access arrangements • Show a local access road to Peddimore Hall on Plan 3
Public Transport	Many respondents wanted rail to be considered	Birmingham City Council supports the principle of the reopening

	<p>as a means of access and it was suggested that the Sutton Park Line be reopened.</p> <p>Some respondents raised concerns regarding the suitability of public transport arrangements for those outside the catchment area.</p> <p>Several respondents were opposed to the Sprint proposals (and if it was clear how the site can accommodate this service) and questions were raised regarding the viability of new bus routes and the inclusion of park and ride.</p>	<p>of the Sutton Park Line, and the SPD supports sustainable commuting to the site. Reference is made to Park and Ride potential along the Sprint corridor in the SPD, not specifically on this site.</p> <p>The SPD must be consistent with the Birmingham Development Plan which requires new bus connections such as Sprint / rapid transit services to the development. Whilst not shown on Plan 3, the text is clear how the site should accommodate Sprint.</p> <p>The Transport Strategy will set out a plan for high quality public transport service, and delivery partners will set out how the proposed services will provide this.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Rail access is included in the transport strategy for the site and the SPD has been amended to provide clarity.
Safety	<p>Some respondents were concerned that the proposed development would negatively impact road safety, particularly for cyclists.</p>	<p>The SPD sets out that cycle tracks should be separate from vehicle traffic.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Set out that routes need to be safe

Sustainable travel	<p>Many respondents were supportive of the approach to walking and cycling.</p> <p>One respondent raised concerns regarding the impact of driverless vehicles on car ownership and the implications for parking requirements on the development site.</p>	<p>The SPD supports a sustainable approach to travel.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Require the transport assessment as part of the planning application for the site to consider mobility options such as autonomous vehicles.
Parking	<p>Several respondents questioned the strategy for parking.</p>	<p>The approach to parking is set out in the SPD in terms of the standards to be applied, design considerations, and the potential for park and ride facilities.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • State that parking standards will be set out in an updated Car Parking Standards SPD, due for consultation in 2019.

Design

Theme:	Main issues raised:	How these are addressed in the SPD:
High quality design	There was general support for the principle of high quality design. Several respondents requested the wording of the SPD with regard to design be more robust and expressed concerns that high quality design will not be delivered.	<p>The SPD sets out the approach for high quality design, the details of which will come forward at planning application stage.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Provide some clarity on the design approach and principles.
Uses	A respondent felt that the SPD should set out more details on ancillary uses that should be on the development to serve the site.	<p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Set out an approach for acceptable ancillary uses on the development.
Safety and Security	Concerns were raised regarding the security of the site given its good accessibility.	<p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Make safety a clear driver of design.
Heritage	A number of respondents have requested that the archaeology and heritage of existing site be respected and were keen to see enhancements of historic features and respect for the archaeology in the final design.	<p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Place greater emphasis on the historic environment requirements and the need for consistency with the policies in the Birmingham Development Plan.

Sustainability

Theme:	Main issues raised:	How these are addressed in the SPD:
Landscape	Numerous respondents raised concerns over the negative impact the development will have on the landscape and emphasised the need to ensure high quality landscaping.	<p>The SPD puts in place an approach to integrate the development into the surrounding area and mitigate its impact on the natural landscape with a major landscaping strategy.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Make clear that buildings will be visible in some areas external to the site, and details the mitigation measures required to reduce the visual impact. • Clarify that key infrastructure that is to be delivered in the first phase includes landscaping.
Loss of biodiversity	<p>Many respondents expressed concerns that the proposals will lead to a significant loss of birds and wildlife in the area due to loss of habitats.</p> <p>Respondents requested an Environmental Impact Assessment be carried out.</p> <p>Concerns were raised regarding the treatment of Peddimore Brook.</p>	<p>The SPD states that an EIA will be required to inform the detailed masterplan, which will assess impacts on biodiversity in suitable ways.</p> <p>The SPD states that existing valuable landscape and ecological assets will be protected and enhanced wherever possible.</p> <p>The proposals for Peddimore Brook shown in the SPD are illustrative only; detailed designs will be agreed with the developer as part of the planning application process for the site. The principle is supported in the SPD.</p>

		<p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Be clearer on the need for measurable net gains for natural capital and biodiversity.
Sustainable energy and delivery	<p>Responses showed strong support for sustainable approach to development and the high standards for design.</p> <p>Concerns were raised with regard to the enforcement of the sustainability principles.</p> <p>Responses showed there is strong desire for the development to provide low-carbon/zero-carbon/renewable energy.</p> <p>A query was received with regard to the difference in sustainability standards set out in Langley SUE SPD versus Peddimore SPD.</p>	<p>The SPD sets out the approach to sustainability and the requirements of developers. This will be detailed as part of the planning application process.</p> <p>The strategy for low and zero carbon energy is set out in the SPD. Details will be developed at the planning application stage.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Be consistent with Langley SUE and the Birmingham Development Plan policies GA5 and GA6 on sustainability standards.
Outdoor spaces	<p>Concerns were raised by some respondents regarding a lack of social/communal outdoor spaces for employees.</p>	<p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Include a clear requirement for social spaces to serve the site.
Flooding	<p>Several respondents shared concerns regarding potential flooding and stated that flood management needs to be considered and</p>	<p>The SPD requires sustainable urban drainage systems, and flood risk assessment and management. Flood management will be addressed at the planning application stage when detailed flood modelling is carried out. Flood management will be considered</p>

	addressed.	<p>at both the strategic and detailed design stage.</p> <p>The SPD has been amended to:</p> <ul style="list-style-type: none"> • Provide further details on the requirements and standards for the assessment of flood risk, and the design approach to reduce flood risk, where possible.
Noise/Pollution	Many respondents shared concerns regarding the impact of noise and pollution on existing residents during construction and operation.	<p>The SPD sets out the requirements for the development to mitigate its effects. The approach to air quality is set out in the SPD and will require assessment as part of the planning application process.</p> <ul style="list-style-type: none"> • Be clear that mitigation includes noise impacts. • State that the design of development should contribute towards reducing exposure to air pollutants.

Delivery

Theme:	Main issues raised:	How these are addressed in the SPD:
Maintenance	Concerns were raised over who has responsibility for maintenance and the potential for vacant units.	The approach to open space maintenance is set out in the SPD, therefore no change is required to the SPD.
Accountability	Several respondents expressed concerns that what is set out in the SPD will not be delivered. Respondents also questioned who will ensure delivery.	A delivery strategy is set out in the SPD detailing the partnership approach being taken which will ensure quality of development. Therefore no change is required to the SPD.
Phasing and Construction works	Several respondents expressed concerns that the construction work will disrupt local residents, and cause a detrimental impact on noise and traffic. Several respondents also requested more detail on the phased infrastructure plan.	A detailed phasing plan will be set out as part of the planning application process. The SPD has been amended to: <ul style="list-style-type: none"> Clearly state that developers need to engage with local communities, provide updates on progress, including the impact in the local area during construction.
Partnerships/engagement	There was general support for partnership working. However, concerns were raised that residents will not be meaningfully engaged.	The SPD is part of the approach that will bring landowners together and ensure ongoing engagement with local residents. The partnership arrangement will ensure it is taken forward in the appropriate manner and a commitment to continued community engagement is set out in the SPD. Therefore no change is required to the SPD.

Other

Theme:	Main issues raised:	How these are addressed in the SPD:
Images	A suggestion was made to label the imagery contained within the document as indicative.	<p>The SPD has been amended to:</p> <ul style="list-style-type: none">• Add label to CGI imagery to make clear that these images are indicative only.



Planning and Compulsory Purchase Act 2004 (as amended)

Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Langley Sustainable Urban Extension Supplementary Planning Document

Adoption Statement

In accordance with Regulation 14 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended), Birmingham City Council hereby gives notice that the Langley Sustainable Urban Extension (SUE) Supplementary Planning Document (SPD) was adopted on 16th April 2019.

The SPD adds detail and guidance to the statutory Birmingham Development Plan, expanding upon core policies (including GA5) to ensure the cohesive, coordinated and comprehensive development of the allocated site. The SPD was modified following the comments received on the public consultation on the draft SPD in September to October 2018.

The adopted Langley SUE SPD, the Consultation Statement (including a summary of the main issues raised and how they have been addressed in the SPD) and this Adoption Statement can be viewed at the City Council's Planning and Development Reception at 1 Lancaster Circus Queensway, Birmingham B4 7DJ; local libraries in Sutton Coldfield; and from the Council's website at www.birmingham.gov.uk/langleyppeddimorespd.

Any person with sufficient interest in the decision to adopt the Langley SUE SPD may apply to the High Court for permission to apply for judicial review of the decision to adopt the document. Any such application must be made promptly and in any event not later than 3 months after the day on which the Langley SUE SPD was adopted.



Planning and Compulsory Purchase Act 2004 (as amended)

Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)

Peddimore Supplementary Planning Document

Adoption Statement

In accordance with Regulation 14 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended), Birmingham City Council hereby gives notice that the Peddimore Supplementary Planning Document (SPD) was adopted on 16th April 2019.

The SPD adds detail and guidance to the statutory Birmingham Development Plan, expanding upon core policies (including GA6) to ensure the cohesive, coordinated and comprehensive development of the allocated site. The SPD was modified following the comments received on the public consultation on the draft SPD in September to October 2018.

The adopted Peddimore SPD, the Consultation Statement (including a summary of the main issues raised and how they have been addressed in the SPD) and this Adoption Statement can be viewed at the City Council's Planning and Development Reception at 1 Lancaster Circus Queensway, Birmingham B4 7DJ; local libraries in Sutton Coldfield; and from the Council's website at www.birmingham.gov.uk/langleyppeddimorespd.

Any person with sufficient interest in the decision to adopt the Peddimore SPD may apply to the High Court for permission to apply for judicial review of the decision to adopt the document. Any such application must be made promptly and in any event not later than 3 months after the day on which the Peddimore SPD was adopted.

Appendix 6 – Risk Assessment of the Adoption of the Langley SUE and Peddimore SPDs					
No.	Risk	Probability	Impact	Mitigation	Milestone
1.	Delays in adopting the SPDs before planning applications for the sites are determined.	Low	High	Clear project management approach in place, with staff resources allocated.	April 2019
2.	Large number of comments and objections received on the draft SPDs and significant objections from stakeholders.	Low	Medium	Early engagement work undertaken to reduce risk, and ongoing work with key stakeholders to address issues / concerns.	April 2019
3.	Additional costs from preparing the SPDs	Low	Medium	Costs management arrangements put in place to ensure they remain within approved revenue budgets	April 2019
4.	Quality of the developments does not meet the requirements of the SPDs	Low	High	SPD consultation has included key stakeholders. Ongoing monitoring of SPD will be undertaken and reviewed through the planning application process	Ongoing

Statement of Reasons - SEA screening for the Langley Sustainable Urban Extension (SUE) and Peddimore Supplementary Planning Documents (SPD)

Criteria (from Annex II of SEA Directive and Schedule I of Regulations)	Birmingham City Councils Response
Characteristics of the plan or programme	
(a) The degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources.	The SPDs will amplify the existing policies of the Birmingham Development Plan (BDP), with particular reference to policies GA5 and GA6. These policies have been subject to detailed Sustainability Appraisal, incorporating the SEA regulation requirements. The SPDs will provide further guidance on the requirements in respect of design, phasing, and site access to ensure coordination, and the comprehensive development of these sites. The SPDs will therefore supplement existing policies rather than setting the framework.
(b) The degree to which the plan or programme influences other plans and programmes including those in a hierarchy.	As noted above, the SPDs will supplement policies contained within the BDP. As such it is influenced by other higher level plans, rather than influencing them.
(c) The relevance of the plan or programme for the integration of environmental considerations, in particular with a view to promoting sustainable development.	Some relevance. The SPDs will promote sustainable development by putting in place indicative frameworks for these two sites. However, this will be done in line with adopted policies in the BDP, where environmental considerations on the sites were subject to Sustainability Appraisal (see a) above). It will provide guidance rather than specific policy and will therefore not have a significant effect on environmental considerations which have not already been considered.
(d) Environmental problems relevant to the plan or programme.	None.
(e) The relevance of the plan or programme for the implementation of Community (EU) legislation on the environment (for example, plans and programmes linked to waste management or water protection).	None.
Characteristics of the effects and of the area likely to be affected	
(a) The probability, duration, frequency and reversibility of the effects.	The SPDs will amplify policies contained within the BDP, providing guidance on design, phasing and site access allowing the sites to come forward in a comprehensive way. It will not in itself bring development forward, which will need to go through separate approval processes (i.e, planning applications subject to Environmental Impact Assessments). The guidance set out in the SPD will promote sustainable development. As such there is no mechanism for significant environmental effects to arise from the SPDs which have not already been considered as part of the production on the BDP, which met the requirements of the SEA.

	It is noted that the developments may have potential to give rise to significant environmental impacts, however it will be for individual planning applications to address this matter. It is also likely that there could be environmental improvements, and negative effects mitigated.
(b) The cumulative nature of the effects	As noted above, there is no mechanism for significant environmental effects to arise from the SPDs. It is therefore unlikely that any cumulative impacts will arise. Where these effects are likely to arise, the City Council will, through the determination of planning applications, ensure such issues are appropriately addressed.
(c) The trans-boundary nature of the effects	As noted above, there is no mechanism for significant environmental effects to arise from the SPDs. It is therefore unlikely that any trans-boundary impacts will arise. Where these effects are likely to arise, the City Council will, through the determination of planning applications, ensure such issues are appropriately addressed.
(d) The risks to human health or the environment (for example, due to accidents)	As noted above, there is no mechanism for significant environmental effects to arise from the SPDs. It is therefore unlikely that any risks to human health or the environment impacts will arise. Where these effects are likely to arise, the City Council will, through the determination of planning applications, ensure such issues are appropriately addressed, including ecology and flood risk assessments.
(e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	The SPDs applies to part of Sutton Coldfield in north west Birmingham, with Langley SUE covering 274 hectares and Peddimore 71 hectares. The sites are mostly greenfield, with only a few residents on the sites. The four Wards in Sutton Coldfield are home to just over 95,000 people. The SPDs are only concerned with ensuring comprehensive development, including design, phasing and site access, in line with policies in the BDP. It does this by setting out guidance and indicative frameworks. It is considered that any effects not previously considered as part of the BDP will be limited in magnitude.
(f) The value and vulnerability of the area likely to be affected due to: i) Special natural characteristics or cultural heritage; ii) Exceeded environmental quality standards or limit values; iii) Intensive land-use.	Given the nature of the document: i) None; ii) None; iii) None Historic assets, areas of flood risk and impact on locally important habitats are considered in the design guidance and indicative frameworks in the SPDs in line with the policies contained within BDP. The SPDs does not replace other statutory considerations in this regard, such as the Planning (Listed Buildings and Conservation Areas) Act 1990.
(g) The effects on areas or landscapes which have recognised national, Community or international protection status.	No significant effects are considered to arise on the adoption of the SPDs in line with BDP policies.

Title of proposed EIA	Adoption of the Langley Sustainable Urban Extension and Peddimore Supplementary Planning Documents
Reference No	EQUA261
EA is in support of	New Policy
Review Frequency	Annually
Date of first review	26/02/2020
Directorate	Economy
Division	Planning and Development
Service Area	
Responsible Officer(s)	<div>■ Craig Rowbottom</div>
Quality Control Officer(s)	<div>■ Richard Woodland</div>
Accountable Officer(s)	<div>■ Richard Cowell</div>
Purpose of proposal	To evaluate the Langley SUE and Peddimore SPDs
What sources of data have been used to produce the screening of this policy/proposal?	Consultation Results; relevant reports/strategies
Please include any other sources of data	
PLEASE ASSESS THE POTENTIAL IMPACT ON THE FOLLOWING PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders; Wider Community
Age details:	<p>A mix of housing is required to be provided on Langley SUE, with a focus on family housing (required by the Birmingham Development Plan) and potential for homes for the elderly and for people with particular needs. The Birmingham Development Plan also requires 35% affordable housing. It is for the developer to propose the details of a suitable mix of homes rather than the SPD to set this out.</p> <p>Education provision needs to be made on Langley SUE, with land safeguarded for three primary schools and one secondary school. There is also a need to address requirements for special needs. Health care facilities are also required on Langley SUE. This provision will ensure that the City Council and NHS Trusts's duties are met in providing school and health care facilities due to the need for places arising from the development. The SPD has been amended to state that the secondary school will be delivered in the early phases of development.</p>
Protected characteristic: Disability	Service Users / Stakeholders; Wider Community

Disability details:

The design of the development is referenced in the SPDs, however technical design matters are addressed in other SPDs (e.g. Access for People with Disabilities). A need to address requirements for special needs education is referred to in the Langley SPD.

Protected characteristic: Gender

Service Users / Stakeholders; Wider Community

Gender details:

See Consulted people or groups section

Protected characteristics: Gender Reassignment

Not Applicable

Gender reassignment details:

Protected characteristics: Marriage and Civil Partnership

Not Applicable

Marriage and civil partnership details:

Protected characteristics: Pregnancy and Maternity

Service Users / Stakeholders; Wider Community

Pregnancy and maternity details:

See Age section

Protected characteristics: Race

Service Users / Stakeholders; Wider Community

Race details:

See Consulted people or groups section

Protected characteristics: Religion or Beliefs

Service Users / Stakeholders; Wider Community

Religion or beliefs details:

The Langley SUE SPD sets out the requirement for schools and supports the provision of places of worship.

A number of comments were made on the draft SPD for the inclusion of a Church and Church of England Schools.

The SPD is not the mechanism to set out who will operate / manage schools on developments. For Langley SUE this will be addressed through separate processes, namely by the developer and the Local Education Authority. For the types of places of worship, these will be looked at by the developer as part of the social infrastructure needed on the site.

The SPD has been amended and now includes a requirement for to ensure the approach to social infrastructure considers the likely community who will live on the development to ensure appropriate provision is made through these other processes.

Protected characteristics: Sexual Orientation

Not Applicable

Sexual orientation details:

Please indicate any actions arising from completing this screening exercise.

Please indicate whether a full impact assessment is recommended

NO

What data has been collected to facilitate the assessment of this policy/proposal?

Extensive public engagement has been carried out in line with legal requirements and the Birmingham Statement of Community Involvement, as summarised in the supporting Consultation Statement. This includes a formal six week consultation period in September / October 2018, with over 200 respondents from communities and other stakeholders.

This is set out in the Consultation Statement. On equality specific matters:

- Information was sent out to groups with interest in equality issues who are on the Planning and Development Consultation Database.
- There were optional equalities questions to answer on the survey on BeHeard and this was responded to by individuals and organisations. Of the 63 responses:
 - Gender - Male 49%, Female 48%, Prefer not to say 3%
 - Age - Under 18 0%, 18-29 2%, 30-49 27%, 50-59 24%, 60-69 24%, 70 and over 24%
 - Ethnicity - White 83%, Other Ethnic Group 6%, Not Answered 6%, Asian / Asian British 2%, Mixed / Multiple Ethnic Groups 2%, Black African/Caribbean/Black British 2%
 - Religion - Christian 78%, None 17%, Other 3%, Not Answered 2%
 - Disability - No 67%, Prefer not to say 19%, Yes 14%
 - This generally reflects the community profile in the area, however it also includes details from people working at organisations.
- No equalities questions were asked at the public drop-in sessions. Officers felt that attendees at these sessions generally reflected the community profile of Sutton Coldfield (majority of an older age profile of white background)

The Langley SUE and Peddimore SPDs will not lead to any adverse impacts on any particular group.

Could the policy/proposal be modified to reduce or eliminate any adverse impact on any particular group(s)?

	The Langley SUE and Peddimore SPDs will not lead to any adverse impacts on any particular group.
How will the effect(s) of this policy/proposal on equality be monitored?	The SPDs have certain milestone dates, specified within them when certain level and type of development should have taken place by. The SPDs will be monitored through the Local Planning Authorities Monitoring Report.
What data is required in the future to ensure effective monitoring of this policy/proposal?	Housing completion numbers, school openings, health centre completion. Layout of public open space and children's play facilities.
Are there any adverse impacts on any particular group(s)	No
If yes, please explain your reasons for going ahead.	
Initial equality impact assessment of your proposal	<p>The SPDs for Langley SUE and Peddimore are localised planning documents providing supplementary detail / guidance to the strategic statutory policies of the Birmingham Development Plan (BDP). The SPDs have to be in accordance with policies in the BDP, which were subject to an Equalities Analysis.</p> <p>The SPDs have been informed by an evidence base, including design advice from masterplanning consultants. No specific impacts on protected characteristics were identified. The developments will lead to positive outcomes for the local population including new homes, job opportunities and infrastructure delivery, and will lead to the creation of inclusive communities.</p> <p>The SPDs has been amended following the public consultation on the drafts. There is reference in the SPDs on matters which do not require a Full Equalities Assessment, with specific points set out under each protected characteristic sections where relevant to each development.</p> <p>Any projects identified in the SPDs will need to be subject to their own Equalities Analysis as part of their development where the City Council has involvement (e.g. considering mobility issues and the protected characteristics in developing transport projects). Equalities issues will also be assessed in relevant ways as part of the determination of planning applications for these sites.</p>
Consulted People or Groups	This is set out in the Consultation Statement. In summary, the public consultation was carried out in line with the Birmingham Statement of Community Involvement and the relevant Regulations. The approach to public consultation was made relevant to the community of the population of

the Wards where the two sites are located, and was informed by the community profile for the area (ensuring protected characteristics inform the approach, such as Age, Gender, and Race).

The broad range of specific and general stakeholders were all informed of the draft SPDs (letters, press release, etc). A number of drop-in sessions were undertaken during the consultation period. More detailed engagement work (meetings, workshops, etc) was also carried out with key stakeholders , including City Councillors, the Sutton Coldfield Town Council, the Langley Consortium, and community groups (including Project Fields, Walmley Residents Association and, Minworth Residents Association).

Informed People or Groups

Summary and evidence of findings from your EIA

The results of the public consultation on the draft documents were used to update the Equalities Analysis and informed the final SPDs. A Full Assessment is not needed on the SPDs. Equalities issues will also be assessed in relevant ways as part of the determination of planning applications for these sites.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

No

Decision by Accountable Officer

Approve

Date approved / rejected by the Accountable Officer

19/03/2019

Reasons for approval or rejection

Please print and save a PDF copy for your records

Yes

Content Type: Item

Version: 290.0

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Last modified at 19/03/2019 04:30 PM by Workflow on behalf of  Louise Cavanagh

Close

Birmingham City Council

Report to Cabinet

16th April 2019



Subject: Capita ICT Service Transition update
Report of: Director of Digital & Customer Services
Relevant Cabinet Member: Cllr Brigid Jones - Deputy Leader
Relevant O&S Chair: Cllr Sir Albert Bore, Chair, Resources O&S Committee
Report Author: Dr Peter Bishop

Assistant Director for Information, Technology & Digital Services & CIO

Tel: 0121 675 5762 Mobile: 07864 926819

Email: peter.bishop@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference:		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<p>Appendix 8.2 contains information which is deemed exempt due to on-going commercial discussions regarding the contract, to disclose information at this stage in negotiations may have an adverse effect on these proceedings. Commercially sensitive information is also contained in this appendix.</p>		

1 Executive Summary

- 1.1 The purpose of this report is to update Cabinet on the progress of the transition of ICT services from Capita, last reported to Cabinet in 27th March 2018. It proposes a recommended option of a partial termination for convenience of the Capita ICT services contract with an agreed commercial settlement with Capita and insourcing of many of the services. This is a different approach to that agreed with Cabinet on 27th March 2018, which proposed a phased transition of services.

2 Recommendations

That Cabinet:

- 2.1 approves the partial termination of the Capita ICT Services contract ("Option 1") as set out in paragraph 4 of this report and delegates authority to the Deputy Leader, the Chief Financial Officer and the Acting Director of Digital and Customer Services to implement. Note that this recommendation supersedes the decision made by Cabinet on 27th March 2018 (specifically paragraph 2.1).
- 2.2 approves the transfer into the Council of up to 342 Capita employees and Council employees currently seconded to Capita who manage the Councils ICT Services.
- 2.3 approves subject to consultation the transfer out of 24 seconded Council employees currently delivering services to schools to Capita.
- 2.4 approves the funding requirement of £7.641m from the Invest to Save Reserve as set out in paragraph 7.3.11 of this report to enable implementation of Option 1, to be repaid over 3 years between 2020/21 to 2022/23.
- 2.5 authorises the Assistant Director Property Services to undertake the surrender and/or termination of any lease or licence to give effect to the above recommendations.
- 2.6 authorises the City Solicitor to negotiate, execute, seal and complete all necessary agreements and documentation to give effect to the above recommendations.

- 2.7 notes the financial information provided to support the recommendations in this report in the Exempt Appendix 8.2.

3 Background

- 3.1 The Council's contract with Capita for ICT services commenced in 2006 for a ten-year period with an option to extend for a maximum of a further five years. This extension was exercised in 2011 as the 4th Deed of Variation and as a result the contract is due to terminate on the 31st March 2021.
- 3.2 In October 2016 Cabinet approved the Information & Communications Technology & Digital Strategy (2016 - 2021) and associated funding to guide the prudent use, maintenance and development of the Councils ICT assets to and beyond the end of the existing 'Service Birmingham' contract in 2021. The strategy described the need for investment, which along with a transition to a new ICT Operating Model would enable the Council to deliver the savings associated with the service between 2017 and 2021. In January 2017 the Council formed the "Service Birmingham Transition Programme" and initiated contract negotiations with Capita with key objectives to:
- 3.2.1 Save £43m in total across 4 years to 2020/21, of which £10.020m was revenue from the Core ICT Contract cost in 2017/18, as set out in the Medium-Term Financial Plan 2017+. The sale of the Council stake in Service Birmingham agreed by Cabinet in November 2017, which took place in January 2018 delivered one-off resources which were used to deliver the savings of £10.020m in 2017/18 and contributed to savings of £12.050 in 2018/19.
- 3.2.2 Reach a negotiated position with Capita that;
- Allows the Council moving forward to gradually take back full control of its ICT & Digital from Capita/Service Birmingham.
 - Allows the Council to deliver the ICT & Digital projects in a manner that represents value for money and meets the needs of the Directorates and the wider Council.
 - Gives the Council flexibility to deliver an ICT & Digital Service and future Operating Model that can flex as the wider Council transforms.
 - Gives the Council the right to go to the market as it selects solutions or implements new capability to test that it always getting real value for money.

- Potentially allows the Council to select multiple suppliers, and in doing so avoid penalty charges.

- 3.3 Informed by these negotiations the 27th March 2018 Cabinet approved a plan which enabled a series of phased service changes combining service transition from Capita to the Council and transformation to deliver the required service outcomes and savings. Cabinet were also appraised on the risks associated with the transition of services and agreed that to fully implement the Council's objectives the Council would need to pay contractual penalties. Cabinet were also informed that it had not been possible to agree any new mechanisms to assure the Council savings. The current contract does not incentivise either parties to work together to minimise costs. Capita as service provider takes all the risk and benefits of any cost savings. Discussions with Capita on the potential for the Council to share new cost savings from any tactical activity, particularly in 2018/19, did not achieve any results.
- 3.4 The 27th March 2018 Cabinet report identified a shortfall against the 2018/19 savings of £3.5m and this was met through one off in year savings.
- 3.5 The plan approved by Cabinet in 27th March 2018 assumed that the Council would take a phased approach to the transition and transformation of services, thereby delivering efficiencies from the service. Significant issues were experienced in implementing this approach. It became apparent by September 2018 that the savings programmed for 2019/20 and future years were at significant risk of non-delivery and consequently alternative options were required to secure a more assured delivery of the savings targets set out in the Medium-Term Financial Plan.
- 3.6 A new approach to split transition from transformation was instigated to mitigate this significant risk, to enable savings to be realised rather than be lost due to further delays. Once the ICT service is within the Council's control, the transformation will also be more assured. The new transition approach would mean the Council takes back control "as-is" and then develops and transforms the service when it has greater control. This would also mitigate the risk of significant impact on the ICT & Digital Strategy and the Council Plan.
- 3.7 The Council proposes to leave certain services with Capita until the end of the existing contract. This is primarily due to it not being possible to move some of these services before that date without unacceptable risk. These include; data centres, offshore SAP support, corporate telephony and some IT support. The existing contractual relationship (the Service Delivery Agreement) will continue to govern the delivery of these services. The approximate value of these

services over the remaining term is £8.3m and there are no staffing implications associated with these services.

- 3.8 Section 4 details the transition options considered and the choices about timing of exit. The Exempt Appendix 8.2 details the financial position of the options.
- 3.9 Based on the initial review of the financial position, and after confirmation from the Council's ICT and HR teams that it was achievable, negotiations with Capita for an exit in August 2019 were started in January 2019. The negotiations progressed well, and a settlement agreement was reached mid-March 2019. Option 1 reflects this settlement agreement.
- 3.10 The contracts for the delivery of ICT services delivered to Schools were transferred to Capita at the start of the outsourced contract in 2006. Capita have developed those relationships with schools, and it has developed as an independent business. It now delivers a range of services to schools and other educational establishments outside the Council's boundary. The Council has very limited impact and influence over this service, how it is delivered or pricing. Schools continue to purchase these services directly from Capita on an annual basis.
- 3.11 A multi-disciplinary team from Digital and Customer Services, Finance, Legal and HR with support from external specialists have been working on the delivery of the ICT & Digital strategy since 2017. A further report will be presented to Cabinet on the 14th May 2019 to update Cabinet on the progress made on the implementation of the Councils ICT & Digital Strategy, including future plans.

4 Options considered and Recommended Proposal

- 4.1 Investigations from Oct 2018 to Jan 2019 have shown that bringing the Council ICT services in-house will deliver a significant gross reduction in cost against existing capital and revenue spend. This is detailed in the Exempt Appendix 8.2 to this report. The cost model information supporting this was provided by Capita, working with the Council's advisors over this period.
- 4.2 Stepped contractual early termination payments payable to Capita mean that analysis was necessary to evaluate the optimum exit date considering the practicalities, the risks, the costs and the lead time of transferring the service back. Significant due diligence was undertaken to identify the optimum time for

transfer to maximise the financial benefits and reduce risk to service delivery arrangements.

- 4.3 In the Exempt Appendix 8.2 the forecast costs and benefits of transitioning the services has been modelled. The model demonstrates that the financial benefit that is achievable declines over time, mostly in a linear fashion, consequently the most favourable is the earliest practical exit date to deliver the maximum financial benefit.
- 4.4 The earliest practical date for exit when considering the risks of transferring the Council ICT services back and the lead time required for staff consultation is August 2019. This date was proposed by Capita during the negotiations.
- 4.5 Having reviewed the approach several options were considered as follows:

	Option 1	Option 2	Option 3
	Settlement agreement - as negotiated	Contract expires naturally	Full termination
Description	The Council partially terminates the contract for convenience on the mutually agreed negotiated terms.	The contract expires naturally at the end of March 2021.	The Council fully terminates the contract for convenience and pays all contractual obligations.
Summary and reasoning	Recommended. Highest equal net benefit, de-risk of transfer by leaving some services with Capita.	Not recommended. Lowest net benefit.	Not recommended. High risk to service continuity for data centres and SAP support
Capita retained services	Capita would retain certain services to be delivered under the existing contract terms (SDA) but with increased cost to the Council (margin). These include: data centres, offshore SAP support, Corporate telephony and some IT support.	None	None
Re-procurement of services required on transition	None	Data centres, SAP offshore support, Corporate telephony and some IT support.	Data centres, SAP offshore support, Corporate telephony and some IT support.

Table 1: Options Appraisal

Further implications from the options considered are provided in the Exempt Appendix 8.2.

- 4.6 When the contract was let in 2006 the Council required Capita to take on the responsibility of servicing the contracts for ICT services to Schools. The schools market has developed significantly since 2006 and is highly competitive with many service providers with leading edge products which are used to improve and manage educational establishments and improve educational outcomes.

Significant investment is required to maintain a market presence and develop products if the Council were to re-enter the ICT services to schools market putting the Council at reputational and financial risk. Schools also purchase contracts on an annual basis and the market is shrinking due to consolidation as the Schools join up into multi-academy trusts. Therefore, as part of its consideration the continued delivery of ICT services to Schools was reviewed and as Schools contract directly with Capita without any involvement from the Council, it was not felt in the interests of those Schools' customers to impact that arrangement.

5 Consultation

Internal

- 5.1 Senior officers in Finance, Legal, HR and Procurement have been involved in detailed negotiations since January 2019 with Capita.
- 5.2 The Leader and Deputy Leader have been consulted regarding the contents of this report.
- 5.3 The Cabinet Member for Finances and Resources, the Chair of Resources Overview and Scrutiny Committee, the Leader of the Conservative Party, the member with responsibility for ICT matters from the Conservative Party, Leader Liberal Democrat Party and the member with responsibility for ICT matters from the Liberal Democrat Party have been consulted regarding the contents of this report.
- 5.4 Capita ICTDS (formerly Service Birmingham Ltd) has continued to undertake informal and formal communication with the Council staff seconded to the existing service supported by the Council's Chief Information Officer.
- 5.5 Engagement with trade union representatives started on 23rd January 2019 by the Council's Chief Information Officer.

External

- 5.6 Gowling WLG are externally appointed legal advisors who have reviewed the original Capita contract and its various schedules in support of the development of the various negotiation options and in accordance with instructions have advised on the process, issues and risks around the transition approach.

6 Risk Management

- 6.1 The risks detailed below are the risks associated with the partial transfer of the Service at will (Option 1). Exempt Appendix 8.2 contains a full risk assessment with mitigation activity on the transition of ICT services.

Risk	Probability / impact	Mitigation	Post Mitigation Probability / Impact
Staff Retention Capita staff may leave ahead of transfer	Medium / High	Union and staff engagement have already started and will continue regularly throughout transition. Key roles have been identified, plans and budget has been put in place to transfer knowledge and skills in case these key staff do not TUPE over to the Council. We are also working with all staff, as part of the “Shaping of the Future” workshops to reduce the uncertainty for staff.	Low / Medium
Third party contracts There are over 240 third party sub-contractors to Capita Birmingham that will novate across to the Council on transfer. Capita provide procurement support as a shared function within their main business and therefore some staff will not transfer to the Council. The risk is that the sub-contract management will not be fully resourced	Medium / High	The Council are creating new procurement capacity to support the management of these additional contracts. These additional resources are fully funded and allocated in the budget.	Low / Medium

Risk	Probability / impact	Mitigation	Post Mitigation Probability / Impact
Service Continuity There may be gaps in the service at day one which would impact service delivery	Medium / Medium	The Council have met Capita weekly, held workshops and built an “as-is” blueprint to reduce this uncertainty and understand the existing service. Due diligence has been carried out e.g. visits to Datacentre sites, review of Assets, review of Third-Party contracts reconciled back to the Capita Cost model and cross referenced against the as-is blueprint. All the identified gaps are being filled as part of the transfer plan and the activity is fully costed and is within the budget.	Low / Low
In-Flight Projects There is a risk that in-flight projects will hinder transfer, resulting in delays to the project delivery or cost overruns.	Medium / Medium	Prioritisation of projects will reduce the number in-flight. The Council and Capita are agreeing a process to ensure there is a seamless handover of the remaining projects with no impact to service continuity, ensuring finances are dealt with and resources in place. A clear plan will be agreed with Directorates to mitigate any risks to ongoing service delivery.	Low / Low

Table 2: Risks

6.2 Refer to the Exempt Appendix 8.2 for additional commercially sensitive risks.

7 Compliance Issues

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The Council's objectives and priorities as detailed in the Council Plan approved by Cabinet on the 26 June 2018 will be supported by the adoption of this proposal which is consistent with the ICT & Digital Strategy (2016 - 2021) approved by Cabinet in October 2016.

7.1.2 The Council Plan approved by Cabinet in June 2018 stated that the Council must:

- Have greater integration between our services/functions
- Make much better use of customer insight and business intelligence to ensure we make informed decisions and deploy all our resources appropriately
- Be leaner and more agile, with fewer layers of management and increased spans of control.
- Work more collaboratively as 'One Council'.
- Further consolidation of support services to realise efficiencies

7.1.3 All of which are supported by the Councils ICT & Digital Strategy.

7.2 Legal Implications

7.2.1 The Council are under a duty under Section 3 of the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The implementation of the Savings Plan will deliver economy.

7.2.2 As a result of the partial termination of the contract with Capita, those employees currently on secondment will return to the City Council and Capita

employees will transfer to the Council in accordance with the TUPE Regulations. All staff will be subject to engagement and consultation sessions.

7.2.3 Other legal implications are covered in the Exempt Appendix 8.2.

7.3 Financial Implications

7.3.1 This report updates Cabinet to the financial implications resulting from transition, including the delivery of savings and the impact of meeting costs of transition, and how transition of service will impact the savings target and the LTFP.

7.3.2 The ICT service has a controllable net budget of £50.728m in 2018/19 and £44.624m in 2019/20. The forecast budget over the period of the Long-Term Financial Plan (LTFP) is set out in the Table 3. This incorporates a range of budget adjustments driven by prior year approved decisions, including approved savings in the MTFP, funding of inflationary and other service pressures.

ICT & D Budget and LTFP	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Gross Expenditure Budget	60,354	52,977	49,615	44,992	46,104	45,774	45,914	46,927	48,979	48,979	48,979
External Income Budget	(9,626)	(8,353)	(8,353)	(8,353)	(8,353)	(8,353)	(8,353)	(8,353)	(8,353)	(8,353)	(8,353)
Controllable Expenditure Budget	50,728	44,624	41,262	36,639	37,751	37,421	37,561	38,574	40,626	40,626	40,626

Table 3: ICT & D budget

7.3.3 The savings included in the 27th March 2018 Cabinet paper are summarised in Table 4. They were intended to be achieved through a combination of saving the estimated Capita margin at that time, restructuring the service, delivering tactical savings from the ICT Supply chain, and savings associated with the replacement of the existing SAP ERP system.

5 year Business Plan Summary Option B Service transfer and IT & D transition	18/19	19/20	20/21	Total	21/22	22/23	Total
	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Savings per business case details not shown	1,083	11,589	16,611	29,283	16,611	16,611	62,505
Target savings required MTFP	4,608	11,353	12,854	28,815			
Differences per Option B	3,525	(236)	(3,757)	(468)			

Table 4: 5 Year Business Plan Summary (Option B)

- 7.3.4 Option B in the business case presented in 27th March 2018 aimed to deliver savings of £29.283m (Table 4) over the three years to 2020/21 against the approved target savings in the 2018+ MTFP of £28.815m over the period; a surplus of £0.468m compared to the MTFP. Option B involved the achievement of efficiency savings, headcount reduction and tactical savings in ICT procurement. The efficiency savings related to the implementation of the “standardise, simplify and share” design principles from the ICT & Digital Strategy e.g. application rationalisation, data centres, data and voice networking etc.
- 7.3.5 During 2018/19 the planned savings from headcount reductions has been exceeded through voluntary redundancy. Further savings on ICT procurement costs were also assumed based on accurate and timely information on spend being available. The implementation of the ICT & Digital Strategy savings shown in the 27th March 2018 report were thought to be achievable at that point in time but were determined not to be deliverable as planned.
- 7.3.6 The options in relation to the potential early termination are explained in Exempt Appendix 8.2 of this report.
- 7.3.7 In preparing this business case, extensive due diligence has been carried out in relation to the forecast future budget for ICT&D as set out in the Council’s approved LTFP in order to ensure that the transition and the further ICT strategy programme will achieve the savings targets and other financial obligations set out in the plan. The outcome of this work is summarised in the Exempt Appendix 8.2.
- 7.3.8 ICT Implementation strategy programme: The proposed initiatives within the ICT Strategy programme aims to deliver £19.026m of savings over the 5-year period to 2023/24. Detailed business cases are currently being developed. The savings have been re-profiled based on the revised approach outlined in this Cabinet report.
- 7.3.9 The ICT Strategy programme involves the following example activities:
- Simplifying the Council’s wide area network reducing core contract costs of service and increase flexibility in service offering removing the dependency on our property portfolio

- Simplifying the Council's voice network removing our reliance on old technology.
- Rationalisation of the datacentre hosting environment simplifying the technology used and reducing the number of datacentres in use.
- Reducing the number of applications the Council uses and reducing the overall software costs through the adoption of a more pay-as-you use charging scheme and centralised software licencing.
- Simplification of a managed mobile environment reducing complexity cost and improving agility.

Savings from this programme enable the use of flexible capital receipts of £11.142m as previously approved via the 27th March 2018 Cabinet report, and from the IT base budget (prudential borrowing budget).

7.3.10 Over the period 2018/19 to 2020/21, there is a total investment of £28.895m in the ICT Strategy Implementation Programme, and the Information and Management Strategy. The revenue consequences of this expenditure and previous expenditure will total £35.108m, which will be funded by flexible capital receipt of £11.142m and IT base revenue budget of £23.966m. All the above are in line with the Council ICT&D strategy approved by Cabinet in October 2016.

7.3.11 To enable the recommendations in this report £7.641m will be required to be funded from the Invest to Save Reserve and this will be paid back over the period 2020/21 through to 2022/23 as set out in table 10 of Exempt Appendix 8.2.

7.4 Procurement Implications

7.4.1 There is no immediate requirement to procure new services to deliver ICT service. Other than those retained by Capita until the end of the contract, the existing services will transfer to the Council.

7.4.2 Existing services that will remain with Capita will require further definition and will incur increased costs. These have been included in the financial modelling. The services remaining include: Data Centres, SAP offshore support, Corporate telephony and hardware support.

7.4.3 The Council will need to integrate a 'Supplier Management Function' to manage the contracts novated from Capita Birmingham and manage the remaining Council to Capita contracts within the Council's existing procurement and commissioning structure. There is provision to fund this increased resource requirement included in the cost modelling.

7.4.4 By March 2021, the Council will need to migrate the remaining Capita provided services to new suppliers and this has been accommodated with the investment set aside by Cabinet in October 2016.

7.5 Human Resources Implications

7.5.1 The Service is made up of 342 employees working on the Councils core ICT Services (147 seconded and 195 Capita employees) and 151 working on ICT Services to schools (24 seconded and 127 Capita employees). All data is at 18th February 2019. The proposed transfer date of staff associated with the Councils core ICT Services is 1st August 2019.

7.5.2 The proposal associated with the transfer of the Councils core ICT service were presented to BCC Trade Union colleagues at the Corporate S188 Trade Union meeting held on 23rd January 2019 where they were offered the opportunity to raise questions. A further engagement session was held on the 4th March 2019. The purpose of this session was to clarify who is to be consulted and by whom. In this instance, it will be for Capita HR to share with Capita Staff representatives, any proposed measures.

7.5.3 It is the responsibility of Capita to inform/consult with their employees through "appropriate" elected representatives who could be trade unions or representatives. As Capita do not formally recognise trade unions, they must arrange elections amongst the affected employees in order to elect representatives to consult on their behalf, about the transfer.

7.5.4 Formal consultation by Capita will commence once the Staff representatives have received training and therefore it is anticipated that consultation will begin at the end of April 2019. The purpose of the consultation is to review any measures proposed by the Council. Any proposals will become clearer once we have received the anonymised data from Capita, which will shape consultation. Consultation is scheduled to continue through to June 2019.

7.5.5 We are reviewing on a monthly basis, any vacancies that are arising in Capita to ensure that posts are recruited to, in order to avoid a gap in skills and

knowledge. To this effect, Capita are only recruiting to critical posts and have agreed to continue to work with the Council following the termination notice, to avoid any gaps in the service.

7.5.6 At this stage, we are not proposing any immediate redesign post transfer, as we wish to stabilise the service and ensure that we take on board the views of the staff prior to any review. We are working with all staff, as part of the “Shaping of the Future” workshops and engagement sessions. In addition to this, we will be providing regular newsletters and updates to all staff to ensure that they are fully informed of what is happening, during all phases of the transition programme. Staff induction arrangements post transfer are already captured in the HR plan to ensure a seamless transfer and welcome all staff to the Council.

7.5.7 Subject to Cabinet approving Option 1 in this report, and subject to consultation, the 24 BCC staff currently seconded to Capita as part of LINK2ICT will transfer from the Council to Capita. The proposed transfer date is yet to be agreed with Capita. Capita have admitted body status to the West Midlands Pension Fund.

7.6 Public Sector Equality Duty

7.6.1 In October 2016 Birmingham City Council Cabinet approved the ICT & Digital Strategy for the period 2016 -2021. The work to implement the strategy has two major projects:

1. An Investment Programme - implementing replacement and new, enabling ICT assets in line with the strategy and in support of the Council's new Business Architecture.

2. An ICT Transition Programme - to take BCC up to and beyond the end of the Service Birmingham partnership with Capita and the ending of the Joint Venture with Service Birmingham.

7.6.2 An Equality Analysis was completed during the development of the ICT & Digital Strategy (2016-2021 and for the Cabinet report of the 27th June (see Appendix 8.1). There has been no change to that analysis.

8 Appendices

8.1 Equality Impact Analysis

8.2 Exempt Appendix

9 Background Documents

9.1 List of Supporting Documents

- Report to Cabinet October 2016 - Birmingham City Council Information & Communications Technology & Digital Strategy (2016 - 2021)
- Report to Cabinet October 2016 - Birmingham City Council Strategic ICT & Digital Investment Programme (2016 - 2021)
- Report to Cabinet of 27 June 2017 - Delivery of Savings against Service Birmingham ICT Contract
- Report to Cabinet of 14 November 2017 - Budget savings proposals, ending the Joint Venture (JV) with Capita for Service Birmingham and proposing new contractual arrangements up to 2020 / 2021
- Report to Cabinet of 27 March 2018 - Outcome of final stage negotiations between BCC and Capita - proposed IT and Digital Service Transition Roadmap to 2020/21, with associated investments and benefits



Equality Analysis

Birmingham City Council Analysis Report

EA Name	ICT & Digital Strategy (2016 - 2021)
Directorate	Corporate Resources
Service Area	Information Technology - Change And Support Services
Type	New/Proposed Policy
EA Summary	<p>Birmingham City Council is in the process of developing a new/refreshed ICT & Digital Strategy for the period 2016 -2021. The work to implement the strategy has two major projects:</p> <ol style="list-style-type: none"> 1. An Investment Programme - implementing replacement and new, enabling ICT assets in line with the strategy and in support of the council's new Business Architecture. 2. An ICT Transition Programme to take BCC up to and beyond the end of the Service Birmingham partnership with Capita.
Reference Number	EA001412
Task Group Manager	simon.hall@birmingham.gov.uk
Task Group Member	
Date Approved	2016-09-29 01:00:00 +0100
Senior Officer	Jackie.Woollam@birmingham.gov.uk
Quality Control Officer	Helen.Burnett@birmingham.gov.uk

Introduction

The report records the information that has been submitted for this equality analysis in the following format.

Overall Purpose

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

Relevant Protected Characteristics

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

1 Activity Type

The activity has been identified as a New/Proposed Policy.

2 Overall Purpose

2.1 What the Activity is for

What is the purpose of this Policy and expected outcomes?	This Equalities Analysis is being carried out to support the development of Birmingham City Council's ICT & Digital Strategy (2016 - 2021). The aim of the strategy is to provide a set of guiding principles and plans that steer the ICT & Digital support services of the council so that they: > Are aligned with the needs of the Future (Birmingham City) Council > Can make the transition past the end of the current Service Birmingham Contract > Continue to deliver new and improved replacement services in to the business -as-usual environment over the next five years
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For each strategy, please decide whether it is going to be significantly aided by the Function.

Public Service Excellence	Yes
A Fair City	Yes
A Prosperous City	Yes
A Democratic City	Yes

2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	Yes
Will the policy have an impact on employees?	Yes
Will the policy have an impact on wider community?	Yes

2.3 Analysis on Initial Assessment

Our analysis has identified that two out of nine protected characteristics are potentially affected by this ICT & Digital Strategy. We can't see any direct impact on:

1. Gender
2. Gender Re-assignment
3. Marital Status
3. Pregnancy & Maternity
5. Religion
6. Sexual Orientation
7. Age - but see (age-related) Disability below:

However - we are looking at the following characteristics from these perspectives:

8. Disability Accessibility of services: The ability to easily read digital interfaces on screens of computers, tablets and smartphones: interface design: font sizes, colour schemes, colour-blindness, ability to use text readers, etc.
9. Race Less race - more specifically - language and exclusion of non-English speakers and readers

3.1 Disability

3.1.1 Disability - Differential Impact

Disability	Relevant
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3.1.2 Disability - Impact

Describe how the Policy meets the needs of Individuals with a disability?	The strategy will primarily affect people with disabilities as a result of their use and possible exclusion through the use of ICT & Digital services - specifically: "screens" (User Interface designs) and keyboards and pointing devices (Mice). People with visual impairment will be the most commonly affected group. Wherever practicable, the council will ensure that these user interfaces meet, or can be user-configured to meet usability standards. Specifically to quote the council website: "We comply with the W3C/WAI AA standard for accessibility as a minimum." We provide the most widely/easily used input devices, with large lettering where necessary.
Do you have evidence to support the assessment?	Yes
Please record the type of evidence and where it is from?	Consultation via the Be Heard website asked specific questions of individuals about their disability status and whether they thought their disability would be a barrier to accessing council services via ICT channels. 19% of respondents said they were registered disabled and 10% of respondents thought that their disability would be a possible barrier. The reasons for this were cited as: "Ageing process" "Phone calls can make me very tired as I suffer from chronic fatigue syndrome" "They tend to be very difficult to use and hard to get to the right person or department a lot of older people are not that up to date with the technology know available."
Have you received any other feedback about the Policy in meeting the needs of Individuals with a disability?	No
You may have evidence from more than one source. If so, does it present a consistent view?	Not applicable
Is there anything about the Policy and the way it affects Individuals with a disability which needs highlighting?	No

3.1.3 Disability - Consultation

Have you obtained the views of Individuals with a disability on the impact of the Policy?	Yes
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If so, how did you obtain these views?	Be Heard Consultation - publicised to over 100,000 people through: > Your Weekly News > Keep in Touch > Birmingham Bulletin > Social media: corporate accounts on: >> Twitter >> Facebook >> LinkedIn
Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals with a disability?	Yes
If so, how did you obtain these views?	Be Heard Consultation - publicised to over 100,000 people through: > Your Weekly News > Keep in Touch > Birmingham Bulletin > Social media: corporate accounts on: >> Twitter >> Facebook >> LinkedIn
Is there anything about the Policy and the way it affects Individuals with a disability which needs highlighting?	No

3.1.4 Disability - Additional Work

Do you need any more information to complete the assessment?	No
Please explain how individuals may be impacted.	Poor design of citizen interfaces via phones (contact centre call handling software) and websites. NOTE: The council Web Team do use industry design standards to comply with disability accessibility requirements. (We comply with the W3C/WAI AA standard for accessibility as a minimum).
Is there any more work you feel is necessary to complete the assessment?	No
Do you think that the Policy has a role in preventing Individuals with a disability being treated differently, in an unfair or inappropriate way, just because of their disability?	Yes
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No
Do you think that the Policy will take account of disabilities even if it means treating Individuals with a disability more favourably?	No
Do you think that the Policy could assist Individuals with a disability to participate more?	Yes
Do you think that the Policy could assist in promoting positive attitudes to Individuals with a disability?	Yes

3.2 Race

3.2.1 Race - Differential Impact

Race	Relevant
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3.2.2 Race - Impact

Describe how the Policy meets the needs of Individuals from different ethnic backgrounds?	The ICT & Digital Strategy (2016 -2021) has no specific relation to ethnicity - rather it can support inclusion of people who do not have English as a first language.
Do you have evidence to support the assessment?	Yes
Please record the type of evidence and where it is from?	From the council website: "You can translate our website into 60 different languages using Google Translate".
Have you received any other feedback about the Policy in meeting the needs of Individuals from different ethnic backgrounds?	No
You may have evidence from more than one source. If so, does it present a consistent view?	Not applicable
Is there anything about the Policy and the way it affects Individuals from different ethnic backgrounds which needs highlighting?	No

3.2.3 Race - Consultation

Have you obtained the views of Individuals from different ethnic backgrounds on the impact of the Policy?	Yes
If so, how did you obtain these views?	Be Heard Consultation - publicised to over 100,000 people through: > Your Weekly News > Keep in Touch > Birmingham Bulletin > Social media: corporate accounts on: >> Twitter >> Facebook >> LinkedIn
Have you obtained the views of relevant stakeholders on the impact of the Policy on Individuals from different ethnic backgrounds?	No
If not, why not?	There are no plans to consult relevant stakeholders
Is there anything about the Policy and the way it affects Individuals from different ethnic backgrounds which needs highlighting?	No

3.2.4 Race - Additional Work

Do you need any more information to complete the assessment?	No
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Is there any more work you feel is necessary to complete the assessment?	No
Do you think that the Policy has a role in preventing Individuals from different ethnic backgrounds being treated differently, in an unfair or inappropriate way, just because of their ethnicity?	No
Do you think that the Policy could help foster good relations between persons who share the relevant protected characteristic and persons who do not share it?	No

3.3 Concluding Statement on Full Assessment

Disability

78% of respondents said they were not registered as disabled

19% of respondents said they were registered as disabled

3% preferred not to say

Those that gave reasons as to why disability might be a barrier to accessing the council's services via ICT & Digital channels cited age (and a lack of capability based on age), as well as chronic fatigue syndrome (a barrier to contact via telephony). These concerns are largely cultural and governed by individual attitude and choice, rather than based on disability. Age is not necessarily a barrier (viz. the phenomenon of the "Silver Surfer") and we have demonstrated that the council's website(s) comply with the appropriate visual design standards for use by people with visual impairment.

With regard to the comments around disability and telephony (above) and the reluctance to use ICT & Digital channels provided by the council - if people choose to not use these, they have stepped outside the scope of the strategy. For those that would like to be included in the Digital arena, but can't participate due to a lack of capability, the strategy is clear about council support for those people:

"3.2.1 Digital Agenda

We will ensure that individuals or groups are not unfairly disadvantaged by the "Digital Divide created by technology, by committing to deliver all of our services in a fair and equitable manner."

ALSO:

"Digital City - we will help, mentor and advise communities and businesses with the technology they need to enhance their lives, enabling stakeholders and businesses in the City to use Digital technologies to improve their lives, providing them with access to our business services / ICTD via expected supported devices, as well as developing their Digital skills, from the children and young people in our schools to our elderly and vulnerable residents."

Ethnicity

81% of respondents said they were White British

10% of respondents said they were White

3% of respondents preferred not to say

3% of respondents said they were Indian

3% of respondents said they were Chinese

None of respondents thought the strategy would present a barrier to them due to their ethnicity.

For the concerns over language rather than ethnicity, we would repeat the text for www.birmingham.gov.uk that states:

"You can translate our website into 60 different languages using Google Translate."

From <https://www.birmingham.gov.uk/accessibility>

4 Review Date

18/09/17

5 Action Plan

There are no relevant issues, so no action plans are currently required.



Driving Housing Growth: Land Appropriations

Call In by the Resources O&S Committee

1 Request for “Call-In”

- 1.1 On 26 March 2019 Cabinet took a decision to:
- 2.1 Subject to the Secretary of State consent where required pursuant to paragraphs 7.2.3 to 7.2.5 in this report, approves the appropriation of approximately 30.27 hectares (74.79 acres) of General Fund land held for the current functions as shown at appendix 1 (Schedule of sites) and the plans at appendix 2 (Site plans) into the Housing Revenue Account for the purpose of housing development under the Housing Act 1985; with the Council being satisfied that the land is no longer required for its current function, with an estimated market value of £45.88m as shown at appendix 1 (Schedule of sites).
 - 2.2 Notes that the appropriation of the sites will be phased over a period of three financial years, 2018-2019, 2019-2020, and 2020-2021 as shown at appendix 1 (Schedule of sites).
 - 2.3 Notes that the appropriation of the sites will be subject to technical appraisal, financial viability, and planning approval.
 - 2.4 Notes that some of the sites identified for appropriation in this report will be subject to a re-provision of public open space of a higher quality as part of any future development proposals.
 - 2.5 Delegates to the Director, Inclusive Growth in consultation with Leader, the power to vary the boundaries of the sites identified within appendix 1 and their relevant site plans identified within appendix 2 by up to 10% of the total area of the site.
 - 2.6 Authorises the Director, Inclusive Growth to advertise any loss of public open space and determine objections, once the sites are brought forward for development.
 - 2.7 Notes that the maintenance responsibility for all land appropriated will transfer to the receiving Directorate as applicable under existing budgets.
 - 2.8 Authorises the City Solicitor to negotiate, execute, and complete all necessary documentation to give effect to the above recommendations.
- 1.2 A request for Call-In was made to the Resources Overview and Scrutiny (O&S) Committee by Councillors Robert Alden and Gary Sambrook on 26 March 2019.



- 1.3 The Resources O&S Committee considered the request for call-in at its meeting on 8 April 2019. At the meeting the Committee heard from Councillor Ian Ward (Leader), Councillor Sharon Thompson (Cabinet Member for Homes and Neighbourhoods), Andrew Hood (Development Manager), Collette McCann (Head of Housing Development), Guy Chaundy (Senior Service Manager, Housing), Phil Andrews (Head of Operational Property Management), Julie Griffin (Acting Assistant Director, Housing Services).

2 Request for Call-In

- 2.1 Councillor Robert Alden set out the reasons for the request for Call-In, and that the issues related mostly to the Wyrley Birch allotments, Burford Road playing field and Short Heath playing field. He proposed that the following call-in criteria applied:

2 – the decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees – there were a number of inconsistencies with policy set out by Councillor Alden:

- It is Council policy to build on brownfield sites before greenfield sites not identified within the Birmingham Development Plan (BDP) and these sites are not listed for building on in the BDP. As the sites do not form part of the Council's published five year housing land supply, they are not needed to meet the housing need of the City and so do not have to be built on for the City to be able to meet its housing need;
- None of the sites mentioned are identified as needed to meet housing needs of the city (SHLAA 2018 version);
- The Birmingham Development Plan (BDP) contains a number of policies, including those relating to green corridors, flood alleviation and minimum requirements for open spaces that are contradicted by this decision. The proposals remove green sites from neighbourhoods with low amounts of green spaces per head, and one site (Short Heath playing field) is used for flood alleviation.
- Building on playing fields is contrary to the Playing Pitch Strategy – which states that such fields should be protected, even if they are in a poor state.

4 – the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision – Perry Common councillors were not consulted on the Short Heath site, despite it bordering that ward and a number of the users coming from that ward. There has been no consultation with Education officers to determine if the land is needed for the increase in school places (in relation to the magnet site, Stockland Green). There also appears to have been an inconsistent approach as consultation was undertaken differently at different sites. Details of meetings with residents are not given.



- 5 – *the Executive appears to have overlooked some relevant consideration in arriving at its decision* – this relates back to criteria two and considerations around green corridors, flood alleviation and minimum requirements for open spaces.
- 6 – *the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do* – this relates to the fact that a number of sites have been previously proposed and then withdrawn. Also there are particular issues around the Wyrley Birch allotment site and engagement with the Witton Lodge Community Association (WLCA), which is set out in more detail below.
- 8 – *there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council* – the risk register does not list each risk separately with mitigations for each, and other mitigations are not adequately addressed. There were different figures for numbers on the housing waiting list and the number of houses to be built presented at the public meeting from those in the Cabinet report.

3 Executive Response

3.1 In response to the points made the Leader responded that:

- It is incorrect to say only brownfield sites should be developed ahead of greenfield sites.
- When the BDP was published, the city's housing need was assessed at 89,000 units; that number has been going up ever since. The BDP said Birmingham could accommodate 59,000 units within the city boundary, and the rest outside through duty to co-operate. If only brownfield sites were considered for development, the City Council would not be demonstrating a five year land supply, so would be susceptible to developers putting proposals in for other areas.
- Currently, the city was achieving 24% social housing, the aspiration in the BDP is 35% hence bringing forward these sites which include 1200 new units, 65% of which could be for social rent. There are currently 12,500 people on the council's housing waiting list.
- Many of the sites included are not public open space but unattached playing fields; though the distinction is not always clear to the public. The Burford Road development would create public open space. All unattached playing field sites are subject to Secretary of State approval before development can take place, as are allotment sites.
- The Education department have determined that the unattached playing field sites are surplus to requirements.
- The sites are all subject to planning permission, which would consider the issues such as green corridors, flood alleviation and minimum requirements for open spaces. There would also be further detailed consultation as part of that process.



- The policy is to consult with ward councillors but the Leader is content for neighbouring ward councillors to be consulted in parallel as the developments are taken forward.
- 3.2 Members queried if the council was setting a precedent that developers could then exploit to develop on green belt, as it had broken its own rules on this. The Leader denied that rules would be broken and said that all processes would be followed for each site.
- 3.3 Clarification was requested in appropriations for development by Birmingham Municipal Housing Trust (BMHT) or other purposes. Andrew Hood confirmed that the sites are for BMHT, with one exception: the Wyrley Birch allotment site, where the City Council will continue to have discussions with the WLCA.

Wyrley Birch Allotments Site

- 3.4 Before the start of the formal meeting, the committee heard from members of the Witton Lodge Community Association (WLCA) about their on-going dialogue with the City Council. Councillor Bore summarised the discussion in the meeting: that discussions had been on-going since 2016, that WLCA put forward a request for Community Asset Transfer but no formal response had been received. WLCA had agreed to further develop ideas to take forward the proposal to expand the housing offer following discussions with Cabinet Members and officers. A Memorandum of Understanding had been drafted but in October 2018 there seemed to be a change in attitude as to the end use of that site. The Cabinet report then put forward the site for development for BMHT, including a site plan put forward by the WLCA (commissioned at their expense).
- 3.5 The matter of the land valuation was also raised, and why that was so high.
- 3.6 Councillor Sharon Thompson outlined the discussions, stating that they had been awaiting a robust plan from the WLCA to take matters forward. If that was still the intention, then discussions would continue. The land value will be the subject of an independent assessment
- 3.7 Members noted that there had clearly been a breakdown in communication on this matter, and that the City Council needed to be better at engaging with partners.
- 3.8 The difference in land values between the Short Heath site and Wyrley Birch, of £1m despite being around about the same size, needed to be explained (e.g. it may be due to flood issues but this should be identified in the report).

4 The Committee Resolution

- 4.1 The Committee resolved to call-in the decision for reconsideration by Cabinet, by a vote of four members to three. The concerns of the committee members were around the following criteria 4, 6 and 8, rather than 2, as set out below:

4 – the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision – the lack of, or inconsistency in, consultation applied to



a few of the sites, but in particular there were clearly issues with engaging with the Witton Lodge Community Association on the Wyrley Birch site;

6 – the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do – this relates to the fact that a number of sites have been previously proposed and then withdrawn. Also the difference in land values between the two sites needed further explanation, especially as the City Council was responsible for both putting the land forward for development and for valuing it. As much transparency as possible is needed.

8 – there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council – the risk register does not list each risk separately with mitigations for each, and other mitigations are not adequately addressed. There were different figures for numbers on the housing waiting list and the number of houses to be built presented at the public meeting from those in the Cabinet report.

4.2 I therefore formally ask the Cabinet to reconsider its decision as outlined above; in particular ensuring that the lessons are learned regarding consultation, that greater clarity is given on the figures and risks, and that the process for valuing the land is clear and transparent.

Councillor Sir Albert Bore

Chair, Resources Overview and Scrutiny Committee

Driving Housing Growth: Land Appropriations

Executive Response to 'Call-In' the decision made by Cabinet on 26 March 2019

Cabinet Meeting – 16 April 2019

Background

A report to Cabinet on 26 March 2019 sought Cabinet approval for a number of sites held within the general fund to be appropriated to the Housing Revenue Account, subject to the necessary consents, for the purpose of housing development under the Housing Act 1985.

A request for Call-In was made to the Resources Overview and Scrutiny (O&S) Committee by Councillors Robert Alden and Gary Sambrook on 26 March 2019.

The Resources O&S Committee considered the request for call-in at its meeting on 8 April 2019. At the meeting the Committee heard from Councillor Ian Ward (Leader), Councillor Sharon Thompson (Cabinet Member for Homes and Neighbourhoods), Andrew Hood (Development Manager), Colette McCann (Head of Housing Development), Guy Chaundy (Senior Service Manager), Phil Andrews (Head of Operational Property Management), Julie Griffin (Acting Assistant Director, Housing Services).

The Committee resolved to call-in the decision for reconsideration by Cabinet on 16 April 2019.

Reason for Call-In

The Reason for Call-in was that:

- The decision appears to be inconsistent with any other form of policy approved by the full Council, the Executive or the Regulatory Committees.
- The Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision.
- The Executive appears to have overlooked some relevant consideration in arriving at its decision
- The decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do.
- There is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council.

The Committee Resolution

The Committee resolved to call-in the decision for reconsideration by Cabinet, by a vote of four members to three, on the grounds that:

- the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision – the lack of, or inconsistency in, consultation applied to a few of the sites, but in particular there were clearly issues with engaging with the Witton Lodge Community Association on the Wyrley Birch site;
- the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do – this relates to the fact that a number of sites have been previously proposed and then withdrawn. Also the difference in land values between the two sites needed further explanation, especially as the City Council was responsible for both putting the land forward for development and for valuing it. As much transparency as possible is needed.
- there is a substantial lack of clarity, material inaccuracy or insufficient information provided in the report to allow the Overview and Scrutiny Committee to hold the Executive to account and/or add value to the work of the Council – the risk register does not list each risk separately with mitigations for each, and other mitigations are not adequately addressed. There were different figures for numbers on the housing waiting list and the number of houses to be built presented at the public meeting from those in the Cabinet report.

Comments in Response

Point one

The consultation process for the appropriation of sites requires initial contact to be made with the Ward Members for each specific site. The approach to consultation at this stage has been both flexible and responsive with officers attending ward committee meetings and carrying out further resident consultation when requested.

Those sites which are held by education will be subject to further consultation as part of the Section 77 process for Secretary of State approval to dispose of the land to the Housing Revenue Account for housing development.

In the case of allotment land, further consultation with Birmingham and Districts Allotments Council is required regarding Secretary of State approval to release allotment land for development and also to agree how some of the proceeds of the disposal can be used to improve existing allotment provision in the city.

As each site then comes forward for housing development further consultation will be undertaken with residents as part of the statutory planning process.

However, noting comments which were raised in relation to Short Heath playing fields specifically, the first stage of the consultation process in future will also take into consideration and include those Members and residents in neighbouring Wards who may also be impacted on by any proposed land appropriation.

Turning in particular to the Council's engagement with Witton Lodge Community Association (WLCA) in relation to the Wryley Birch allotment site.

The Council has been engaged in discussions with WLCA at some length regarding their interest in the development of the Wryley Birch allotment site for a period of time. As far back as October 2017 the Council shared with WLCA's architects the design work it had already undertaken to assist WLCA in developing its proposals for the site.

The Council has met with WLCA and as a result has now on a number of occasions written to WLCA requesting a clear and compelling business case which can be subjected to financial scrutiny and consideration by the Council, most recently outlined in an email from Councillor Thompson, Cabinet Member for Homes & Neighbourhood's on 28 February 2019.

At this stage those discussions remain ongoing; the Council looks forward to receiving WLCA business case and will continue in parallel with work to progress Secretary of State Approval to release the land for housing development. This approval is required irrespective of whether the land is developed by WLCA, through the BMHT programme or a combination of both.

Point two

The Land Appropriations Report presents a programme of sites coming forward over a three year period for appropriation from the General Fund to the Housing Revenue Account. The sites in question have been identified as surplus to requirement or underutilised by their owning department. This approach is deemed to be a much more efficient way to consider sites for appropriation, allowing both the Housing Development Team and the land holding department to work together in a coherent and planned way to address and resolve issues such as third party consents, site investigations and Planning, rather than bringing forward individual sites on a piecemeal basis.

There are currently 12,500 on the Council's housing waiting list and there is a requirement to meet the growing need for new housing with land in short supply, it is therefore necessary to make best use of the Council's underutilised land to increase housing supply. The sites included within the report have the potential to deliver up to 1200 additional

homes within the city boundary, 65% of which could be social housing for those people on the waiting list.

In respect of the difference in land values between the Short Heath site and Wryley Birch Allotments;

The two areas of land , Wryley Birch allotments and the Short Heath playing field would have been valued at the same price if all things were equal. However due to the close proximity of the water course and flood plain to the south of the playing field any proposed development of the site will be limited. Hence the value of the land has been reduced to reflect the reduced developable area.

The land valuation for the Wryley Birch Allotment site is comparable to similar sites such as Burford Road.

Point three

Comments raised on how the risks and actions to mitigate the risks within the risk register have been recorded are noted. This will be strengthened in future by using a template risk register provided by audit.

The number of people on the Council's housing waiting list does fluctuate throughout the year which would account for any differing figures being given or quoted at a particular point in time, officers will ensure that this is made clear to Members and residents when providing any information or attending meetings.

The figures provided on the number of homes which could potentially be delivered on each site are indicative. There are a number of variables which will impact on the number of homes that can be delivered including but not limited to; Public Open Space provision, infrastructure, density, house type and size mix. It is not until a development proposal is taken forward for planning approval that an accurate picture can be provided, again officers will ensure that this is made clear to Members and residents during early discussions.

Public Report

Birmingham City Council

Report to Cabinet

Date: 26 March 2019



Subject: DRIVING HOUSING GROWTH, LAND APPROPRIATIONS
REPORT 2019 (4)

Report of: DIRECTOR, INCLUSIVE GROWTH

Relevant Cabinet Member: Councillor Ian Ward, Leader BCC.
Councillor Sharon Thompson, Homes and Neighbourhoods.
Councillor Tristan Chatfield, Finance and Resources.
Councillor Jayne Francis, Education, Skills and Culture.

Relevant O &S Chair(s): Councillor Penny Holbrook – Homes and Neighbourhoods.
Councillor Sir Albert Bore – Resources.
Councillor Mariam Khan – Learning, Culture and Physical Activity.

Report author: Andrew Hood, Development Manager, Telephone No: 0121 303 7879.
Email Address: Andrew.hood@birmingham.gov.uk

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Allens Cross, Bromford and Hodge Hill, Frankley Great Park, Kingstanding, Longbridge and West Heath, North Edgbaston, Stockland Green, Sutton Walmley and Minworth.		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 005901/2018		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		

1 Executive Summary

- 1.1 To seek approval for the appropriation of approximately 30.27 hectares (74.79 acres) of General Fund land into the Housing Revenue Account (HRA) in order

to facilitate the development of new housing provision within Birmingham which is a key priority for the City.

2 Recommendations

- 2.1 Subject to the Secretary of State consent where required pursuant to paragraphs 7.2.3 to 7.2.5 in this report, approves the appropriation of approximately 30.27 hectares (74.79 acres) of General Fund land held for the current functions as shown at appendix 1 (Schedule of sites) and the plans at appendix 2 (Site plans) into the Housing Revenue Account for the purpose of housing development under the Housing Act 1985; with the Council being satisfied that the land is no longer required for its current function, with an estimated market value of £45.88m as shown at appendix 1 (Schedule of sites).
- 2.2 Notes that the appropriation of the sites will be phased over a period of three financial years, 2018-2019, 2019-2020, and 2020-2021 as shown at appendix 1 (Schedule of sites).
- 2.3 Notes that the appropriation of the sites will be subject to technical appraisal, financial viability, and planning approval.
- 2.4 Notes that some of the sites identified for appropriation in this report will be subject to a re-provision of public open space of a higher quality as part of any future development proposals.
- 2.5 Delegates to the Director, Inclusive Growth in consultation with Leader, the power to vary the boundaries of the sites identified within appendix 1 and their relevant site plans identified within appendix 2 by up to 10% of the total area of the site.
- 2.6 Authorises the Director, Inclusive Growth to advertise any loss of public open space and determine objections, once the sites are brought forward for development.
- 2.7 Notes that the maintenance responsibility for all land appropriated will transfer to the receiving Directorate as applicable under existing budgets.
- 2.8 Authorises the City Solicitor to negotiate, execute, and complete all necessary documentation to give effect to the above recommendations.

3 Background

- 3.1 The appropriation of these sites provides much needed revenue benefits to those parts of the Council with savings targets to provide savings from releasing land. In the case of the allotments sites, 25% of the proceeds will be invested into improving allotments sites which otherwise would not happen. In the case of the unattached school playing fields there is no current budget available for the maintenance of these sites and therefore any maintenance is at the expense of other education priorities. The development of the unattached school playing fields sites will be subject to a Section 77 consent which will

ensure that the proceeds of the disposal will be used to enhance educational sporting facilities in local schools which otherwise would not be possible.

- 3.2 The Council has a substantial housing waiting list of approximately 10,500 households, approximately 2,000 households in temporary accommodation and approximately 300 families in bed and breakfast and with land at a premium for affordable housing, the development of these sites will provide a much needed contribution in providing accommodation for these households.
- 3.3 Many of the households on the Council's housing waiting list live in overcrowded conditions across the housing sector. Evidence from allocating properties previously developed under the Council's Birmingham Municipal Housing Trust (BMHT) has revealed the extent of this problem, many families being allocated accommodation that was too small for their needs.
- 3.4 Through the BMHT programme, the Council provides homes that reflect the Strategic Housing Market Assessment for Birmingham with an emphasis on 2 bedroom houses and 4+ bedroom houses. Whilst there is a clear driver for family homes (and these make up the majority of the new development programme) the programme also looks to meet other needs, such as people without children and elderly residents who wish to down-size from under-occupied homes. Local need, site restrictions and financial viability are taken into account when determining the exact mix of homes and typologies to build on each site.
- 3.5 The BMHT Delivery Plan, approved by Cabinet in November 2014, sets out the programme to maintain the size of the BMHT programme at around 450 new homes starting on site every year. This scale of development will require the Council to use its existing land assets more effectively to establish more development land to be made available than currently exists within the HRA, and therefore it is proposed to appropriate a number of sites from the General Fund in order to support housing growth in the City.
- 3.6 The sites identified in this report have the capacity to create up to an estimated 1,200 new homes for rent and sale for the city, of which 65% could be for social rent and 35% for sale. As the major provider of new homes in the city, and the major provider of new social and affordable rented homes, the Council needs to make more land available to support its house building programme at a time of high demand for social and affordable rented homes.
- 3.7 The Housing Revenue Account Business Plan 2019+ proposes the development of over 3,366 new homes to be built for rent using the BMHT model over the next 20 years at a cost to the council of £659m. This investment will be funded from a combination of rental income and capital receipts.
- 3.8 Birmingham requires a supply of new homes to address the serious shortage of housing supply, and an estimated 89,000 additional homes are needed in the City by 2031. There is a limited amount of cleared land (or land planned for clearance) held in the Housing Revenue Account.

- 3.9 Traditionally, BMHT has built upon land that is a result of clearance schemes, and this approach does not necessarily provide additional affordable housing but replaces old affordable housing with new; this approach is both expensive and unpopular with residents.
- 3.10 To respond to the increasing pressures of homelessness, the council needs to provide additional (new) housing as opposed to replacing existing housing stock. Failure to achieve this will inevitably lead to a growing housing waiting list and an increase in temporary accommodation needs.
- 3.11 To maximise future development opportunities, appropriations of land into the Housing Revenue Account will increase this figure and allow the Council more control over the timing and nature of residential development on these sites.
- 3.12 The appropriation of the sites identified in this report will result in the development of new high quality homes that will be available for all residents of Birmingham.
- 3.13 As stated in section 2 above and at 7.2 below, the education owned sites and the allotments sites are subject to various statutory Secretary of State approvals prior to the appropriation being completed. If Secretary of State approval cannot be obtained, the proposed appropriations of these sites cannot be completed.
- 3.14 There have been discussions with Witton Lodge Community Association (WLCA) regarding the potential for WLCA to have some involvement with regards to the Wyrley Birch allotments site in terms of community based housing provision. Whilst the Council continues to obtain the necessary Secretary of State approval for this allotment site to come forward for development, these discussions will continue in parallel. These discussions are based on any disposals of any land and/or property at market value.
- 3.15 A number of the sites are currently undergoing site surveys and investigations and this will determine whether the sites are feasible for housing development.
- 3.16 The sites identified for appropriation into the Housing Revenue Account are cleared sites and there are no site assembly costs anticipated.

4 Options considered and Recommended Proposal

- 4.1 The sites identified in this report have been offered for development by the respective holding directorates because they no longer have the resources to manage and maintain the sites, e.g. unattached School playing fields and in most cases they are surplus to requirements.
- 4.2 The Council's BMHT programme is short of land for affordable housing and these sites will provide a much needed boost to the delivery of affordable housing to the city. There are a number of options that have been looked at in relation to the BMHT programme:

- Do nothing; the respective land holding directorates will not achieve the savings that they require to achieve and BMHT will be left with less land on which to build affordable housing. This option has therefore been discounted.
- The Council could seek to acquire private land for affordable housing. The Council already seeks to acquire private land on the open market, however, this will not provide the level of land or property for affordable housing that is required. This option has been discounted.
- The Council could seek to build housing on the greenbelt to deliver more affordable housing; however, the Birmingham Development Plan that was adopted in January 2018 has already enabled greenbelt development for 6,000 new homes. Currently, no further greenbelt development is permitted until there are any revisions to the Birmingham Development Plan and therefore this option has been discounted. This report contains a site that is already part of the approved greenbelt development (Walmley Ash site). This site represents the only Council owned site within the Langley Sustainable Urban Extension and therefore the only site available for appropriation from greenbelt.

4.3 In terms of the options for the land identified for appropriation, a number of options are outlined below:

- Open market disposal; the city will be unable to determine the pace of development, amount of affordable housing and the quality of housing to be provided. This option has been discounted.
- Disposal to Housing Associations; this would require the land to be heavily discounted in value and there would be no revenue benefits to the General Fund in undertaking this approach, unlike the appropriation from the General Fund to the HRA which will provide a revenue stream in perpetuity. This option has been discounted.
- Change of use; this option would require funding to be identified by receiving directorate in order to manage and maintain identified sites to be used as formal public open space or parks for example over the long term. However, the identified sites are being appropriated into the HRA as the resources in the General fund are not available and to achieve savings targets. This option has been discounted.
- Appropriation to the HRA; this enables revenue benefits to the General Fund and to the specific landholding departments and the land appropriated to the HRA will enable high quality, affordable and outright sale homes to be delivered. The council will control the quality, pace and timing of the delivery of housing on these sites. This is the preferred option.

5 Consultation

5.1 The Leader has been consulted on the contents of this report and supports the recommendations.

- 5.2 The Cabinet Members for Homes and Neighbourhoods; Finance and Resources; and Education, Skills and Culture have been consulted on the contents of this report and support the recommendations.
- 5.3 Elected Ward Members of the sites identified within appendix 1 have been consulted on the contents of the report. The consultation responses are shown within appendix 3.
- 5.4 The Acting Director, Neighbourhoods; and the Director, Education and Skills have been consulted on the contents of this report and support the recommendations.
- 5.5 Officers in Legal Services, Procurement, City Finance, Birmingham Property Services, Parks, and Housing Development have been involved in the preparation of this report.
- 5.6 Public consultation has been undertaken on a number of the sites (including the use of BeHeard) and the responses are shown within appendix 3. Some of these sites have been met with strong opposition, but the justification as stated at 3.2 above, is that the Council has a substantial housing waiting list of approximately 10,500 households, approximately 2,000 households in temporary accommodation and approximately 300 families in bed and breakfast and with land at a premium for affordable housing, the development of these sites will provide a much needed contribution in providing accommodation for these households.
- 5.7 Many of the concerns raised during consultation have centred on the loss of green space within the local area. In mitigation to these concerns, it should be noted that in the case of the larger pieces of land to be appropriated, new areas of usable public open space and playing facilities will be proposed not just to complement the new development but also be accessible to existing communities to respond to the concerns raised during the consultation by both the elected Members and the local community. These new areas of public open space will be paid for through the development of each site and provision within the scheme will allow for the on-going management and maintenance via commuted sums.
- 5.8 In some of the smaller sites where there is little or no possibility of providing new areas of public open space on the existing site itself, investment will be in adjacent local areas to compensate for the loss.
- 5.9 Residents in all of the site areas will be consulted as part of the statutory planning application process and their comments taken into account in the determination of future planning applications.

6 Risk Management

- 6.1 The main risks associated with this report includes, difficulty in bringing forward sites for development, and the Secretary of State approval for the Education

owned sites, playing fields, and the allotment sites. Please see appendix 5, Risk Register, for further details.

7 Compliance Issues:

7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

- 7.1.1 The development of new affordable housing within the city is in accordance with the objectives of the Housing Revenue Account (HRA) Business Plan 2019+.
- 7.1.2 The proposed sites support the delivery of the core objectives of the Birmingham Development Plan (BDP) which was adopted by the Council on 10 January 2017 to increase housing growth.
- 7.1.3 The proposed new homes will work in line with the Council's emerging "A Waste Strategy for Birmingham" policy document by developing plans that aim to reduce the amount of waste that is created, reusing and recycling what we can, and recovering energy from any remaining waste where possible.
- 7.1.4 This project will make a direct contribution to both Corporate and Directorate outcomes including the following:
- Birmingham is an aspirational city to grow up in; new homes will be developed which will provide a safe, warm, sustainable and connected neighbourhood in which our children can thrive.
 - Birmingham is a great city to live in - the Council is committed to the development of enough high quality new homes to meet the needs of a growing city, and the proposals within this report to accelerate housing growth in the city by providing new homes for rent and sale on the proposed sites. New homes will help ease pressure on the housing waiting list that currently has approximately 10,500 households registered on it.
 - Birmingham is an entrepreneurial city to learn, work and invest in; activity within the construction sector will create jobs and apprenticeships in the city, and activity within the supply chain industries, supporting the local economy through the Birmingham Charter for Social Responsibility.
 - Birmingham is a fulfilling city to age well in; the links between health and housing are well recognised. New thermally efficient, economical to run new homes which are designed to high standards of quality and internal space standards will be more affordable for residents and will offer a higher quality of life leading to better health outcomes.

- There are no direct implications for the Birmingham Business Charter for Social Responsibility (BBC4SR) as a result of the appropriation of land into the Housing Revenue Account. However, once the sites come forward for development, the successful contractor will be required to adhere to the BBC4SR and provide training and apprenticeship opportunities and pay the Birmingham Living Wage as a condition of contract.

7.2 Legal Implications

- 7.2.1 The Council has powers to hold and appropriate land under the Sections 120-122 of the Local Government Act, 1972. Under Section 122 of the said Act, the Council may appropriate land for any purpose for which the Council is authorised by legislation to use the land; and land which belongs to the Council and is no longer required for which it is held immediately before the appropriation.
- 7.2.2 Section 122(2A) of the Local Government Act requires that where land is existing open space, notice of change of use must be advertised and any objections considered prior to the appropriations taking place. Section 123(2A) contains a similar requirement for advertisement and consideration of objections and disposals of open space.
- 7.2.3 Sites that are used for educational purposes are subject to Secretary of State for Education approval prior to the appropriation taking place in accordance with Section 6 Part 1 of Schedule 1 of the Academies Act 2010 where such sites have been used for any period within 8 years of the date immediately preceding the appropriation decision for wholly or mainly for the purposes of a school or 16-19 Academy.
- 7.2.4 Sites that are used for playing field purposes are subject to the Secretary of State approval prior to the appropriation taking place, which may be conditional, in accordance with Section 77 of the School Standards and Framework Act 1998 where within the 10 years of the date immediately preceding the appropriation decision the site is used by a maintained school for the purposes of the school, or which are not then so used but have been so used at any time within the period of 10 years ending with that date.
- 7.2.5 Sites that are used for allotment purposes are subject to the Secretary of State approval prior to the appropriation taking place, which may be conditional, in accordance with Section 8 of the Allotments Act 1925, but approval shall not be given unless the Secretary of State is satisfied that adequate provision will be made for allotment holders displaced by the action of the local authority or that such provision is unnecessary or not reasonably practicable.

7.2.6 Sites that are used for allotment purposes will be subject to a contribution to the Flo Pickering Memorial Fund, which are shown at appendix 1 (Schedule of sites).

7.3 Financial Implications

7.3.1 By Law, any appropriation of land between the Housing Revenue Account and General Fund results in a transfer of borrowing between the Housing Revenue Account and the General Fund equivalent to the open market value of the appropriated land.

7.3.2 The total open market value of the appropriations from the General Fund to Housing is estimated to be £45.88m, the individual site details are within appendix 1. The valuations have been provided by Birmingham Property Services.

7.3.3 Assuming an average long term interest rate of 4% per annum, this would result in a revenue cost to the Housing Revenue Account of approximately £1.95m per annum in perpetuity, and a similar benefit to the General Fund. It is not anticipated that there will be any further significant revenue consequences associated with the maintenance of these sites prior to their redevelopment.

7.3.4 The allotment sites and public open space sites contribute to the Parks Service's approved savings programme, savings reference SN45.

7.3.5 Sites that are used for allotment purposes will also be subject to a contribution to the Flo Pickering Memorial Fund, which will be enacted in due course should the appropriations be completed, following Secretary of State approval. The contribution will be 25% of the appropriation value, with the remaining 75% contributing to the Park's Service's approved savings programme; savings reference SN45.

7.4 Procurement Implications (if required)

7.4.1 There are no procurement implications arising from this report.

7.5 Human Resources Implications (if required)

7.5.1 There are no human resources implications arising from this report.

7.6 Public Sector Equality Duty

7.6.1 An Equality Impact Assessment (Ref: EQUA 242) has been completed to accompany this report at appendix 4. The report concludes that there are no negative implications for the protected characteristics and groups under the Equality Act 2010.

8 Background Documents

8.1 Relevant Officer's file(s) on the matter, save for confidential documents.

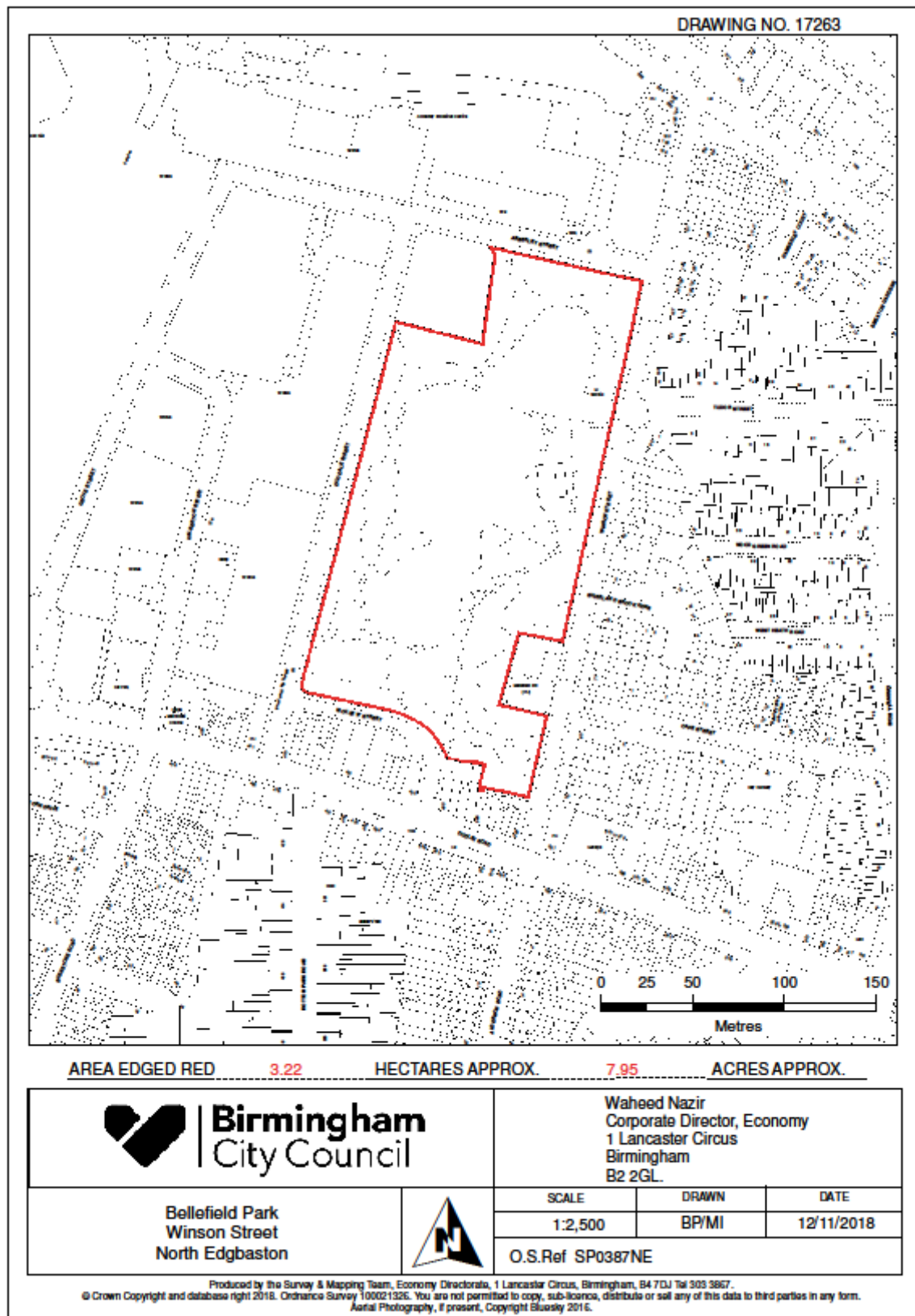
8.2 List of Appendices accompanying this Report (if any):

- 1. Schedule of Sites
- 2. Site Plans
- 3. Consultation responses
- 4. Equality Assessment
- 5. Risk Register

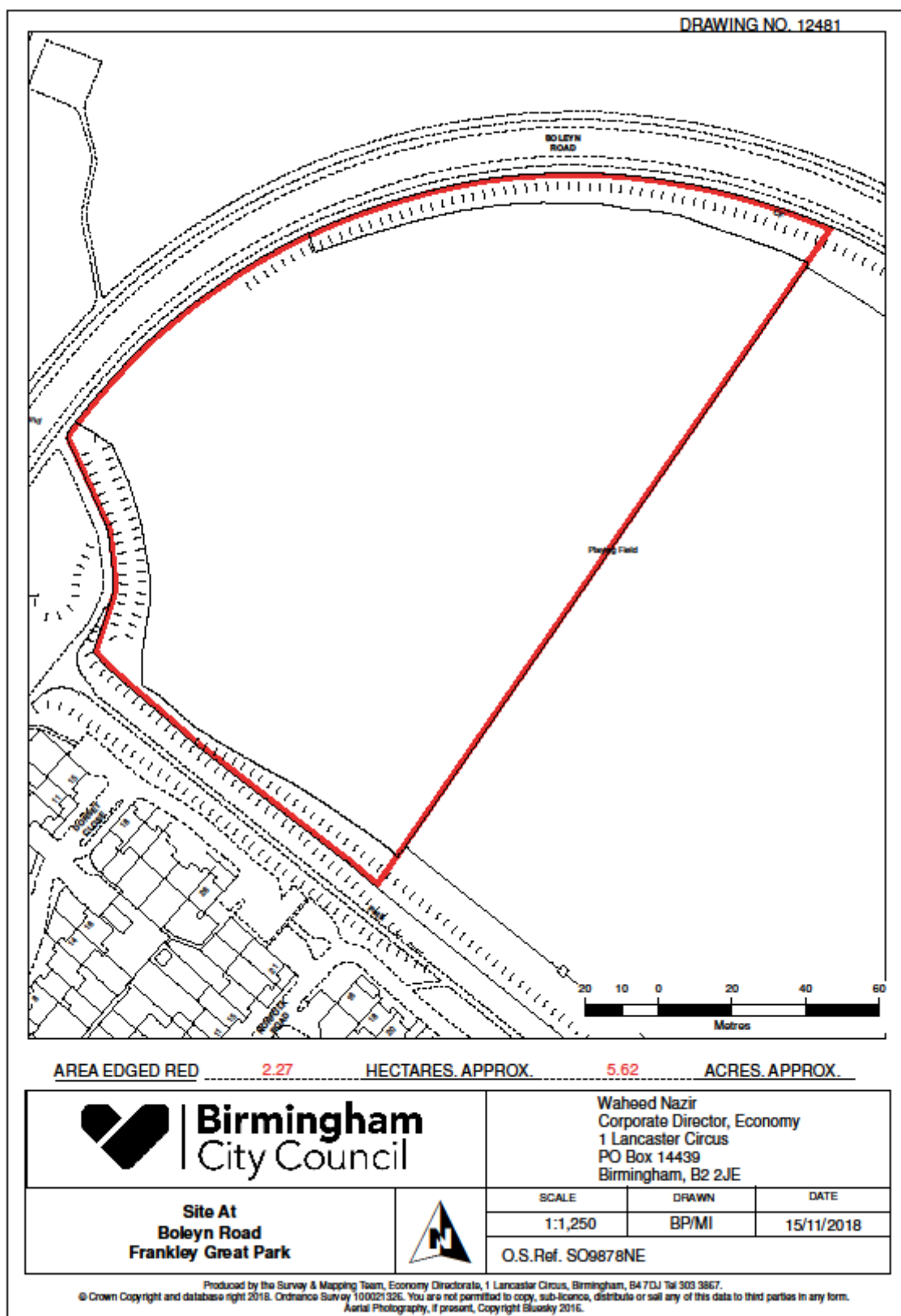
Driving Housing Growth, Land Appropriations Report 2019 (4) - Appendix 1, Schedule of sites												
Sites to be appropriated into the Housing Revenue Account from the General Fund for housing purposes under the Housing Act 1985.												
Site	Ward	Size (Acres)	Size (Hec.)	Valuation	Flo Pickering 25% capital value benefit	Revenue Benefit @ 4.4% if applicable*	application of revenue benefit	Cost per acre Approx.	No. of homes Approx	Appropriation year	Holding Directorate	Current Statutory Powers
Bellefield Park POS	North Edgbaston	7.95	3.22	£3,975,000		£174,900	Saving SN45	£500,000	128	2018-2019	Place	Public Open Spaces Act 1906
Boleyn Road site Frankley Great Park	Frankley Great Park	5.62	2.27	£3,935,000		£173,140	Corporate resources	£700,000	92	2018-2019	C&YP	Education Act 1996
Magnet sports centre site	Stockland Green	12.14	4.91	£3,000,000		£132,000	Corporate resources	£250,000	190	2018-2019	Economy	Town and Country Planning Act 1990
Trescott Road site	Allens Cross	0.74	0.30	£520,000		£22,880	Saving SN45	£700,000	10	2018-2019	Place	Local Government (Miscellaneous Provisions) Act 1972
Sub total - Year 1 2018/19		26.45	10.70	£11,430,000	£0	£502,920			420			
Old Bromford Lane site	Bromford and Hodge Hill	2.98	1.21	£1,300,000		£57,200	Saving SN45	£440,000	53	2019-2020	Place	Public Open Spaces Act 1906
Walmley Ash lane site	Sutton Walmley and Minworth	16.65	6.74	£16,700,000		£734,800	Corporate resources	£1,000,000	258	2019-2020	Economy	Town and Country Planning Act 1990
West Heath allotments site	Northfield	3.02	1.22	£2,250,000	£562,500	£74,250	Saving SN45	£750,000	53	2019-2020	Place	Allotments Act 1925
Wyrley Birch allotments site	Stockland Green	6.59	2.67	£3,950,000	£987,500	£130,350	Saving SN45	£600,000	107	2019-2020	Place	Allotments Act 1925
Sub total - Year 2 2019/20		29.24	11.84	£24,200,000	£1,550,000	£996,600			471			
Burford Road playing fields	Kingstanding	12.41	5.02	£7,450,000		£327,800	S.77 conditions	£600,000	194	2020-2021	C&YP	Education Act 1996
Short Heath playing field site	Stockland Green	6.69	2.71	£2,800,000		£123,200	S.77 conditions	£420,000	108	2020-2021	C&YP	Education Act 1996
Sub total - Year 3 2020/21		19.10	7.73	£10,250,000	£0	£451,000			302			
TOTAL		74.79	30.27	£45,880,000	£1,550,000	£1,950,520			1,193			
* The full year revenue benefit will start in the year after appropriation, with a half year benefit in the year the appropriation is completed.												
Note: The General Fund benefit includes a debt repayment saving (MRP) as well as an interest saving.												

Driving Housing Growth, Land Appropriations Report (4) 2019 – Appendix 2 – Site Plans

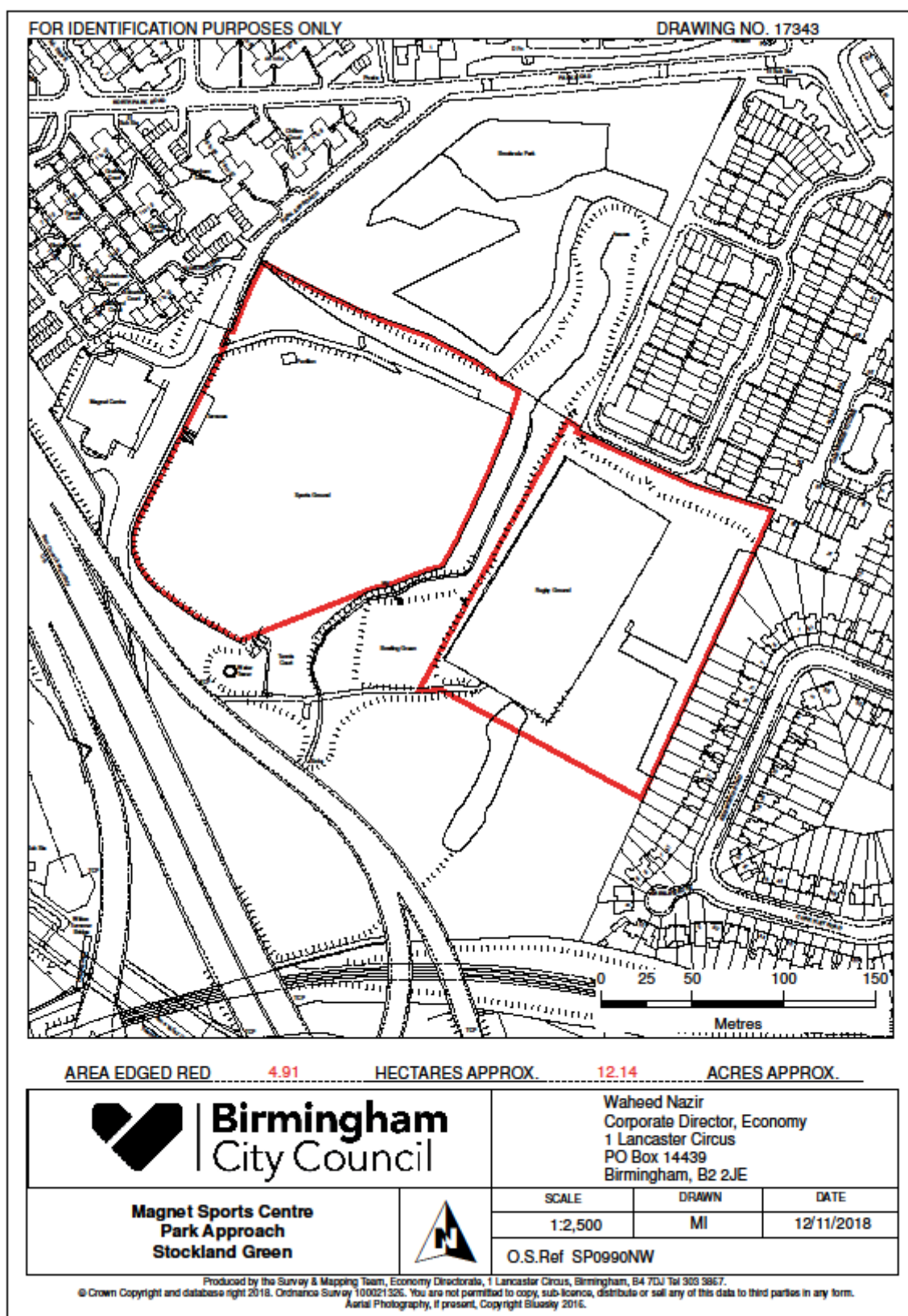
Bellefield POS site (Year 1 – 2018-2019)



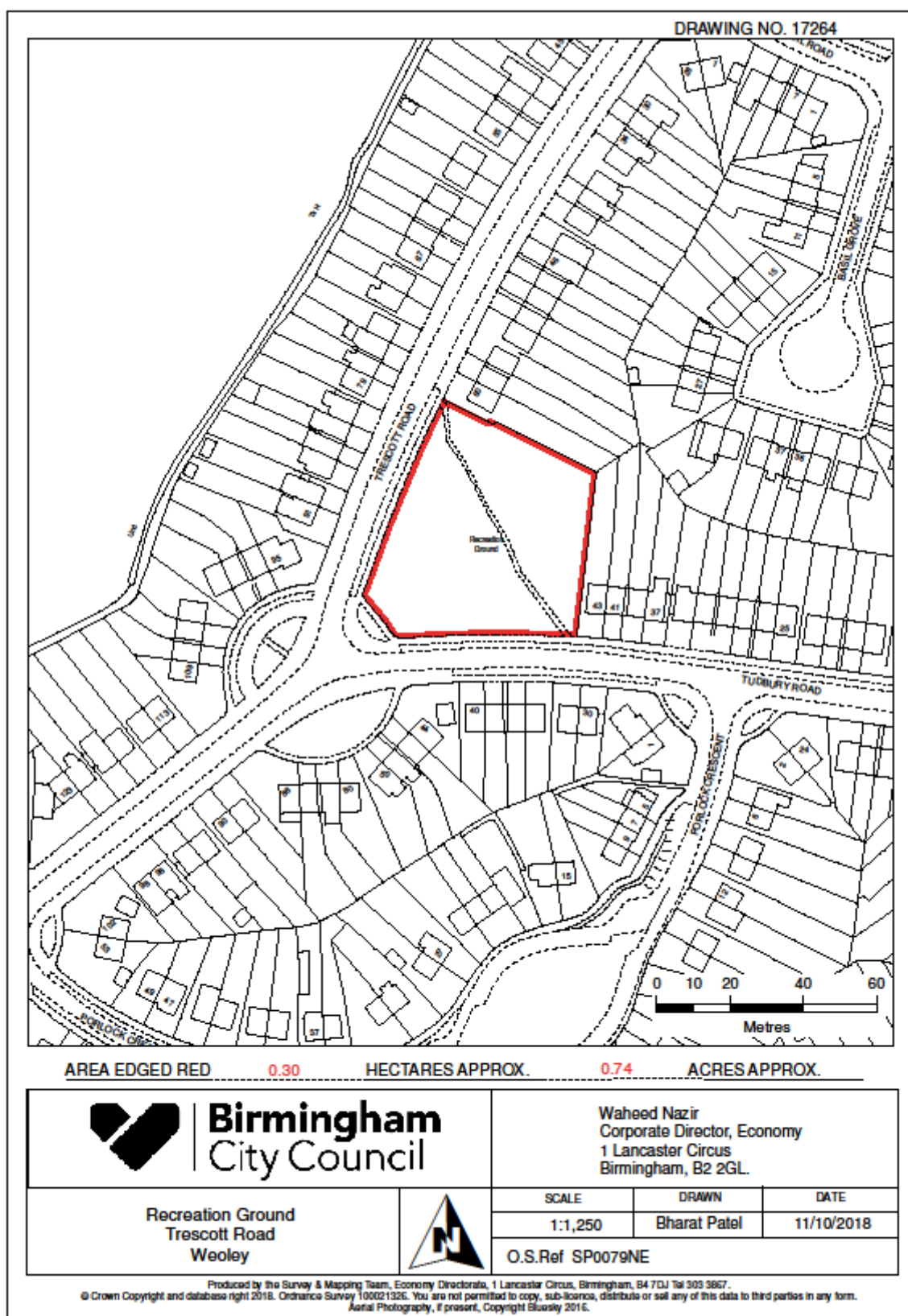
Boleyn Road site (Year 1 – 2018-2019)



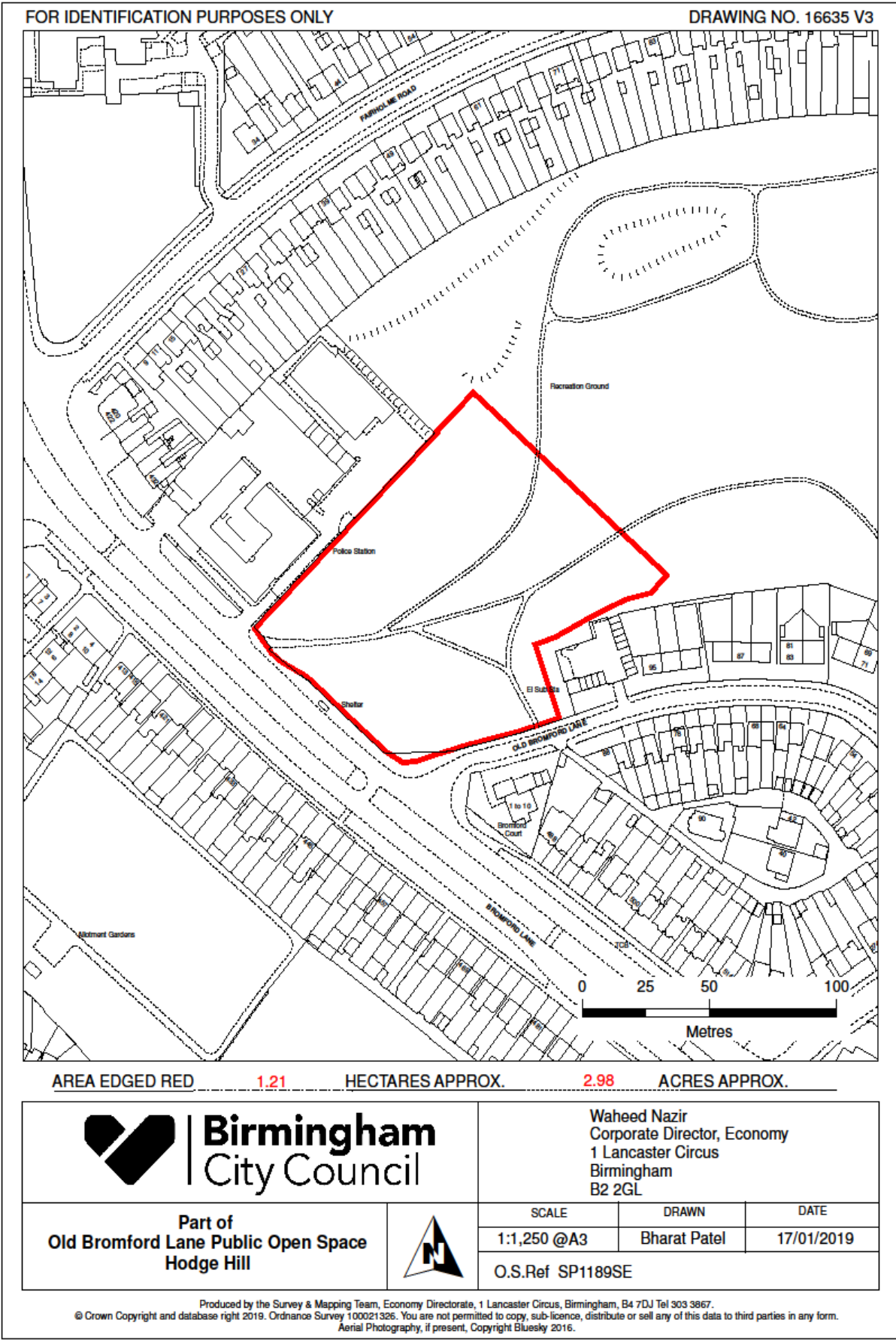
Magnet Sport Centre site (Year 1 – 2018-2019)



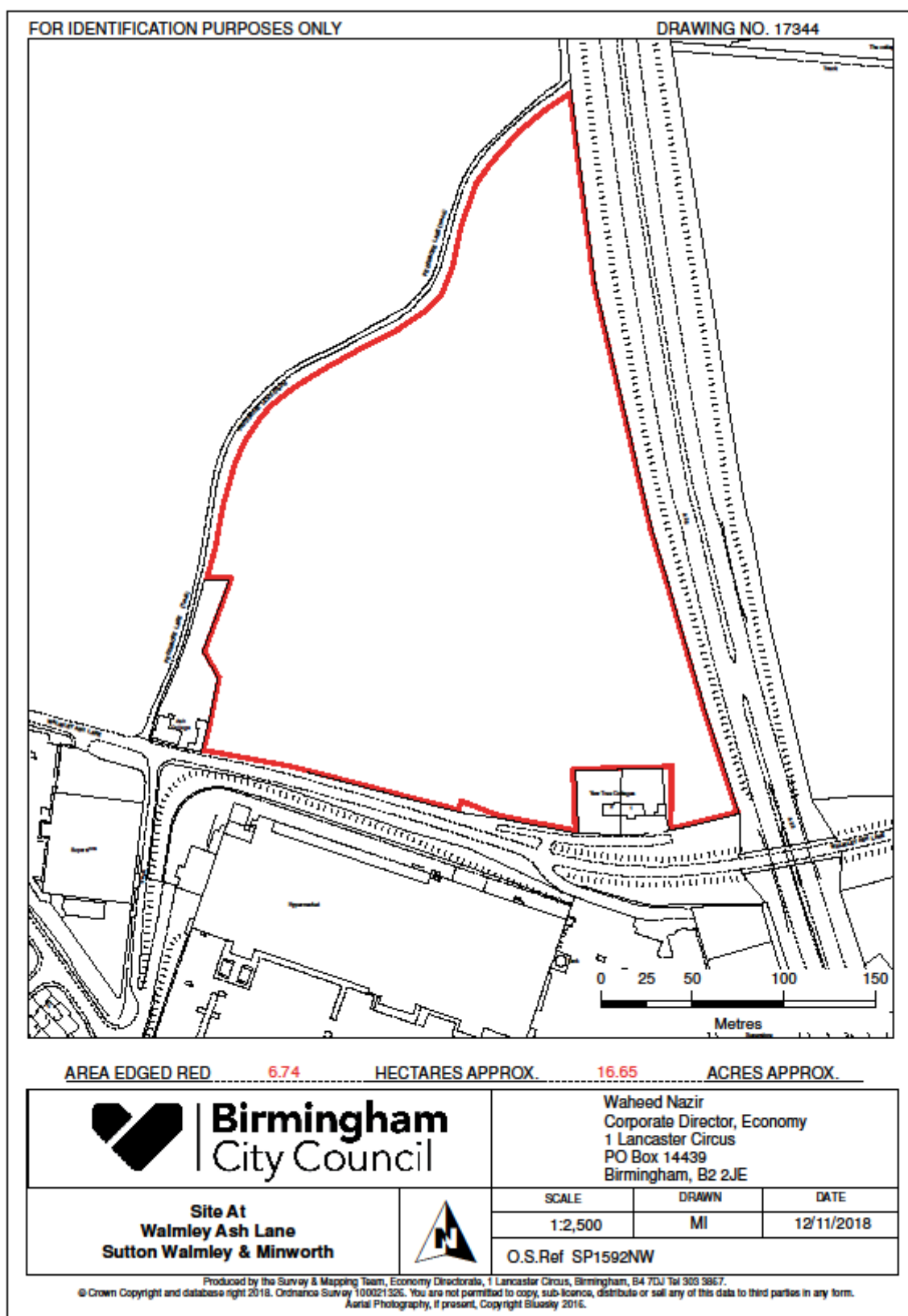
Trescott Road site (Year 1 – 2018-2019)



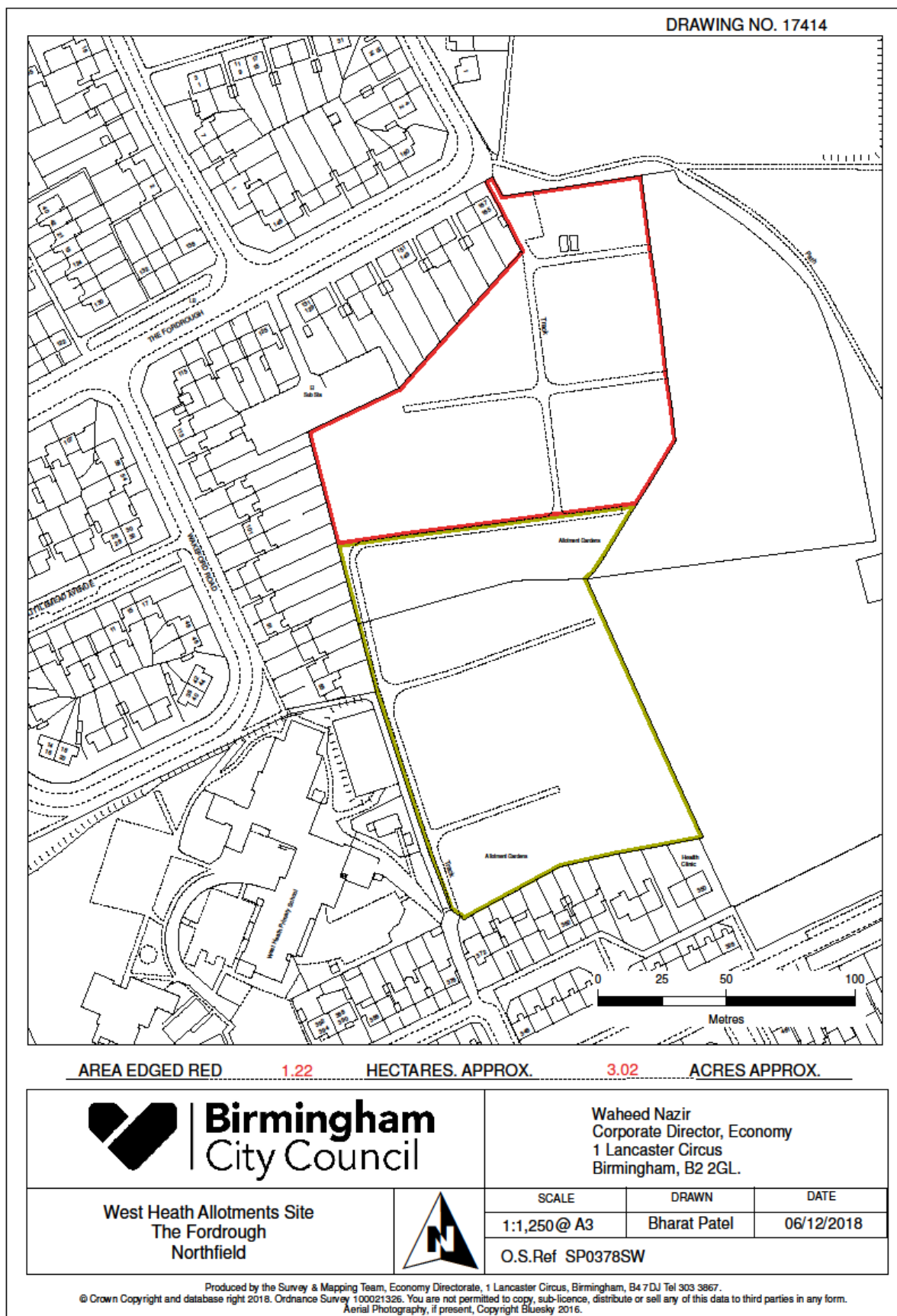
Old Bromford Lane site (Year 2 – 2019-2020)



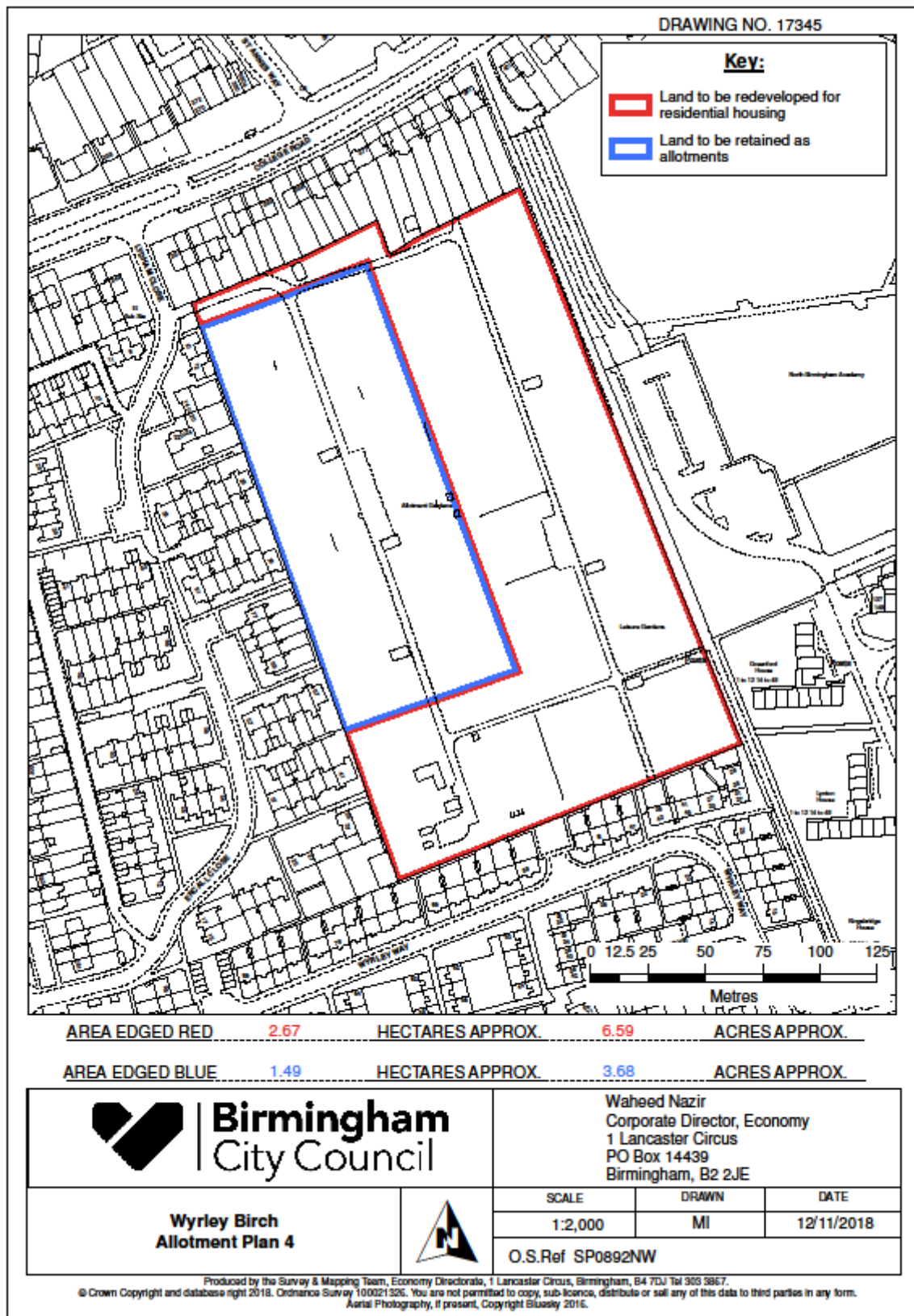
Walmley Ash Lane site (Year 2 – 2019-2020)



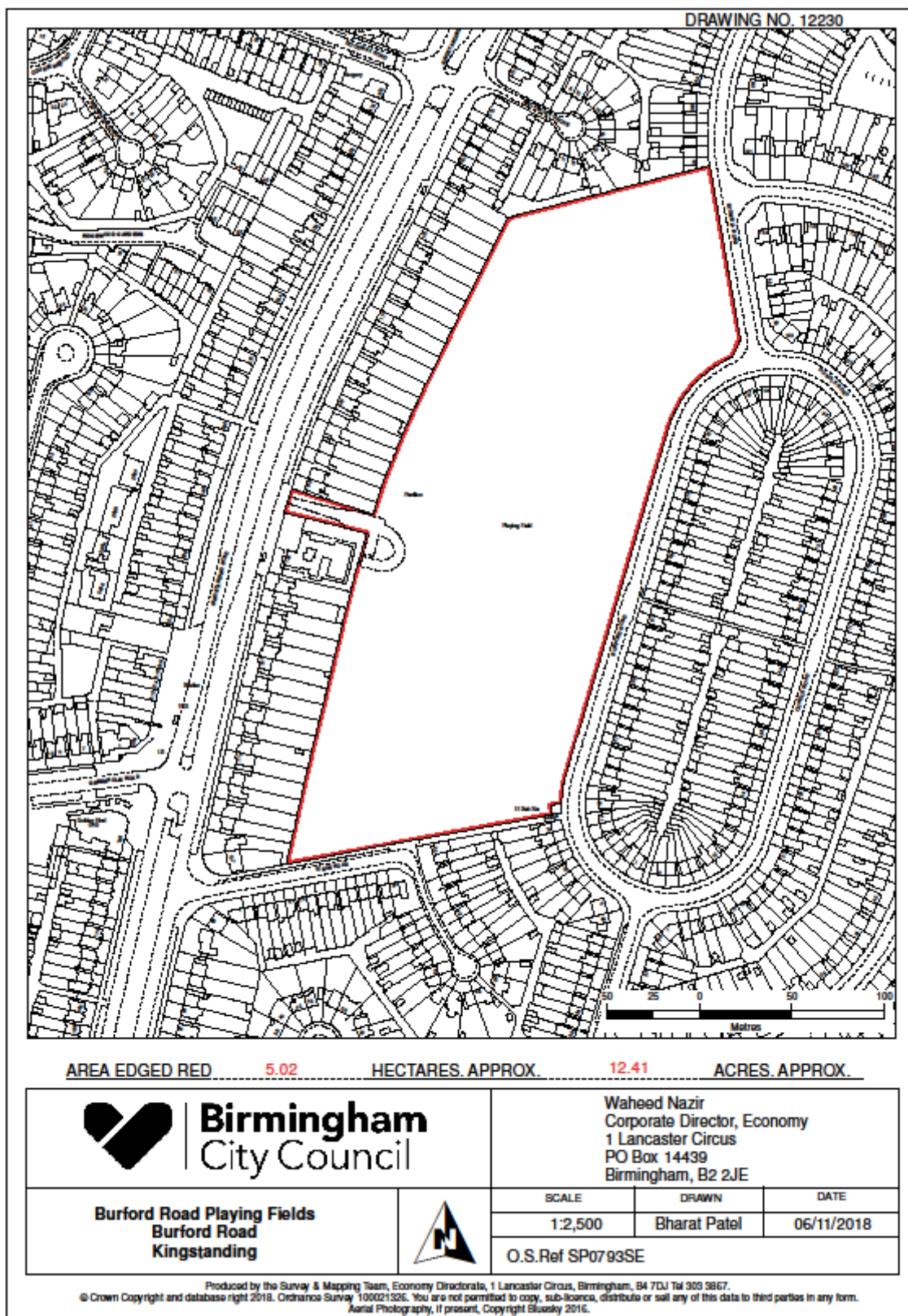
West Heath allotments site (Year 2 – 2019-2020)



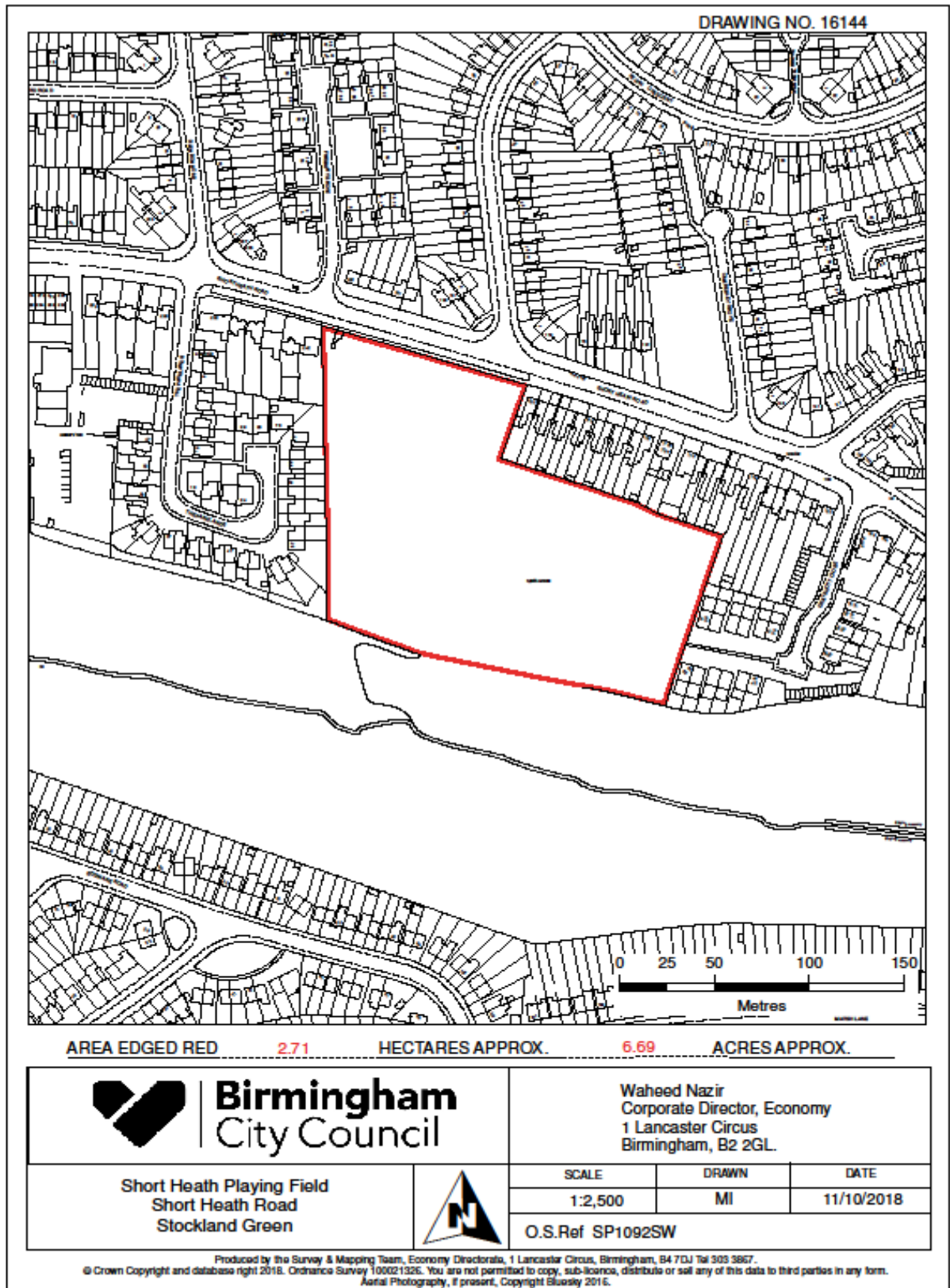
Wyrley Birch allotments site (Year 2 – 2019-2020)



Burford Road Playing Fields (Year 3 – 2020-2021)



Short Heath Playing field site (Year 3 – 2020-2021)



Driving Housing Growth, Land Appropriations Report (4) 2019 – Appendix 3 – Consultation Responses

Site	Ward	Stakeholder	Response(s)
Bellefield POS site	North Edgbaston	Cllr Carl Rice Cllr Sharon Thompson	Happy for the appropriation to take place. Want further discussions about the surrounding areas in due course. Supportive of proposal. Attendance at the North Edgbaston Ward meeting took place on 29 November 2018 and a presentation was given to the attendees regarding the housing proposal. Public consultation took place via door knocking and on the BeHeard website between November and December 2018. A total of 30 responses were received, of which, 19 respondents agreed to the housing proposal, 9 respondents disagreed, and 2 had no opinion.
Boleyn Road site	Frankley Great Park	Cllr Simon Morall	No response received.
Burford Road playing field	Kingstanding	Cllr Gary Sambrook Cllr Ron Storer	Attendance at Kingstanding Ward meeting on 17 January 2019 and a presentation was given to the attendees regarding the housing proposal. Comments from attendees included; The existing road network will not be able to cope with more housing; The Council is spending £900m on the

			<p>commonwealth games, why can't the Council fund this as a park?</p> <p>The land is subject to a covenant;</p> <p>There will be an impact on local schools and doctor surgeries; the local scout group want the land; concerns raised over flooding from run off if land is developed; concerns on the impact of development on existing utilities such as water, electricity, and gas; local teams are priced out of using the facilities; during the summer children play on the pitches; crime could increase because of council housing; impact on public health if children cannot play on there; problems with car parking as a result of more housing; potential impact on existing supported housing scheme; the proposed public open space layout is unsafe for children; the existing site keeps children off the street and should be kept.</p>
Magnet Sports Centre site	Stockland Green	<p>Cllr Penny Holbrook</p> <p>Cllr Josh Jones</p>	<p>No response received.</p> <p>I would want a full and frank discussion with Council officers and the Magnet centre to look into mutually beneficial options for possible shared usage with the magnet centre.</p>
Old Bromford Lane	Bromford and Hodge Hill	<p>Cllr Majid Mahmood</p> <p>Cllr Diane Donaldson</p>	<p>No response received.</p> <p>No response received.</p> <p>Public consultation took place via door knocking, on the BeHeard website</p>

			between November and December 2018. A total of 38 responses were received, of which, 6 respondents agreed to the housing proposal, 28 respondents disagreed, and 4 had no opinion.
Short Heath playing field	Stockland Green	Cllr Penny Holbrook Cllr Josh Jones	No response received. Agree in principle with housing development with a view to forming a working group with Leisure, Education, and Housing to work up a scheme. Public consultation to take place when a suitable scheme is available to share with the local community.
Trescott Road site	Allens Cross	Cllr Eddie Freeman	Briefing with Cllr Freeman took place and he was supportive of bungalows on the site. Public consultation was held via door knocking and on the BeHeard website in November 2018. A total of 32 responses were received, of which 23 respondents agreed with the housing proposal, 8 respondents disagreed, and 1 had no opinion.
Walmley Ash	Sutton Walmley and Minworth	Cllr David Barrie Cllr Ken Wood	Forced to agree as this land is clearly part of the development on green belt, with planning applications imminent. No response received.

West Heath Allotments	Longbridge and West Heath	Cllr Brett O'Reilly Cllr Debbie Clancy	<p>No response received. No response received.</p> <p>Meetings have taken place with Council Allotments officers and they have informed the Birmingham and District Allotments Council of the proposals.</p>
Wyrley Birch Allotments	Stockland Green	<p>Cllr Penny Holbrook</p> <p>Cllr Josh Jones</p>	<p>No response received.</p> <p>Not supportive of the current proposals. I would prefer Witton Lodge community association to develop the site because of the proven track record and the history they have in the area. I would want a meeting with Witton Lodge community association and the key Council officers to have a fuller discussion about the options available before this report goes before Cabinet.</p> <p>Meetings have taken place with Council Allotments officers and they have informed the Birmingham and District Allotments Council of the proposals.</p>

Driving Housing Growth, Land Appropriations Report (4) 2019 – Appendix 4 – Equality Impact Assessment (EQUA 242)

Title of proposed EIA	EA for Land Appropriations (4) Cabinet Report
Reference No	EQUA242
EA is in support of	New Function
Review Frequency	No preference
Date of first review	29/03/2019
Directorate	Economy
Division	Planning and Development
Service Area	Housing Development
Responsible Officer(s)	Shahid S Iqbal
Quality Control Officer(s)	Richard Woodland
Accountable Officer(s)	Steve Dallaway
Purpose of proposal	The transfer of land via appropriation to and from the General Fund (GF) and the Housing Revenue Account (HRA).
What sources of data have been used to produce the screening of this policy/proposal?	Consultation Results; relevant reports/strategies
Please include any other sources of data	
PLEASE ASSESS THE POTENTIAL IMPACT ON THE FOLLOWING PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Not Applicable
Age details:	
Protected characteristic: Disability	Not Applicable
Disability details:	
Protected characteristic: Gender	Not Applicable
Gender details:	
Protected characteristics: Gender Reassignment	Not Applicable
Gender reassignment details:	
Protected characteristics: Marriage and Civil Partnership	Not Applicable
Marriage and civil partnership details:	
Protected characteristics: Pregnancy and Maternity	Not Applicable
Pregnancy and maternity details:	
Protected characteristics: Race	Not Applicable

Race details:

Protected characteristics: Not Applicable

Religion or Beliefs

Religion or beliefs details:

Protected characteristics: Not Applicable

Sexual Orientation

Sexual orientation details:

Please indicate any None

actions arising from

completing this screening
exercise.

Please indicate whether a NO
full impact assessment is
recommended

What data has been
collected to facilitate the
assessment of this
policy/proposal?

Consultation analysis

Adverse impact on any
people with protected
characteristics.

Could the policy/proposal
be modified to reduce or
eliminate any adverse
impact on any particular
group(s)?

How will the effect(s) of
this policy/proposal on
equality be monitored?

What data is required in
the future to ensure
effective monitoring of this
policy/proposal?

Are there any adverse No
impacts on any particular
group(s)

If yes, please explain your
reasons for going ahead.

Initial equality impact
assessment of your
proposal

This is the first phase of the process whereby land will be transferred from the General Fund (GF) to the Housing Revenue Account and vice versa. The sites identified for appropriation have all been declared surplus and of the sites identified in the GF, if appropriated into the HRA, can be used to support the Council priority for housing growth which is also a key policy in the Birmingham Development Plan.

There are currently around 10,500 households on the list for affordable housing and many face overcrowding across the sector. Birmingham requires a supply of new homes to address the serious shortage in the housing supply. It is estimated that an additional 89,000 new homes are needed

by 2031.

The GF needs to identify sites that are no longer financially viable and can no longer be allocated the resources to manage and maintain sites. In addition, the GF is required to make significant savings year on year and this appropriation of land into the HRA will help support this key GF objective and help realise the savings target to the GF.

There is a limited amount of cleared land (or land planned for clearance) held in the HRA. To maximise future development opportunities, appropriation of land into the HRA will allow the Council more control over the timing and nature of residential development. The HRA Business Plan 2018+ proposes that the Council build nearly 4,000 homes over the next 20 years.

The land identified for housing development from the GF will enable the Council to build a wide range of high quality housetypes (2, 3, 4, 5 bedroom / bungalows) for rent and sale to help increase customer choice and also contribute towards housing growth.

The new housing that will be built on the land appropriated into the HRA will help to improve the living standards for many tenants through the high quality homes that are built, improve the wider environment, and also will create training, apprenticeships, and employment opportunities through the build contracts in line with the requirements of BCC4SR.

The sites to be appropriated into the HRA for housing development purposes are a mix of small infill sites, some larger public open space sites, and sites that are former School playing fields.

Internal consultation has taken place with the respective Ward Members and public consultation (including on BeHeard) has been undertaken on the public open space sites that are not owned by Education as these are subject to Secretary of State approval prior to appropriation.

If the report is approved and the sites are appropriated, then further consultation will take place on any firmed up housing schemes.

The initial assessment shows that the appropriations are an internal transfer of assets from one Council directorate to another; however, it is worth noting that the appropriation of land will create housing growth, improve the Council's finances, and also provide opportunities for any resident of Birmingham to live in high quality new homes. Also, during the build out of schemes, training, apprenticeship, and

employment opportunities will be created on all of the development sites.

On this basis, no detailed assessment is required at this stage.

Consulted People or Groups
Informed People or Groups

1.

Summary and evidence of findings from your EIA

The initial assessment shows that the appropriations are an internal transfer of assets from one Council directorate to another, however, it is worth noting that subject to the outcome of the consultation process, further equality analysis work and further project development work the appropriation of land will create housing growth, improve the Council's finances, and also provide opportunities for any resident of Birmingham to live in high quality new homes. Also, during the build out of schemes, training, apprenticeship, and employment opportunities will be created on all of the development sites.

On this basis, no detailed assessment is required at this stage.

QUALITY CONTROL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Decision by Quality Control Officer

Proceed for final approval

Submit draft to

No

Accountable Officer?

Decision by Accountable Officer

Approve

Date approved / rejected by the Accountable Officer

30/01/2019

Reasons for approval or rejection

Please print and save a PDF copy for your records

Yes

Content Type: Item

Version: 37.0

Created at 11/01/2019 02:18 PM by [Shahid S Iqbal](#)

Last modified at 31/01/2019 09:57 AM by Workflow on behalf of [Shahid S Iqbal](#)

Driving Housing Growth, Land Appropriations Report (4) 2019 – Appendix 5 – Risk Register

Description of Risk	Impact	Probability	Score	Mitigation Measures	Impact	Probability	Score
Difficulty in bringing forward sites for housing development.	4	2	8	The main risks associated with development are design and planning risk, commercial risk, and financial risk. The Council through Birmingham Municipal Housing Trust (BMHT) has completed over 3000 homes since 2009 and have a number of measures in place to mitigate against these risks. These include standard house types which are familiar to Planning and Development and these significantly reduce design and planning risk. External consultants who provide key cost control for each development are employed and site investigations and site surveys are conducted in advance to help mitigate against commercial and financial risk.	4	1	4

Secretary of State for Education approval for sites used for Education purposes.	4	2	8	The main risk associated with this is not being able to obtain Secretary of State for Education approval prior to appropriation. Officers in the Education Service have a proven track record of obtaining such approval and appropriate processes and resources are in place.	4	1	4
Secretary of State approval for sites used for playing fields.	4	2	8	The main risk associated with this is not being able to obtain Secretary of State approval prior to appropriation. Officers in the Education Service have a proven track record of obtaining such approval and appropriate processes and resources are in place.	4	1	4
Secretary of State approval for sites used as allotments.	4	2	8	The main risk associated with this is not being able to obtain Secretary of State approval prior to appropriation. Officers in the Place Directorate have a proven track record of obtaining such approval and appropriate processes and resources are in place.	4	1	4

IMPACT	LIKELIHOOD	SCORE
1 – Insignificant	1 – Unlikely	1-4

2 – Minor	2 – Possible	5-8
3 – Moderate	3 – Likely	9-12
4 – Major	4 – Almost Certain	13-16

Details

Status	Decision Proposed
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Title	Driving Housing Growth – Land Appropriations Report
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Urgent Decision - Not in Forward Plan	No
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Details for Agenda Sheet	Report of Director Inclusive Growth
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Implementation Date (not before meeting on)	Tue 26 Mar 2019
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Purpose	To approve the appropriation of land into the HRA to enable housing growth
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Key Portfolio	Leader
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Include item on Forward Plan/ Key Decision	Yes
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Decision Maker	
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Reason For Key Decision	more than £1M capital
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Relevant Documents	<i>BMHT Delivery Plan 2015-2020.</i>
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Is Private	No
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Directorate

Economy

Other Information**Private Reason****Decision Outcome**

On 26 March 2019, Cabinet:-

- i. Subject to the Secretary of State consent where required pursuant to paragraphs 7.2.3 to 7.2.5 to the report, approved the appropriation of approximately 30.27 hectares (74.79 acres) of General Fund land held for the current functions as shown at appendix 1 to the report (Schedule of sites) and the plans at appendix 2 to the report (Site plans) into the Housing Revenue Account for the purpose of housing development under the Housing Act 1985; with the Council being satisfied that the land is no longer required for its current function, with an estimated market value of £45.88m as shown at appendix 1 to the report (Schedule of sites);
- ii. Noted that the appropriation of the sites will be phased over a period of three financial years, 2018-2019, 2019-2020, and 2020-2021 as shown at appendix 1 to the report (Schedule of sites);
- iii. Noted that the appropriation of the sites will be subject to technical appraisal, financial viability, and planning approval;
- iv. Noted that some of the sites identified for appropriation in this report will be subject to a re-provision of public open space of a higher quality as part of any future development proposals;
- v. Delegated to the Director, Inclusive Growth in consultation with Leader, the power to vary the boundaries of the sites identified within appendix 1 to the report and their relevant site plans identified within appendix 2 to the report, by up to 10% of the total area of the site;
- vi. Authorised the Director, Inclusive Growth to advertise any loss of public open space and determine objections, once the sites are brought forward for development;
- vii. Noted that the maintenance responsibility for all land appropriated will transfer to the receiving Directorate as applicable under existing budgets;
- viii. Authorised the City Solicitor to negotiate, execute, and complete all necessary documentation to give effect to the above recommendations.

THE DEADLINE FOR CALL IN IS 1600 HOURS ON MONDAY 1 APRIL 2019.

On the 27 March 2019, a request for call- in was submitted by Councillors Robert Alden and Gary Sambrook. No action on the decision can be taken until the request for call-in has been considered by the Resources Overview and Scrutiny Committee within 15 days of the decision being posted.

Rating Yes

Is the Decision Maker Aware of the Decision No

Is the Head of Services Aware of the Decision No

Is Decision County Wide No

Would the recommended decision be contrary to the budget and policy framework No

Decision Maker Role

Decision Options

Additional Information

Reg 10

Reg 11

Decision Criteria

This Decision does not contain any decision criteria records.

Wards

This Decision does not contain any Ward records.

Topics

This Decision does not contain any Topic records

Overview and Scrutiny

Economy and Skills Overview and Scrutiny Committee
Housing and Neighbourhoods Overview and Scrutiny Committee
Resources Overview and Scrutiny Committee