

BIRMINGHAM CITY COUNCIL

CABINET

TUESDAY, 29 OCTOBER 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.

<u>5 - 108</u>	5	<u>FINANCIAL MONITORING REPORT QUARTER 2 2019/20</u>	Report of the Interim Chief Finance Officer
<u>109 - 152</u>	6	<u>PERFORMANCE MONITORING REPORT - APRIL TO AUGUST 2019</u>	Report of the Assistant Chief Executive
<u>153 - 168</u>	7	<u>BIRMINGHAM CITY COUNCIL ASSURANCE FRAMEWORK 2019-20 +</u>	Report of the Chief Executive.
<u>169 - 200</u>	8	<u>FIRE SAFETY AND HIGH RISE BUILDING UPDATE</u>	Report of Acting Director - Neighbourhoods
<u>201 - 214</u>	9	<u>MOSELEY ROAD BATHS</u>	Report of Strategic Director Neighbourhoods
<u>215 - 226</u>	10	<u>EXTERNAL ESF FULL APPLICATION FOR ACCESS TO EMPLOYMENT FOR JOBSSEKERS AND INACTIVE PEOPLE – UNEMPLOYED SUPPORT AND EMPLOYABILITY SKILLS</u>	Report of Director of Education and Skills
<u>227 - 292</u>	11	<u>PUBLIC CONSULTATION ON THE PARKING SUPPLEMENTARY PLANNING DOCUMENT</u>	Report of Director, Inclusive Growth
<u>293 - 828</u>	12	<u>PUBLIC CONSULTATION ON THE PUBLICATION OF THE DEVELOPMENT MANAGEMENT IN BIRMINGHAM DEVELOPMENT PLAN DOCUMENT</u>	Report of Director - Inclusive Growth
<u>829 - 970</u>	13	<u>HS2 CURZON STATION ENHANCED PUBLIC REALM PROJECT</u>	Report of Director Inclusive Growth
<u>971 - 990</u>	14	<u>PROPERTY PROSPECTUS 2 - TENDERS FOR PROPERTY DISPOSALS</u>	Report of Director of Inclusive Growth

- 991 - 1076** 15 **OUTLINE BUSINESS CASE CITY CENTRE PUBLIC REALM
REVITALISATION**
- Report of Director, Inclusive Growth
- 1077 - 1082** 16 **PLANNED PROCUREMENT ACTIVITIES (DECEMBER 2019 – JANUARY
2020)**
- Report of Assistant Director of Development and Commercial
- 1083 - 1088** 17 **APPOINTMENTS TO OUTSIDE BODIES**
- Report of the City Solicitor.
- 18 **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.

Birmingham City Council

Report to Cabinet

29TH OCTOBER 2019



Subject: FINANCIAL MONITORING REPORT QUARTER 2 (UP TO 30TH SEPTEMBER 2019)

Report of: Chief Finance Officer

Relevant Cabinet Member: Councillor Tristan Chatfield

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

Report author: Becky Hellard, Interim Chief Finance Officer

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: 006758/2019		
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 forms part of the City Council's robust arrangements for controlling its revenue and capital expenditure.
- 1.2 Each Directorate's financial performance to date is shown, together with the risks and issues identified to date in the Corporate Revenue and Capital Budget Monitoring documents for Period 6, which are appended to this report as Appendices A and B.

- 1.3 The latest Treasury Management position is shown in the Treasury Management Report for Period 6, which is appended to this report as Appendix C.

2 Recommendations

That the Cabinet:-

- 2.1 Notes the City Council's 2019/20 forecast revenue budget position and the pressures and savings identified as at 30th September 2019 resulting in a forecast underspend of £3.501m.
- 2.2 Notes the latest monitoring position in respect of the City Council's savings programme and the present risks identified in its delivery.
- 2.3 Approves the resource allocation within Specific Policy Contingency as set out in paragraph 3.4.
- 2.4 Approves the acceptance of £0.633m grant funding as set out in paragraph 3.5.
- 2.5 Approves the proposed changes in uses of and contributions to Reserves as proposed in paragraph 3.6.
- 2.6 Notes to transfer of Reserves to the Education PFI Reserve as described in paragraph 3.7
- 2.7 Approves the proposed reallocations of Reserves as proposed in paragraphs 3.8 and 3.9.
- 2.8 Approves the writing off of debts over £0.025m as described in paragraph 3.10.
- 2.9 Approves the revised 10 year+ capital programme of £3,547.419m.
- 2.10 Approves the use of Corporate Capital Contingency as set out in paragraph 3.13.
- 2.11 Notes the forecast capital expenditure in 2019/20 of £593.089m.
- 2.12 Notes the Treasury Management and Investment Property Portfolio reports.

3 Background

- 3.1 At the meeting on 26th February 2019, the Council agreed a net revenue budget for 2019/20 of £851.590m to be met by government grants, council tax and business rates payers.
- 3.2 The Council is forecasting a revenue underspend of £3.501m. The forecast variations in each Directorate are detailed in Section 2 and Annexes 1-10 of the Corporate Revenue Budget Monitoring document attached as Appendix A. Directorate risks relating to the Savings Programme and measures being undertaken to alleviate these are detailed in Section 3, Annexes 1-10 and Annex 12 of Appendix A.

- 3.3 Risks and mitigations that have not been reflected in the forecast position are detailed in Section 4 and Annexes 1-10 of Appendix A.
- 3.4 At Period 6 it is proposed to allocate £3.900m for an underlying pressure within Community Sport from the Demography budget with Specific Policy Contingency. The report has been drafted on the basis that this has been agreed. This is set out in Appendix A Annex 13 paragraph 1.2
- 3.5 It is proposed to accept grant of £0.633m from the West Midlands Police and Crime Commissioner for community safety as set out in Appendix A Annex 13 paragraph 1.3.
- 3.6 Proposed changes in use of reserves are summarised in the table below:
The specific detail can be seen in Appendix A, Annex 11.

Summary (Use of) / Contribution to Reserves					
Reserve	Original Budgeted (Use) /Contribution	Budget Approved Period 3**	Changes Proposed Since Period 3	Forecast Proposed (Use) /Contribution at Month 6	Variance to Original
	£m	£m	£m	£m	£m
General Reserves*	(5.910)	(5.910)	0.000	(5.910)	0.000
Corporate	11.861	16.364	(6.998)	9.365	(2.496)
Subtotal All Corporate	5.951	10.454	(6.998)	3.455	(2.496)
Other Reserves					
Grant	(29.206)	(19.448)	4.614	(14.835)	14.372
Earmarked	(3.719)	(8.896)	0.019	(8.876)	(5.157)
Schools	0.000	0.000	0.000	0.000	0.000
Non Schools DSG	0.000	(1.199)	0.000	(1.199)	(1.199)
Subtotal Other	(32.926)	(29.543)	4.633	(24.910)	8.016
Total	(26.975)	(19.090)	(2.365)	(21.455)	5.520

* Agreed as part of the Reserves Policy

** Following final audit of the 2018/19 accounts, the split between use of Corporate and Earmarked reserves has been restated.

- 3.7 Under delegated authority, the Chief Finance Officer and Cabinet Member for Finance and Resources agreed to create an Education PFI Reserve in order to ensure that there are sufficient resources to fully finance the remaining life of the contract to the extent that the unitary payments exceed the Government grant received in future years, as set out in Appendix A paragraph 6.8.
- 3.8 It is proposed to accept the recommendation of Schools Forum on 19 June to use of £2.700m of non-schools DSG reserves (other funding blocks) to reduce the cumulative High Needs Block deficit to £13.300m, as set out in Appendix A paragraph 6.9.

- 3.9 It is proposed to reallocate Reserves related to Major Events of £0.653m from Corporate Reserves to Directorate Reserves, as set out in Appendix A paragraph 6.10.
- 3.10 The schedule at Appendix A, Annex 17 summarises debts recommended for write off of over £0.025m.
- 3.11 The Full Council meeting of the 26th February 2019 also agreed a 10 year capital programme of £3,192.297m.
- 3.12 Appendix B covers capital monitoring. The capital budget has increased by a net £0.388m since Quarter 1 to £3,547.419m.
- 3.13 The forecast outturn for 2019/20 is £593.089m against a budget of £641.178m, a variation of £48.089m primarily relating to slippage associated with the purchase of waste and grounds maintenance vehicles (£15.651m), Enterprise Zone programme (£4.229m) and transportation and connectivity schemes (£25.997m). Also included are allocations from the 2019/20 Capital Contingency recommended to fund £0.400m of safety works at the Wholesale Markets and £0.075m for A38 tunnel waterproofing works.
- 3.14 At Quarter 2 there is a net forecast underspend of £137.101m against the overall capital programme mainly due to Housing Development InReach programmes (£173.450m) and a forecast increase of £49.111m against the current Housing Revenue Account new build programme. Further details and narratives on all major variations to the Quarter 2 budget are explained in Appendix B6.
- 3.15 Appendix C monitors Treasury Management, which is on track.
- 3.16 Appendix D monitors the Investment Property Portfolio as agreed in the Strategy Report approved by July Cabinet.

4 Options considered and Recommended Proposal

- 4.1 Directors, in striving to manage their budgets, have evaluated all the options available to them to maintain balance between service delivery and a balanced budget.

5 Consultation

5.1 Internal

- 5.1.1 Cabinet Members, Corporate Directors, the City Solicitor, Human Resources and Assistant Directors of Finance have been consulted in the preparation of this report.

5.2 External

- 5.2.1 There are no additional issues beyond consultations carried out as part of the budget setting process for 2019/20.

6 Risk Management

- 6.1 The monitoring of the Council's budget and the identification of actions to address issues arising, as set out in this report, are part of the Council's arrangements for the management of financial issues.

7 Compliance Issues:

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

- 7.1.1 The budget is integrated with the Council Financial Plan, and resource allocation is directed towards policy priorities.

7.2 Legal Implications

- 7.2.1 Section 151 of the 1972 Local Government Act requires the Chief Finance Officer (as the responsible officer) to ensure the proper administration of the City Council's financial affairs. Budget control, which includes the regular monitoring of and reporting on budgets, is an essential requirement placed on Directorates and members of the Corporate Management Team by the City Council in discharging the statutory responsibility. This report meets the City Council's requirements on budgetary control for the specified area of the City Council's Directorate activities.

7.3 Financial Implications

- 7.3.1 The Corporate Revenue and Capital Budget Monitoring documents attached give details of monitoring of service delivery within available resources.

7.4 Procurement Implications (if required)

- 7.4.1 N/A

7.5 Human Resources Implications (if required)

- 7.5.1 N/A

7.6 Public Sector Equality Duty

- 7.6.1 There are no additional Equality Duty or Equality Analysis issues beyond any already assessed in the year to date. Any specific assessments needed shall be made by Directorates in the management of their services.

8 Background Documents

- 8.1 City Council Financial Plan 2019-2023 approved at Council 26th February 2019
- 8.2 Financial Monitoring 2019/20 Quarter 1 approved by Cabinet 30th July 2019

CORPORATE REVENUE BUDGET MONITORING REPORT 2019/20 MONTH 6

(year to 30th September 2019)

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Revenue Budget Management Report – Period 6 Forecast

1. Executive Summary

- 1.1 The Council set a net budget of £851.590m for 2019/20 at its meeting on 26 February 2019. This net budget is after assuming savings of £58.276m, included approving a savings programme of £46.191m and requiring a further £12.085m savings to be delivered that were achieved on a one-off basis in 2018/19. This is set out in Table 2.
- 1.2 Directorate Current Budgets have increased by £16.877m since period 3. Details are set out in Annex 15 whilst Corporate budgets have reduced by £16.877m.
- 1.3 At Period 6 the forecast outturn is estimated to be an underspend of **£3.501m**. At period 6 £0.134m of new savings have been identified and are included in the forecast.
- 1.4 There has been an overall improvement in the Directorate position of £13.561m since Period 3 largely relating to
 - Adult Social Care of £7.808m
 - Education and Skills of £1.295m
 - Neighbourhoods of £4.489m
 - Inclusive Growth of £0.457m
 - Digital and Customer Services of £0.140m
 - These have been offset by an increased overspend of £0.628m in Finance & Governance.
- 1.5 In addition a review of items within Policy Contingency has identified that £8.500m set aside for demography pressures is not required based on the latest assessment of client numbers. £3.900m of this is planned to be used to fund an underlying pressure within Community Sport (and is part of the improvement for Neighbourhoods mentioned in paragraph 1.4 above), leaving an uncommitted budget of £4.600m. There is a request for transfer of resources of £3.900m from Policy Contingency to Neighbourhoods Directorate. Further details are set out in the Neighbourhoods Commentary within Annex 7.
- 1.6 As part of the 2020+ Budget Process, it is proposed that the budget is rebased by £3.900m in future years to take into account structural base budget shortfall identified in relation to the Community Sport budget. This will be considered as part of the 2020/21 budget development process that will be considered for approval by the Council in February 2020.
- 1.7 There is a £2.780m net underspend in Corporately Managed Budgets comprising:

- A one-off VAT refund to the Council for sports services which is providing a benefit of £4.000m unbudgeted income.
 - Following the dissolution of the Greater Birmingham and Solihull Business Rates Pool, the Council has also identified that it will receive a £0.500m one-off benefit after receiving its share of a Contingency Reserve.
 - These have been offset by a £1.720m overspend relating to the Tyseley Energy Recovery Facility (ERF), which experienced an incident on one of the flue gas treatment reactor towers. As a result the plant was taken offline. This has meant our supplier has incurred repair costs, whilst the council have incurred additional costs to divert waste to alternative disposal sites and to Landfill.
- 1.8 Birmingham Children's Trust (BCT) highlighted a risk of potential overspend of £10.355m in the latest monitoring report provided by BCT, based on Period 4. This has not been included in the above forecast outturn position as BCT is a separate entity. The potential overspend relates in the main to increases in children in care placement costs due to the continued increase in numbers and cost of children in care and additional remand costs. The financial position of the Children's Trust is being discussed with BCT to understand their planned actions to mitigate the overspend.
- 1.9 A summary of the forecast position for each Directorate is set out in Table 1.
- 1.10 There is a forecast balanced position in Schools at Period 6. Further detail is contained in Annex 9.
- 1.11 There is a forecast balanced position in the Housing Revenue Account. Further detail is contained in Annex 10.
- 1.12 There are net additional requests for use of reserves of £2.365m since period 3 as described below. All requests are in line with the reserves policy as set out in Section 6. Further details are set out in Annex 11.

Breakdown of change in (Use of)/Contribution to Reserves since Period 3-By Directorate	
Directorate	£m
Digital & Customer Services	(7.641)
Education & Skills	(1.000)
Inclusive Growth	(0.785)
Neighbourhoods	(0.615)
Finance Control	(0.230)
Finance & Governance	1.865
Partnerships, Insight and Prevention	3.090
Adult Social Care	2.952
Grand Total	(2.365)

1.13 Details of the Collection Fund position are provided in Annex 16.

1.14 Details of write-offs are provided in Annex 17.

Table 1: Period 6 Forecast Outturn Position

Directorate	Original Budget	Current Budget	Period 6 Forecast Outturn	Period 6 Forecast Base Budget Over /(Under)	Period 6 Forecast Savings Non-Delivery	Period 6 Forecast Over /(Under)	Period 3 Forecast Over /(Under)	Change since Period 3 (Improvement)/ Deterioration	
	£m	£m	£m	£m	£m	£m	£m	£m	%
Adult Social Care	325.707	331.531	323.723	(8.726)	0.918	(7.808)	0.000	(7.808)	(2.36)
Digital & Cust Services	22.046	23.412	23.412	0.000	0.000	0.000	0.140	(0.140)	(0.60)
Education & Skills	262.369	265.766	266.262	0.497	0.000	0.497	1.792	(1.295)	(0.49)
Finance & Governance	24.914	25.662	27.032	0.683	0.687	1.370	0.742	0.628	2.45
Human Resources	6.597	7.345	7.345	0.000	0.000	0.000	0.000	0.000	0.00
Inclusive Growth	97.515	98.295	98.433	(0.609)	0.746	0.137	0.594	(0.457)	(0.46)
Neighbourhoods	99.565	103.883	113.386	4.966	4.537	9.503	13.993	(4.489)	(4.32)
Partnerships, Insight and Prevention	6.442	6.718	6.898	0.180	0.000	0.180	0.180	0.000	0.00
Directorate Sub Total	845.156	862.611	866.490	(3.009)	6.888	3.879	17.440	(13.561)	(1.57)
Policy Contingency	42.244	25.419	20.819	(4.600)	0.000	(4.600)	0.000	(4.600)	(18.10)
Corporately Managed Budgets	91.600	90.970	88.190	(2.780)	0.000	(2.780)	0.000	(2.780)	(3.06)
Corporate Grants	(127.409)	(127.409)	(127.409)	0.000	0.000	0.000	0.000	0.000	0.00
Corporate Subtotal	6.435	(11.021)	(18.401)	(7.380)	0.000	(7.380)	0.000	(7.380)	66.96
City Council General Fund	851.590	851.590	848.090	(10.389)	6.888	(3.501)	17.440	(20.941)	(2.46)
Dedicated Schools Grant	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	n/a
Housing Revenue Account	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	n/a
City Council Total	851.590	851.590	848.090	(10.389)	6.888	(3.501)	17.440	(20.941)	(2.46)

Note 1: Percentage movement is shown as a percentage of the current budget

Note 2: The original budget in table 1 included hierarchy movement after the Council set the net budget for 2019/20 at its meeting on 26th Feb 2019

Note 3: The current budget for Neighbourhoods includes a proposed allocation from Policy Contingency of £3.900m on the assumption that this is approved by Cabinet.

2. Key Issues since Period 3

- 2.1 A number of budgetary pressures reported in the 2018/19 outturn are evident in the period 6 monitoring process which are due to issues with planned savings delivery and/or base budget pressures. They will be the focus of management action and recovery plans to deliver within directorate budgets wherever possible. Future cabinet reports will contain further commentary to provide the overview of the progress of directorate recovery plans for areas of overspending resulting from base budget pressures and/or delayed or undeliverable savings.
- 2.2 At Period 6 the forecast overspend in Directorates has reduced by £13.561m since Period 3 primarily relating to the following:
- Adult Social Care is now forecasting an underspend of £7.808m having previously forecast a balanced position at Period 3:
 - There is an £0.995m improvement in Specialist Care Services since period 3 which relates to the drawdown of Winter Pressures funding from Corporate Policy Contingency in period 6.
 - Assessment and Support Planning forecast an underspend of £3.122m largely relates to holding vacancies and the drawdown of Winter Pressures funding.
 - Packages of Care forecasts an improvement from period 3 of £3.213m which relates to the drawdown of Winter Pressures funding from Corporate Policy Contingency in period 6.
 - In addition there is an underspend of £1.207m in Commissioning offset by overspend of £0.729m in Director
 - Education and Skills forecast an overspend of £0.497m in period 6. This has improved by £1.295m since period 3 relating to:
 - The forecast overspend on School's Transport has decreased by £1.285m since Period 3 comprising an expected increase in the non-delivery of savings of £0.400m, additional costs identified relating to the administration of ATG of £0.705m and other overspend of £0.507m within the service. This was offset by the application of £2.897m from the one off Policy Contingency funding for Travel Assist approved by Cabinet on 15th July 2019. The Service will continue to seek to find opportunities to minimise the use of Policy Contingency.
 - There are other minor improvements in the forecast of £0.010m across the Directorate.
 - Neighbourhoods Directorate forecast an overspend of £9.503m. This has reduced by £4.489m since period 3.

- Neighbourhoods Service improved by £4.827m, largely due to the proposed funding of a pressure of £3.900m within Community Sport from Policy Contingency. The report has been prepared on the basis that this adjustment is made.
- The Regulation & Enforcement position is now forecasting a minor overspend of £0.020m. This is an improvement by £0.273m largely due to the relocation of service teams to reduce accommodation costs.
- Street Scene is worsened by £0.610m including £0.700m on Trade Waste due to continued loss of business to competitors, £0.120m as a result of decreased income from the disposal of waste paper, £0.680m on staffing cost across the service. These have been offset by £0.890m one off savings in lower capital charges to revenue as a result of delay in capital spend
- A deep dive review has been initiated within Neighbourhoods Directorate and a recovery plan is being prepared addressing these service areas for review and challenge via Member led Star Chambers and subject to challenge at Council Management Team (CMT).
- Digital & Customer Services forecast an improved position by £0.140m and is now forecasting a balanced position:
 - An unachieved non-essential savings target will now be absorbed through underspends in the Directorate.
- Inclusive Growth forecast an overspend of £0.137m. This has improved by £0.457m since period 3 largely relating to :
 - £1.383m surplus in various service areas across the Directorate
 - This has been offset by an increase in overspend of £0.926m in Property Services comprising £0.660m CAB building pressure and £0.266m new Wholesale Market arising from revised net rent budget assumptions
- Finance & Governance forecast an overspend of £1.370m. This has worsened by £0.628m since period 3:
 - New pressures have been identified since Period 3 comprising £0.402m in Civic Cleaning as a result of the current hourly rate (charged for delivering cleaning) being below that of the external market and does not cover the actual cost of providing the service.
 - The net pressure for Digital Advertising has increased by £0.263m based on the latest demand led assumptions.
 - In addition there is £0.349m pressure on City Serve Schools Catering trading budget as a result of a significant shift in the marketplace, combined with unachievable levels of savings following schools leaving City Serve in greater numbers due to increasing cost of our service, when compared with the private sector.

- These are partially offset by £0.222m improvement on the City Solicitor budget and £0.164m in other minor variations.

Further detail of each directorate forecast is set out in the Directorate Executive Summaries at Annexes 1-10 of this report.

- 2.3 There will be scrutiny and challenge of the financial position on a monthly basis via the Council's monthly Management Team, Member led Star Chambers, EMT and Resources Overview & Scrutiny. Quarterly reports will be considered by Cabinet. Additional Member led Star Chambers have been established for those directorates that are forecasting significant overspends to explore the issues and develop solutions. This will continue throughout the year until the budgetary position is successfully recovered. These measures will seek to provide appropriate challenge and support to ensure that directorates deliver services within their approved budget.

3. Overview of the Savings Programme

3.1 The total approved savings programme is £58.276m in 2019/20. This comprises the approved savings plan of £46.191m plus £12.085m of savings that were only delivered on a one-off basis in 2018/19. Of these £39.010m on track, £8.946m at risk and £10.454m red/purple savings non-delivery in Table 2 is analysed further by approved savings and one off savings in Tables 2a and 2b in Annex 12. Table 3 illustrates the movement between Period 3 and Period 6.

Table 2: Overview of the Forecast Delivery of the 2019/20 Savings Programme									
Directorate	2019/20 Agreed Savings	On Track/ Fully Delivered against Programme	Blue - Fully Delivered	Green-On Track	Amber-At Risk	Red-Non Delivery	Purple-Undeliverable		One off Mitigations to address Savings Non-Delivery
	£m	%	£m	£m	£m	£m	£m		£m
Adult Social Care	(16.310)	94.4	(5.056)	(10.336)	0.000	(0.918)	0.000		0.000
Digital & Cust Services	(6.918)	98.0	0.426	(7.204)	0.000	0.000	(0.140)		(0.140)
Education & Skills	(8.837)	1.0	0.040	(0.127)	(6.022)	(1.010)	(1.718)		(2.728)
Finance & Governance	(2.791)	57.5	(0.669)	(0.937)	(0.468)	(0.717)	0.000		(0.030)
Human Resources	(0.718)	100.0	(0.639)	(0.079)	0.000	0.000	0.000		0.000
Inclusive Growth	(4.770)	79.5	(1.407)	(2.383)	(0.100)	(0.694)	(0.186)		0.000
Neighbourhoods Partnerships, Insight and Prevention	(18.564)	60.2	(6.912)	(4.259)	(2.322)	(2.884)	(2.187)		(0.534)
	(0.548)	93.8	(0.512)	(0.002)	(0.034)	0.000	0.000		0.000
Directorate Subtotal	(59.456)	67.4	(14.729)	(25.327)	(8.946)	(6.223)	(4.231)		(3.432)
Corporate Savings	1.180	100.0	1.180	0.000	0.000	0.000	0.000		0.000
Total Programme	(58.276)	66.7	(13.549)	(25.327)	(8.946)	(6.223)	(4.231)		(3.432)
New savings									
Inclusive Growth	0.000	n/a	(0.050)	(0.084)	0.000	0.000	0.000		0.000
New Savings Subtotal	0.000	n/a	(0.050)	(0.084)	0.000	0.000	0.000		0.000
Total Programme	(58.276)	66.9	(13.599)	(25.411)	(8.946)	(6.223)	(4.231)		(3.432)
Percentage of Total Programme excluding new savings	100.00%		23.25%	43.46%	15.35%	10.68%	7.26%		n/a

In total £4.261m is forecast to be undeliverable and £6.193m is red and Directorates will have to identify recovery plans to address this and bring those proposals to Cabinet where there is a policy implication. These could be alternative proposals or one-off mitigations. This will be addressed at Member led Star Chamber Meetings. £3.432m of one-off mitigations and £0.134m of new savings have been identified at Period 6.

3.2 Of the £3.432m one-off mitigations mentioned above, £0.140m are in Digital & Customer Services, £2.728m in Education & Skills, £0.514m in Neighbourhoods and £0.030m in Finance & Governance.

- In Digital & Customer Services, the £0.140m unachieved non-essential savings target will be absorbed through underspends within the directorate in 2019/20.

An alternative/replacement saving has been identified to replace this savings target in future years. There are no potential impacts on service delivery.

- In Education & Skills, Travel Assist savings non-delivery of £1.718m is being covered in 2019/20 by a one-off Policy Contingency allocation. Savings of £1.010m for Efficiency, WOC and Management review have been made on a one off basis in 2019/20 from a one-off contingency no longer required. Sustainable solutions for these savings will need to be identified from 2020/21 onwards. These savings do not impact on service delivery.
- In Neighbourhoods the £0.534m non-delivery of savings in Health and Wellbeing will be covered by the £3.900m funding from Policy Contingency.
- In Finance and Governance, there is non-delivery of £0.030m of Procurement savings. The Procurement work plan identifies projects that can deliver a cashable saving and Procurement are working closely alongside PWC with Finance Business Partners to mitigate this budget pressure in year. There are no potential impacts on service delivery.

3.3 Inclusive Growth has identified £0.134m of new savings to replace savings that cannot be achieved in line with the original proposals. Neither of these new savings will have an effect on service delivery.

- SN1 Sharing of Highways Maintenance Database £0.050m delivered through a reduction in Traffic Regulation Order expenditure;
- CC103 19+ Review of Non-Essential Expenditure £0.084m - To be delivered via an increase in planning pre-applications income.

3.4 Table 3 illustrates the movement between Period 3 and Period 6.

Table 3: Movement in Forecast Delivery of the 2019/20 Savings Programme						
	Blue - Fully Delivered	Green-On Track	Amber-At Risk	Red-Non Delivery	Purple- Undeliverable	One off Mitigations
	£m	£m	£m	£m	£m	£m
Period 6 Forecast	(13.599)	(25.411)	(8.946)	(6.223)	(4.231)	(3.432)
Period 3 Forecast	(11.768)	(25.615)	(11.044)	(6.749)	(3.234)	(1.040)
(Increase)/Decrease	(1.831)	0.204	2.098	0.526	(0.997)	(2.392)
Percentage Change (%)	15.6	(0.8)	(19.0)	(7.8)	30.8	230.0

The largest movement is that there has been a net reduction in savings rated as Amber of £2.098m. The main reasons for this are that £5.905m savings related to ICT&D have moved from Amber to Green, and various savings with a value of £0.969m have moved from Amber to Red/Purple, but this was offset by £5.027m savings related to the Childrens Trust moving from Green to Amber.

3.5 Definitions of the savings classifications are as follows:

- Fully delivered (Blue) – the saving has been fully implemented and the saving has been achieved.
- On track (Green) – Savings that are on target to meet delivery milestones and are expected to deliver the level of savings anticipated.

- At risk (Amber) – Savings yet to be delivered and there may be some risks to the delivery milestones and/or the level of savings originally anticipated.
- Non Delivery (Red) – the saving are experiencing difficulty in achieving their delivery plan milestones and/or the level of savings originally anticipated; mitigations will need to be identified immediately for consideration and approval via Cabinet.
- Undeliverable (Purple) – the Council is no longer pursuing this saving as it is no longer considered to be achievable. An immediate action is needed to develop an alternative proposal to deliver the value of the saving that will be considered and approved by Cabinet.
- One-off mitigation – an approved saving has had trouble being delivered in the way anticipated, but a one-off mitigation has been identified within the service area which need to be reported to and considered by Cabinet as appropriate.

4. Risks and Mitigations

4.1 There are a number of risk areas identified across Directorates that are being highlighted in summary to ensure proactive management and mitigation and to identify new opportunities. However, the Directorates are not yet able to assess and quantify those risks fully to include them in the forecast. These will be tracked and progress reported in future reports. **Further details of Directorate Risks and Mitigations are set out in Annexes 1-10.**

4.2 Adult Social Care:

- Any fluctuations in demand over the Winter period may affect commitments against Packages of Care. As the gross budget is £304.438m, minor variations can have a considerable financial impact. This area of expenditure will be closely monitored.
- The delay in the implementation of the Early Intervention roll out may also have an impact on expenditure related to delays in discharges from hospital.
- A deep dive into the budget for 2019/20 and future years has not highlighted any non-delivery, however the impact of the roll out delay of the Early Intervention programme is not yet known.

4.3 Education and Skills:

- Children's Trust – the Children's Trust (BCT) have recently provided the first monitoring reports for 2019/20. The latest report provided by BCT, based on Period 4, highlights a potential overspend of £10.355m. The financial position of the Children's Trust will be closely scrutinised and future reports will seek to confirm the impact on the overall forecast.
- Children's Trust (ICF) – Residual costs may be higher due to costs associated with ongoing legal cases. A recent Supreme Court judgement on a Deprivation of Liberties Safeguards (DOLS) case which arose before the establishment of the Trust means that the Council will have costs to bear, which have yet to be confirmed.
- Travel Assist: there are risks relating to increased SEND pupils requiring transport provision.
- Special Educational Needs Assessment Review (SENAR) Staffing: a potential shortfall has been identified due to reduced grant funding
- Early Years Day Nurseries: there are potential costs as a result of the transfer of day nurseries. The forecast has been updated in Period 6, but a residual risk against this area remains.

- There is a small potential overspend within the Child Employment Team (CET) that transferred from BCT. The service is seeking to mitigate this pressure, but a risk remains.
- Adult Education: there is a potential shortfall on the income from fees and charges. Measures to mitigate this are being explored.
- Libraries: there is a potential issue of £0.100m relating to an underachievement of income. Further work is being undertaken to investigate this.

4.4 Neighbourhoods is engaged in a series of Member led 'deep dive' Star Chambers and is actively working to develop a recovery plan across a range of services to mitigate the known pressures and overspends. These will be addressed in a future report. The Directorate is investigating how costs can be reduced in a number of areas. These are yet to be quantified:

- Housing Options is currently showing an overspend £1.600m, however if homelessness cases presenting increase beyond the capacity of housing services, costs may increase by an estimated £4.000m.
- Coroners: there are ongoing building and maintenance costs for the Coroners court and Mortuary services which can not be quantified yet.
- Street Scene: Partnerships are being explored with other local authorities to share resources and improve productivity. However savings are unlikely to be achieved in the short term.
- Street Scene: a partial mitigation for costs within street cleansing at major events. The service proposes to introduce a bond scheme at safety advisory groups to ensure that costs of mopping-up operations are recovered from Event organisers.
- Parks: the service is progressing further potential land sales as part of existing savings initiatives
- Neighbourhoods: the service is exploring a change in service offer
- Housing: The service is planning to launch two pilots to test new ways of working as part of the housing redesign model, a prevention hub model and Homeless on the Day approach.

5. Future Years Issues

- 5.1 Table 4 identifies forecast levels of non-achievement of savings in future years in relation to those savings classed as red or purple. It will be necessary for alternative savings proposals to be identified for consideration by Cabinet if the approved savings plans cannot be delivered as originally proposed and require policy decisions.

Table 4: Forecast Levels of Non Delivery of Savings at Period 6 in All Years				
Directorate	2019/20	2020/21	2021/22	2022/23
	£m	£m	£m	£m
Adult Social Care	0.918	0.000	0.000	0.000
Digital & Cust Services	0.000	0.140	0.140	0.140
Education & Skills	0.000	2.918	2.918	2.918
Finance & Governance	0.687	1.010	1.090	1.090
Human Resources	0.000	0.000	0.000	0.000
Inclusive Growth*	0.746	1.514	2.106	2.391
Neighbourhoods Partnerships, Insight and Prevention	4.537	3.417	3.296	3.246
	0.000	0.000	0.000	0.000
Directorate Subtotal	6.888	8.999	9.550	9.785
Corporate Savings	0.000	0.400	0.400	0.000
Period 6 Total Programme	6.888	9.399	9.950	9.785
Period 3 Total Programme	8.809	8.226	9.125	9.771
Increase/ (Decrease)	(1.921)	1.173	0.825	0.014
Percentage Change (%)	-21.81%	14.26%	9.04%	0.14%

*These figures are net of new savings identified in Table 2.

Note: figures in 2019/20 include one off mitigations

- 5.2 Whilst the focus of this report is on the delivery of the 2019/20 budget, the monitoring process allows the opportunity to consider what issues may have been identified which have not been provided for in previous plans.

- 5.3 Key future years issues include the following:

- Digital & Customer Services: There is a pressure of £0.140m in relation to non-essential spending savings for which the Directorate are proposing alternative mitigation as part of the 2020/21 budget process.
- Education & Skills: The Directorate is reporting a base budget pressure of £2.798m and savings non-delivery of £2.918m in future years relating to:
 - Travel Assist: Risks remain with the £2.488m savings non delivery on Travel Assist. There is £1.500m base budget pressure relating to additional costs of National Express contract (former ATG). Furthermore additional costs are anticipated with tenders to cover

£0.390m of living wage increase and £0.500m of costs related to the CAZ.

- Birmingham Adults Education Services (BAES): A potential savings pressure of £0.430m has arisen relating to an increase to the corporate support services recharge to Adult Education, which was introduced as part of the commercialisation savings in 2019/20.
- Early Years: A base budget pressure of £0.408m is expected related to the ongoing VAT costs of the staff formerly employed in Childrens centres who are due to TUPE transfer to Birmingham Community Healthcare Trust (BCHC).
- Inclusive Growth: £0.240m on Central Administration Building income. This has not changed since Period 3. Further potential pressures have been identified as below:
 - £0.660m for Central Administration Building operating pressures,
 - £0.317m (rising to £0.606m in 2021/22) Wholesale Markets Income pressures,
 - £1.250m Health & Safety Compliance in the Corporate Estate,
 - £0.159m (rising to £0.730m in 2021/22) Car Park income pressure related to the closure of car parks to facilitate the development of the Smithfield site,
 - £0.190m for local car parking income pressures.
 - £1.514m (rising to £2.391m in 2022/23) savings not delivered relating to InReach loan Income
 - The Service has identified mitigations for some of these pressures totalling £1.506m with effect from 2021/22 resulting from the cessation of Prudential Borrowing costs. In addition the Service has also identified potential mitigations of £0.349m next year, rising to £0.920m by 2021/22 which will be considered as part of the 2020/21 budget process.
- Neighbourhoods: Following an incident at the Tyseley (ERF) plant consideration is required with regards to addressing the potential financial risk in future plant failure and the resultant re-direction of waste disposal.
- Finance & Governance: savings non-delivery of £0.623m rising to £0.703m in 2022/23 relating to advertising income and £0.387m relating to CityServe. In addition, there are also base budget pressures of a further £1.003m in 2020/21 rising to £1.720m in 2022/23 for advertising income, £0.201m for Cleaning and £0.218m for realignment to the NNDR budget to reflect a refund as one-off income that is currently reflected as recurring income.

5.4 Further details are contained in in Annexes 1-9.

6. Reserves

6.1 The Council operates a policy of not using reserves unless they have been set aside for specific purposes; they will not be used to mitigate the requirement to make savings or meet on-going budget pressures. In the main, use of reserves relates to grant reserves where the funding has been received prior to the requirement to spend the resource. The Council also has earmarked reserves where it has made a decision to set money aside to fund specific costs when they occur in later years. Use of such reserves should be strictly in accordance with the purpose for which it was approved.

6.2 The Council anticipated the use £26.975m of reserves in setting the 2019/20 budget. This is summarised in Table 5 and further detail is set out in Annex 11.

Summary (Use of) / Contribution to Reserves					
Reserve	Original Budgeted (Use) /Contribution	Budget Approved Period 3**	Changes Proposed Since Period 3	Forecast Proposed (Use) /Contribution at Month 6	Variance to Original
	£m	£m	£m	£m	£m
General Reserves*	(5.910)	(5.910)	0.000	(5.910)	0.000
Corporate	11.861	16.364	(6.998)	9.365	(2.496)
Subtotal All Corporate	5.951	10.454	(6.998)	3.455	(2.496)
Other Reserves					
Grant	(29.206)	(19.448)	4.614	(14.835)	14.372
Earmarked	(3.719)	(8.896)	0.019	(8.876)	(5.157)
Schools	0.000	0.000	0.000	0.000	0.000
Non Schools DSG	0.000	(1.199)	0.000	(1.199)	(1.199)
Subtotal Other	(32.926)	(29.543)	4.633	(24.910)	8.016
Total	(26.975)	(19.090)	(2.365)	(21.455)	5.520

* Agreed as part of the Reserves Policy

** Following final audit of the 2018/19 accounts, the split between use of Corporate and Earmarked reserves has been restated.

Changes in Use of Reserves

6.3 Net changes to the original budgeted use of reserves of £5.520m have been requested. A net contribution of £7.885m was approved by Cabinet at Period 3. Since Period 3, a net use of reserves of £2.365m is requested. The Period 6 forecast assumes that these reserves changes will be approved. Details of how these are proposed to change are set out in Tables 5, 6, and 7. Specific changes in reserves since Period 3 are set out in Annex 11.

6.4 There is a budgeted use of £5.910m of General Reserves, which is in line with the Reserves Policy. This is to fund the additional revenue costs arising from a retrospective change in the Council Minimum Revenue Provision Policy (MRP),

approved by the Council in February 2018. This is a planned use agreed within the Council's Reserves Policy and is due to phase out over a number of years as the Council identifies alternative ways to address these additional costs. No further uses of general reserves are planned.

- 6.5 Other Corporate net use of reserves of £6.998m requested since Period 3 largely relates to
- a. An increase in borrowing from the Invest to Save Reserve of £7.641m to cover costs of the ICT Service Transition. This was approved by Cabinet on 16 April 2019. This is due to be repaid over the next three financial years.
 - b. A reduction in borrowing from the Invest to Save Reserve of £1.016m related to the new Enterprise Resource Planning (ERP) system. There has been a reduction in the costs expected in this financial year.
- 6.6 The Council holds Grant Reserves for the unused element of grant support for which the conditions of the grant are expected to be met. The reserves will be used to meet future years' expenditure for the service for which the grant was awarded. Since Period 3, there is net £0.128m of grant requested to be carried forward. This is also a net £4.486m reduction in use of grant compared to the budgeted figure. These contributions to and uses of grant reserve are in line with the Reserves Policy approved by Cabinet in January 2019.
- 6.7 The Council holds Earmarked Reserves where resources have been set aside to support future years' service delivery. These reserves can only be used for specific purposes. Since Period 3, there are net contributions of £0.019m to reserves. These uses of earmarked reserve are in line with the Reserves Policy approved by Cabinet in January 2019.

Reallocation of Reserves

- 6.8 In the 2018/19 Outturn Report, Cabinet recognised the need to create an Education PFI Reserve in order to ensure that there are sufficient resources to fully finance the remaining life of the contract to the extent that the unitary payments exceed the Government grant received in future years. It was approved that in 2019/20, the Chief Finance Officer in conjunction with the Portfolio Holder for Finance and Resources be able to make the appropriate transfer from the general reserves to create this reserve, once the necessary due diligence has been undertaken on its appropriate level. Having done this, it has been established that a Reserve of £3.383m is required. The transfer from the Financial Resilience Reserve (FRR) to the new Education PFI Reserve is reflected in Table 7 below as a reallocation of Reserves.
- 6.9 As reported in Annex 10, In addition a report to Schools Forum on 19 June recommended the use of £2.700m of non-schools DSG reserves (other funding blocks) to reduce the cumulative High Needs Block deficit to £13.3m. This is also reflected in Table 7 below as a reallocation of Reserves.
- 6.10 Following a review of reserves consolidated within corporate reserves, it is further proposed to reallocate Reserves related to Major Events of £0.653m

from Corporate Reserves to Directorate Reserves. This is also reflected in Table 6 below as a reallocation of Reserves.

6.11 Further details of all requested use of or contributions to Reserves since Period 3 are provided in Annex 11.

Table 6: Forecast Reserves Balance						
Reserve	Balance 31/03/19 *	Reallocation of Reserves	Original Budgeted (use)/ contribution	Changes approved Period 3**	Changes Proposed Since Period 3	Forecast Balance 31/03/20
	£m	£m	£m	£m	£m	£m
Corporate Reserves	219.587	(4.036)	5.951	4.503	(6.998)	219.006
Earmarked	36.375	4.036	(3.719)	(5.176)	0.019	31.535
Grant	262.597	0.000	(29.206)	9.758	4.614	247.763
Schools	34.255	2.700	0.000	0.000	0.000	36.955
Non Schools DSG	7.344	(2.700)	0.000	(1.199)	0.000	3.445
Total	560.158	0.000	(26.975)	7.885	(2.365)	538.703

* Note - The Opening Balance is as adjusted following final audit of the 2018/19 accounts.

** Note - As in Table 5, the split between use of Corporate and Earmarked reserves has been restated following final audit of the 2018/19 accounts.

Table 7: Breakdown of change in (Use of)/Contribution to Reserves since Period 3					
Reserve	(Increase in use of)	Reduction in Use of	Increase in Contributions	(Reduction in Contributions)	Total
	£m	£m	£m	£m	£m
Corporate Reserves	(7.784)	1.016	0.000	(0.230)	(6.998)
Earmarked	(0.945)	0.000	0.965	0.000	0.019
Grant	(1.909)	6.394	0.128	0.000	4.614
Schools	0.000	0.000	0.000	0.000	0.000
Non Schools DSG	0.000	0.000	0.000	0.000	0.000
Total	(10.638)	7.410	1.093	(0.230)	(2.365)

Annex 1 Adult Social Care Directorate**1. Executive Summary**

- 1.1 The Council set the Adult Social Care Directorate a net budget of £325.707m for 2019/20 at its meeting on 26 February 2019. This net budget is after approving a savings programme of £14.620m and requiring a further £1.690m savings to be delivered that were achieved on a one-off basis in 2018/19. Following budget adjustments, the net budget for the Directorate is now £331.531m.
- 1.2 At Period 6 the Adult Social Care Directorate forecasts that net spend for the year will be £323.723m, which would result in an underspend of £7.808m. Following a budget deep dive into the Directorate's position, underspends have been identified within Packages of Care and employees. The underspend on packages of care reflects the Directorate's achievements against their challenging savings and transformation programme, whilst vacancies are being held to ensure savings related to the Customer Journey are achieved in future years.
- 1.3 The Directorate's forecast against its budgeted use of iBCF2 grant shows an underspend of £2.952m, which it is requested be appropriated back to the reserve to be used in 2020/21. This underspend is linked to the delays in the roll out of the Early Intervention programme, and costs associated with the various projects and programmes are being closely monitored.
- 1.4 At Period 6 no new savings have been identified in the forecast other than mitigations already planned and being implemented. £0.918m of savings, not being delivered, are being mitigated by a net underspend within the Directorate.

Table 1: Period 6 Forecast Outturn Position									
Directorate	Original Budget	Current Budget	Forecast Outturn	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	Forecast Over/ (Under)	Period 3 Forecast Over/ (Under)	Change since Period 3 (Improvement)/ Deterioration	
	£m	£m	£m	£m	£m	£m	£m	£m	£m
Director	26.684	12.343	13.072	0.729	0.000	0.729	0.000	0.729	6%
Community & Operational	64.824	74.368	72.451	(2.835)	0.918	(1.917)	2.200	(4.117)	-6%
Assessment & Support Planning	35.752	43.896	40.774	(3.122)	0.000	(3.122)	0.000	(3.122)	
Specialist Care Services	29.072	30.472	31.677	0.287	0.918	1.205	2.200	(0.995)	
Adult Packages of Care Summary	202.394	214.908	209.495	(5.413)	0.000	(5.413)	(2.200)	(3.213)	-1%
PoC - Adults with a Learning Disability	96.685	94.806	94.027	(0.779)	0.000	(0.779)	0.000	(0.779)	
PoC - Adults with Mental Health Needs	3.894	12.803	11.140	(1.663)	0.000	(1.663)	0.000	(1.663)	
PoC - Adults with a Physical Disability	28.718	29.617	29.785	0.168	0.000	0.168	0.000	0.168	
PoC - Older People	71.220	75.589	72.477	(3.112)	0.000	(3.112)	(2.200)	(0.912)	
PoC - Working Age Dementia	1.877	2.093	2.066	(0.027)	0.000	(0.027)	0.000	(0.027)	
Commissioning	31.805	29.912	28.705	(1.207)	0.000	(1.207)	0.000	(1.207)	-4%
Directorate Total	325.707	331.531	323.723	(8.726)	0.918	(7.808)	0.000	(7.808)	-2%

2. Key Issues Identified up to Period 6 and changes since Period 3

2.1 Community and Operational

Specialist Care Services - £1.205m net adverse variance.

£1.405m adverse variance on employees, offset by a favourable variance on general supplies and services of (£0.200m). This is an improvement from period 3 of £0.995m which relates to the drawdown of Winter Pressures funding from Corporate Policy Contingency in period 6.

Assessment & Support Planning - £3.122m favourable variation.

The Social Work service is currently at midpoint in the Customer Journey consultation exercise relating to their workforce restructure. To ensure future step up savings are achieved the Directorate is holding vacancies which is contributing to the in-year underspend in this area. Workforce requirements in this area over the winter period need to respond to fluctuating levels of activity in hospitals so as not to delay transfers of care. There has been a drawdown of Winter Pressures funding from Corporate Policy Contingency in period 6 in anticipation of higher demand over the winter period.

Packages of Care - £5.413m favourable variation.

The Directorate's transformation programme is gathering pace and as a reflection of the ongoing work relating to the Three Conversations model and the Customer Journey the packages of care forecast has reduced since the beginning of the financial year. This is an improvement from

period 3 of £3.213m which relates to the drawdown of Winter Pressures funding from Corporate Policy Contingency in period 6.

The Directorate has also confirmed it will not require Demography funding in this financial year which is currently held in Corporate Policy Contingency and will manage growth in Transitions from Children's from within its existing resources.

2.2 Commissioning - £1.207m underspend.

There is a £0.428m underspend relating to savings achieved on the procurement of an IT system. £0.609m relates to favourable in year variations on third sector grants, and an exercise to re-tender these has been concluded and budgets will be rebased to reflect the priorities of the service going forward. There are also £0.170m of savings related to vacancies within the Service.

2.3 Director £0.729m overspend

The implementation and roll out delays on the Early Intervention programme have resulted in a higher than anticipated use of Winter Pressures and iBCF2 funding and these additional costs are offset by favourable variations across the Directorate. There are also corporate restructure savings held at Director level which are due to be allocated to Services.

3. Risks and Mitigations

- 3.1 The current forecast assumes the commitment at period 6 against Packages of Care will continue to the end of the financial year. Any fluctuation in demand over the Winter period may affect this assumption and on a Packages of Care gross budget of £304.438m, minor variations can have a considerable financial impact. This area of expenditure is being closely monitored to ensure variations are investigated as soon as they are highlighted, however the current financial commitment is usually two months behind in terms of activity, therefore recent reported increases in A&E attendance during August may not impact the financial forecast until October.
- 3.2 The delay in the implementation of the Early Intervention roll out may also have an impact on expenditure related to delays in discharges from Hospital, and again the forecast assumes a certain level of expenditure relating to the Quick Discharge Service which is not being reflected in the invoices being received.
- 3.3 A budget deep dive into the budget for 2019/20 and future years has not highlighted any non-delivery, however the full impact of the roll out delay of the Early Intervention programme is not yet known.
- 3.4 No savings other than those already mentioned at period 3 are at risk.

4. Future Years

4.1 There is no anticipated non-delivery of savings in future years.

Future Years Issues			
	2020/21 £m	2021/22 £m	2022/23 £m
Base Budget Pressures	0	0	0
Savings	0	0	0
Mitigations	0	0	0
Total	0	0	0

Annex 2 Digital & Customer Services

1. Executive Summary

- 1.1 The Council set the Digital and Customer Services Directorate (D&CS) a net budget of £26.822m for 2019/20 at its meeting on the 26th February 2019. This net budget is after approving a savings programme of £2.773m for 2019/20. There is also a carry forward savings target of £4.145m which were delivered on a one-off basis in 2018/19. Following budget adjustments, including allocations from Policy Contingency and transfers of services from other Directorates as part of the Council's new structure, the net original budget for the Directorate was revised to £22.046m and at period 6, the net current budget is £23.412m.
- 1.2 At Period 6 the Directorate is forecasting a balanced position, a £0.140m favourable movement from the position reported at period 3.

Table 1: Period 6 Forecast Outturn Position									
Directorate	Original Budget	Current Budget	Forecast Outturn	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	Forecast Over/ (Under)	Period 3 Forecast Over/ (Under)	Change since Period 3 (Improvement)/ Deterioration	
	£m	£m	£m	£m	£m	£m	£m	£m	%
Business Improvement	9.516	9.503	9.503	0.000	0.000	0.000	0.000	0.000	0.00
Customer Services	8.566	8.087	8.087	0.000	0.000	0.000	0.000	0.000	0.00
IT&D	1.005	2.864	2.864	0.000	0.000	0.000	0.000	0.000	0.00
Revenues and Benefits	2.791	2.791	2.791	0.000	0.000	0.000	0.140	(0.140)	-5.02
Director of D&CS	0.168	0.167	0.167	0.000	0.000	0.000	0.000	0.000	0.00
Directorate Total	22.046	23.412	23.412	0.000	0.000	0.000	0.140	(0.140)	-0.60

Key Issues Identified between Period 3 and period 6

- 1.3 At period 3, the Directorate reported £0.140m of its non-essential savings target of £0.347m as undeliverable. Since Period 3 monitoring the service has identified mitigating action plans to deliver this savings on a one-off basis in 2019/20 and alternative/replacement saving has been identified for future years.
- 1.4 The ITDS service Capita contract was successfully brought back in-house on the 1st August 2019 as planned. Savings of £8m (pro-rata from 1 August to 31 March 2019) are required from the service in 2019/20 and £12m per annum

on-going. The Transition project team, along with Finance, will continue to monitor and report on the savings throughout the year.

Risks identified but not yet included in the Forecast

- 1.5 No new issues have been identified.

Future Years

- 1.6 During 2020 the Council intends to review the Council Tax Support scheme. Any new proposals will be subject to extensive consultation and, dependent on the outcome of the consultation, changes may be made to the level of support awarded.
- 1.7 Describe any issues that may impact on future years' budgets.

Future Years Issues			
	2020/21	2021/22	2022/23
	£m	£m	£m
Base Budget Pressures			
Savings	0.140	0.140	0.140
Mitigations – Replacement savings submitted as part of the 2020/21 budget process.	(0.140)	(0.140)	(0.140)
Total	0.000	0.000	0.000

Annex 3 Education & Skills Directorate

General Fund Forecast

1. Executive Summary

- 1.1 The Council set the Education & Skills Directorate a net budget of £255.477m for 2019/20 at its meeting on 26 February 2019. This net budget is after approving a savings programme of £8.837m. Following budget adjustments relating to the Council restructure, the net budget for the Directorate is now £265.766m.
- 1.2 The budget includes a number of services which have been transferred in from the Place and Economy directorates, including Libraries, Adult Education, Careers, Youth Service and Employment Services. The overall budget of transferred services as at period 6 is £24.724m. This report incorporates the financial position of these services.
- 1.3 At Period 6 the Education & Skills Directorate forecasts an overspend of £0.497m, an improvement of £1.295m compared to period 3. However, it also needs to be highlighted that the Birmingham Children's Trust (BCT) is reporting an overspend risk of £10.355m at Period 4. The Education & Skills Directorate will continue to pursue the BCT for mitigations to seek to reduce the overspend. At this stage no variance has been factored into the forecast pending clarification from the Trust on the expected impact of mitigations over the full financial year.

Table 1: Period 6 Forecast Outturn Position								
Directorate	Current Budget	Period 6 Forecast Outturn	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	Period 6 Forecast Over/ (Under)	Period 3 Forecast Over/ (Under)	Change since Period 3 (Improvement)/ Deterioration	
	£m	£m	£m	£m	£m	£m	£m	%
Service General Fund								
Access to Education	(0.020)	(0.020)	0.000		0.000	0.000	0.000	0
Children With Complex Needs Transport	23.654	24.582	0.927		0.927	2.212	(1.284)	(5)
Education Psychology Service	2.463	2.463	0.000		0.000	0.000	0.000	0
Higher Needs	1.627	1.627	0.000		0.000	0.000	0.000	0
Inclusion & SEND	27.724	28.652	0.927	0.000	0.927	2.212	(1.284)	(5)
Admissions & Placements	0.055	0.055	0.000		0.000	0.000	0.000	0
School Setting/Improvements	0.652	0.607	(0.045)		(0.045)	0.000	(0.045)	(7)
Education Skills & Infrastructure	6.521	5.952	(0.569)		(0.569)	(0.414)	(0.155)	(2)
Premature Retirements	5.524	5.410	(0.114)		(0.114)	(0.114)	0.000	0
School Funding Centrally Managed	(0.110)	(0.080)	0.030		0.030	0.000	0.030	(27)
Schools Management & Governor Support	(0.049)	(0.119)	(0.070)		(0.070)	0.000	(0.070)	144
SEND Information, Advice & Support	0.274	0.274	0.000		0.000	0.000	0.000	0
Early Years	1.955	2.288	0.333		0.333	0.228	0.106	5
Education & Early Years	14.822	14.388	(0.435)	0.000	(0.435)	(0.300)	(0.134)	(1)
Birmingham Children's Trust - ICF	(7.334)	(7.334)	0.000		0.000	0.096	(0.096)	1
Children's Trust Residual Costs	0.000	0.209	0.209		0.209	0.039	0.170	0
Children's Trust Contract	190.514	190.632	0.118		0.118	0.118	0.000	0
Children's Trust	183.179	183.507	0.327	0.000	0.327	0.254	0.074	0
Business Support - E&S Finance	0.482	0.382	(0.100)		(0.100)	0.000	(0.100)	(21)
Business Transformation	1.806	1.836	0.030		0.030	0.088	(0.058)	(3)
IT	3.143	3.143	0.000		0.000	0.000	0.000	0
Other Business Support	9.362	9.432	0.070		0.070	0.039	0.031	0
Strategic Leadership & Improvement-E&C	0.522	0.032	(0.490)		(0.490)	(0.600)	0.110	21
Strategic Leadership	15.315	14.824	(0.491)	0.000	(0.491)	(0.473)	(0.017)	(0)
Employment Services - Service	0.331	0.331	0.000		0.000	0.000	0.000	0
Birmingham Careers Service	1.003	1.003	0.000		0.000	0.000	0.000	0
Birmingham Libraries	21.709	21.809	0.100		0.100	0.100	0.000	0
Youth Service	1.896	1.896	0.000		0.000	0.000	0.000	0
B'ham Adult Ed Services	(0.214)	(0.147)	0.067		0.067	0.000	0.067	(31)
Holding Accounts - ES - Unassigned	0.000	0.000	0.000		0.000	0.000	0.000	0
Skills and Employability	24.724	24.891	0.167		0.167	0.100	0.067	0
Education & Skills	265.766	266.262	0.497	0.000	0.497	1.792	(1.295)	(0)

Key Issues Identified up to Period 6

1.4 The key issues that are included within the Education & Skills Directorate's forecast overspend are:

- Children with Complex Needs Transport (Travel Assist) – a £0.927m overspend is being forecast at period 6, a reduction of £1.285m from period 3. The change is due mainly to additional costs arising from the period of administration of ATG of £0.705m, expected additional costs from the new Dynamic Purchasing System (DPS) transport framework of £0.148m and increased demand, price and other cost increases of £0.359m. There is also an additional £0.400m at period 6 associated with non delivery of savings compared to period 3. At period 6 the full policy contingency amount agreed by Cabinet on 15th July of £2.897m, has been factored in to the forecast (not factored in at period 3).
- Early years – an overall overspend of £0.333m (an increase of £0.105m since period 3) is currently being reported. This comprises a base budget pressure of £0.737m relating to the transfer of Day Nurseries to Private, Voluntary and independent settings (an increase of £0.526m from period

3). This has been mitigated by savings identified from within Early Years of £0.391m, which are mainly staffing costs (not reported at period 3) and a saving of £0.013m relating to the planned TUPE transfer of staff of Early Years staff to BCHC (which reflects a £0.030m reduction since period 3) due to TUPE now expected January 2020.

- Business Transformation (IT) – a £0.100m overspend is reported at period 6 (no change from period 3).
- Children's Trust (Intelligent Client Function) – a £0.327m overspend (an increase of £0.073m from period 3) due to the identification of further residual costs relating to the period prior to the establishment of the Trust.
- Libraries - £0.100m overspend (no change since period 3).
- School Funding Centrally Managed (SFCM) - £0.030m rental income under achieved due to gradual transfer of property ownership (not reported at period 3).
- Birmingham Adult Education Service – an overspend is expected of £0.067m. This mainly relates to a shortfall of income against the increased income target. Whilst this has been mitigated where possible by savings on staffing and drawdown from reserves to cover development costs included in expenditure forecasts, an overspend is expected to remain. A break even position was reported at Period 3.

1.5 Mitigations/New Savings that have been identified and factored into the overall forecast for the Directorate are:

- Education Skills & Infrastructure – a net saving of £0.569m is being reported which relates to savings generated as result of the review of the PFI and BSF contracts. This has increased since period 3 by a further £0.155m due to the allocation of inflation due on the contracts.
- Premature retirements – savings of £0.096m (no change since period 3).
- Strategic Leadership – the Council have received notification from the DFE that it will receive additional funding of £0.500m (no change) in 2019/20 of School Improvement Monitoring and Brokering Grant. An amount of £0.120m (change since period 3) will be allocated for School Improvement work relating to primary exclusions and £0.380m (no change) of the grant will be retained by BCC to mitigate pressures. In addition there is a forecast underspend of £0.100m (no change) in this budget relating to IT/ miscellaneous spending and part of the professional fees. There is also income of £0.010m received by the Participation Team to cover staff resources newly reported at Period 6.
- School Setting/Improvements – there have been no costs identified for the Intelligent Client Function budget which generates a saving, newly reported in period 6 of £0.045m.
- Schools Financial Services – Expected employee savings of £0.100m have been identified due to vacancy management (not reported at period 3).
- Associated with the need for alternative provision for the ATG contract and the expected shortfall in savings in Travel Assist a Cabinet report on the Home to School Transport contract award approved the underwriting of a potential shortfall of £2.897m from the Budget Delivery Policy

Contingency. In view of the additional cost pressures highlighted in this report, this has been fully factored into the forecast.

- Other Minor Variations – a saving of £0.070m (a favourable movement of £0.097m compared to period 3).

Risks identified but not yet included in the Forecast

- 1.6 Base budget and savings programme risks that have not yet crystallised and mitigations that are being considered to address these, including financial implications, are:

- **Children's Trust** – the Children's Trust have recently provided the first monitoring reports for 2019/20. The latest report provided by BCT, based on Period 4, highlights a potential overspend of £10.355m. This relates in the main to increases in children in care placement costs due to the continued increase in numbers and cost of children in care and additional remand costs. It should be noted that the overspend of £10.355m already assumes mitigations of £1.570m, including the use of £0.800m of DfE grant reserves. These are mitigations which have been secured so far, though further mitigations are being sought. The financial position of the Childrens Trust will be closely scrutinised and future reports will seek to confirm the impact on the overall forecast.
- **Children's Trust (ICF)** – Residual costs may be higher due to costs associated with ongoing legal cases. A recent Supreme Court judgement on a Deprivation of Liberties Safeguards (DOLS) case which arose before the establishment of the Trust means that the Council will have costs to bear, which have yet to be confirmed.
- **School Transport Provision.** A residual risk remains relating to increased SEND pupils requiring transport provision, this will be reviewed once new route information is finalised following changes in the Autumn term.
- **Special Educational Needs Assessment Review (SENAR) Staffing -** This budget supports SENAR staffing along with costs associated with tribunals, complaints and mediations. In previous years this budget has been supported by SEN Reform grant funding, which has now come to an end. The previous grant funding was £1.100m and whilst an increase to the budget was made this only amounted to £0.625m, leaving a potential gap of £0.475m. Based on the current staff in post and assuming that no vacancies are filled during the year, current projections suggest a balanced budget is possible, however this remains an area of concern given the pressures and challenges facing the Special Needs sector. A review of the staffing structure is underway which will seek to align the structure with funding on a sustainable basis.
- **Early Years Day Nurseries**– There is a budget set aside of £0.250m (no change) to support the whole of the Early Years estate. The forecast

has been updated in Period 6 to reflect increased costs across day nurseries, though a residual risk against this area remains.

- **Placements** – potentially there could be £0.065m overspend with the service General Fund budget due to the Child Employment Team (CET) transferred from Children's Trust. There was a shortfall of £0.020m on the employee budget when CET was transferred. The service has been trying to absorb the pressure from underspend in other areas. However, the mitigation might not be possible due to funding constraints. There has been a further cost of £0.045m on an IT application implemented recently which caused further pressure. Although the service head expects the costs can be offset by income generated from the system, the income may not be realised this year. The situation will be under continuous review.
- **Adult Education** – an overspend of £0.067m (reduced from £0.600m in period 3) has now been reported relating to an expected shortfall on the income from fees and charges, which also arose in 2018/19. This is related to the Commercialisation savings which were agreed by the service before transferring to Education & Skills. This potential overspend in 2019/20 is expected to be mitigated by a combination of savings on staff vacancies and use of reserves to offset development costs, which are included in the expenditure forecast. A more sustainable solution will be required going forward.
- **Education PFI** –At the 2018/19 Outturn the Council recognised the need to create an Education PFI Reserve in order to ensure that there are sufficient resources to maintain the Council Contribution over the remaining life of the contract to the extent that the unitary payments exceed the Government grant and contribution from schools received in future years. A significant amount of work has been undertaken reviewing the education PFI contracts. An additional £3.383m (no change) would be needed in PFI reserve to cover expected PFI liabilities to the end of 2019/20, with a peak of £8.764m in 2026/27 with the reserve being released over the term of the contracts. This issue will be addressed through £3.383m proposed to be transferred from FRR as referred to in Section 6.8, and adjustments to the future years inflation allocations for PFI liabilities in Education & Skills, which will be factored into the Budget Process.
- **Libraries** – there is a potential issue of £0.100m (no change) relating to an underachievement of the income expected to be achieved by the Unique Venues Birmingham budget within the library service. This is still under investigation, though a Unique Venues Board Meeting is taking place in late October which should clarify the position.

2. Future Years Issues

2.1 *Whilst the focus of this report is on the delivery of the 2019/20 budget, the monitoring process allows the opportunity to consider what issues may have been identified which have not been provided for in previous plans.*

2.2 Key future years issues include:

Future Years Issues			
	2020/21 £m	2021/22 £m	2022/23 £m
Travel Assist (Note 1)			
- red-rated savings risk	2.488	2.488	2.488
- Additional costs of new contract	1.500	1.500	1.500
- DPS additional costs	0.890	0.890	0.890
Early Years (Note 2)	0.408	0.408	0.408
BAES (Note 3)	0.430	0.430	0.430
Total	5.716	5.716	5.716

Note 1 Travel Assist. The Policy Contingency approval of £2.897m, covers previously reported cost pressures. Risks which remain relate to the step up saving against Travel Assist of £0.770m and the additional cost of new Dynamic purchasing system contract for transport provision which comes into effect in January 2020. Additional costs are anticipated within tenders to cover £0.390m of living wage increases and £0.500m of costs related to the CAZ.

Note 2 Early Years. A budget pressure is expected related to the ongoing VAT costs of the staff formerly employed in Childrens centres who are due to TUPE transfer to Birmingham Community Healthcare Trust (BCHC). BCHC will not take responsibility for these costs within the EYH&WB contract. This will therefore be an annual cost for the life of the contract (remaining 3 years + 2 years).

Note 3 BAES. A potential pressure has arisen relating to an increase to the corporate support services recharge to Adult Education, which was introduced as part of the Commercialisation savings in 2019/20. The service do not feel that this saving will be achievable and a pressure bid has been submitted to reverse 50% of the savings.

Other potential risks not yet quantified are:

- Children Trust commissioning pressures relating to Looked After Children (LAC) placement demand and remand pressures.

Annex 4 Finance and Governance Directorate

1. Executive Summary

- 1.1 The Finance and Governance (F&G) Directorate net budget for 2019/20 as set at the Council's meeting on 26 February 2019 is £24.914m. This net budget is after approving a savings programme of £2.261m and requiring a further £0.530m savings to be delivered that were achieved on a one-off basis in 2018/19. Following budget adjustments in-year, the net current budget for the Directorate is now £25.662m.
- 1.2 At Period 6 the F&G directorate is forecasting an overspend of £1.370m, compared to £0.742m reported at Period 3. The forecast overspend comprises of an overspend in Development and Commercial of £1.721m (£0.749m at Period 3) offset by an underspend of £0.128m in Audit (£0.007m at Period 3) and £0.222m in Legal and Governance (balanced at Period 3). The Directorate is actively pursuing solutions and exploring options to resolve this position and bring the directorate spend in line with budget.

Table 1: Period 6 Forecast Outturn Position									
Directorate	Original Budget	Current Budget	Forecast Outturn	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	Forecast Over/ (Under)	Period 3 Forecast Over/ (Under)	Change since Period 3 (Improvement)/ Deterioration	
	£m	£m	£m	£m	£m	£m	£m	£m	%
Development & Commercial	(4.374)	(4.269)	(2.548)	1.034	0.687	1.721	0.749	0.972	(22.76)
Service Finance	20.005	20.588	19.663	0.000	0.000	0.000	0.000	0.000	0.00
GBSLEP	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.00
City Solicitor	7.754	7.686	7.399	(0.222)	0.000	(0.222)	0.000	(0.222)	(2.89)
Birmingham Audit	1.529	1.657	1.529	(0.128)	0.000	(0.128)	(0.007)	(0.121)	(7.32)
Directorate Total	24.914	25.662	26.043	0.683	0.687	1.370	0.742	0.628	2.45
Table 1b: Period 6 Forecast Outturn Position for Development and Commercial									
Directorate	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	Forecast Over/ (Under)	Summary Action Plan		Target Date for completed actions	Direction of Travel (green/red/amber arrows)		
	£m	£m	£m						
D & C Finance team	(0.059)	0.000	(0.059)						
Procurement Services	0.336	0.000	0.336	Procurement Maturity assessment and Contract review		Oct/Nov 2019	→		
Outdoor Advertising	0.176	0.500	0.676	Directorate wide budget deep dive and Spend review		Sept/Oct 2019	←		
Commercial Business	0.581	0.187	0.768	Service remodelling underway		Oct/Nov 2019	→		
Total	1.034	0.687	1.721						

2. Key issues identified up to Period 6 and changes since Period 3

- 2.1 The key issues that are included within the F&G Directorate's forecast overspend are:
- 2.2 **Development & Commercial**

Development and Commercial is reporting a forecast outturn overspend of £1.721m, an increase of £0.972m from a £0.749m overspend reported at period 3. The forecast overspend is made up of:

Existing Pressures

- The pressure for Digital Advertising has increased by £0.263m to £0.676m, compared to a £0.413m overspend reported at period 3. This is mainly as a result of cabling works at Lancaster Circus and the closure of Five Ways underpass which has reduced income generated by these sites. The capacity to generate additional income from new sites has proved challenging due to planning restrictions and continued economic uncertainty. Income projections are based on demand led assumptions which holds risk and are subject to fluctuation due to continued economic and Brexit uncertainty. This has resulted in a projected reduction in income of £0.403m. However, since period 3, an additional £0.140m non-contract income has been identified as a one-off mitigation, resulting in the overall net pressure increase of £0.263m.
- £0.336m projected shortfall on Procurement income, as reported at period 3.

New Pressures

- A budget pressure of £0.402m for Civic Cleaning has been forecast which was not previously reported at Period 3. This pressure has arisen mainly as a result of the current hourly rate (charged for delivering cleaning) being below that of the external market and does not cover the actual cost of providing the service. There has been no increase in the hourly charge rate to absorb the impact of increased operational costs since 2009.

Civic Cleaning returned to the Council in April 2019 from Acivico with an annual trading deficit of £1.100m. Following the transfer into the council there has been a reduction in support costs and efficiency savings totalling £0.693m. Options for addressing the remaining pressure of £0.402m are being considered and a report to the Corporate Management Team is being prepared setting out proposals.

- A budget pressure on CityServe Schools Catering of £0.349m is forecast. This projection is mainly as a result of significant shift in the marketplace and schools leaving CityServe in greater number to the private sector. The pressure includes an in-year one-off mitigation due to the release of a provision which is no longer required (£0.160m) and a reduction in Head Office expenditure (£0.200m). The service has commenced a review of the current provision in order to find permanent options to reduce the pressure. A full service review and options appraisal has started to address the pressure from 2020/21 onwards.
- The Digital Mail Centre is forecast to overspend by £0.017m, compared to a balanced budget reported at Period 3. The service lost an external

customer resulting in a loss of income of £0.050m which has been offset by reductions in expenditure of £0.033m.

New Underspends

- The Development and Commercial Team, which support major capital projects such as the Commonwealth Games and regeneration projects, is forecasting an underspend at Period 6 of £0.059m, compared to a balanced budget reported at Period 3.

2.3 Service Finance

At the end of period 6, Service Finance is reporting a nil variance, as reported at Period 3. The Invest to Improve Budget request in period 3 to fund planned improvement work, was approved and is now included in forecast.

2.4 Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP)

The GBSLEP is a self-funded service made up of a gross expenditure budget of £1.172m against a gross income budget of £1.172m. At the end of period 6, GSLEP is reporting a nil variance, as reported at Period 3.

2.5 City Solicitor

At the end of period 6, City Solicitor is reporting an underspend of £0.222m variance against a net current budget of £7.754m, compared to balanced budget position reported at period 3. This underspend is made up of £0.065m in Democratic services, £0.042m in Scrutiny Service, £0.060m in Cabinet Office and a total of £0.055m relating to staffing and supplies and services in other services.

2.6 Audit

At the end of period 6, Birmingham Audit is reporting a £0.128m underspend against a net current budget of £1.657m, compared to £0.007m reported at Period 3. This is due to a one-off exercise in recovering income from suppliers.

3. Risks identified but not yet included in the Forecast

- 3.1 The savings identified as “at risk” (“amber” savings) at period 6 and the management actions being put in place to ensure that they will be delivered are listed in table 2 below:

Ref	Description	£m	Commentary
(Amber) CC106 19+	Contract Management Savings Opportunities	0.268	This has reduced from £0.300m at P3. Paper agreed at CMT regarding delivery of this saving. Contracts for renewal etc. being drawn up for each directorate by CPS to identify potential opportunities for savings delivery and how these can be met by director
(Amber) FG102 19+	Reduced External Legal Spend	0.200	Working group being established to put in place framework for delivery of reduced external legal fees. Paper to go to CMT to set out options for savings delivery. Saving may have to be delivered in an alternative way in short term pending outcome of work

4. Future Years

Issues that have the potential to impact on future years' budgets (excluding inflation adjustments) are presented in table 3 below.

Future Years Issues - Describe any that may impact on future years budget				
Future Years	2020/21 £m	2021/22 £m	2022/23 £m	Comments
Base Budget	0.129	0.129	0.129	Budget for AD Audit Post for 2020-21 onwards
	0.997	0.997	0.997	PFG001 20+ Digital Advertising
	0.906	1.49	2.074	PFG002 20+ Cityserve (schools catering)
	0	0.201	0.201	PFG003 20+ Cleaning
Savings	0.387	0.387	0.387	CY003 18+ City Serve not achieved
	0.623	0.703	0.703	CC4 17+, SS002a and Base Budget - Digital Advertising forecast shortfall
Mitigations	(0.129)	(0.129)	(0.129)	To be funded from within the wider Directorate budget
Total	2.913	3.778	4.362	

Annex 5 Human Resources

1. Executive Summary

- 1.1. The Council set the Human Resources (HR) Directorate a net budget of £6.629m for 2019/20 at its meeting on the 26th February 2019. This net budget is after approving a savings programme of £0.514m and requiring a further £0.204m savings to be delivered that were achieved on a one-off basis in 2018/19. Following changes to the Council's structure, the net original budget for the Directorate is £6.597m and as result of further in year adjustments the net current budget for the Directorate is £7.345m and it remains unchanged at Period 6.

Table 1 - Period 6 Forecast Outturn

Table 1: Period 6 Forecast Outturn Position									
Directorate	Original Budget	Current Budget	Forecast Outturn	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	Forecast Over/ (Under)	Period 3 Forecast Over/ (Under)	Change since Period 3 (Improvement)/ Deterioration	
	£m	£m	£m	£m	£m	£m	£m	£m	%
HR Schools	0.141	0.141	0.141	0.000	0.000	0.000	0.000	0.000	0.00
HR Services	6.456	7.204	7.204	0.000	0.000	0.000	0.000	0.000	0.00
Directorate Total	6.597	7.345	7.345	0.000	0.000	0.000	0.000	0.000	0.00

- 1.2 At Period 6 the HR Directorate is forecasting a nil outturn variance.

2. Key issues identified up to Period 6 and changes since Period 3

- 2.1. No key issues have been identified at this stage for HR and there are no changes to the report from the position reported in Period 3.

3. Risks identified but not yet included in the Forecast

- 3.1. The HR Directorate is not reporting any base budget or saving programme risks/associated mitigations.
- 3.2. The HR Directorate is not reporting any savings identified as "at risk" (i.e. amber).

4. Future Years

- 4.1. No issues have been identified that affect future years.

Future Years Issues			
	2020/21 £m	2021/22 £m	2022/23 £m
Base Budget	0	0	0
Savings	0	0	0
Mitigations	0	0	0
Total	0	0	0

Annex 6 Inclusive Growth Directorate**1. Executive Summary**

- 1.1 The Council set the Inclusive Growth Directorate a net budget of £103.977m for 2019/20 at its meeting on 26 February 2019. This net budget is after approving a savings programme of £2.836m and requiring a further £1.934m savings to be delivered that were achieved on a one-off basis in 2018/19. Following budget adjustments, including the transfer of Educational Skill and Infrastructure to Education and Skills Directorate, the allocation of £0.600m Policy Contingency to cover price increases in Street Lighting electricity, £0.119m Policy Contingency for Council House improvements plus other minor changes, the net budget for the Directorate is now £98.295m.
- 1.2 At Period 6 the Inclusive Growth Directorate forecasts an overspend of £0.137m. The forecast overspend is made up by a Base Budget underspend of £0.609m and Savings non-delivery of £0.746m. The Inclusive Growth Directorate is actively pursuing solutions to resolve this position.

Table 1: Period 6 Forecast Outturn Position									
Directorate	Original Budget	Current Budget	Forecast Outturn	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	Forecast Over/ (Under)	Period 3 Forecast Over/ (Under)	Change since Period 3 (Improvement)/ Deterioration	
	£m	£m	£m	£m	£m	£m	£m	£m	%
P&D City Centre, EZ, BDI	3.257	(0.660)	(1.632)	(0.972)	0.000	(0.972)	(0.790)	(0.182)	27.58
Transportation & Connectivity	46.159	46.308	46.108	(0.200)	0.000	(0.200)	0.000	(0.200)	(0.43)
P&D Strategy & Planning	0.963	4.596	3.855	(0.741)	0.000	(0.741)	(0.340)	(0.401)	(8.72)
Birmingham Property Services	(3.743)	(3.518)	(1.452)	2.066	0.000	2.066	1.140	0.926	(26.32)
Housing Development	(0.322)	(0.322)	0.372	0.000	0.694	0.694	0.694	0.000	0.00
Highways & Infrastructure	43.483	43.969	43.259	(0.762)	0.052	(0.710)	(0.110)	(0.600)	(1.36)
Inclusive Growth Director	7.718	7.922	7.922	0.000	0.000	0.000	0.000	0.000	0.00
Other Funds - Holding A/Cs	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.00
Directorate Total	97.515	98.295	98.432	(0.609)	0.746	0.137	0.594	(0.457)	(0.46)

Key Issues Identified up to Period 6 and Changes since Period 3

- 1.3 The key issues that are included within the Inclusive Growth Directorate's forecast overspend are:

Base Budget and Savings Key Issues:

- Planning & Development (City Centre, Management & EZ) - £0.972m Surplus (Period 3 £0.790m Surplus):
 - The forecast employee underspend has increased by £0.182m from period 3 due to staff turnover savings and delays in recruiting to vacant Planning posts (from 1st December 2019).
- Transportation & Connectivity - £0.200m Surplus (period 3 balanced):

Since period 3 the estimated volume of professional support staff required has been identified based on an increasing workload. This will result in an increase in the value of income from recharges to projects by approximately £0.200m.
- Planning & Development (Strategy & BDI) - £0.741m Surplus (Period 3 £0.340m Surplus):
 - The employee forecast underspend has increased by £0.175m from period 3 due to staff turnover savings and delays in recruiting to vacant posts.
 - The removal of the £0.100m pressure for the European & International Affairs Team as details of additional project grant funding has emerged.
 - £0.126m use of match funding reserve as Business Growth Programme project is brought to a close
- Property Services - £2.066m Deficit (period 3 £1.140m Deficit):
 - £0.266m new Wholesale Markets pressure arising since period 3 from revised net rent assumptions
 - £0.660m CAB Buildings pressure (net of prudential borrowing savings which were going to be used for cyclical maintenance). This pressure has arisen mainly from increases in repairs and maintenance and electricity with minor increases also identified in water charges and rates, the full impact of these increases being offset through savings on prudential borrowing.
- Housing Development - £0.694m Deficit (no change from period 3)
- Highways & Infrastructure - £0.710m Surplus (Period 3 £0.110m Surplus):
 - £0.400m new developer fees income received for permits and licences on development projects
 - £0.100m improved forecast on car parking and parking enforcement income based upon income received during August
 - £0.100m surplus budget identified in retained costs relating to reducing pension commitments relating to retired staff.

Savings that cannot be achieved in line with the original proposals and their ongoing mitigations:

- No change from period 3.

1.4 Current budgetary pressures and the mitigations that are being considered, (including financial implications where known)

Directorate	Forecast Base Budget Over/ (Under) £m	Forecast Savings Non-delivery £m	Forecast Over/ (Under) £m	Summary Action Plan	Target Date for completed actions	Direction of Travel (green/red/amber arrows)
Commercial Income under-recovery	0.900	0.000	0.900	<ul style="list-style-type: none"> • Review and reconciliation of existing investment portfolio rent roll information to confirm/refine forecast; • Targeting High Value Lease Renewals/Rent Reviews; • Targeting Supplemental Rents; • Investment Strategy - Accelerating acquisition of new stock to generating increased rental income; • External support engaged; • Strategic review of the existing investment portfolio; • Identification of target markets. • Whilst actions above are ongoing, IG has identified significant mitigations within the overall forecast base budget position and will continue to work on increasing mitigations to balance the year-end position. In-year RAG therefore AMBER; • Further information re: impact in future years can be seen in Section 1.8 below. 	6 th November 2019 Ongoing	AMBER
CAB Income under-recovery	0.240	0.000	0.240	<ul style="list-style-type: none"> • Whilst this specific pressure cannot be resolved in-year, IG has identified significant mitigations within the overall forecast base budget position and will continue to work on increasing mitigations to balance the year-end position. In-year RA • Further information re: impact in future years can be seen in Section 1.8 below. 	Ongoing	Amber
CAB – operational expenditure	0.660	0.000	0.660	<ul style="list-style-type: none"> • Whilst this specific pressure cannot be resolved in-year, IG has identified significant mitigations within the overall forecast base budget position and will continue to work on increasing mitigations to balance the year-end position. In-year RA • Further information re: impact in future years can be seen in Section 1.8 below. 	Ongoing	Amber
Wholesale Markets Income under-recovery	0.266	0.000	0.266	<ul style="list-style-type: none"> • Whilst this specific pressure cannot be resolved in-year, IG has identified significant mitigations within the overall forecast base budget position and will continue to work on increasing mitigations to balance the year-end position. In-year RA • Further information re: impact in future years can be seen in Section 1.8 below. 	Ongoing	Amber
Total	2.066	0.000	2.066			

Detail of anticipated implications upon levels of service provision:

- There are no anticipated negative implications on levels of service provision as a direct result of the key issues identified.

Use of base budget underspend:

- Base budget mitigations will be identified where possible to balance the position either at a Division of Service or Directorate level. Please refer to section 1.3 for the current forecast base budget surpluses by Division of Service.

Table 1b: Period 6 Forecast Outturn Position for Assistant Director Housing Development						
Directorate	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	Forecast Over/ (Under)	Summary Action Plan	Target Date for completed actions	Direction of Travel (green/red/amber arrows)
	£m	£m	£m			
Housing Development	0.000	0.694	0.694	<ul style="list-style-type: none"> Finalisation of loan agreement between the Council and InReach; Timetable for delayed schemes now revised and disposal dates estimated ; Other potential asset disposals to be identified for consideration but due to mobilisation timescales would not be deliverable until 2020/21 at the earliest. Whilst this specific pressure cannot be resolved in-year, IG has identified significant mitigations within the overall forecast base budget position and will continue to work on increasing mitigations to balance the year-end position. In-year RA Further information re: impact in future years can be seen in Section 1.8 below. 	Oct-19	Amber
InReach Commercial loan income under-recovery					WEF 2020/21 Ongoing	
Total	0.000	0.694	0.694			

Detail of anticipated implications upon levels of service provision:

- There are no anticipated negative implications on levels of service provision as a direct result of the key issues identified.

Use of base budget underspend:

- Base budget mitigations will be identified where possible to balance the position either at a Division of Service or Directorate level. Please refer to section 1.3 for the current forecast base budget surpluses by Division of Service.

Risks identified but not yet included in the Forecast

- 1.6 The Inclusive Growth Directorate is not reporting any base budget or saving programme risks/associated mitigations in addition to those detailed.
- 1.7 The Inclusive Growth Directorate is not reporting any savings identified as “at risk” (i.e. amber).

Future Years

- 1.8 Describe any issues that may impact on future years’ budgets.

Future Years Issues			
	2020/21 £m	2021/22 £m	2022/23 £m
Base Budget Pressures			
Property Services:			
Central Administration Building (CAB) Income	0.240	0.240	0.240
CAB Operating Expenditure Pressure	0.660	0.660	0.660
Wholesale Markets – income pressure	0.317	0.606	0.603
Health & Safety Compliance in Corporate Estate – H&S surveys	1.250	1.250	1.250
Highways & Infrastructure:			
Proposed sale or closure of car parks to facilitate development of the Smithfield site	0.159	0.730	0.730
Local car parking income pressure	0.190	0.190	0.190
Savings			
Identification of potential values subject to progress made as a result of mitigation actions detailed above and/or general progress on saving delivery:			
Property Services:			
Commercial Income	TBC	TBC	TBC

Operational Hub Programme	TBC	TBC	TBC
Housing Development: InReach (Birmingham) Ltd Loan Income	1.514	2.106	2.391
Mitigations Identification of potential values subject to progress made as a result of mitigation actions detailed above.			
Property Services Central Administration Building (CAB) Income – mitigation resulting from the cessation of prudential borrowing costs.	0.000	(0.240)	(0.240)
CAB Operating Expenditure Pressure - mitigation resulting from the cessation of prudential borrowing costs.	0.000	(0.660)	(0.660)
Wholesale Markets – income pressure – mitigation resulting from the cessation of prudential borrowing costs.	0.000	(0.606)	(0.603)
Highways & Infrastructure			
Closure of car parks – potential mitigations identified, which will be progressed as part of the 2020/21+ budget process.	(0.159)	(0.730)	(0.730)
Local car parking income pressure - potential mitigations identified, which will be progressed as part of the 2020/21+ budget process.	(0.190)	(0.190)	(0.190)
Total	3.981	3.356	3.641

Annex 7 Neighbourhoods Directorate

1. Executive Summary

- 1.1 The Council set the Neighbourhoods Directorate a net budget of £99.843m for 2019/20 at its meeting on 26 February 2019. This net budget is after approving a savings programme of £14.982m and requiring a further £3.582m savings to be delivered that were achieved on a one-off basis in 2018/19.
- 1.2 At Period 6, the Directorate is forecasting an overspend of £9.503m (9%). The Department continues to work on the recovery plan with the support of the Member led Star Chamber.
- 1.3 For the Housing Revenue Account a balanced overall revenue position is forecast, with any net overspends or underspends to be managed by corresponding adjustments to the level of HRA borrowing repaid, Reserves or an additional contribution to the capital investment programme.

Directorate	Original Budget	Current Budget	Forecast Outturn	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	Forecast Over/ (Under)	Period 3 Forecast Over/ (Under)	Change since Period 3 (Improvement)/ Deterioration	
	£m	£m	£m	£m	£m	£m	£m	£m	%
Street Scene	66.835	66.985	73.925	5.760	1.180	6.940	6.330	0.610	0.91
Housing Services	3.760	3.553	5.153	1.550	0.050	1.600	1.600	0.000	0.00
Neighbourhoods	15.310	19.001	18.520	(1.081)	0.600	(0.481)	4.346	(4.827)	(25.40)
Regulation & Enforcement	0.316	0.176	0.196	(0.189)	0.209	0.020	0.293	(0.273)	(155.11)
Business Support	13.344	14.168	15.592	(1.074)	2.498	1.424	1.424	0.000	0.00
Directorate Total	99.565	103.883	113.386	4.966	4.537	9.503	13.993	(4.490)	(4.32)

1.4 Key Issues Identified up to Period 6 and changes since Period 3

The key issues that are included within the Neighbourhoods Directorate's forecast overspend are discussed below. Recovery plans continue to evolve to mitigate financial pressures including service redesigns in Waste, Parks and Housing Services. Each division of service is analysed in the following section.

Street Scene Service – Overspend £6.940m (10%)

Adverse movement of £0.610m since period 3

Service	Annual		
	Budget £m	Forecast £m	Variance £m
Waste Management	55.486	62.536	7.050
Parks and Nature	11.498	11.388	(0.110)
Net Expenditure for Service Committee	66.985	73.924	6.940

The adverse movement of £0.610m since period 3 consist of the following:

- Despite efforts to obtain new customers and retain the existing sales order book, there is a continued loss of business to competitors resulting in a projected overspend forecast on Trade Waste, £0.700m.
- The market rate of income from the disposal of waste paper has declined, as such a pressure of £0.120m is forecast, this pressure is contained through the re-procurement of this service.
- An assessment of staffing costs across all services for Street Scene services are forecast to overspend by £0.680m, this is due to a combination of operational assumptions within refuse collection and street cleaning.
- As part of the recovery plan one-off savings have been realised due to the delay in capital spend (largely for Grounds Maintenance Equipment) resulting in lower capital charges to revenue, (£0.890m).
- To be noted, £1.720m with regards to the Tyseley Energy Recovery Facility (ERF), which experienced an incident on one of the flue gas treatment reactor towers, as a result the plant was taken offline. This has meant our supplier has incurred repair costs, whilst the council have incurred additional costs to divert waste to alternative disposal sites and to Landfill. This has been reported as an overspend on Corporately Managed Budgets.

Neighbourhoods Service – Underspend, £0.481m, (3%)

Favourable movement of £4.827m since period 3

Service	Annual		
	Budget £m	Forecast £m	Variance £m
Community Sport	7.934	7.934	0,000
Neighbourhood	2.470	2.005	(0.464)
Cultural Development	8.597	8.581	(0.016)
Net Expenditure for Service Committee	19.001	18.520	(0.481)

- As outlined in prior months Services across Community Sport have shown an overspend due to the net budget for this service being significantly below what was required.
- It is proposed that these budgets are re-based accordingly by £3.900m covering Health and Wellbeing Centres step up savings, £0.600m, Contractual commitments to The Active Wellbeing Society, £0.600m, reduction in public health funding as well as staffing and non staffing pressures, £1.800m and the balance, £0.900m in relation to maintenance and running costs for the remaining portfolio of sports and leisure centres until they are outsourced.

- A net underspend of £0.274m across the Neighbourhoods service is driven by further underspends through controlling expenditure and staff vacancies.
- Major Events – £0.653m overspend. Historically, the service was able to manage increases and decreases in commitments over financial years; this is no longer in place. However, a review of consolidations to corporate reserves has identified that £0.653m should be returned as a major events reserve. This can be utilised to address the in-year pressure.

Housing Service – Overspend, £1.600m, (45%)

No change since period 3

Service	Annual		
	Budget £m	Forecast £m	Variance £m
Private Sector Housing	(0.336)	(0.336)	0.000
Housing Options	4.132	5.732	1.600
Shelforce	(0.243)	(0.243)	0.000
Net Expenditure for Service Committee	3.553	5.153	1.600

Regulation & Enforcement Service – Overspend, £0.020m, (11%)

Favourable movement of £0.273m since period 3

Service	Annual		
	Budget £m	Forecast £m	Variance £m
Bereavement Services	(4.980)	(5.005)	(0.025)
Markets	(1.281)	(0.810)	0.472
Regulatory Services	6.436	6.039	(0.396)
City Centre	0.001	(0.029)	(0.030)
Net Expenditure for Service Committee	0.175	0.195	0.020

- The favourable movement from June 2019 relates to mitigations now in place across the service such as the accommodation of teams into Manor House resulting in savings on external premises costs. In addition, the service identified a higher expenditure than budget for the Coroners Services, £0.436m, this will be offset by an improved income forecast through a one-off increase in activity for Pest Control services.

Business Support - £1.424m, Overspend (10%)

No change since period 3

Service	Annual		
	Budget £m	Forecast £m	Variance £m
Neighbourhoods Business Support	1.072	1.272	0.200
Neighbourhoods Central Support Cost	13.097	14.321	1.224
Net Expenditure for Service Committee	14.168	15.592	1.424

1.5 Risks identified but not yet included in the Forecast

The directorate has not identified any new risks than those reported previously in Period 3

1.6 Future Years – issues that may impact on future years budgets

- Street Scene: with the incident at the Tyseley (ERF) plant consideration is required with regards addressing the potential financial risk in future plant failure and the resultant re-direction of waste disposal.

Annex 8 Partnerships, Insight and Prevention


1. Executive Summary

- 1.1 The Council set the Partnerships, Insight and Prevention (PIP) Directorate a net budget of £4.050m for 2019/20 at its meeting on the 26th February 2019. This net budget is after approving a savings programme of £0.548m. Following transfers of services from other Directorates as part of the Council's new structure the original net budget of £4.050m is revised to £6.442m. The net current budget for the Directorate is now £6.718m following budget adjustments.
- 1.2 At Period 6 the Directorate is reporting an overspend of £0.180m against the budget of £6.718m. This overspend, relating to legacy maintenance issues on the Council's CCTV estate, is unchanged from Period 3.

Table 1: Forecast Outturn Position

Directorate	Original Budget	Current Budget	Forecast Outturn	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	Forecast Over/ (Under)	Period 3 Forecast Over/ (Under)	Change since Period 3 (Improvement)/ Deterioration	
	£m	£m	£m	£m	£m	£m	£m	£m	%
Communications	1.340	1.340	1.332	(0.008)	0.000	(0.008)	0.000	(0.008)	(1%)
Public Health	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0%
Asst. Chief Exec	5.102	5.378	5.566	0.188	0.000	0.188	0.180	0.008	0%
Directorate Total	6.442	6.718	6.898	0.180	0.000	0.180	0.180	(0.000)	0%

Table 1a: Period 6 Forecast Outturn Position for Asst. Chief Exec

Directorate	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	Forecast Over/ (Under)	Summary Action Plan	Target Date for completed actions	Direction of Travel (green/red/amber arrows)
	£m	£m	£m			
Equalities	0.205	0.000	0.205	£0.180m Directorate working on mitigation plan to bring spend to budget in 2019/20. Balance of £0.025m is one-off and mitigated by underspends elsewhere.	Use of Invest to Save allocation in 2019/20 will address future years issue	
Community Safety	0.000	0.000	0.000			
Resilience	0.000	0.000	0.000			
Services	0.000	0.000	0.000			
Insight and Intelligence	(0.017)	0.000	(0.017)			
Chief Exec & Assist	0.000	0.000	0.000	Mitigation of above		
Total	0.188	0.000	0.188			

2. Key Issues in Period 6 and Changes since Period 3

- 2.1 No change to the £0.180m pressure relating to CCTV cameras. A programme of decommissioning CCTV cameras which are either obsolete, dysfunctional or no longer achieve operational requirements will avert this pressure from 2020/21 onwards.
- 2.2 £0.633m of grant funding has been allocated by the West Midlands Police and Crime Commissioner for community safety and, per the Gateway process, approval is requested to incur expenditure funded by accepting external revenue resources.
- 2.3 Public Health initially planned to use reserve towards funding operations this year. This is due to the reduction in grant and changes to plan due to issues arising in consultations and particularly the priorities with recognition that the service needed more time to adjust to the new grant level. However, it is now forecast that the budgeted use of £3.388m of reserve is no longer needed due to reduced forecast shortfall in expenditure against the ring fenced grant.

3. Risks identified but not yet included in the Forecast

- 3.1 The main saving at risk at Period 6 are the Efficiency Target (£0.016m, a reduction £0.011m compared to the £0.027m reported at Period 3) and the workforce savings (£0.018m, a reduction of £0.028m compared to the £0.046m reported at Period 3). These positive movements in the risk are as a result staff changes. A Service review is underway to identify mitigating actions to ensure savings are delivered within the financial year.

4. Future Years

- 4.1 Issues that have the potential to impact on future years' budgets are presented in the table below.

Future Years Issues				
	2020/21 £m	2021/22 £m	2022/23 £m	Comments
Base Budget Pressures	0.038	0.000	0.000	Strategic Programme Board
	0.646	0.662	0.674	Equalities Team
	0.070	0.000	0.000	Control Centre upgrade
Savings	0.000	0.000	0.000	
Mitigations	0.000	0.000	0.000	
Total	0.754	0.662	0.674	

Education & Skills Directorate

Annex 9 DSG Forecast

1. Executive Summary

- 1.1 The Dedicated Schools Grant (DSG) is a highly prescribed and ring-fenced grant which is currently budgeted at £638.375m. It is the primary source of funding that is delegated /allocated to schools and other educational providers for their revenue costs as well as funding certain prescribed centrally managed provision. The funding is shown in Table 1 below. The latest total funding for Birmingham as notified by the EFSA on the 17th July 2019 is £1,187.724m, of which £549.349m is currently recouped by the Education Funding Authority (EFA) to directly passport funds to academies and free schools, leaving £638.375m.
- 1.2 The current Dedicated School Grant budget decreased from £645.975m at period 3 to £638.375m at period 6 as a result of an increase in ESFA recoupment for the following schools who have converted to Academies:
- John Wilmott Secondary
 - Olive 2 Primary and Eden Girls Secondary schools, who opened on the 1st September
 - Balaam Wood Secondary
 - Yenton Primary
 - St Thomas More RC Primary
- 1.3 At Period 6 the DSG forecasts a balanced budget.

Table1

	Funding	Less Recoupment	BCC Funding	Forecast Period 6	Over/ (Under) Period 6	Over/ (Under) Period 3
	£m	£m	£m	£m	£m	
Schools Block	918.160	522.751	395.409	395.409	0.000	0.000
High Needs Block	161.770	26.598	135.172	135.172	0.000	0.000
Early Years block	89.754		89.754	89.754	0.000	0.000
Central Services Block	18.040		18.040	18.040	0.000	0.000
Total	1,187.724	549.349	638.375	638.375	0.000	0.000

- 1.4 The Directorate have not reported any variations on the DSG at period 6, but have identified potential risks and mitigations detailed below.

1.5 Risks and Mitigations identified but not yet included in the Forecast

Budget risks that have not yet crystallised and mitigations that are being considered to address these, including financial implications, are:

- **High Needs.**

The level of spend on High Needs is an area of concern, which is a concern nationally. At the end of 2018/19 the gross deficit on High Needs block was £16.037m. The Directorate is developing and will be implementing a 5 year deficit recovery plan in 2019/20; this includes £1.400m funding to be applied to innovate to save initiatives in 2019/20 academic year. In addition a report to Schools Forum on the 19th June recommended the use of £2.7m of non-schools DSG reserves (other funding blocks) to reduce the cumulative High Needs Block deficit to £13.3m and this was supported at the meeting.

In 2019/20 there was an intention to mitigate an immediate overspend risk of £1.794m in the high needs block via the management of costs and demand, which reflects the increased ESFA recoupment of DSG high needs block.

Overall a pressure of £0.688m is currently being forecast for the DSG High Needs Block and this is analysed over 2 services areas below.

High Needs Service Area

The service is currently flagging a potential budget pressure on High Needs Services Area budget of £0.888m in 2019/20, though the final position will be dependent upon:

- Pupil movements at the start of the new academic year are currently being confirmed with all special schools, resource bases and mainstream schools.
- Changes in pupil numbers in FE and SPI providers will not be confirmed until October 2019 at the earliest.
- Any additional costs resulting from any further placements of high cost pupils in Independent school provision

This pressure is in addition to the High Need Block deficit of £13.3m referred to in the paragraph above.

The net overspend consists of both pressures and savings in 2019/20 across a number of areas is as follows:

- Special school and academies (including ESN) £1.452m Pressure
- Communication with Autism teams provision for children Out of School (CAT CHOOS) £0.320m Pressure
- Resource Bases £0.267m Pressure
- CRISP (£0.350m) Saving
- Other Local Authorities (£0.147m) Saving
- Colleges/ FE providers Post16 & Post 19 £1.242m Pressure

- Independent providers (including tripartite) (£1.762m) Saving
- Enteral Tube Feeding Contract (£0.183m) Saving
- Early years provision £0.080m Pressure
- Higher than average SEN (£0.077m) Saving
- Alternative Provision initiatives £0.048 Pressure

All of the above budgets are being reviewed monthly to take account of pupil movements and placements in provision.

Within the High Needs block there is a budget for Exclusion projects amounting to £0.426m in 2019/20, managed by the Head of the Virtual School. We have been informed by the Assistant Director of Inclusion and SEND that there will be no further spend against this budget and an overspend of £0.048m is expected in 2019/20 (included in analysis above).

Alternative Provision, Attendance and Independent School's

The service area have identified £0.200m of savings, due to minimal number of pupils being placed in alternative provision in 2019/20 to date and this can be used to offset high needs budget pressures identified above.

- **School Deficits.** The Directorate is supporting schools with deficits to either come out of deficit and/or stop them increasing. As at 31st March 2019 the net balance on schools was £47.400m, which comprised £59.000m surplus balances and £12.600m deficit balances. The growing level of deficit is an increasing concern since where those deficits are not addressed and schools are directed to become academies due to poor educational performance. BCC is currently expecting 20 schools to convert to academy status in the 2019/20 financial year, however this number could vary as a result of academy orders being received and slippage or advancement in expected conversion dates of schools. Of the schools converting a number are projected to have significant deficit balances that will remain with BCC, these are currently projected to amount to approximately £7.2m in 2019/20. The extent of the final deficits will not be confirmed until each schools deficit balance has been determined and confirmed with the school, in line with ESFA guidelines (4 months after the date of conversion). To date only two school balances have been confirmed in 2019/20.

The deficit of £7.2m will be covered from the DSG Closing schools contingency of £0.751m and the balance will be met from revenue funding released through application of capital receipts. This will leave a balance of circa £1.5m of capital receipts for future deficits, from 2020/21 onwards, which poses a significant risk.

- **Admissions and Appeals.** The service could receive less income approx. £0.100m due to unclear DfE guidance on charging of academies for admission appeals. We have now received legal advice.

1.6 Table 2 sets out the Period 6 actual to date and forecast out-turn position for 2019/20.

Directorate	Original Budget	Current Budget	Forecast Outturn	Forecast Base Budget Over/ (Under)	Forecast Savings Non-delivery	P6 Forecast Over/ (Under)	Period 3 Forecast Over/ (Under)	Change since Period 3 (Improvement)/ Deterioration	
	£m	£m	£m	£m	£m	£m	£m	£m	%
School Settings / Improvement	1.273	1.273	1.273	0.000	0.000	0.000	0.000	0.000	0.00
Admissions & Placement	3.118	2.918	2.918	0.000	0.000	0.000	0.000	0.000	0.00
Education Skills & Infrastructure	0.047	0.047	0.047	0.000	0.000	0.000	0.000	0.000	0.00
Early Years	63.350	63.248	63.248	0.000	0.000	0.000	0.000	0.000	0.00
Schools Delegated Budget	493.668	460.469	460.469	0.000	0.000	0.000	0.000	0.000	0.00
DHSchool Funding Central	(653.064)	(627.621)	(627.621)	0.000	0.000	0.000	0.000	0.000	0.00
LACES	1.467	1.467	1.467	0.000	0.000	0.000	0.000	0.000	0.00
Higher Needs	80.446	88.614	88.614	0.000	0.000	0.000	0.000	0.000	0.00
Behaviour Support Se	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.00
Access to Education	5.663	5.663	5.663	0.000	0.000	0.000	0.000	0.000	0.00
Complex Needs Care	0.110	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.00
Early Support Service	1.673	1.673	1.673	0.000	0.000	0.000	0.000	0.000	0.00
Early Help&Childrens	0.069	0.069	0.069	0.000	0.000	0.000	0.000	0.000	0.00
Business Support	2.180	2.180	2.180	0.000	0.000	0.000	0.000	0.000	0.00
Directorate Total	(0.000)	(0.000)	(0.000)	0.000	0.000	0.000	0.000	0.000	0.00

2 Future Years

2.1 *Whilst the focus of this report is on the delivery of the 2019/20 budget, the monitoring process allows the opportunity to consider what issues may have been identified which have not been provided for in previous plans.*

2.2 Key future year's issues include.

High Needs Block

Nationally the gap between allocated high needs funding and local spending to meet demand is forecast to continue to increase. Increases in demand are due to many factors, and include:

- Additional unfunded statutory obligations arising from the 2014 SEND reforms
- Increasing numbers of pupils with high needs and increasing complexity of need.

The level of spend on High Needs is an area of concern, which is a concern nationally. At the end of 2018/19 the net cumulative deficit on High Needs was £15.500m. Latest modelling of pupil pipeline data shows that growth in demand is outstripping available local resources. Currently, if no action is taken and there is no national increase in funding, there is a forecast cumulative deficit for the High Needs Funding Block shown in the table below:

Table 3

Year	Cumulative Deficit
	£m
2019/20	17.300
2020/21	29.200
2021/22	40.100
2022/23	50.000
2023/24	59.900

Deficit position is as calculated at Period 3 and will be revised in future monitoring period.

The Government have announced additional national funding of circa £700m for Special Needs, though the details on how this will be allocated have yet to be confirmed. It should however contribute positively to addressing the pressures outlined along with the work underway on the transformation and modernisation of SEND provision which is being progressed by the Directorate and the 2020/21 budget process. The expected impact in Birmingham will require analysis of the detail, however 2020/21 DSG settlements to LA's will not be issued until December 2019.

The Directorate is developing and will be implementing a 5 year deficit recovery plan in 2019/20, including £1.400m funding to be applied to innovate to save initiatives in 2019/20 academic year. A High Needs Group has been convened with membership from schools and council officers, An initial meeting has taken place and a number of other meetings are scheduled with the target of developing a High Needs Deficit Recovery plan by the end of the financial year.

School Deficit Balances

The Directorate is supporting schools with deficits to either come out of deficit and/or stop them increasing. As at 31/3/2019 the net balance on schools was £47.400m, which comprised £59.000m surplus balances and £12.600m deficit balances. The growing level of deficit is an increasing concern since where those deficits are not addressed and schools are directed to become academies due to poor educational performance BCC is required to fund the deficits.

The Directorate have produced and presented a School Financial Deficit Action Plan to CMT (13th May 2019) of the level of financial deficits in schools at the 2018/19 out-turn and outlined the action plan which has been developed to seek to minimise future levels of deficits, to avoid additional financial risk to the Council. A report was also taken to School Forum in June and further reports will be taken to CMT and School Forum on a quarterly basis.

The actions reported to School Forum in June covers a range of measures to strengthen action on deficits through the following:

- Identify a Schools Forum representative to sit on the Schools Finance Governance Board,
- Amend Schools Forums terms of reference to include the City Councils section 151 officer, who provides oversight of financial, statutory and constitutional requirements,
- Receive quarterly reports on the position of individual school budgets and the progress of actions being taken to address school deficits,
- Develop a Birmingham 'clawback' policy of individual surplus school balances, in order to maximise the designated School Budget across the City,
- Complete the DfE's Schools Forum self-assessment toolkit, to determine aspects of good practice and areas for further development,

Progress will be monitored through quarterly reporting to CMT and School Forum. The first report was presented to Schools Forum in September and a similar report will be presented to CMT in October.

Annex 10 Housing Revenue Account

1. Housing Revenue Account-

- 1.1 A balanced overall revenue position is forecast, with any net overspends or underspends to be managed by corresponding adjustments to the level of HRA borrowing repaid or Reserves.

Description	Annual		
	Budget	Forecast	Variance
	£m	£m	£m
Expenditure	205.069	206.899	1.830
Income	(274.139)	(275.469)	(1.330)
Below the Line Analysis	69.070	68.570	(0.500)
Net Expenditure	0.000	0.000	0.000

- 1.2 Additional income of £1.3m is forecast largely due to additional rent (£0.4m) resulting from an additional day in current financial year, no sales to INReach, offset by increased RTB's; reduction in void rent loss (£0.9m) due to continued improvement in void performance. This is offset by increased expenditure to fund additional revenue contribution to capital.
- 1.3 Pressures on the HRA include:
- 'Seed funding' for the Ladywood Development project, estimate as £0.600m in the current year and £0.700m in future years.
 - HRA Re-design Phase 2 costs are estimated £0.400m
 - Other pressures arising, including impact of Hackett report, tenancy conditions review and stock condition survey are yet to be quantified over the coming weeks.
- 1.4 Overall there are sufficient forecast savings on HRA expenditure to cover current specific pressures where costs have been identified.
- Savings on employee costs - a combination of savings identified from the Phase 1 restructure and other vacancies

Appendix A

Annex 11 Uses of Reserves

Annex 11 Use of Reserves

Detailed Breakdown of Proposed (Use of)/ Contribution to Reserves since Period 3					
Directorate making request	Reserve	Reason for request	Budget Approved Period 3	Changes Proposed Since Period 3	Forecast Proposed (Use) /Contribution at Month 6
			£m	£m	£m
Corporate	Financial Resilience Reserve		(5.910)	0.000	(5.910)
	Subtotal Use of General Reserves		(5.910)	0.000	(5.910)
Corporate	Business Rates Section 31 Grant Income	2019/20 Business Rates Section 31 Grant Income Surplus to be Carried Forwards to offset 2019/20 Business Rates Collection Fund Deficit Forecast	5.612	(0.230)	5.382
Finance & Governance	Invest to Save Reserve	Borrowing to fund new ERP system (reduced at Month 6)	(7.551)	1.016	(6.535)
Digital & Customer Services	Invest to Save Reserve	Borrowing to fund ICT Service Transition	0.000	(7.641)	(7.641)
Inclusive Growth	Policy Contingency-Mobile Investment Fund (MIF)	Payment under the MIF	0.000	(0.050)	(0.050)
Education & Skills	Policy Contingency-Youth Promise Project	To fund final project costs	0.000	(0.078)	(0.078)
Neighbourhoods	Cyclical Maintenance Reserve- General	To fund the repair on Old Rep Theatre including conditional survey	0.000	(0.015)	(0.015)
Corporate	Other Uses of Corporate Reserves*		18.302	0.000	18.302
	Subtotal Use of Corporate Reserves		16.364	(6.998)	9.365
Inclusive Growth	Unlocking Social and Economic Innovative Together Project	Funding the expenditure on USEIT project	0.000	(0.592)	(0.592)
Inclusive Growth	CIL - City Wide Projects	Known amounts to be received during year	0.000	0.017	0.017
Inclusive Growth	CIL - Bournbrook & Selly Park Ward	Known amounts to be received during year	0.000	0.111	0.111
Inclusive Growth	COSAFE Project	Use of grant received to fund project	0.000	(0.001)	(0.001)
Inclusive Growth	Gailey Park Master Plan	Grant to complete project	0.000	(0.021)	(0.021)
Inclusive Growth	Brownfield Register	Grant to complete project	0.000	(0.009)	(0.009)
Inclusive Growth	Section 106's-Inclusive Growth	Known amounts received during year and project expenditure	0.000	(0.111)	(0.111)
Neighbourhoods	Section 106's-Parks Commuted Sums	Reduce / No longer utilising Section 106 monies	0.000	0.030	0.030
Neighbourhoods	Section 106's-Neighbourhoods	Reduce / No longer utilising Section 106 monies	0.000	0.024	0.024
Neighbourhoods	Modern Slavery	Continue funding of MCHLG project in 2019/20	0.000	(0.117)	(0.117)
PIP	Prevent	Use of grant received to fund project	0.000	(0.299)	(0.299)
PIP	Public Health	Reduction in Transition funding required in 2019/20	(3.388)	3.388	0.000
Adult Social Care	IBCF Reserves	Reduction in use of IBCF Reserves	(11.340)	2.952	(8.388)
Education & Skills	Lifelong Learning skills fund	To fund BAES' upgrade in its IT capacity to improve efficiency, reduce operational costs and offer an enhanced learning experience.	0.000	(0.758)	(0.758)
Various	Other Uses of Grant Reserves		(4.720)	0.000	(4.720)
	Subtotal Use of Grant Reserves		(19.448)	4.614	(14.835)
Finance & Governance	VAT Reserve	Part of VAT Refund to be allocated to VAT Reserve	(0.240)	0.849	0.609
Inclusive Growth	Business Development & Innovation Match Funding	Funding the expenditure on PIP project	0.000	(0.126)	(0.126)
Inclusive Growth	Electric Vehicle Charging	Grant to complete project	0.000	(0.003)	(0.003)
Neighbourhoods	Licensing Entertainment/General	Surplus to be held in ring fence and included in licence fee calculations	0.000	0.116	0.116
Neighbourhoods	Major Events	Funding balance of planned Major Events committed for 2019/20	0.000	(0.653)	(0.653)
Education & Skills	LOB - Archives Development Fund	Approvals for LOB Archives Development Fund	0.000	(0.042)	(0.042)
Education & Skills	Youth Promise Plus (YPP)	To fund the YPP project costs	0.000	(0.107)	(0.107)
Education & Skills	European Social Fund	To fund the World of Work (WOW) project costs	0.000	(0.014)	(0.014)
Various	Other Uses of Earmarked Reserves*		(8.656)	0.000	(8.656)
	Subtotal Use of Earmarked Reserves		(8.896)	0.019	(8.876)
Education & Skills	Non-Schools Dedicated Schools Grant (DSG) approved at Period 3		(1.199)	0.000	(1.199)
	Subtotal Non Schools DSG		(1.199)	0.000	(1.199)
	Total Use of Reserves		(19.090)	(2.365)	(21.455)

*Note, as in Tables 5 and 6 in Section 6, following final audit of the 2018/19 accounts, the split between use of Corporate and Earmarked reserves has been restated.

Annex 12 Savings Programme**Table 2a: Overview of the Forecast Delivery of the 2019/20 Savings Programme- Original Approved Savings**

Directorate	2019/20 Agreed Savings	On Track/ Fully Delivered against Programme	Blue - Fully Delivered	Green-On Track	Amber-At Risk	Red-Non Delivery	Purple- Undeliverable	One off Mitigations to adresss Savings Non-Delivery
	£m	%	£m	£m	£m	£m	£m	£m
Adult Social Care	(14.620)	93.7	(3.366)	(10.336)	0.000	(0.918)	0.000	0.000
Digital & Cust Services	(2.773)	95.0	0.426	(3.059)	0.000	0.000	(0.140)	(0.140)
Education & Skills	(8.837)	1.0	0.040	(0.127)	(6.022)	(1.010)	(1.718)	(2.728)
Finance & Governance	(2.261)	71.0	(0.669)	(0.937)	(0.468)	(0.187)	0.000	0.000
Human Resources	(0.514)	100.0	(0.435)	(0.079)	0.000	0.000	0.000	0.000
Inclusive Growth	(2.836)	96.5	(1.246)	(1.490)	(0.100)	0.000	(0.134)	0.000
Neighbourhoods	(14.982)	69.5	(6.212)	(4.199)	(2.016)	(1.487)	(1.068)	(0.115)
Partnerships, Insight and Prevention	(0.548)	93.8	(0.512)	(0.002)	(0.034)	0.000	0.000	0.000
Directorate Subtotal	(47.371)	68.0	(11.974)	(20.229)	(8.640)	(3.602)	(3.060)	(2.983)
Corporate Savings	1.180	100.0	1.180	0.000	0.000	0.000	0.000	0.000
Total Programme	(46.191)	67.2	(10.794)	(20.229)	(8.640)	(3.602)	(3.060)	(2.983)

Table 2b: Overview of the Forecast Delivery of the 2019/20 Savings Programme- One Off Savings

Directorate	2019/20 Agreed Savings	On Track/ Fully Delivered against Programme	Blue - Fully Delivered	Green-On Track	Amber-At Risk	Red-Non Delivery	Purple- Undeliverable	One off Mitigations to adresss Savings Non-Delivery
	£m	%	£m	£m	£m	£m	£m	£m
Adult Social Care	(1.690)	100.0	(1.690)	0.000	0.000	0.000	0.000	0.000
Digital & Cust Services	(4.145)	100.0	0.000	(4.145)	0.000	0.000	0.000	0.000
Education & Skills	0.000	0.0	0.000	0.000	0.000	0.000	0.000	0.000
Finance & Governance	(0.530)	0.0	0.000	0.000	0.000	(0.530)	0.000	(0.030)
Human Resources	(0.204)	100.0	(0.204)	0.000	0.000	0.000	0.000	0.000
Inclusive Growth	(1.934)	61.4	(0.211)	(0.977)	0.000	(0.694)	(0.052)	0.000
Neighbourhoods	(3.582)	21.2	(0.700)	(0.060)	(0.306)	(1.397)	(1.119)	(0.419)
Partnerships, Insight and Prevention	0.000	0.0	0.000	0.000	0.000	0.000	0.000	0.000
Directorate Subtotal	(12.085)	66.1	(2.805)	(5.182)	(0.306)	(2.621)	(1.171)	(0.449)
Corporate Savings	0.000	0.0	0.000	0.000	0.000	0.000	0.000	0.000
Total Programme	(12.085)	66.1	(2.805)	(5.182)	(0.306)	(2.621)	(1.171)	(0.449)

Annex 13 Resource Allocations**1.1 General Policy Contingency**

General Policy Contingency for the year is £2.546m. The use of £0.112m has already been approved leaving a balance of £2.434m.

1.2 Specific Policy Contingency

The Council Financial Plan and Budget 2019-2023 approved by Council on 26th February 2019 reflected £39.698m for Specific Policy contingency in 2019/20. A breakdown by each specific contingency is reflected in Annex 14. It should be noted that the Directorate forecasts have already assumed the allocation of Specific Policy Contingency in year.

The Cabinet meeting of 30 July 2019 approved allocations of £2.174m of Specific Policy Contingency related to the Invest to Save Fund and £0.600m for Energy Inflation. This left a balance of £36.924m before the proposed uses mentioned below.

The Gateway and Related Financial Approvals Framework requires approval from the Section 151 Officer, in conjunction with the Leader and the Chief Executive, to release funds from Specific Policy Contingency.

As part of the Council's simplification of processes, the Cabinet meeting of 30 July 2019, approved that the Section 151 Officer be given delegated authority for the verification and allocation of Specific Policy contingency to fund expenditure which is in line with the approval given as part of the Council Financial Plan and Budget 2019-2023.

Any requests for funding from Specific Policy Contingency that are not in line with the original application in the Council Financial Plan and Budget 2019-2023 will require approval by Cabinet.

Adult Social Care Winter Pressure

The Section 151 Officer has approved the allocation of £5.600m of funding for Adult Social Care Winter Pressures. This is extra funding announced by the Secretary of State for Health and Social Care aimed at reducing delayed transfers of care.

Inflation

The Section 151 Officer has approved the release of £0.963m of Specific Policy contingency to fund inflationary pressures, in line with the Council Financial Plan and Budget.

Short-term Council House Improvement

The Section 151 Officer has approved the release of £0.119m of Specific Policy contingency to fund improvement work on the Council House, in line with the Council Financial Plan and Budget.

Travel Assist

It was agreed by Cabinet on 15 July to provide Education & Skills with an allocation of £2.897m from the Budget Delivery Contingency within Specific Policy Contingency to fund pressures relating to Travel Assist.

Following the allocations of the above, the balance on Specific Policy Contingency is £27.345m.

Community Sport

As referred to in the Executive Summary, a review of items within Policy Contingency has identified that £8.500m set aside for demography pressures is not required based on the latest assessment of client numbers. It is proposed that £3.900m of this is used to fund an underlying pressure within Community Sport. The presentation of this report assumes this allocation is approved.

If the above is approved, the balance on Specific Policy Contingency will be £23.445m.

1.3 Proposed acceptance of Grant for Community Safety

£0.633m of grant funding has been allocated by the West Midlands Police and Crime Commissioner for community safety and, per the Gateway process, approval is requested to incur expenditure funded by accepting external revenue resources.

1.4 Transfer of Service Areas

The Council continues to periodically review the Directorate Service responsibilities with the aim of securing the most appropriate service delivery arrangements to ensure that these are delivered effectively in a co-ordinated manner. The latest approved hierarchy is reflected in Table 1.

Appendix A

Annex 14 Policy Contingency

Annex 14 Policy Contingency

	Original Budget 2019/20	Approvals / Adjustments Prior to Period 6	Revised Budget 2019/20	Approvals / Allocations not yet in Voyager as at 30th September	Proposals awaiting approval at 30th September	Remaining Contingency if proposals approved
	£'000	£'000	£'000	£'000	£'000	£'000
Car Park Closure Resources	252		252			252
National Living Wage	365		365			365
Autoenrolment in Pension Fund	300		300			300
Inflation Contingency	4,951	(1,563)	3,388			3,388
Highways Maintenance	250		250			250
Apprenticeship Levy	1,108		1,108			1,108
Commonwealth Games Project Team Costs	1,000		1,000			1,000
Budget Delivery Contingency	12,000	(2,897)	9,103			9,103
Adult Social Care & Health Demography	8,500		8,500		(3,900)	4,600
Short-term Council House Improvement	200	(119)	81			81
Adults Social Care Winter Pressure	5,600	(5,600)	0			0
Invest to Save Fund	3,172	(2,174)	998			998
Art Endowments	2,000		2,000			2,000
Subtotal Specific Contingency	39,698	(12,353)	27,345	0	(3,900)	23,445
General Contingency	2,526	(112)	2,414			2,414
Revenue Services Transformation Programme	20		20			20
Total Contingency excluding savings	42,244	(12,465)	29,779	0	(3,900)	25,879

Annex 15 Movement in Directorate Budgets Since Period 3

Movements in Directorate Budgets from Period 3 to Period 6	
	£m
Directorate Current Net Budget at Period 3	845.734
Directorate Current Net Budget at Period 6	862.611
Movements	16.877
Detailed Movements in Directorate Budgets from Period 3 to Period 6	
	£m
Specific Policy Contingency Allocations	
Invest to Save Fund	2.174
Adult Social Care Winter Pressure Grant	5.600
Energy Inflation	0.600
Other Inflation	0.963
Short-term Council House Improvement	0.119
Budget Delivery Contingency for Travel Assist	2.897
Proposed funding of Community Sports Pressure from Demography	3.900
General Policy Contingency Allocations	
Assurance Framework	0.112
Policy Contingency Reserves	
Transfers from Policy Contingency Reserves to Directorates	0.428
Other	
Transfer to Digital & Cust Service re deficit on pensions collected automatically	0.652
Transfer of contribution to Reserves from Finance & Governance to a Corporate code	(0.600)
Other Minor movements	0.032
Grand Total	16.877

Annex 16 Collection Fund

The monitoring arrangements for the Collection Fund include reporting on the in-year position for Council Tax and Business Rates. However, for the most part, the impact on the budget is as set out in the Financial Plan 2019 - 2023, with any surplus or deficit being required to be carried forward and taken into account as part of the 2020/21 budget setting process.

Council Tax

The overall net budget for Council Tax income including Parish and Town Council Precepts is £349.276m in 2019/20. In addition, the Council collects the precepts on behalf of the Fire and Police Authorities.

There is a surplus forecast for the year of which the Council's share is £6.085m. The position is unchanged compared with quarter 1. This is made up of a cumulative surplus brought forwards from 2018/19 of £4.280m, which was reported previously in the 2018/19 Outturn Report, plus an additional in year surplus relating to 2019/20 of £1.805m. This additional surplus is primarily due to further forecast growth in the number of new properties compared with the volumes anticipated when setting the budget.

Business Rates

Under the 100% Business Rates Pilot that came into effect on 1st April 2017 the Council continues to retain 99% of all Business Rates collected under the Business Rates Retention Scheme with 1% being paid over to the West Midlands Fire Authority. The overall budgeted level of Business Rates in 2019/20 is £441.484m (excluding the Enterprise Zone), of which the Council's retained share is £437.069m.

Excluding the impact of appeals there is a deficit anticipated, in year, of which the Council's share is £8.307m (£7.334m at quarter 2), representing a £0.973m worsening of the position reported previously. This is mainly due to lower expected net growth, after reliefs, compared with previous forecasts. However, it is anticipated that this is purely a timing issue and that additional growth will materialise in 2020/21 which has been built into planning assumptions for next year.

There are fewer compensatory grants anticipated to offset this deficit of £5.382m (£5.612m at quarter 1). This £0.230m reduction is due to a lower level of anticipated grant funded reliefs. These will be received into the General Fund in 2019/20 and so will be required to be set aside as a contribution to reserves in the current year to be used to offset the £8.307m forecast deficit in the Collection Fund.

In addition, there is an appeals related deficit anticipated of which the Council's share is £1.769m (£1.396m at quarter 1). This is due to an increase in the number of Business Rates appeals that have been submitted. This increase is expected and is anticipated to increase further over the next couple of years. However, in anticipation of this, the Council has set aside, from previously reported Business Rates surpluses, a reserve to cover eventual Business Rates appeals losses. It is anticipated that £1.769m will be released from this reserve in 2020/21 to cover this element of the deficit which is an increase of £0.373m compared with quarter 1.

As a result of the above a total in year deficit of £2.925m (£1.722m at quarter 1) is assumed to be carried forward and taken into account in setting the budget for 2020/21 made up of £10.076m deficit (£8.307m non appeals related plus £1.769m for appeals) relating to the Council's share offset by £7.151m of use of reserves (£5.382m relating to compensatory grants plus £1.769m of appeals reserves).

In addition to the in-year position and as previously reported in the 2018/19 Outturn report, a cumulative deficit was brought forward from 2018/19 of £5.241m due to the final surplus position for 2018/19 being £7.439m compared with a £12.680m surplus anticipated when setting the budget for 2019/20. Therefore, an overall forecast Deficit of £8.166m relating to the Council's share of Business Rates (£2.925m in year Deficit plus £5.241m Deficit brought forward) is anticipated.

The position for Business Rates is shown in the table below.

	Quarter 2		Quarter 1		Change	
	£m	£m	£m	£m	£m	£m
Business Rates (BR) Deficit Excluding Appeals		8.307		7.334		0.973
BR Deficit relating to Appeals		1.769		1.396		0.373
Forecast 2019/20 Deficit		10.076		8.730		1.346
BR Deficit B/F 2018/19		5.241		5.241		0.000
BR Deficit C/F		15.317		13.971		1.346
Use of BR Appeals Reserve	(1.769)		(1.396)		(0.373)	
Compensatory Section 31 Grants	(5.382)		(5.612)		0.230	
		(7.151)		(7.008)		(0.143)
BR Related Overall Forecast Deficit		8.166		6.963		1.203

Overall

Taken together, the anticipated position for the Collection Fund and related income streams is a deficit of £2.081m (£0.878m at quarter 1) to be carried forward and taken into account in setting the budget for 2020/21 (£6.085m surplus for Council Tax offset by a £8.166m deficit for Business Rates).

Annex 17 Write-offs**Write-off of Irrecoverable Housing Benefit, Council Tax and Business Rates****a. Irrecoverable Housing Benefit**

In circumstances where Housing Benefit overpayments are identified as not being recoverable, or where recovery is deemed uneconomic, the City Council's Financial Regulations and delegated powers allow for these overpayments and income to be written off. All possible avenues must be exhausted before such write offs are considered. Amounts already written off will still be pursued should those owing the Council money eventually be located or return to the city.

The cost to the Council of writing off these irrecoverable sums will be charged to the City Council's provision set up for this purpose, which includes sums set aside in previous years to meet this need. There is no direct effect on the revenue account.

In 2019/20, from 1st July up to 30th September 2019, further items falling under this description in relation to Benefit overpayments have been written off under delegated authority. The Table below details the gross value of amounts written off of £0.344m, which members are asked to note.

Age analysis	Up To 2013/14	2014/15- 2016/17	2017/18- 2019/20	Total
	£m	£m	£m	£m
Benefit Overpayments	0.034	0.091	0.219	0.344
Total	0.034	0.091	0.219	0.344

Section (d) of this Appendix gives a more detailed age analysis of overpayments and income written off.

b. Irrecoverable Council Tax & Business Rates

All Council Tax and Business Rates are due and payable. However, there are certain instances where the amount of the bill needs to be either written off or reduced (e.g. where people have absconded, have died, have become insolvent or it is uneconomical to recover the debt).

If an account case is subject to this, then consideration is given to write the debt off subject to the requirement to consider all options to recover the debt, prior to submitting for write off. However, once an account has been written off, if the debtor becomes known to the Revenues Service at a later date, then the previously written off amount will be reinstated and pursued.

In respect of Business Rates, where a liquidator is appointed, a significant period of time is taken to allow for the company's affairs to be finalised and to subsequently determine if any

monies are available to be paid to creditors. Once it is established this is not to happen, a final search of Companies House is undertaken to confirm the company has been dissolved.

Cabinet are requested to approve the writing off of business rates debts to the Council which are greater than £0.025m, totalling £1.514m as detailed in Section (c) of this Annex. Further information in respect of these is available on request.

In 2019/20, from 1st July 2019 to 30th September 2019, further items falling under this description in relation to Business Rates have been written off under delegated authority. The table below details the total approved gross value of these amounts written off of £1.810m for Business Rates, which Members are asked to note.

Age analysis	Up To 2013/14	2014/15-2016/17	2017/18-2019/20	Total
	£m	£m	£m	£m
Business Rates	0.821	0.989	-	1.810
TOTAL	0.821	0.989	0.000	1.810

Section (e) of this Appendix gives a more detailed age analysis of overpayments and income written off.

c.

Case No.	Supporting Information	Total Debt
	<u>Business Rates</u> Further information in respect of the Business Rates Write Offs listed below is available on request.	
1	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 01/06/01 to 31/05/04 – 6003678504	£71,116.53
2	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 01/04/02 to 28/02/03 - 6003106505	£25,474.55
3	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 31/01/03 to 07/04/05 - 6003589153	£40,322.98
4	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 01/04/03 to 19/01/05 – 6003579466	£40,956.25
5	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 06/05/03 to 06/12/05 – 6003579944	£28,041.14
6	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 23/06/03 to 20/06/05 – 6003708454	£28,239.52
7	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 10/09/04 to 23/11/05 – 6003612831	£25,642.86
8	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 01/12/05 to 30/06/06 – 6004035561	£31,319.54
9	Liability Period(s)/Account Ref Number(s) Property 1 - Business Rates due for the period 01/04/05 to 31/03/08 – 6003595428 - £33,624.86 Property 2 - Business Rates due for the period 01/04/08 to 09/11/09 – 6004379553 - £15,803.18	£49,428.04
10	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 27/10/05 to 16/01/07 - 6004100365	£26,361.76
11	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 01/06/05 to 17/07/07 – 6004034955	£27,098.16
12	Liability Period(s)/Account Ref Number(s) Property 1 - Business Rates due for the period 01/04/05 to 13/04/09 – 6004267649 - £8,728.46 Property 2 - Business Rates due for the period 01/04/05 to 27/04/09 – 6004269430 - £26,537.81	£35,266.27
13	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 03/01/06 to 27/12/06 – 6004212177	£46,816.88
14	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 27/06/05 to 27/01/08 – 6004309862	£87,980.79
15	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 01/04/05 to 31/12/06 – 6004271770	£48,857.67
16	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 29/09/06 to 24/06/08 – 6004163891	£32,535.59
17	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 03/09/08 to 07/07/11 - 6004371015	£39,061.62
18	Liability Period(s)/Account Ref Number(s)	£40,120.91

Appendix A

Annex 17 Write-offs

	Business Rates due for the period 03/09/08 to 25/01/12 – 6004642419	
19	Liability Period(s)/Account Ref Number(s) Business Rates due for the period 09/01/09 to 14/10/11 - 6004971139	£36,981.28
20	Liability Period(s)/Account Ref Number(s) Property 1 - Business Rates due for the period 18/02/10 to 09/05/12 – 6004552781 - £44,669.86 Property 2 - Business Rates due for the period 05/08/09 to 09/12/09 – 6005387739 - £7,318.21	£51,988.07
21	Liability Period(s)/Account Ref Number(s) Property 1 - Business Rates due for the period 01/04/09 to 16/12/10 – 6004267796 - £9,490.81 Property 2 - Business Rates due for the period 01/04/10 to 16/12/10 – 6004250542 - £20,834.52 Property 3 - Business Rates due for the period 01/04/09 to 16/12/10 – 6004397011 - £94,589.18 Property 4 - Business Rates due for the period 01/04/10 to 16/12/10 – 6004507140 - £13,585.36 Property 5 - Business Rates due for the period 01/04/10 to 16/12/10 – 6004494993 - £26,311.26	£164,811.13
22	Liability Period(s)/Account Ref Number(s) Property 1 - Business Rates due for the period 24/11/09 to 21/08/16 – 6004558187 - £75,624.70 Property 2 - Business Rates due for the period 24/11/09 to 31/03/15 – 6004574252 - £177,259.23 Property 3 - Business Rates due for the period 01/04/11 to 21/08/16 – 6004574263 - £60,162.58 Property 4 - Business Rates due for the period 24/11/09 to 21/08/16 – 6004717939 - £20,297.13 Property 5 - Business Rates due for the period 24/11/09 to 21/08/16 – 6004726612 - £39,268.90 Property 6 - Business Rates due for the period 24/11/09 to 21/08/16 – 6004846126 - £94,642.97 Property 7 - Business Rates due for the period 24/11/09 to 31/03/12 – 6005055929 - £1,534.36 Property 8 - Business Rates due for the period 24/11/09 to 31/03/12 – 6005055974 - £1,534.36 Property 9 - Business Rates due for the period 24/11/09 to 31/03/12 – 6005056035 - £1,534.36 Property 10 - Business Rates due for the period 24/11/09 to 31/03/12 – 6005056068 - £1,534.36 Property 11 - Business Rates due for the period 24/11/09 to 31/03/12 – 6005056115 - £1,534.36 Property 12 - Business Rates due for the period 24/11/09 to 31/03/12 – 6005056126 - £1,534.36 Property 13 - Business Rates due for the period 24/11/09 to 31/03/12 – 6005056137 - £1,534.36 Property 14 - Business Rates due for the period 24/11/09 to 31/03/12 – 6005056148 - £1,534.36 Property 15 - Business Rates due for the period 24/11/09 to 31/03/12 – 6005056171 - £1,534.36 Property 16 - Business Rates due for the period 24/11/09 to 31/03/12 – 6005056295 - £1,534.36 Property 17 - Business Rates due for the period 01/10/10 to 31/03/12 – 6005188652 - £1,186.47 Property 18 - Business Rates due for the period 01/04/15 to 21/08/16 – 6005743311 - £25,789.32 Property 19 - Business Rates due for the period 01/04/15 to 21/08/16 – 6005743322 - £25,617.39	£535,192.29
TOTAL		£1,513,613.83

Appendix A

Annex 17 Write-offs

d. Age analysis of Overpayments and Debts written off under delegated authority by Revenues and Benefits Division

Detail	Pre 2009	2009/10	2010/11	2011/12	20012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	Total	No of Debtors
Housing Benefit debts written off under delegated authority	£28,731	£871	£1,163	£2,861	£3,645	£11,023	£6,100	£19,802	£50,439	£87,284	£66,173	£66,341	£344,433	1251
TOTAL	£28,731	£871	£1,163	£2,861	£3,645	£11,023	£6,100	£19,802	£50,439	£87,284	£66,173	£66,341	£344,433	1251

Debt Size							
Small		Medium		Large		Total	
Cases	>£1,000	Cases	£1,001- £5,000	Cases	£5,000- £25,000	Cases	
1173	£154,624	72	£133,308	6	£56,500	1251	£344,432

e. Age analysis of overpayments and debts written off under delegated authority by Revenues and Benefits Division

Detail	Pre 2009/10	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	Total
Business rates written off under delegated authority	£30,011	£33,496	£111,466	£33,869	£270,445	£341,432	£149,137	£839,622	£1,809,478
TOTAL	£30,011	£33,496	£111,466	£33,869	£270,445	£341,432	£149,137	£839,622	£1,809,478

Debt size analysis of overpayments and debts written off under delegated authority by Revenues and Benefits Division

Grouped by value	Small (<£1,000)		Medium (£1,000 - £5,000)		Large (>£5,000)		TOTAL	
	Value	Cases	Value	Cases	Value	Cases	Value	Cases
Business Rates written off under delegated authority	£114,102	228	£981,544	383	£713,833	89	£1,809,478	700
TOTAL	£114,102	228	£981,544	383	£713,833	89	£1,809,478	700

Overview

Appendix No	Description
B1	Overview
B2	Capital Monitoring Summary
B3	Capital Budget Movements
B4	Capital Budget Movements Commentary
B5	Capital Forecast Variations
B6	Capital Forecast Variations Commentary
B7	Commentary on Risks and Issues
B8	Prudential Borrowing - Additions or Reductions Quarter 2
B9	Capital Expenditure 10-year+ Plan

This report takes each Directorate in turn, in the format;

- a) capital budget changes
- b) forecast variations from budget
- c) commentary on major risks/issues

The capital budget is a resource and expenditure planning to proceed. Individual approvals are sought through Business Case reports under the Gateway process.

Capital Monitoring Summary

Appendix B2

Expenditure

	2019/20 £m	2020/21 £m	2021/22 £m	Later Years £m	Total Plan £m
Quarter 1 Approved Budget	641.018	634.674	444.550	1,826.789	3,547.031
Budget Changes - New Resources / (Reductions)	0.361	0.077	0.000	(0.050)	0.388
Budget Changes - Rephasing Approved by Cabinet	(0.201)	(20.909)	(8.625)	29.735	0.000
Budget Quarter 2	641.178	613.842	435.925	1,856.474	3,547.419
Forecast Slippage Month 6	(41.563)	35.593	7.705	(1.734)	0.000
Forecast Overspend / (Underspend) Quarter 2	(6.525)	(28.889)	(16.548)	(85.138)	(137.101)
Forecast Outturn at Quarter 2	593.089	620.546	427.081	1,769.601	3,410.318

Resources

Use of Specific Resources:

Grants & Contributions	301.193	148.354	143.388	99.873	692.807
Earmarked Capital Receipts - RTB & Revenue Reform	49.170	57.077	32.132	188.056	326.434
Revenue Contributions - Departmental	17.495	20.800	14.509	19.388	72.191
Revenue Contributions - HRA	53.045	51.843	60.440	539.630	704.958

Use of Corporate or General Resources:

Corporate Resources	13.707	8.807	0.000	0.392	22.905
Unsupported Prudential Borrowing - General	0.000	0.000	0.000	0.000	0.000
Unsupported Prudential Borrowing - Corporate	22.647	56.262	17.189	2.317	98.415
Unsupported Prudential Borrowing - Directorate	135.833	277.404	159.424	919.946	1,492.607

Forecast Use of Resources

593.089	620.546	427.081	1,769.601	3,410.318
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Ref.	Budget Movements					
	Current Year			All Years		
	Quarter 1 Budget £m	Current Budget £m	Change £m	Quarter 1 Budget £m	Current Budget £m	Change £m
ADULT SOCIAL CARE DIRECTORATE						
Adult Care & Health						
Property Schemes	0.731	0.731	0.000	1.208	1.208	0.000
Adults IT	1.020	1.020	0.000	1.266	1.266	0.000
Improvements To Social Care Delivery	0.000	0.000	0.000	0.000	0.000	0.000
Independent Living	10.278	10.278	0.000	21.685	21.685	0.000
Total Adult Social Care Directorate	12.029	12.029	0.000	24.158	24.158	0.000
EDUCATION AND SKILLS DIRECTORATE						
Education & Early Years						
Devolved Capital Allocation to Schools	3.379	3.379	0.000	7.496	7.496	0.000
School Condition Allocations	16.103	16.103	0.000	17.703	17.703	0.000
Basic Need - Additional School Places	50.301	50.301	0.000	120.249	120.249	0.000
Other Minor Schemes - Schools	0.013	0.013	0.000	0.013	0.013	0.000
EarlyYrs&Childcare	1.057	1.057	0.000	1.057	1.057	0.000
IT Investment	1.818	1.818	0.000	2.927	2.927	0.000
S106 Woodlinton Road	0.252	0.252	0.000	0.252	0.252	0.000
Total Education & Early Years	72.924	72.924	0.000	149.698	149.698	0.000
Skills & Employability						
Adult Ed & Youth	1.141	1.141	0.000	1.141	1.141	0.000
Birmingham Libraries	0.907	0.907	0.000	4.467	4.467	0.000
Total Skills & Employability	2.048	2.048	0.000	5.608	5.608	0.000
Total Education and Skills Directorate	74.971	74.971	0.000	155.306	155.306	0.000
NEIGHBOURHOODS DIRECTORATE						
Street Scene						
Waste Management Services	11.876	11.876	0.000	58.967	58.967	0.000
Parks & Nature Conservation	16.445	16.546	0.101	19.979	20.082	0.103
Total Street Scene	28.321	28.422	0.101	78.946	79.049	0.103
Housing Services						
Housing Options Service	0.284	0.284	0.000	2.604	2.604	0.000
Private Sector Housing	0.685	0.685	0.000	1.986	1.986	0.000
Housing Revenue Account						
Housing Improvement Programme	71.016	71.016	0.000	653.634	653.634	0.000
Redevelopment	38.243	38.243	0.000	401.659	401.659	0.000
Other Programmes	5.462	5.462	0.000	57.129	57.129	0.000
Total Housing Revenue Account	114.721	114.721	0.000	1,112.422	1,112.422	0.000
Total Housing Services	115.690	115.690	0.000	1,117.012	1,117.012	0.000
Neighbourhoods						
Community, Sport & Events	2.487	2.487	0.000	2.487	2.487	0.000
Neighbourhoods	0.002	0.002	0.000	0.002	0.002	0.000
Cultural Development	3.006	3.006	0.000	3.006	3.006	0.000
Total Neighbourhoods	5.495	5.495	0.000	5.495	5.495	0.000
Regulation & Enforcement						
Bereavement	0.095	0.095	0.000	0.095	0.095	0.000
Markets Services	0.244	0.244	0.000	1.003	1.003	0.000
Environmental Health	0.009	0.009	0.000	0.009	0.009	0.000
Mortuary/Coroners	0.278	0.278	0.000	0.278	0.278	0.000
Total Regulation & Enforcement	0.626	0.626	0.000	1.385	1.385	0.000
Total Neighbourhoods Directorate	150.132	150.233	0.101	1,202.837	1,202.941	0.103
INCLUSIVE GROWTH DIRECTORATE						
Planning & Development						
Major Projects						
Enterprise Zone - Paradise Circus	32.978	32.978	0.000	63.219	63.219	0.000
Enterprise Zone - Site Development & Access	2.500	2.500	0.000	2.500	2.500	0.000
Enterprise Zone - Connecting Economic Opportunities	1.115	1.115	0.000	139.707	139.707	0.000
Enterprise Zone - Southern Gateway Site	0.450	0.450	0.000	150.450	150.450	0.000
Enterprise Zone - Southside Public Realm	0.000	0.000	0.000	9.060	9.060	0.000
Enterprise Zone - LEP Investment Fund	0.000	0.000	0.000	20.000	20.000	0.000
Enterprise Zone - HS2-Interchange Site	0.000	0.000	0.000	20.000	20.000	0.000
EZ Phase II - HS2 Station Environment	2.438	2.438	0.000	59.410	59.410	0.000
EZ Phase II - HS2 Site Enabling	1.500	1.500	0.000	101.500	101.500	0.000
EZ Phase II - Local Transport Improvements	0.000	0.000	0.000	104.800	104.800	0.000
EZ Phase II - Metro Extension to E Bham/Solihull	0.000	0.000	0.000	183.300	183.300	0.000
EZ Phase II - Social Infrastructure	0.000	0.000	0.000	0.000	0.000	0.000
EZ Capitalised Interest	3.960	3.960	0.000	31.790	31.790	0.000
Jewellery Quarter Cemetary	1.295	1.295	0.000	1.798	1.798	0.000
Unlocking Housing Sites	5.554	5.554	0.000	5.554	5.554	0.000
Life Sciences	0.000	0.000	0.000	0.973	0.973	0.000
Other (Major Projects)	0.263	0.263	0.000	0.263	0.263	0.000
Total Major Projects	52.053	52.053	0.000	894.323	894.323	0.000

Budget Movements						
Ref.	Current Year			All Years		
	Quarter 1 Budget £m	Current Budget £m	Change £m	Quarter 1 Budget £m	Current Budget £m	Change £m
Employment & Skills	2.171	2.171	0.000	6.723	6.723	0.000
Public Realm	4.339	4.339	0.000	4.339	4.339	0.000
Infrastructure/Site Enabling Programme	0.319	0.319	0.000	0.319	0.319	0.000
Grants/Loans Programme	0.000	0.000	0.000	1.000	1.000	0.000
Total Planning & Development	58.882	58.882	0.000	906.704	906.704	0.000
<u>Housing Development</u>						
In Reach	5.650	5.650	0.000	124.265	124.265	0.000
CWG-Sale To In Reach	0.000	0.000	0.000	100.000	100.000	0.000
Total Housing Development	5.650	5.650	0.000	224.265	224.265	0.000
<u>Transport Connectivity</u>						
<u>Major Schemes</u>						
Ashted Circus	0.730	0.730	0.000	0.730	0.730	0.000
Metro Extension	0.150	0.150	0.000	4.724	4.724	0.000
Iron Lane	4.207	4.207	0.000	10.216	10.216	0.000
Minworth Unlocking	0.001	0.001	0.000	0.001	0.001	0.000
Battery Way Extension	2.015	2.015	0.000	2.158	2.158	0.000
Longbridge Connectivity	0.292	0.292	0.000	0.292	0.292	0.000
A457 Dudley Road	0.955	0.955	0.000	28.898	28.898	0.000
Journey Reliability	0.768	0.768	0.000	0.768	0.768	0.000
Tame Valley Phase 2 & 3	1.254	2.097	0.843	87.855	87.805	(0.050)
Selly Oak New Road Phase 1B	6.000	6.000	0.000	7.312	7.312	0.000
Wharfedale Bridge	2.542	2.542	0.000	2.695	2.695	0.000
Snow Hill Station	4.268	4.268	0.000	7.308	7.308	0.000
Other (Major Schemes)	2.770	2.802	0.032	4.720	4.752	0.032
Total Major Schemes	25.953	26.828	0.875	157.678	157.660	(0.018)
<u>Inclusive & Sustainable Growth</u>						
Walking & Cycling	8.983	9.008	0.025	12.981	13.006	0.025
Local Measure	0.000	0.000	0.000	0.000	0.000	0.000
Infrastructure Dev	0.785	0.725	(0.059)	1.354	1.294	(0.059)
Transportation & highways Funding Strategy	0.012	0.000	(0.012)	13.013	13.013	0.000
Section 278/S106	0.000	0.012	0.012	0.012	0.012	0.000
Total Transport Connectivity	97.363	97.235	(0.128)	253.317	253.340	0.023
<u>Highways Infrastructure</u>						
Safer Routes to Schools	0.669	0.669	0.000	1.869	1.869	0.000
Network Integrity and Efficiency	1.572	1.572	0.000	3.572	3.572	0.000
S106 & S278 Schemes	0.069	0.069	0.000	0.069	0.069	0.000
Road Safety	0.887	0.869	(0.018)	4.312	4.294	(0.018)
District Schemes	0.569	0.773	0.205	0.569	0.773	0.205
Total Highways Infrastructure	3.765	3.952	0.187	10.390	10.577	0.187
<u>Property Services</u>						
Attwood Green Parks	0.059	0.059	0.000	0.059	0.059	0.000
AttwoodGreen-Holloway Head Playing Field	0.038	0.038	0.000	0.038	0.038	0.000
Attwood Green-Woodview Community Centre	0.090	0.090	0.000	0.090	0.090	0.000
Council House Major Works	0.000	0.000	0.000	0.000	0.000	0.000
Bham Crisis Centre-Nursery Extension	0.005	0.005	0.000	0.005	0.005	0.000
Lee Bank Business Centre	0.000	0.000	0.000	0.000	0.000	0.000
Highbury Hall Essential Works	0.463	0.463	0.000	0.463	0.463	0.000
Property Strategy	9.500	9.500	0.000	55.000	55.000	0.000
Total Property Services	10.153	10.153	0.000	55.653	55.653	0.000
Total Inclusive Growth Directorate	175.814	175.873	0.059	1,450.330	1,450.539	0.210
<u>DIGITAL & CUSTOMER SERVICES DIRECTORATE</u>						
ICT & Digital	7.876	7.876	0.000	12.269	12.344	0.075
Total Digital & Customer Services Directorate	7.876	7.876	0.000	12.269	12.344	0.075
<u>FINANCE & GOVERNANCE DIRECTORATE</u>						
<u>Development & Commercial</u>						
Gateway/Grand Central Residual Costs	12.800	12.800	0.000	18.564	18.564	0.000
Capital Loans & Equity	1.000	1.000	0.000	3.242	3.242	0.000
Total Development & Commercial	13.800	13.800	0.000	21.806	21.806	0.000
<u>Corporately Held Funds</u>						
Revenue Reform Projects	20.311	20.311	0.000	39.557	39.557	0.000
Corporate Capital Contingency	5.000	5.000	0.000	25.392	25.392	0.000
Total Corporately Held Funds	25.311	25.311	0.000	64.949	64.949	0.000
SAP Investments	0.414	0.414	0.000	3.989	3.989	0.000

Ref.	Budget Movements					
	Current Year			All Years		
	Quarter 1 Budget £m	Current Budget £m	Change £m	Quarter 1 Budget £m	Current Budget £m	Change £m
Total Finance & Governance Directorate	39.525	39.525	0.000	90.744	90.744	0.000
ASSISTANT CHIEF EXECUTIVE DIRECTORATE						
Public Health	0.750	0.750	0.000	0.750	0.750	0.000
Total Assistant Chief Executive Directorate	0.750	0.750	0.000	0.750	0.750	0.000
COMMONWEALTH GAMES 2022						
CWG Village	164.926	164.926	0.000	466.587	466.587	0.000
CWG Alexander Stadium	2.187	2.187	0.000	70.806	70.806	0.000
CWG Organising Cttee	12.809	12.809	0.000	73.244	73.244	0.000
Total Commonwealth Games 2022	179.922	179.922	0.000	610.637	610.637	0.000
Total Capital Programme	641.018	641.178	0.159	3,547.031	3,547.419	0.388

INCLUSIVE GROWTH DIRECTORATE				
Ref.	Project/Programme	Comments	2019/20 Increase (Decrease) £m	All Years Increase /(Decrease) £m
I1	Tame Valley Phase 2 & 3	The budget movement relates to rephasing and minor recasting of Tame Valley Viaduct project as per Cabinet report approved on the 31.07.2019.	0.843	(0.050)
I2	Inclusive & Sustainable Growth	The budget movement relates largely to rephasing based on the contract award report for the Electric Vehicle Charge Point Network. Approved jointly by the Cabinet Members for Transport and the Environment and Finance and Resources on the 09.08.2019.	(0.969)	0.075

		Forecast Variations						
		Current Year				All Years		
Ref.		Current Budget £m	Current Actuals £m	Forecast £m	Variation £m	Current Budget £m	Forecast £m	Variation £m
ADULT SOCIAL CARE DIRECTORATE								
Adult Care & Health								
	Property Schemes	0.731	0.483	0.731	0.000	1.208	1.208	0.000
	Adults IT	1.020	0.056	1.020	0.000	1.266	1.266	0.000
	Improvements To Social Care Delivery	0.000	0.022	0.000	0.000	0.000	0.000	0.000
	Independent Living	10.278	6.423	10.278	0.000	21.685	21.685	0.000
	Total Adult Social Care Directorate	12.029	6.984	12.029	0.000	24.158	24.158	0.000
EDUCATION AND SKILLS DIRECTORATE								
Education & Early Years								
	Devolved Capital Allocation to Schools	3.379	1.444	3.379	0.000	7.496	7.496	0.000
	School Condition Allocations	16.103	4.093	16.103	0.000	17.703	17.703	0.000
	Basic Need - Additional School Places	50.301	23.260	50.301	0.000	120.249	120.249	0.000
	Other Minor Schemes - Schools	0.013	0.013	0.013	0.000	0.013	0.013	0.000
	EarlyYrs&Childcare	1.057	0.632	1.057	0.000	1.057	1.057	0.000
	IT Investment	1.818	0.628	1.818	0.000	2.927	2.927	0.000
	S106 Woodlinton Road	0.252	0.047	0.252	0.000	0.252	0.252	0.000
	Total Education & Early Years	72.924	30.118	72.924	0.000	149.698	149.698	0.000
Skills & Employability								
	Adult Ed & Youth	1.141	0.000	1.141	0.000	1.141	1.141	0.000
	Birmingham Libraries	0.907	0.069	0.907	0.000	4.467	4.467	0.000
	Total Skills & Employability	2.048	0.069	2.048	0.000	5.608	5.608	0.000
Total Education and Skills Directorate								
		74.971	30.187	74.971	0.000	155.306	155.306	0.000
NEIGHBOURHOODS DIRECTORATE								
Street Scene								
N1	Waste Management Services	11.876	(0.108)	3.025	(8.851)	58.967	58.967	0.000
N2	Parks & Nature Conservation	16.546	3.825	9.746	(6.800)	20.082	20.082	0.000
	Total Street Scene	28.422	3.717	12.771	(15.651)	79.049	79.049	0.000
Housing Services								
	Housing Options Service	0.284	0.190	0.284	0.000	2.604	2.604	0.000
	Private Sector Housing	0.685	0.160	0.685	0.000	1.986	1.986	0.000
Housing Revenue Account								
N3	Housing Improvement Programme	71.016	18.599	70.156	(0.860)	653.634	624.333	(29.301)
N4	Redevelopment	38.243	11.532	34.221	(4.022)	401.659	465.571	63.912
N5	Other Programmes	5.462	0.263	5.462	0.000	57.129	71.629	14.500
	Total Housing Revenue Account	114.721	30.394	109.839	(4.882)	1,112.422	1,161.533	49.111
Total Housing Services								
		115.690	30.744	110.808	(4.882)	1,117.012	1,166.123	49.111
Neighbourhoods								
	Community, Sport & Events	2.487	2.060	2.665	0.178	2.487	2.665	0.178
	Neighbourhoods	0.002	0.000	0.002	0.000	0.002	0.002	0.000
	Cultural Development	3.006	0.008	3.006	0.000	3.006	3.006	0.000
	Total Neighbourhoods	5.495	2.068	5.673	0.178	5.495	5.673	0.178
Regulation & Enforcement								
	Bereavement	0.095	(0.157)	0.095	0.000	0.095	0.095	0.000
	Markets Services	0.244	0.458	0.899	0.655	1.003	1.658	0.655
	Environmental Health	0.009	0.000	0.009	0.000	0.009	0.009	0.000
	Mortuary/Coroners	0.278	0.043	0.278	0.000	0.278	0.278	0.000
	Total Regulation & Enforcement	0.626	0.343	1.281	0.655	1.385	2.040	0.655
Total Neighbourhoods Directorate								
		150.233	36.873	130.532	(19.700)	1,202.941	1,252.885	49.944
INCLUSIVE GROWTH DIRECTORATE								
Planning & Development								
Major Projects								
	Enterprise Zone - Paradise Circus	32.978	7.853	32.978	0.000	63.219	63.219	0.000
IG1	Enterprise Zone - Site Development & Access	2.500	0.000	0.500	(2.000)	2.500	2.500	0.000
	Enterprise Zone - Connecting Economic Opportunities	1.115	0.258	0.520	(0.595)	139.707	139.707	0.000
	Enterprise Zone - Southern Gateway Site	0.450	0.000	0.450	0.000	150.450	150.450	0.000
	Enterprise Zone - Southside Public Realm	0.000	0.000	0.000	0.000	9.060	9.060	0.000
	Enterprise Zone - LEP Investment Fund	0.000	0.000	0.000	0.000	20.000	20.000	0.000
	Enterprise Zone - HS2-Interchange Site	0.000	0.000	0.000	0.000	20.000	20.000	0.000
	EZ Phase II - HS2 Station Environment	2.438	0.885	1.891	(0.547)	59.410	59.410	0.000
IG2	EZ Phase II - HS2 Site Enabling	1.500	0.000	0.500	(1.000)	101.500	101.500	0.000
	EZ Phase II - Local Transport Improvements	0.000	0.000	0.000	0.000	104.800	104.800	0.000
	EZ Phase II - Metro Extension to E Bham/Solihull	0.000	0.000	0.000	0.000	183.300	183.300	0.000
	EZ Phase II - Social Infrastructure	0.000	0.000	0.000	0.000	0.000	0.000	0.000
IG3	EZ Capitalised Interest	3.960	0.000	3.873	(0.087)	31.790	19.322	(12.468)
	Jewellery Quarter Cemetary	1.295	0.557	1.295	0.000	1.798	1.798	0.000
	Unlocking Housing Sites	5.554	0.948	5.554	0.000	5.554	5.554	0.000
	Life Sciences	0.000	0.000	0.000	0.000	0.973	0.973	0.000
	Other (Major Projects)	0.263	0.511	0.263	0.000	0.263	0.263	0.000
	Total Major Projects	52.053	11.011	47.824	(4.229)	894.323	881.855	(12.468)
Employment & Skills								
		2.171	0.758	2.171	0.000	6.723	6.723	0.000
Public Realm								
		4.339	3.136	4.339	0.000	4.339	4.339	0.000
Infrastructure/Site Enabling Programme								
		0.319	0.157	0.319	0.000	0.319	0.319	0.000
Grants/Loans Programme								
		0.000	0.072	0.000	0.000	1.000	1.000	0.000

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		Forecast Variations						
		Current Year				All Years		
Ref.		Current Budget £m	Current Actuals £m	Forecast £m	Variation £m	Current Budget £m	Forecast £m	Variation £m
Total Planning & Development		58.882	15.133	54.653	(4.229)	906.704	894.236	(12.468)
Housing Development								
In Reach	IG4	5.650	0.000	0.000	(5.650)	124.265	50.815	(73.450)
CWG-Sale To In Reach	IG5	0.000	0.000	0.000	0.000	100.000	0.000	(100.000)
Total Housing Development		5.650	0.000	0.000	(5.650)	224.265	50.815	(173.450)
Transport Connectivity								
Major Schemes								
Ashted Circus		0.730	0.049	0.730	(0.000)	0.730	0.730	0.000
Metro Extension		0.150	0.167	0.150	0.000	4.724	4.724	0.000
Iron Lane		4.207	2.156	3.750	(0.457)	10.216	10.216	0.000
Minworth Unlocking		0.001	0.000	0.001	0.000	0.001	0.001	0.000
Battery Way Extension		2.015	1.709	2.015	(0.000)	2.158	2.158	0.000
Longbridge Connectivity		0.292	(0.251)	0.292	0.000	0.292	0.292	0.000
A457 Dudley Road		0.955	0.349	0.955	0.000	28.898	28.898	0.000
Journey Reliability		0.768	0.011	0.768	(0.000)	0.768	0.768	0.000
Tame Valley Phase 2 & 3		2.097	0.380	2.097	(0.000)	87.805	87.805	0.000
Selly Oak New Road Phase 1B	IG6	6.000	1.516	4.528	(1.472)	7.312	7.312	0.000
Wharfedale Bridge	IG7	2.542	0.010	0.040	(2.502)	2.695	2.695	0.000
Snow Hill Station	IG8	4.268	0.160	0.460	(3.808)	7.308	7.308	0.000
Other (Major Schemes)		2.802	0.375	2.352	(0.450)	4.752	4.752	0.000
Total Major Schemes		26.828	6.631	18.138	(8.690)	157.660	157.660	0.000
Inclusive & Sustainable Growth	IG9	60.662	2.243	52.756	(7.906)	68.355	68.190	(0.165)
Walking & Cycling		9.008	2.330	9.173	0.165	13.006	13.171	0.165
Local Measure		0.000	0.000	0.000	0.000	0.000	0.000	0.000
Infrastructure Dev		0.725	0.509	0.725	0.000	1.294	1.294	0.000
Transportation & highways Funding Strat		0.000	0.000	0.075	0.075	13.013	13.088	0.075
Section 278/S106		0.012	0.169	0.012	0.000	0.012	0.012	0.000
Total Transport Connectivity		97.235	11.882	80.879	(16.356)	253.340	253.415	0.075
Highways Infrastructure								
Safer Routes to Schools		0.669	0.129	0.450	(0.219)	1.869	1.869	0.000
Network Integrity and Efficiency		1.572	0.481	1.520	(0.052)	3.572	3.572	0.000
S106 & S278 Schemes		0.069	0.062	0.069	0.000	0.069	0.069	0.000
Road Safety		0.869	0.165	0.679	(0.190)	4.294	4.294	0.000
District Schemes		0.773	0.053	0.283	(0.490)	0.773	0.773	0.000
Total Highways Infrastructure		3.952	0.890	3.001	(0.951)	10.577	10.577	0.000
Property Services								
Attwood Green Parks		0.059	0.000	0.059	0.000	0.059	0.059	0.000
AttwoodGreen-Holloway Head Playing Field		0.038	0.022	0.038	0.000	0.038	0.038	0.000
Attwood Green–Woodview Community Centre		0.090	0.000	0.090	0.000	0.090	0.090	0.000
Council House Major Works		0.000	0.001	0.000	0.000	0.000	0.000	0.000
Bham Crisis Centre-Nursery Extension		0.005	0.000	0.005	0.000	0.005	0.005	0.000
Lee Bank Business Centre		0.000	0.038	0.000	0.000	0.000	0.000	0.000
Highbury Hall Essential Works		0.463	0.031	0.463	0.000	0.463	0.463	0.000
Property Strategy		9.500	0.000	9.500	0.000	55.000	55.000	0.000
Total Property Services		10.153	0.092	10.153	0.000	55.653	55.653	0.000
Total Inclusive Growth Directorate		175.873	27.997	148.686	(27.186)	1,450.539	1,264.696	(185.843)
DIGITAL & CUSTOMER SERVICES DIRECTORATE								
ICT & Digital		7.876	0.877	7.876	0.000	12.344	12.344	0.000
Total Digital & Customer Services Directorate		7.876	0.877	7.876	0.000	12.344	12.344	0.000
FINANCE & GOVERNANCE DIRECTORATE								
Development & Commercial								
Gateway/Grand Central Residual Costs		12.800	(0.872)	12.800	0.000	18.564	18.564	0.000
Capital Loans & Equity		1.000	0.000	1.000	0.000	3.242	3.242	0.000
Total Development & Commercial		13.800	(0.872)	13.800	0.000	21.806	21.806	0.000
Corporately Held Funds								
Revenue Reform Projects		20.311	5.812	19.584	(0.727)	39.557	38.830	(0.727)
Corporate Capital Contingency	FG1	5.000	0.000	4.525	(0.475)	25.392	24.917	(0.475)
Total Corporately Held Funds		25.311	5.812	24.109	(1.202)	64.949	63.747	(1.202)
SAP Investments		0.414	0.022	0.414	0.000	3.989	3.989	0.000
Total Finance & Governance Directorate		39.525	4.962	38.323	(1.202)	90.744	89.542	(1.202)
ASSISTANT CHIEF EXECUTIVE DIRECTORATE								
Public Health		0.750	0.750	0.750	0.000	0.750	0.750	0.000
Total Assistant Chief Executive Directorate		0.750	0.750	0.750	0.000	0.750	0.750	0.000
COMMONWEALTH GAMES 2022								
CWG Village		164.926	44.342	164.926	0.000	466.587	466.587	0.000
CWG Alexander Stadium		2.187	2.422	2.187	0.000	70.806	70.806	0.000
CWG Organising Cttee		12.809	0.000	12.809	0.000	73.244	73.244	0.000
Total Commonwealth Games 2022		179.922	46.764	179.922	0.000	610.637	610.637	0.000
Total Capital Programme		641.178	155.395	593.089	(48.089)	3,547.419	3,410.318	(137.101)

ADULT SOCIAL CARE DIRECTORATE

Project/Programme	Comments	Current Year (£m)	All Years (£m)
None	None		

EDUCATION AND SKILLS DIRECTORATE

Project/Programme	Comments	Current Year (£m)	All Years (£m)
None	None		

NEIGHBOURHOODS DIRECTORATE

Project/Programme	Comments	Current Year (£m)	All Years (£m)
N1 - Waste Management Services	Waste are reviewing their Fleet requirements to seek alternative fuels to comply with the Clean Air policy and seek to maximise their return on investment. Manufacturers cannot deliver before April 2020. Therefore £8.8m has been slipped into the next financial year.	(8.851)	0.000
N2 - Parks & Nature Conservation	There is a limited supply of Clean Air Zone compliant Grounds Maintenance vehicles which has resulted in slippage of £6.8m into 2020/21 when more vehicles to this standard are likely to enter the market.	(6.800)	0.000
N3 - Housing Improvement Programme (HRA)	There is a delay in the spend for Environment schemes which have resulted in a slippage to future years (£0.860m). The Council continues to work with tenants to ensure a robust capital programme is in place each financial year. The All Years forecast variation of (£29.301m) will be offset by forecast overspends or allocation of capital budget to other priority areas such as Adaptations and Repairs and Maintenance of Housing stock.	(0.860)	(29.301)
N4 - Redevelopment (HRA)	BMHT (£2.613m) mainly due to delays at Farnborough Road and Bromford Estate sites, in relation to tendering processes and environmental flood assessments respectively. The release of Baverstock School has delayed work on Druids Heath Sites. Clearance (£0.915m) mainly due to re housing delays at Kings Norton Low Rise and Barberry House schemes. Initial attempts to secure voluntary acquisitions have progressed slowly, the use of CPOs will now be brought forward on schemes where applicable. The underspend of (£0.494m) mainly relates to the Clearance scheme at the Meadway. The increase across all years of £63.9m relates to the cost of building new homes on sites that have been or are due to be appropriated, including sites at Walmley Ash Lane, Burford Road and Magnet Sports Centre. The funding is included within the draft revised HRA Business Plan	(4.022)	63.912
N5 - Other Programmes (HRA)	The forecast variation of £14.500m is to address and deliver on an increased number of referrals for Adaptations seen in the past 18 months (a c80% increase in cases).	0.000	14.500

INCLUSIVE GROWTH DIRECTORATE

Project/Programme	Comments	Current Year (£m)	All Years (£m)
IG1 - Enterprise Zone - Site Development & Access	£2m has slipped due to delays from the developer in preparing & submitting the Eastside Locks Full Business Case for funding to the GBSLEP for Enterprise Zone.	(2.000)	0.000

IG2 - EZ Phase II - HS2 Site Enabling	Old Curzon building slippage of £1m is due to delays in HS2 securing approval from Government for their increased funding contribution to the project.	(1.000)	0.000
IG3 - EZ Capitalised Interest	A review of the timing of the Enterprise Zone capital programme in later years has resulted in a reduction of £12m capitalised interest.	(0.087)	(12.468)
IG4 - In Reach	This budget comprises loan and share investment in InReach, part of which was to fund the purchase by InReach of vacant Council properties for private rental sector housing. This was subject to Secretary of State approval, but significant delays were experienced in gaining approval. InReach have since completed a further review of the proposal and this scheme is no longer deemed to be viable and it is not currently expected to progress.	(5.650)	(73.450)
IG5 - CWG-Sale To In Reach	This budget funds investment in InReach to enable it to acquire completed Games Village properties post CWG. The Council will need to ensure best value for the disposal and appropriate arrangements cannot be confirmed until nearer the planned disposal date. It is now considered prudent to exclude this investment assumption from the capital budget and medium term financial plan.	0.000	(100.000)
IG6 - Selly Oak New Road Phase 1B	The £1.472m slippage relates amendments to the final design and delays in works commencing on site, this has resulted in the rephasing of works and purchasing into 2020-21.	(1.472)	0.000
IG7 - Wharfedale Bridge	£2.4m is due to be paid to Network Rail to deliver the scheme. However Network Rail are severely delayed in delivering their Programme and will not complete the necessary works this financial year.	(2.502)	0.000
IG8 - Snow Hill Station	The £3.808m slippage is a result of delays in 'Full Business Case' approval, design delays, also works on the site have been delayed until the new year due to an embargo. These severe delays have resulted in the project being slipped and completed in 2020-21.	(3.808)	0.000
IG9 - Inclusive & Sustainable Growth	The procurement process to secure a bus service provider has been delayed until early November as a result of the bus manufacturer going into administration. The project officer is in contact with grant funders to confirm the situation regarding their funding for the project. The funding was due to spend 20% (bus purchase deposit) by the end of November 2019 as one of the project milestones.	(7.906)	(0.165)

DIGITAL & CUSTOMER SERVICES DIRECTORATE

Project/Programme	Comments	Current Year (£m)	All Years (£m)
None	None		

FINANCE & GOVERNANCE DIRECTORATE

Project/Programme	Comments	Current Year (£m)	All Years (£m)
FG1 - Corporate Capital Contingency	Allocations from the Capital Contingency are recommended to fund £400k of safety works at the Wholesale Markets (above) and £0.075m for A38 tunnel waterproofing works.	(0.475)	(0.475)

ASSISTANT CHIEF EXECUTIVE DIRECTORATE

Project/Programme	Comments	Current Year (£m)	All Years (£m)
None	None		

COMMONWEALTH GAMES 2022			
Project/Programme	Comments	Current Year (£m)	All Years (£m)
None			

ADULT SOCIAL CARE DIRECTORATE	
Project/Programme	Comments
None	None

EDUCATION AND SKILLS DIRECTORATE	
Project/Programme	Comments
Schools Academisation	Some schools have/are in the process of converting to Academies, but have significant deficits that have to be funded by the LA. A funding switch utilising capital resources has been identified to fund known costs, but any further increases would in the first instance be a revenue pressure

NEIGHBOURHOODS DIRECTORATE	
Project/Programme	Comments
Markets Services - Wholesale Market	£400k has been identified for the completion of urgent capital works at the Wholesale Market. The works are required to comply with statutory requirements as outlined by the Health and Safety Executive. An allocation from the corporate capital contingency is recommended in this report to meet this. £255k additional forecast overspend on the demolition of the old wholesale market site - funding to be identified.
Stechford Cascades New build	Further asbestos has been discovered creating a likely overspend of £178k which can be funded from capital receipts allocated to the Directorate, subject to approval.
HRA - Fire Protection Programme	A financial risk of approximately £28m has been identified to address measures recommended from the Hackett Review as Fire Precautions for High Rise Blocks. The proposed programme anticipates that £14m is required for the current year with the balance to be spent in future years. This will need to be contained within HRA financial resources.
HRA - Adaptations	There is financial risk due to a significant backlog of adult referral cases. Both Neighbourhoods and Adults Social Care are working together to address the operation and financial issues through a comprehensive implementation plan alongside a financial mitigation plan.

INCLUSIVE GROWTH DIRECTORATE	
Project/Programme	Comments
Clean Air Zone	The Project team are working with ICT systems specialists/suppliers to develop specifications and development costs of delivering the additional back office functionality as a result of change requested by DEFRA. Once costs and implications are fully established a Project Initiation Document (PID) will be developed to seek agreement and additional funding from DEFRA.

DIGITAL & CUSTOMER SERVICES DIRECTORATE	
Project/Programme	Comments
None	None

FINANCE & GOVERNANCE DIRECTORATE	
Project/Programme	Comments
None	None

ASSISTANT CHIEF EXECUTIVE DIRECTORATE	
Project/Programme	Comments
None	None

COMMONWEALTH GAMES 2022	
Project/Programme	Comments
CWG Village	Substantial progress has been made on land acquisitions, with over 80% of land now in the Council's ownership, in advance of confirmation of a CPO for the area. Negotiations are continuing with Tier 1 contractors for the construction phase, prior to entering into contracts. A detailed review of all income and expenditure estimates is under way, which is identifying a significant risk of material cost increases versus budget. Work is ongoing with the tier 1 contractors to manage these risks to minimise the impact of these pressures, whilst ensuring full delivery in advance of the Commonwealth Games in 2022.
CWG Alexander Stadium	Demolition of the main stand is scheduled to commence during September 2019, with construction activity to follow from April 2020. Design and associated costings have now progressed to RIBA Stage 3, and remain within the approved budget envelope.
CWG Organising Cttee	Key components for 2019/20 include funding for the Sandwell Aquatics Centre, OC capital costs relating to property leases and Capital Contingency across all capital projects. At this stage specific project costs are considered to be on track, with a funding agreement for the SAC currently under development. To the extent that the contingency element of this budget is not utilised in 2019/20, this will be reprofiled into future years.

Prudential Borrowing - Additions or Reductions Quarter 2 (July to September) 2019

This Appendix reviews changes in the Council's proposed borrowing to finance capital expenditure to show whether the Council's underlying indebtedness increases or decreases. The Council needs to consider carefully the affordability and sustainability of any increase in debt.

Description	#	2019/20 £'000	2020/21 £'000	Later Years £'000	Total £'000
Borrowing Needing Budget Support					
Neighbourhoods:					
Waste Management Services	A	(7,754)	7,754	0	0
TOTAL BORROWING NEEDING BUDGET SUPPORT		(7,754)	7,754	0	0
SELF SUPPORTED					
Education & Skills:					
Capital Maintenance Grant	A	0	0	0	0
Strategic Libraries	A	0	0	0	0
Community Libraries	A	0	0	0	0
Neighbourhoods:					
Sport	A&N	0	0	0	0
Strategic Parks	A	(6,800)	6,800	0	0
Housing Options	A	0	0	0	0
Cultural Development	N	0	0	0	0
Regulation & Enforcement	A	400	0	0	400
HRA	A	0	5,335	55,351	60,686
Inclusive Growth:					
Enterprise Zone Investment Plan Phases 1 & 2	A	(4,229)	(1,630)	(6,609)	(12,468)
Transportation	A	(2,635)	2,710	(13,143)	(13,068)
Housing Development	A	(5,650)	(22,600)	(145,200)	(173,450)
Digital & Customer Services:					
ICT Infrastructure	A	0	75	0	75
Finance & Governance					
Capital Loans & Equity	A	0	0	0	0
SAP Investments	A	0	0	0	0
Major Projects	A	0	0	0	0
Corporate Capital Contingency	A	(475)	0	0	(475)
Commonwealth Games	A	(175)	(2,233)	(4,737)	(7,145)
TOTAL SELF SUPPORTED BORROWING		(19,565)	(11,542)	(114,338)	(145,445)
TOTAL ADDITIONS / (REDUCTION) IN PRUDENTIAL BORROWING		(27,318)	(3,789)	(114,338)	(145,445)

Note: This includes some re-phasing between years and excludes slippage brought forward from 2018/19

A - Amendment to existing project spend or resources.

N - New projects or programmes added in the quarter.

CAPITAL - CAPITAL EXPENDITURE PLAN - FORECAST 2019/20 QUARTER 2

APPENDIX B9

This appendix shows capital plans over the ten year Long Term Financial Plan period, for those projects where longer term plans have been developed. Long term plans will be subject to ongoing review to ensure that any expenditure plans are within a prudent forecast of resources. Please note that many projects do not have such long term planning horizons, and the absence of forecasts does not mean that no spend is anticipated, just that it cannot yet be reasonably quantified.

	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29 & Later Years	Total
	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast
	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m
<u>ADULT SOCIAL CARE DIRECTORATE</u>	12.029	12.130	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	24.158
<u>EDUCATION & SKILLS DIRECTORATE</u>	74.971	57.020	23.315	0.000	0.000	0.000	0.000	0.000	0.000	0.000	155.306
<u>NEIGHBOURHOODS DIRECTORATE</u>											
Other - General Fund	20.693	39.857	12.448	15.885	2.469	0.000	0.000	0.000	0.000	0.000	91.352
HRA	109.839	124.873	123.201	141.186	125.981	120.089	106.473	101.216	101.511	107.165	1,161.533
TOTAL CAPITAL - NEIGHBOURHOODS DIRECTORATE	130.532	164.730	135.649	157.071	128.450	120.089	106.473	101.216	101.511	107.165	1,252.885
<u>INCLUSIVE GROWTH DIRECTORATE</u>											
<u>Planning and Development</u>											
Paradise Circus Redevelopment	32.978	15.729	10.233	3.942	0.337	0.000	0.000	0.000	0.000	0.000	63.219
Southern Gateway Site (Smithfield)	0.450	3.751	10.052	18.904	19.000	9.409	12.741	22.861	10.609	42.673	150.450
Southside Public Realm	0.173	7.028	0.000	0.000	0.000	0.000	0.000	0.000	0.000	2.032	9.233
LEP Investment Fund	0.000	0.000	0.000	0.000	0.000	5.000	5.000	5.000	5.000	0.000	20.000
HS2 - Interchange Site	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	20.000	20.000
HS2 Station Environment	1.891	0.498	0.585	5.109	2.600	13.749	18.805	6.848	0.000	9.325	59.410
Site Enabling Works	0.500	1.500	0.000	0.000	0.000	0.000	0.000	0.000	0.000	99.500	101.500
Local Transport Improvements	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	104.800	104.800
Digbeth Public Realm	0.520	0.480	14.000	1.000	0.000	0.000	0.000	0.000	0.000	70.400	86.400
Curzon Connecting Economic Opportunities	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	52.900	52.900
Metro Extension to East Birmingham/Solihull	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	183.300	183.300
Other Planning Schemes	18.141	7.491	5.562	3.608	3.401	0.540	1.344	2.019	0.093	0.826	43.025
Total Planning & Development	54.653	36.477	40.432	32.564	25.338	28.698	37.890	36.728	15.702	585.756	894.236

	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29 & Later Years	Total
	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast	Quarter 2 Forecast
	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m	£m
Housing Development	0.000	0.000	0.000	50.815	0.000	0.000	0.000	0.000	0.000	0.000	50.815
Total Transportation	80.880	44.785	43.553	29.982	21.702	23.719	6.474	2.320	0.000	0.000	253.415
Total Highways	3.000	2.277	1.325	1.325	1.325	1.325	0.000	0.000	0.000	0.000	10.577
Total Property Services	10.153	44.000	1.500	0.000	0.000	0.000	0.000	0.000	0.000	0.000	55.653
TOTAL CAPITAL - INCLUSIVE GROWTH DIRECTORATE	148.686	127.539	86.810	114.685	48.365	53.742	44.364	39.048	15.702	585.756	1,264.696
COMMONWEALTH GAMES 2022	179.922	223.599	165.808	41.308	0.000	0.000	0.000	0.000	0.000	0.000	610.637
FINANCE & GOVERNANCE DIRECTORATE	38.323	31.061	15.500	4.658	0.000	0.000	0.000	0.000	0.000	0.000	89.542
DIGITAL & CUSTOMER SERVICES DIRECTORATE	7.876	4.468	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	12.344
ASSISTANT CHIEF EXECUTIVE DIRECTORATE	0.750	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.750
TOTAL CAPITAL PROGRAMME	593.089	620.546	427.081	317.722	176.815	173.831	150.837	140.264	117.213	692.921	3,410.318

Resources

Use of Specific Resources

Grants & Contributions	302.052	147.494	143.388	36.897	30.046	27.747	4.434	0.250	0.250	0.250	692.807
Use of earmarked Capital Receipts	49.170	57.077	32.132	43.066	30.702	26.446	26.446	20.465	20.465	20.466	326.434
Revenue Contributions - Departmental	6.886	10.409	5.315	2.780	0.337	3.977	6.474	2.320	0.000	0.000	38.497
- HRA	62.794	63.094	69.634	68.036	73.155	78.600	75.593	80.501	80.796	86.449	738.652
	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Total Specific Resources	420.902	278.073	250.469	150.779	134.240	136.770	112.947	103.536	101.511	107.165	1,796.391

Use of Corporate or General Resources

Corporate Resources	13.707	5.518	0.000	0.392	0.000	0.000	0.000	0.000	0.000	0.000	19.616
Unsupported Prudential Borrowing - General	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
Unsupported Prudential Borrowing - Corporate	22.647	56.262	17.189	2.317	0.000	0.000	0.000	0.000	0.000	0.000	98.415
Unsupported Prudential Borrowing - Directorate	135.833	280.693	159.424	164.235	42.575	37.061	37.890	36.728	15.702	585.756	1,495.896
Total Corporate Resources	172.187	342.473	176.613	166.943	42.575	37.061	37.890	36.728	15.702	585.756	1,613.927
Forecast Use of Resources	593.089	620.546	427.081	317.722	176.815	173.831	150.837	140.264	117.213	692.921	3,410.318

TREASURY MANAGEMENT MONITORING DASHBOARD: SEPTEMBER 2019

	value	comparator	difference
1 gross loan debt	£m	£m	£m
at month end	3,177		
year end Forecast (vs Plan)	3,452	3,573	-121
year end Forecast (vs Pru Limit for loan debt*)	3,452	3,867	-415
<i>*monitoring of the full set of prudential indicators is reported quarterly to Cabinet</i>			
2 short term borrowing			
at month end (vs Guideline)	263	500	-237
interest rate year to date on outstanding deals (vs assumption)	0.75%	0.85%	-0.10%
3 Treasury investments			
at month end (vs Guideline)	39	40	-1
interest rate year to date on outstanding deals (vs assumption)	0.67%	0.55%	0.12%
4 Long term loans taken			
year to date (vs plan for year)	150	225	-75
ave. interest rate obtained (vs assumption)	1.87%	2.85%	-0.98%
5 Assurance			
were Credit criteria complied with?	yes		
were investment defaults avoided?	yes		
was the TM Code complied with?	yes		
were prudential limits complied with?	yes		

Treasury Management: portfolio overview

This appendix summarises the council's loan debt and treasury management investments outstanding

	this quarter £m 30/09/2019	last quarter £m 30/06/2019
PWLB	2,461	2,396
Bonds	373	373
LOBOs	72	72
Other long term	7	36
Salix	1	0
Short term	263	273
Gross loan debt	3,177	3,150
less treasury investments	- 39	- 39
Net loan debt	3,138	3,111
Budgeted year end net debt	3,532	3,532
Prudential limit (gross loan debt)	3,867	3,867

Treasury investments by source

	£m
UK Government	0
Money Market Funds	27
Banks and Building Societies	12
Supply Chain finance	0
	39

Treasury investments by credit quality

	£m
AAA	0
AAAmmf	27
AA	10
A	3
	39

Investments as Accountable Body

These are investments made as Accountable Body on behalf of on behalf of others, and are not the Council's own money

	Growing Places Fund £m	AMSCI ¹ £m	Regional Growth Fund £m	Local Growth Fund £m	Total £m
UK Government	25	17	10	0	52
Birmingham City Council ²	0	0	0	11	11
Money Market Funds	27	8	0	0	35
Government Money Market Funds	0	0	4	0	4
Banks and Building Societies	0	0	0	0	0
	52	25	14	11	102

¹ Advanced Manufacturing Supply Chain Initiative

² These funds have been lent to the Council by agreement at a commercial rate

Treasury management: summary of delegated decisions in the quarter

This appendix summarises decisions taken under treasury management delegations to the Corporate Director of Finance and Governance during the quarter

1. Short term (less than 1 year)	borrowing	investments
	£m	£m
opening balance	273	-39
new loans/investments	437	-532
loans/investments repaid	-447	532
closing balance	263	-39

These loans and investments are for short periods from one day up to 365 days. There is therefore a rapid turnover of new loans.

2. Long term borrowing:

date	lender	£m	rate	maturity
28/05/2019	Public Works Loan Board	30	2.31	28/05/2038
17/06/2019	Public Works Loan Board	30	2.14	17/06/2037
09/08/2019	Public Works Loan Board	30	1.63	09/08/2033
20/08/2019	Public Works Loan Board	30	1.72	20/08/2069
05/09/2019	Public Works Loan Board	30	1.57	05/09/2037

3. Long term loans prematurely repaid:

date	lender	£m	rate	maturity
28/05/2019	Commerzbank	30	4.48%	24/11/2065

4. Long term treasury investments made:

date	borrower	£m	rate	maturity
no long term investments made				

This appendix provides monitoring against the Council's approved Prudential Indicators

Appendix C4a

DEBT AND PRUDENTIAL INDICATORS

WHOLE COUNCIL	19/20 Indicators £m	19/20 Forecast £m	20/21 Indicators £m	20/21 Forecast £m	21/22 Indicators £m	21/22 Forecast £m
Capital Finance						
1 Capital Expenditure - Capital Programme	631.5	593.1	554.2	620.5	377.2	427.1
2 Capital Expenditure - other long term liabilities	36.3	36.3	38.2	38.2	37.8	37.8
3 Capital expenditure	667.8	629.3	592.4	658.7	415.0	464.9
4 Capital Financing Requirement (CFR)	4,731.8	4,630.3	4,909.2	4,819.5	5,069.9	4,873.1
Planned Debt						
5 Peak loan debt in year	3,590.5	3,470.9	3,781.4	3,674.8	3,884.2	3,714.1
6 + Other long term liabilities (peak in year)	432.5	432.5	415.5	415.5	373.4	396.8
7 = Peak debt in year	4,023.0	3,903.4	4,196.9	4,090.3	4,257.6	4,110.9
8 does peak debt exceed year 3 CFR?	no	no	no	no	no	no
Prudential limit for debt						
9 Gross loan debt	3,867.5	3,470.9	3,984.5	3,674.8	4,103.3	3,714.1
10 + other long term liabilities	432.5	432.5	415.5	415.5	396.7	396.8
11 = Total debt	4,300.0	3,903.4	4,400.0	4,090.3	4,500.0	4,110.9

Note

- 1 Forecast capital expenditure has changed since the indicator was set due to changes to the capital programme, as reported in the quarterly capital monitoring reports.
- 4 The Capital Financing Requirement represents the underlying level of borrowing needed to finance historic capital expenditure (after deducting debt repayment charges). This includes all elements of CFR including Transferred Debt.
- 5-7 These figures represent the forecast peak debt (which may not occur at the year end). The Prudential Code calls these indicators the Operational Boundary.
- 8 It would be a cause for concern if the City Council's loan debt exceeded the CFR, but this is not the case due to positive cashflows, reserves and balances. The Prudential Code calls this Borrowing and the Capital Financing Requirement.
- 11 The Prudential limit for debt is the authorised statutory debt limit. The City Council may not breach the limit it has set, so it includes allowance for uncertain cashflow movements and potential borrowing in advance for future needs.

DEBT AND PRUDENTIAL INDICATORS

Appendix C4b

HOUSING REVENUE ACCOUNT		19/20	19/20	20/21	20/21	21/22	21/22
		Indicators	Forecast	Indicators	Forecast	Indicators	Forecast
		£m	£m	£m	£m	£m	£m
Capital Finance							
1	Capital expenditure	134.0	109.8	131.7	124.9	109.7	123.2
HRA Debt							
2	Capital Financing Requirement (CFR)	1,051.9	1,056.8	1,051.0	1,055.9	1,032.7	1,037.7
Affordability							
3	HRA financing costs	96.7	89.0	96.9	96.7	97.5	97.9
4	HRA revenues	273.8	273.1	279.7	278.4	285.8	284.2
5	HRA financing costs as % of revenues	35.3%	32.6%	34.7%	34.7%	34.1%	34.4%
6	HRA debt : revenues	3.8	3.9	3.8	3.8	3.6	3.7
7	Forecast Housing debt per dwelling	£17,446	£17,525	£17,605	£17,706	£17,461	£17,579

Note

- 3 Financing costs include interest, and depreciation rather than Minimum Revenue Provision (MRP), in the HRA.
- 6 This indicator is not in the Prudential Code but is a key measure of long term sustainability. This measure is forecast to fall below 2.0 by 2026/27, which is two years later than previously forecast.
- 7 This indicator is not in the Prudential Code but is a key measure of affordability: the HRA debt per dwelling should not rise significantly over time.

DEBT AND PRUDENTIAL INDICATORS

Appendix C4c

GENERAL FUND		19/20	19/20	20/21	20/21	21/22	21/22
		Indicators	Forecast	Indicators	Forecast	Indicators	Forecast
		£m	£m	£m	£m	£m	£m
Capital Finance							
1	Capital expenditure (including other long term liabilities)	533.8	519.5	460.7	533.9	305.3	341.7
2	Capital Financing Requirement (CFR)	3,680.0	3,573.5	3,858.2	3,763.6	4,037.2	3,835.4
General Fund debt							
3	Peak loan debt in year	2,538.6	2,414.1	2,730.4	2,618.9	2,898.6	2,676.4
4	+ Other long term liabilities (peak in year)	432.5	432.5	415.5	415.5	396.8	396.8
5	= Peak General Fund debt in year	2,971.1	2,846.6	3,145.9	3,034.4	3,295.4	3,073.2
General Fund Affordability							
6	Total General Fund financing costs	249.3	246.2	267.3	260.8	272.4	265.8
7	General Fund net revenues	851.6	851.6	867.5	867.5	892.5	892.5
8	General Fund financing costs (% of net revenues)	29.3%	28.9%	30.8%	30.1%	30.5%	29.8%
9	General Fund financing costs (% of gross revenues)	22.4%	22.1%	23.6%	23.0%	23.6%	23.0%

Note

- 4 Other long term liabilities include PFI, finance lease liabilities, and transferred debt liabilities.
- 6 Financing costs include interest and MRP (in the General Fund), for loan debt, transferred debt, PFI and finance leases.
- 8 This indicator includes the gross revenue cost of borrowing and other finance, including borrowing for the Enterprise Zone and other self-supported borrowing.
- 9 This is a local indicator measuring finance costs against relevant gross income including revenues from sales, fees, charges and rents, which are available to support borrowing costs.

PRUDENTIAL INDICATORS

Appendix C4d

TREASURY MANAGEMENT

	19/20	19/20	20/21	20/21	21/22	21/22
	Indicators	Forecast	Indicators	Forecast	Indicators	Forecast
Interest rate exposures						
1 General Fund impact of an unbudgeted 1% rise in interest rates		3.34		3.19		8.30
2 upper limit on variable rate exposures	22%	15%	19%	17%	29%	27%
Maturity structure of borrowing						
(lower limit and upper limit)	Limit	Forecast	Limit	Forecast	Limit	Forecast
		Year End		Year End		Year End
3 under 12 months	0% to 30%	14%	0% to 30%	13%	0% to 30%	26%
4 12 months to within 24 months	0% to 30%	1%	0% to 30%	14%	0% to 30%	1%
5 24 months to within 5 years	0% to 30%	11%	0% to 30%	4%	0% to 30%	9%
6 5 years to within 10 years	0% to 30%	12%	0% to 30%	16%	0% to 30%	15%
7 10 years to within 20 years	5% to 40%	20%	5% to 40%	14%	5% to 40%	14%
8 20 years to within 40 years	10% to 60%	37%	10% to 60%	36%	0% to 60%	34%
9 40 years and above	0% to 40%	6%	0% to 40%	4%	0% to 40%	2%
Investments longer than 364 days						
upper limit on amounts maturing in:						
	Limit	Forecast	Limit	Forecast	Limit	Forecast
10 1-2 years	400	0	400	0	400	0
11 2-3 years	100	0	100	0	100	0
12 3-5 years	100	0	100	0	100	0
13 later	0	0	0	0	0	0

Note

1-9 These indicators assume that LOBO loan options are exercised at the earliest possibility, and are calculated as a % of net loan debt.

Appendix D

INVESTMENT PROPERTY PORTFOLIO MONITORING DASHBOARD: QUARTER 2 2019/20

1 Portfolio objectives

The Portfolio comprises property investments which are held primarily to earn a financial return and are not operational service properties. It is managed in accordance with an annual Investment Property Strategy approved by Cabinet, with the objective to Grow the City Council's commercial rental income by 20% over a 5 year period.

2 Portfolio summary

	income budget	income forecast	variance
Direct property	-24.02	-23.12	0.90
less portfolio prudential borrowing	2.80	2.80	0.00
less management costs	7.65	7.65	0.00
net total	-13.57	-12.67	0.90

3 Limit on borrowing for Investment property portfolio

	value	limit	variance
	£m	£m	£m
prudential borrowing from 1 April 2019 onwards	-	50	-50
borrowing repaid from sale proceeds	-	-	-

4 Portfolio purchases and sales in the quarter

		£m
35 Wilson Road	Sale	0.22
72-78 Crompton Road	Sale	0.31
58-60 Caroline Street	Sale	1.125
Sydenham Road	Sale	0.675
Garden Land 52 Glenavon rd	Sale	0.01
257 Moseley Road	Sale	0.22
F/H Reversions	Premium	0.66

Commentary:

All sales agreed by Cabinet authority, prior to the delegations agreed in the Property Investment Strategy report to Cabinet on 30th July 2019. No purchases are immediately anticipated in the coming quarter at this time.

5 Planned activity in the coming quarter

Proposed sales with anticipated completion:

Holliday Street Site - £3.55m agreed

Montgomery Street - Auction

Clifton Road/Lime Grove

6 Assurance

was the CIPFA Treasury Code complied with? yes

was the Council's Service and Commercial investment Strategy complied with? yes

(the Strategy implements the requirements of the Government Investment Guidance)

was the Council's Investment Property Strategy complied with? yes

commentary:

Birmingham City Council

Report to Cabinet

29th October 2019



Subject: Performance Monitoring
April to August 2019

Report of: Assistant Chief Executive

Relevant Cabinet Member: Councillor Brigid Jones – Deputy Leader

Relevant O &S Chair(s): Councillor Carl Rice
Chair of Coordinating Overview and Scrutiny

Report author: Mike Lynch
0121 303 3438
mike.lynch@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 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 purpose of this report is to:

- i. Provide a summary of progress against Council Plan targets for the period April to August 2019 (unless otherwise stated); and
- ii. Inform Cabinet of areas of particular success, issues requiring attention and remedial activity in place to deal with these.
- iii. Provide headline results from the 2018/19 Residents Survey.

2. Recommendation(s)

- 2.1 That Cabinet considers the progress to date and the issues requiring attention.
- 2.2 That Cabinet approves the replacement from Quarter three (October to December) for the measure **Percentage of service users aged 18-64 with learning disabilities, in employment**. See section 3.12 (i), with a measure based upon the PURE project, (Placing vulnerable Urban Residents into Employment). This wider measure aims to support all citizens with a learning disability into employment rather than the current measure which is specifically for people who are currently engaged in adult social care provision.

3. Background

- 3.1 The Council Plan measures include key targets for measuring success against strategic outcomes and priorities as set out in the Birmingham City Council Plan 2018-22.
- 3.2 The 2019/20 Council Plan measures were approved at the Cabinet meeting on the 30th July, and this report summarises progress made against targets, for the period April to August 2019.
- 3.3 As in previous years, the main focus of this report is based on those areas which have either performed exceptionally well, or have not yet achieved target.
- 3.4 The report is supported by an appendix which provides fuller details of performance against all of the Council's key targets (where a result is available), including actions being taken to ensure any underperformance is being tackled efficiently, and there are measures in place to bring performance back on track as soon as is practicably possible.
- 3.5 Following Cabinet, this report and supporting information will be made available on the council's website www.birmingham.gov.uk/performance, to enable citizens to see the progress made towards achieving targets and those areas which require further work.
- 3.6 **Council Plan Measures Performance – April to August 2019**
- 3.7 Overall performance analysis is made up of 81 performance measures. 12 of the 81 measures relate to future and legacy performance around the Commonwealth Games, around which there is an update included within Outcome 5 in this report. Another 31 measures are reported on a less frequent basis e.g. annually or half yearly.
- 3.8 Progress against all measures that are not yet due, or awaited will be brought to Cabinet as they become available.
- 3.9 Of the 38 remaining measures, performance against a target is available for 33. The other 5 are activity based or project measures without a target and against which a trend and progress is being monitored.

- 3.10 For the 33 measures with a result against a target, 57.57% (19) have either met, exceeded or were within acceptable tolerance levels of their target. This is better than the 2018/19 end of year outturn where performance was 33.3% (13 of 39 measures). Performance has not been compared to the Quarter two report for 2018/19 as the periods for reporting are not comparable.
- 3.11 The Council Plan refresh agreed in July this year set out what had been delivered, our focus looking forward and our continued challenges. An update on our focus and challenges is provided for each of the outcomes. These focus and challenge items are included in bold type under each outcome heading. Each outcome is further underpinned by measures and targets related to our priorities. The Council's most significant successes in relation to Council Plan targets are presented below alongside other significant areas of concern for the period.
- 3.12 **Outcome 1: Birmingham is an entrepreneurial city to learn, work and invest in:**

The performance update below should be considered in the context of a number of changes and developments that the Council has made in support of this priority outcome.

We continue to build on the strategy of the Birmingham Development Plan 2031 to deliver key projects, programmes and investments into the city including Curzon Masterplan and Birmingham Smithfield. We are also tightening our focus on specific areas of need through our East Birmingham Inclusive Growth Strategy which will set out a shared Vision for the regeneration of East Birmingham over the next 20 years.

We are delivering employment support, training and apprenticeships through a number of programmes including an expanded Youth Promise Plus and through our Employment access Team.

We are continuing to drive forward our Birmingham Connected strategy, which seeks to facilitate and support the delivery of a sustainable and integrated transport system. Key policy and project initiatives identified in the adopted Birmingham Connected strategy will be brought forward supported by a Birmingham Transport Plan, which will give contemporary emphasis to the transport agenda in the context of inclusive growth, clean air and climate change.

Focus and challenges

Bringing forward and expanding a range of initiatives to support employment, skills and training across the city. There are 83 people registered onto an apprenticeship programme with BCC. Raising the profile and business benefits of apprenticeships has been captured within the Workforce Strategy 2018-2022.

To increase the percentage of adults in contact with secondary mental health services in employment it is recognised that citizens with complex needs find it difficult gain employment. Therefore, the PURE Project (Placing vulnerable

Urban Residents into Employment) has been implemented with a key focus on Intervention Workers from MIND, MENCAP and Swanswell assisting citizens with Mental Ill-health to support them into employment, education and training. In addition to this, a specialist provider will deliver bespoke wrap around services to this specific client group and ensure their needs are being met. See also below how the PURE project will assist people with learning difficulties into employment.

Closing the socio-economic gap so that everyone has access to the same opportunities. The latest reported unemployment statistics for January to March 2019 show that both the Birmingham rate and the national rate decreased by 0.1% with the Birmingham rate at 7.7% and the UK average 4.2% the gap has remained unchanged at 3.5% when compared with the previous quarter.

Working with businesses in the city to help them grow and ensure sustainability. The Business Growth Programme 2 was due to start on 1st January 2019, but a delay in Ministry for Housing, Communities & Local Government sending out the Funding Offer has resulted in an actual start date of 1st April 2019. This first quarter of the programme has been around opening for Small and Medium Enterprises (SME) applications and then getting as many as possible through for approval process. The number of jobs created and investment gained will be reported in the next quarter performance report.

Performance measures -There are 16 results within this Outcome, 10 results of which are not yet due as they are reported on a less frequent basis (e.g., annually and half-yearly). Of the remaining 6 results, there is one trend measure, 3 results (50%) are on track. Listed below are the 2 measures that are below target and outside of acceptable tolerance levels.

i. Where we need to do better

The percentage of service users aged 18-64 with learning disabilities, in employment. Performance although gradually improving since April, at 1.47% is below the target of 2%. **The service is seeking approval from Cabinet to remove this Learning Disability measure and replace from the next quarter with a measure based on the PURE project.** The current indicator is specifically for people who are currently engaged in adult social care provision. Wider work is underway **to support all citizens with a learning disability to access employment opportunities**, including support provided through the PURE Project (Placing vulnerable Urban Residents into Employment). The PURE Project has a target to support 1,116 participants with a disability during the three year programme (output reference ESF C016). It is expected that this will result in 245 participants achieving employment, measured 6 months from the citizen leaving the project. This is a pan- disability measure and it is estimated that 60% of the citizens supported into employment will have a learning disability – 147 citizens. The Client Tracking Database is currently being reviewed to enable the project to

report specifically on participants who have a learning disability. This information is expected to be available during quarter three 2019/20.

Percentage of dangerous defects ('Category 1' defects) on streets made safe within one hour - Performance was 99.57% against a target of 100%.

○ **3.13 Outcome 2: Birmingham - an aspirational city to grow up in:**

The performance update below should be considered in the context of a number of changes and developments that the Council has made in support of this priority outcome.

There has been ongoing improvement in our children's services which are now judged to be 'requiring improvement' after more than 10 years of being inadequate.

We have published the Written Statement of Action (WSOA) for the city, on behalf of all partners, which aims to drive through rapid improvements and long-term sustainable change across SEND services for our children and young people, and their parents and carers.

We continue to work with Birmingham Education Partnership to drive improvements in attainment. Although primary school performance is below national average we are narrowing the gap year on year.

We have consulted on our Public Health Green paper and our selection as a Childhood Obesity trailblazer will progress initiatives to promote healthy eating and lifestyles to families across the City.

Focus and challenges

Modernising and improving SEND provision and Safeguarding and improving outcomes for children – have been taken forward with our partners.

The acting Chief Executive chaired a meeting of the Birmingham Children's Partnership (BCP) and discussed plans for joint working across the Council, Health and the Police to improve services for children with special education needs and disabilities, reducing primary school exclusions; and developing the Contextual Safeguarding Hub. Also discussed were developing early help services and enhancing the early help offer to children and families, tackling these important areas collectively through a child centred rather than an organisational approach.

Performance measures - There are 14 results within this Outcome, 6 results of which are not yet due as they are reported on a less frequent basis (e.g. annually and half-yearly). Of the remaining 8, one is a trend measure, 1 (14%) is exceeding target, 1 (14%) is within acceptable tolerance and 5 (72%) are below target. Those performing exceptionally (either well above, or below target and outside of tolerance levels), are listed below:

i. Council plan measure performing well and exceeding target:

- **Children 6-15 years attendance at wellbeing centres.** The result for the first quarter April to June 2019 of 15,767 exceeded the year-to-date target of 15,000.

ii. **Where we need to do better:**

- **The percentage of new education health care plans (EHCP) issued within 20 weeks (excluding exceptions).** Birmingham's performance, at 68%, is above the national average of 64.9%, but is 22% below the Council's target of 90%. For the month of August 2019, 116 EHCPs were produced, and 29 were short of the target. A work programme has now been established and is in the implementation stages to address the high levels of statutory EHCPs currently being received. In addition, work is under way to improve the quality of Education Health Care Plans. On a monthly basis since April 2019 a multi-agency team of senior officers, have been reviewing the quality of Education Health Care Plans (EHCPs) working to an agreed QA framework. The team have also looked at learning from complaints and mediation cases. Overall since April there has been a small but steady improvement in the quality of EHCP's. Health and to some extent Social care have improved their systems to ensure that where needed, advice from relevant professionals is available in the development of the plan. There are some teams for example Educational Psychology where the advice from the professionals is consistently good. The audit work has noted that for children under the age of 7 or 8, the quality of plans is better than for older children. Work is ongoing to ensure the audit process continues to support the improvement in EHCP's,
- **Number of 2 year old children accessing flexible free entitlement to early education (EEE)** Birmingham's performance at 60% shows a 2% reduction in performance compared to 2018. However, this tracks alongside a national trend of a drop of 4% to 72%. A contributing factor to the dip in performance has been the transition of the delivery of Children's Centres to the Early Years Health and Wellbeing model. Children's Centres have historically led Early Years Networks which have a key role in driving uptake locally and targeting eligible children. This has not worked well within the new contract and from September 2019 the Early Years (EY) Network will be led by Maintained Nursery Schools working in close partnership with the Council and Birmingham Forward Steps.
- **The proportion of years 12 to 13 not in employment, education or training (NEET)** Birmingham's result of 3.7% is above the national average of 3.2% but below the Core City average of 4.9%. An increase in the number of NEETs is expected in August as it is the end of the academic year. September Guarantee returns are being processed to identifying those without an offer and at risk of becoming NEET. Schools have reported young people at risk of becoming NEET (approx. 600) and these young people will be supported by Birmingham Careers Service and Youth Promise Plus to ensure they have an offer for September 2019.

- **The proportion of years 12 to 13 pupils whose activity is unknown**
Birmingham's result of 4.8% is below the national average of 9% and the Core City average of 5.4%. The Not Known numbers have increased slightly as expected at this time of year with young people leaving provision at the completion or end of the first year of their courses. Improvement actions include permanent recruitment for the tracking team to stabilise the Service and Processing September Guarantee returns to capture 'offer' data for Year 11 and 12 and using this to capture possible destinations for those that are Not Known.
- **Children under 5 attendance at wellbeing centres** Results shown are for Quarter one April to June 2019. The result is 7,883 which is below the year-to-date target of 10,000 for under 5 years attendances. There have been changes to BeActive hours at Wellbeing sites which has affected attendances. A big proportion of our Under 5 years attendances are from Green Fit Baby activities; during Quarter one, a lot of the sessions were cancelled due to poor weather conditions. For quarter two the service is increasing the number of indoor and outdoor activities for the summer program.

3.14 **Outcome 3: Birmingham – a fulfilling city to age well in:**

The performance update below should be considered in the context of a number of changes and developments that the Council has made in support of this priority outcome.

We continue to pursue our goals outlined in our Vision for Adult Social Care and continue with the Prevention First: Investing in Communities approach. We have recently invested in the procurement of Information Advice and Guidance (IAG) services for citizens with new and emerging life-changing health conditions and needs and in the investment in several programmes of grant awards for activity and services specifically for the benefit of older people, people with disabilities and/or mental health conditions.

We have increased the uptake in Direct payments, allowing greater independence and control to individuals.

We have committed to an Owning and Delivering Performance to support workforce development and have more strongly engaged with community assets through our Neighbourhood Networks schemes.

Focus and challenges

Creating healthier communities the percentage of the eligible population receiving an NHS health check and the percentage of opiate drug users in full time employment for 10 working days have both performed slightly better than target.

Improving outcomes for older people – Home support services have been introduced into the new framework contract and this has resulted in a significant improvement with 97% of citizens receiving home support through a provider rated as silver or gold.

Helping people to become more independent – There has been a steady increase in the uptake of direct payments and work continues with social workers to promote direct payments as a way for people to access social care support. 42% of the people whose support was planned using the new 'Three Conversations' process took up direct payments.

Performance measures -There are 18 results within this Outcome, 2 results of which are not yet due as they are reported on a less frequent basis (e.g., annually and half-yearly). Of the remaining 16, 3 are trend measures, 3 (23%) are exceeding target, 7 (54%) met target or were within acceptable tolerance and 3 (23%) are below target. Those performing exceptionally (either well above, or below target and outside of tolerance levels), are listed below:

i. Council plan measure performing well and exceeding target:

- **Increase the number of our most deprived citizens who have engaged with our wellbeing service, been to an active park or attended a wellbeing centre** Results shown are for Quarter one April to June 2019. The result is 51,650 which surpassed the year-to-date target of 42,220. Participation has increased at Wellbeing Centres and in parks. The Service is continuing to target their most deprived citizens; over 80% of attendances during Quarter one were from Birmingham's most deprived areas.
- **Reduce the number of long-term admissions to residential or nursing care (per 100.000 over 65s)** the number of people placed permanently in care homes over the last reported quarter has significantly decreased from 611 to 556. In hospitals by following a Home First policy the aim is to avoid placing people permanently in care homes and support them to remain in their own homes. In the community, social work teams have adopted a "Three Conversations" model of working. This focuses on connecting people with their communities as a source of support, and actively seek out opportunities and assets in the community that can help to meet people's needs.
- **Social work client satisfaction- postcard questionnaire.** Feedback received through the postcard questionnaire is overwhelmingly positive- in particular, 98% of people reported that they felt their views had been listened to, and that they were treated with respect.

ii. Where we need to do better

- **Shared Lives** - A further 2 placements have been made in August increasing the total number of placements to 79. This is now higher than in the last two years. Individual members of the Shared Lives team have been aligned with constituencies to link them more directly with social worker teams and, social workers have made an increased number of enquiries and referrals to us. Links with the Occupational Therapy service have been strengthened to support carers to take placements

where possible. The team is now working to place the people who have been referred to us with carers. In order to increase the number of successful placements a session has been planned to meet with the Shared Lives carers who currently don't have anyone placed with them. This will explore any blockages preventing them from being matched to people who need care.

- **Reduced delayed transfers of care (DToC)** Delayed transfers from hospital rose again in July. Accident and Emergency attendance was reportedly high over the summer, resulting in the number of referrals to discharge hubs increasing significantly. The discharge hub at the Queen Elizabeth hospital (QE) in particular saw a 16% increase in referrals compared to the same time last year. The average length of stay for patients who were referred to them is still relatively low at 8.4 days, compared to the historical baseline of 11.8 days. Referrals have also been received for some people with complex nursing care needs, who require a longer assessment and support planning process. To assist in resolving outstanding delays regular conference calls take place with colleagues in Commissioning. In addition, Hospital discharge services are continuing to improve. The team at the Queen Elizabeth Hospital (QE) are now holding care progression meetings that focus on people's outcomes, building on the "home first" principle. The Early Intervention pilot has now been rolled out to Good Hope and Heartlands hospitals the existing capacity for Early Intervention has been increased in Edgbaston and Northfield. In the first week, it is evident that an increase in joint decision making between health and social care has facilitated timely discharges and enabled patients to return home. The Early Intervention Community team (EICT) has increased its capacity for the QE site to enable more discharges. The Hospital Managers have made concerted efforts to ensure that they have real time oversight of demand in their areas and continue with regular meetings to share good practice and ideas to improve decision making at the new Case Progression meetings in the Discharge Hubs with the ultimate aim of enabling effective discharges.
- **Proportion of clients reviewed, reassessed or assessed within 12 months** 75.5% against a target of 85%. Improvement actions include agreeing a business case to extend the Community Opportunities and Specialist Impact Teams until March 2020 to support with the review workload; redesigning the approach to reviews, and their function within the 'Three Conversations' model of social work; and developing a "trusted provider" model for reviews, linked to the internally-provided day services and continuing performance management tracking of reviews against local targets.

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3.15 Outcome 4: Birmingham – a great city to live in:

The performance update below should be considered in the context of a number of changes and developments that the Council has made in support of this priority outcome.

We have launched our independent waste service review to consider how we can improve our future service delivery and will consider the findings of this review in due course. We continue to support communities in improving the street scene.

We are continuing to improve the supply of housing to our citizens including building new homes through Birmingham Municipal Housing Trust and bringing more empty properties back into use. We are also considering more innovative means of providing and managing homes through our work on a community led housing policy.

We have launched the Housing First pilot to house rough sleepers directly off the streets and continue to pursue our prevention activity.

We have launched our Clean Air Strategy and pursuing our plans to introduce a Clean Air Zone.

We continue to work with our partners on matters of community safety including working with the Police and Crime Commissioner on the development of the new Violence Reduction Unit aimed at tackling the causes of violent crime.

We are committed to making Birmingham a more inclusive city through the delivery of our Community Cohesion Strategy and continue to support world class cultural and sporting events.

Focus and challenges

Delivering our waste management services - Recycling, Reuse and Green Waste has increased for the third successive month, although performance at 40% is below the profiled target of 42%. In addition collected household waste at 237kg per household is 2kg higher than the profiled target of 235 kg per household. Collection routes continue to be reworked and a limited number of additional vehicles/drivers have been deployed to struggling depots. In addition, to address issues with vehicle breakdowns, procurement has started on a three year vehicle replacement programme, with a larger proportion of the vehicles being replaced in the next 12 months.

Performance Measures - There are 21 results within this Outcome, 13 results of which are not yet due as they are reported on a less frequent basis (e.g., annually, half-yearly, and quarterly). Of the remaining 8 none exceed or meet target, 4 were below target but within an acceptable tolerance, 4 (50%) are below target. and outside of tolerance levels and are listed below:

i. Where we need to do better

- **Percentage of refuse and recycling collections achieved:** The year-to-date (April 2019 to August 2019) result of 99.63%, whilst an improvement

from last month, is below the year-to-date target of 99.90%. The Service completed 14,415,627 collections out of the scheduled 14,468,993 collections. In August 99.83% of collections were achieved. In order to improve the service some reconfiguration of routes has been undertaken. In addition, to address issues with vehicle breakdowns, procurement has started on a 3-year vehicle replacement programme, with a large proportion of the vehicles being replaced in the next 12 months; this should further improve this measure in the future.

- **Number of properties improved in the Private Rented Sector as a result of Local Authority intervention:** The year-to-date (April 2019 - August 2019) result of 127 is below the year-to-date target of 145. The recruitment for a vacant post continues. Once this post is filled, and induction and training completed, it is expected that performance will improve and forecast that the year-end target will be achieved.
- **Households where homelessness is prevented or relieved:** The year-to-date (April 2019 - August 2019) result is 41.35% which is below the year-to-date target of 70%. There have been issues with the government system H-CLIC and local authorities have experienced issues in collecting and reporting this data. There continues to be a number of cases with an outcome not recorded due to data gaps that are due to be resolved in Quarter two. The Service is working with IT expertise to identify the cause of these gaps and put in place mitigations. The new Prevention Hub is showing very positive signs of increased prevention. For the closed cases to date, prevention has increased to 60% - although this is still early on in the hub development. As the Hub is further rolled out and mobilised to take all prevention cases, it is anticipated the proportion prevented and relieved will increase accordingly.
- **Reducing the unemployment gap between wards:** In the period April to June 2019 (Q1 2019/20) the average unemployment proportion across the 10 Birmingham wards with the highest unemployment levels stood at 10.1%. The corresponding figure for the 10 Birmingham wards with the lowest unemployment proportions was 2.1%. Therefore, the gap between the 10 best and worst performing wards stood at 8.0% points in the period April to June 2019/20. The baseline uses the long term average gap for the corresponding quarter to avoid any issues with seasonal variation. Over the last 5 years the average gap in Quarter one between the 10 best and worst performing wards was 6.6% points. The gap in Quarter one 2019/20 is therefore 1.4% points higher than the 5 year average. The gap between the 10 best and worst performing wards (8.0% points) widened when compared to the previous quarter (7.6% in Quarter four 2018/19).

3.16 **Outcome 5: Birmingham residents gain the maximum benefit from hosting the Commonwealth Games.**

The performance update below should be considered in the context of a number of changes and developments that the Council has made in support of this priority outcome.

The public funding of the Games has now been confirmed, additional commercial revenue will be raised by the Birmingham 2022 Organising Committee and Commonwealth Games Federation Partnerships.

The 12 performance indicators in this Outcome relate to Birmingham's future performance around the Commonwealth Games. The Birmingham 2022 Games bid stated that all Games benefits would be robustly evaluated and monitored, and that these would be locally owned and independently verified. A tender will shortly be launched for an evaluation scoping exercise - a necessary first step in the evaluation process - to provide an overarching framework for the evaluation of the Games, and a research strategy for delivering against it. This process is being managed through DCMS.

We are committed to ensuring the benefits of the Games are felt beyond 2022 and work on how we can secure that legacy is ongoing including a commitment by the Games partnership to the publication of a legacy plan. The outputs of the evaluation scoping exercise will take a considered approach to an evaluation framework for the Games and its legacy will be an important component of that plan.

With regard to measure **5.5.1, Volume of Games contracts awarded to Birmingham/West Midlands companies** it should be noted that the vast majority of Games procurement is the responsibility of the Organising Committee (OC), rather than BCC, and that the OC are not yet in the position where they are releasing this data into the public domain.

With regard to the remaining measures, the individual legacy work programmes are still being scoped and developed across the Partnership. The measures put forward into the Council Plan were agreed in 2018 and now need to be reviewed in light of greater clarity around the roles and responsibilities amongst Games Partners, the development of legacy programmes and the need to link measures in with the wider Games evaluation programme in order to avoid duplication and to make the best use of available resource.

3.17 Outcome 6: Birmingham is a city that takes a leading role in tackling climate change.

The performance update below should be considered in the context of a number of changes and developments that the Council has made in support of this priority outcome.

We have declared our aspiration for the city to be net zero carbon by 2030 and are engaging in activities to support this including the introduction of a Climate Emergency Task Force and the alignment of key strategies, policies and initiatives.

Future reports to Cabinet and Full Council will map out the council and partners' performance aspirations and commitments in this area.

This outcome has been added to the Council Plan for 2019/20. Four priorities have been agreed:

- **Priority 1:** We have declared a Climate Emergency on a cross party basis and we will progress our activity for this through our Climate Emergency Task Force.
- **Priority 2:** We will continue to deliver, report and positively promote the council's extensive climate change and carbon reduction activity with additional initiatives undertaken in line with leading national and peer practice.
- **Priority 3:** We will develop an evaluation framework to monitor the climate impact of all project and policy decisions undertaken.
- **Priority 4:** We will influence our partners and lobby government.

Performance measures supporting these priorities will be developed to monitor progress against this outcome. Due to meet for the first time in October 2019 the Birmingham Route to Zero (R20) Taskforce will hold a series of round table and community events to establish what Route to Zero would mean for the city's communities and businesses, what would be required of both the city and the council to achieve this ambition, identify any barriers to doing so and exploring opportunities to collaborate with others and share best practice. The taskforce will then produce an outline plan and key actions to full council in January 2020.

3.18 Other significant Birmingham highlights include:

- **Markets service** - have been successful in court in a long running litigation matter relating to the vacation of a lease and debt at the Indoor Market. This success addresses a number of historical matters raised by traders.
- **Trading Standards** – The Regional Investigations Team (hosted by Birmingham) executed warrants at two addresses in Birmingham. One was a suspect illegal counterfeiting factory (clothing) and the other was the residential address of the suspected nominal. Both warrants were successful. Birmingham Trading Standards appeared on Midlands Today at lunchtime and live on Midlands on 10/09/2019 at 6.30pm.
- **Illegal Money Lending Team (IMLT)** - working in partnership with Cheshire East Council's trading standards team have secured another successful prosecution against an illegal money lender who was also trading in illicit tobacco products.
- **Athletics** - Birmingham successfully delivered consecutive weekends of televised athletics at Alexander Stadium in partnership with British

Athletics. These events were the last events to take place ahead of the redevelopment works for the Commonwealth Games in 2022.

- **Empty properties brought back into use** – Compulsory Purchase Orders (CPO) for 8 empty properties have been completed, all of which were family homes. This contributes to the delivery of our Empty Property Strategy. The team is currently working with Legal Services compiling another CPO, which is in the formative stage. This is a key success as we are increasing the stock available to those households that may find themselves in need of housing or homelessness.

3.19 General

The attached Appendix A - Performance Monitoring April to August 2019 report provides a more detailed breakdown of performance for all available results, along with commentary explaining performance and/or summarising remedial actions that have been taken or are planned to bring performance on track.

The first page of the appendix is a summary of performance against all the indicators agreed within each outcome of the Council Plan. It also provides an overview of the performance status of each indicator i.e., a colour word representing the performance status, frequency of reporting and a direction of travel against a previously defined result. The four colour word style for monitoring progress reflects the 'as at position' against targets. 'BLUE' means performance significantly exceeded the target, 'GREEN' indicates performance met target, 'AMBER' shows performance was below target but within acceptable tolerance levels, and 'RED' indicates that performance was off target and outside of agreed tolerance levels.

- 3.20 The appendix also shows graphical representation of performance, displaying (where available), results, and historical performance, and alongside the graph and performance status, information is provided to show the preferred direction of travel (aim and demonstrated by an upward or downward triangle), performance variance (above or below the set target), a description of what performance means and what will need to be done to meet longer term targets, and benchmark information e.g., National All England average results.
- 3.21 This style of reporting enables services to better manage measures at lower risk and Members to focus on those areas that require particular attention.
- 3.22 Appendix B contains the headline resident survey measures for 2018/19 and where available comparative results for the previous three years. The full survey results will inform the budget consultation for 2020-21 with appropriate inclusion in the public consultation document.

4. Options considered and Recommended Proposal

- 4.1 This report is a performance update. The recommended action is that provided in 2.1 above.

5. Consultation

- 5.1 Cabinet Members, Council Management Team and directorate staff have been involved in discussions around performance against the targets contained within this report and attached appendix. Otherwise this paper is a factual report on progress and no other consultation has been required.

6. Risk Management

- 6.1 This report provides progress against the council's strategic outcomes, and the measures in place to achieve them, and allows for Cabinet, in its entirety, to consider progress against the Council's key performance measures.

7. Compliance Issues:

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

- 7.1.1 Through the provision of a position statement about how well the council is performing against the key Council Plan targets which were set in June 2018, towards achieving the outcomes and priorities as set out in the Birmingham City Council Plan 2018-22.

7.2. Legal Implications

- 7.2.1 There are no legal implications arising from this report.

7.3. Financial Implications

- 7.3.1 The Council Plan 2018-22 forms a key part of the budgeting and service planning process for the City Council that takes account of existing finances and resources, and sets out the key strategic and operational outcomes that the City Council wishes to achieve. Any implications on the council's budgetary position, arising from issues highlighted in this report, will be reported in the periodic corporate budget monitoring statements received by Cabinet

7.4. Procurement Implications (if required)

- 7.4.1 None identified.

7.5. Human Resources Implications (if required)

- 7.5.1 None identified.

7.6. Public Sector Equality Duty

- 7.6.1 The Council Plan Measures are designed to ensure significant improvement in service quality and outcomes for the people of

Birmingham towards achieving long term priorities for the period 2018-22. Some of the measures have a particular focus on particular challenges faced by Birmingham citizens e.g. unemployment, homelessness, and social care.

8.0 **Background Documents**

- Council Plan 2018-2022
- Council Plan 2018-2022 Refresh July 2019
- Performance Monitoring End of Year 2018/19

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 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:

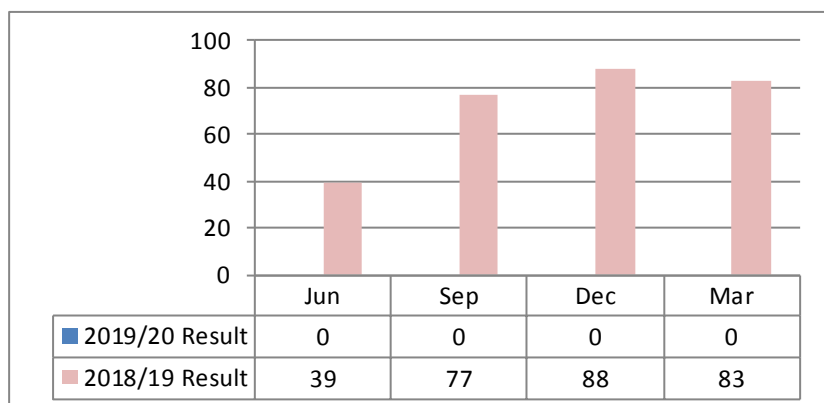
1. The Council must, in the exercise of its functions, have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic 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	

Appendix A - Council Plan 2019/20 April to May 2019 Summary of Performance										
Measures:	81									
Reported this quarter:	38						As at	August	Frequency	
RAG Summary:	BLUE	GREEN	AMBER	RED	Trend	Not Yet Due (NYD)	Awaiting result and/or target	Monthly Quarterly 1/2 Yearly Annual	Preferred direction of travel	
	4	8	7	14	5	43	0	Year 19/20	Bi Annual	
Outcome 1:	Birmingham is an entrepreneurial city to learn, work and invest in									
Blue	0	1.1.1	The number of jobs created					NYD	A	△
Green	3	1.1.3	Number of apprenticeship starts per 1,000 of the Birmingham population					NYD	A	△
Amber	0	1.1.5	The number of Birmingham City Council (BCC) apprenticeships directly within the City Council					Trend	Q	△
Red	2	1.2.7	The number of jobs created through the Business Growth Programme					NYD	Q	△
Trend	1	1.2.1	Birmingham's unemployment rate verses the national average					GREEN	Q	▽
NYD	10	1.2.4	Private sector investment in the Enterprise Zone					NYD	A	Progress Report
Awaiting	2	1.3.1	Small and Medium Enterprises starts and closures					NYD	A	△
		1.2.8	Private sector investment through the Business Growth Programme					NYD	Q	△
		1.2.5	Public sector investment in the Enterprise Zone					NYD	A	Progress Report
		1.3.2	New employment floor space created and/or refurbished floor space (sq. m.) as a result of investment in infrastructure and development activity in the Enterprise Zone					NYD	A	Progress Report
		1.4.4	Percentage of dangerous defects ('Category 1' defects) on streets made safe within one hour					RED	M	△
		1.4.5	Percentage of dangerous defects ('Category 1' defects) on streets full repaired within 28 days					GREEN	M	△
		1.4.2	Increased percentage of trips taken by bicycles					NYD	A	△
		1.4.12	Miles travelled on free bicycles provided by the Council					GREEN	Q	△
		3.3.4	The percentage of adults in contact with secondary mental health services in employment					NYD	A	△
		3.3.2	The percentage of service users aged 18-64 with learning disabilities, in employment					RED	M	△
Outcome 2:	Birmingham is an aspirational city to grow up in									
Blue	1	2.1.1	Percentage of new Education Health Care (EHC) plans issued within 20 weeks, excluding exceptions					RED	M	△
Green	0	2.1.1a	Quality of Education Health Care Plans - Monthly Case Audits					Trend	Q	△
Amber	1	2.1.3	Monthly Operational Commissioning Group assessment of Birmingham Children's Trust performance					AMBER	M	△
Red	5	2.2.1	Percentage of children achieving a good level of development - Early Years Foundation Stage					NYD	A	△
Trend	1	2.2.2a	Key Stage 2 Attainment - proportion of children reaching the expected standard in Reading, Writing and Maths					NYD	A	△
NYD	6	2.2.2b	Key Stage Attainment Percentage of children achieving a strong pass (9-5) in English and Maths					NYD	A	△
		2.3.1	The proportion of years 12 to 13 not in employment, education or training (NEET)					RED	M	▽
		2.3.1a	The proportion of years 12 to 13 pupils whose activity is unknown					RED	M	▽
		2.3.5	Children in Care – Progress 8 – Average progress between Key Stage 2 and Key Stage 4 across eight key subjects					NYD	A	△
		2.4.1a	Percentage of children overweight or obese at reception					NYD	A	▽
		2.4.1b	Percentage of children overweight or obese at year 6					NYD	A	▽
		2.4.2	Number of 2 year old children accessing flexible free entitlement to early education (EEE)					RED	A	△
		2.4.6	Children under 5 attendance at wellbeing centres					RED	Q	△
		2.4.7	Children 6-15 years attendance at wellbeing centres					BLUE	Q	△
Outcome 3:	Birmingham is a fulfilling city to age well in									
Blue	3	3.1.1	The proportion of people who use services who reported that they had as much social contact as they would like					NYD	A	△
Green	5	3.1.2	The proportion of carers who reported that they had as much social contact as they would like					NYD	Bi A	△
Amber	2	3.1.3	The number of people who have Shared Lives					RED	M	△
Red	3	3.1.4	Number of over 60's participating in a wellbeing programme					AMBER	Q	△
Trend	3	3.1.5	Increase the number of our most deprived citizens who have engaged with our wellbeing service, been to an active park or attended a wellbeing centre					BLUE	Q	△
NYD	2	4.5.3	Percentage of completed safeguarding enquiries which involved concerns about domestic abuse					Trend	M	None - Dir. don't apply any
		4.5.3a	Number of completed safeguarding enquiries which involved concerns about domestic abuse					Trend	M	None - Dir. don't apply any
		3.2.1	The number of long term admissions to residential or nursing care (per 100,000 over 65s)					BLUE	Q	▽
			Reduced delayed transfers of care (DToC)							
		3.2.2	Daily Average Delay beds per day per 100,000 18+ population - combined figure - Social Care only and joint NHS and Social Care					RED	M	▽
		3.2.4	Percentage of concluded Safeguarding enquiries where the individual or representative was asked what their desired outcomes were					GREEN	M	△
		3.2.5	Proportion of clients reviewed, reassessed or assessed within 12 months					RED	M	△
		3.2.6	The proportion of clients receiving Residential, Nursing or Home Care, or Care and Support (supported living) from a provider that is rated as Silver or Gold					GREEN	Q	△
		3.3.1	Uptake of Direct Payments					GREEN	M	△
		3.3.5	The percentage of people who receive Adult Social Care in their own home					Trend	M	△
		3.3.7	Social work client satisfaction - postcard questionnaire					BLUE	Q	△
		3.3.8	Proportion of eligible population receiving an NHS health check					GREEN	Q	△
		3.3.9	Percentage of opiate drug users who are in full time employment for 10 working days following or upon discharge					GREEN	Q	△
		3.3.9a	Percentage of non-opiate drug users who are in full time employment for 10 working days following or upon discharge					AMBER	Q	△
Outcome 4:	Birmingham is a great city to live in									
Blue	0	4.1.1	Improved cleanliness – streets and green spaces					NYD	A	△
Green	0	4.1.2	Increase Recycling, Reuse, and Green Waste					AMBER	M	△
Amber	4	4.1.3	Reduced collected household waste – kg per household					AMBER	M	▽
Red	4	4.1.7	Percentage of refuse and recycling collections achieved					RED	M	△
Trend	0	4.2.1	Number of new homes completed in the city across a range of tenures					NYD	A	△
NYD	13	4.2.2	Number of properties improved in the Private Rented Sector as a result of Local Authority intervention					RED	M	△
		4.2.3	Number (and percentage) of homes built that are affordable					NYD	A	△
		4.2.4	Minimising the number and percentage of households living in temporary accommodation per 1,000 households					AMBER	M	▽
		4.2.12	Private sector empty properties brought back into use (cumulative)					AMBER	M	△
		4.3.1	Reducing the number of rough sleepers across the city					NYD	A	▽
		4.3.2	Households where homelessness is prevented or relieved					RED	M	△
		4.4.2	Reduce Particulate Matter levels in the City's air quality management areas					NYD	A	▽
		4.5.1	How safe do you feel outside in your local area during the day? (Citizen perception measure).					NYD	A	△
		4.5.2	How safe do you feel outside in your local area after dark? (Citizen perception measure).					NYD	A	△
		4.6.1	It is important to me to be able to influence decisions that affect my local area (Citizen perception measure)					NYD	A	△
		4.6.2	I can influence decisions about public services that affect the local area					NYD	A	△
		4.6.3	I am involved in making decisions about public services that affect my local area (Citizen Perception measure)					NYD	A	△
		4.7.2	Reducing the unemployment gap between wards					RED	Q	▽
		4.7.3	To what extent do you agree or disagree with the statement "I am proud to live in Birmingham"? (Citizen perception measure).					NYD	A	△
		4.8.1	Increased number of international, sporting, cultural and major events in our landmark venues, shared spaces, communities and libraries					NYD	A	△
		1.2.2	Narrowing the pay gap for citizens across the city					NYD	A	▽
Outcome 5:	Birmingham residents gain the maximum benefit from hosting the Commonwealth Games									
Blue	0	5.1.1	Volume of Games contracts awarded to Birmingham/W Midlands companies					NYD		△
Green	0	5.1.2	Volume of / development of sustainable business on the back of the Games					NYD		△
Amber	0	5.2.1	Creation and use of Health and well-being initiatives					NYD		△
Red	0	5.2.2	Percentage rise in young people and adults engaged in physical activity					NYD		△
Trend	0	5.3.1	Delivery of the transport and sporting infrastructure on time and on budget					NYD		‡
NYD	12	5.3.2	Community use of sporting infrastructure – making the master plans a reality					NYD		△
		5.4.1	Apprenticeships/skills courses/entry level employment offered to unemployed Birmingham citizens across core Games related industries – security, catering, cleaning, technology etc.					NYD		△
		5.4.2	Internships and skills development as a result offered and delivered by Games partners and / or supporting businesses					NYD		△
		5.5.1	Community volunteer projects delivered as a result of the Games (e.g. 'spring clean' of streets)					NYD		‡
		5.5.2	Use the games to create / foster active citizenship projects and ensure those volunteers play a role in the Games					NYD		‡
		5.5.3	Citizen engagement with the cultural programme					NYD		△
		5.5.4	Residents' survey measure to link active life-styles, culture and wellbeing with cohesion impact					NYD		△

Outcome 1: Birmingham is an entrepreneurial city to learn, work and invest in

1.1.5 The number of Birmingham City Council (BCC) apprenticeships directly within the City Council



Preferred direction of travel:

△

Bigger is better

Status:

Q4-18/19 **Trend**

Q4-19/20 **Trend**

Q1 **Trend**

Q2

Q3

Q4

Variance from target:

N/A

Year-end Target:

No target - Trend Measure

Benchmark:

N/A B'ham specific measure

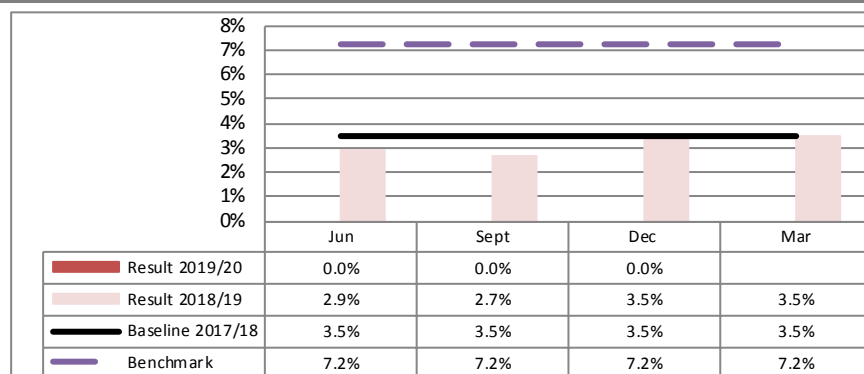
Commentary:

Results lag by one quarter this is the result for the period January to March 2019. This result arrived too late to be included in the month 3 June report.

As of 31st March 2019 there were 83 people registered onto an apprenticeship programme within BCC. This figure does not take into account activity within maintained schools. A significant amount of work is taking place to raise the profile and business benefits of apprenticeships and this has been captured as a key priority within the Workforce Strategy 2018-2022. Strategy Officers have been aligned to each Directorate to promote the use of apprenticeships as part of a strategic approach to succession planning and career development frameworks. Monthly meetings with the Employment Skills Funding Agency (ESFA) accountant also supports a "deep dive" into how we continue to optimise the use of the Apprenticeship Levy to boost the skills within the workforce and the local economy.

1.2.1 Birmingham's unemployment rate versus the national average

via International Labour Organisation Unemployment



Preferred direction of travel:

▽

Smaller is better

Status:

Q4-17/18 **N/A - New**

Q4-18/19 **GREEN**

Q1 **GREEN**

Q2

Q3

Q4

Variance from target:

0.0

Year-end Target:

3.5%

Benchmark:

7.2%

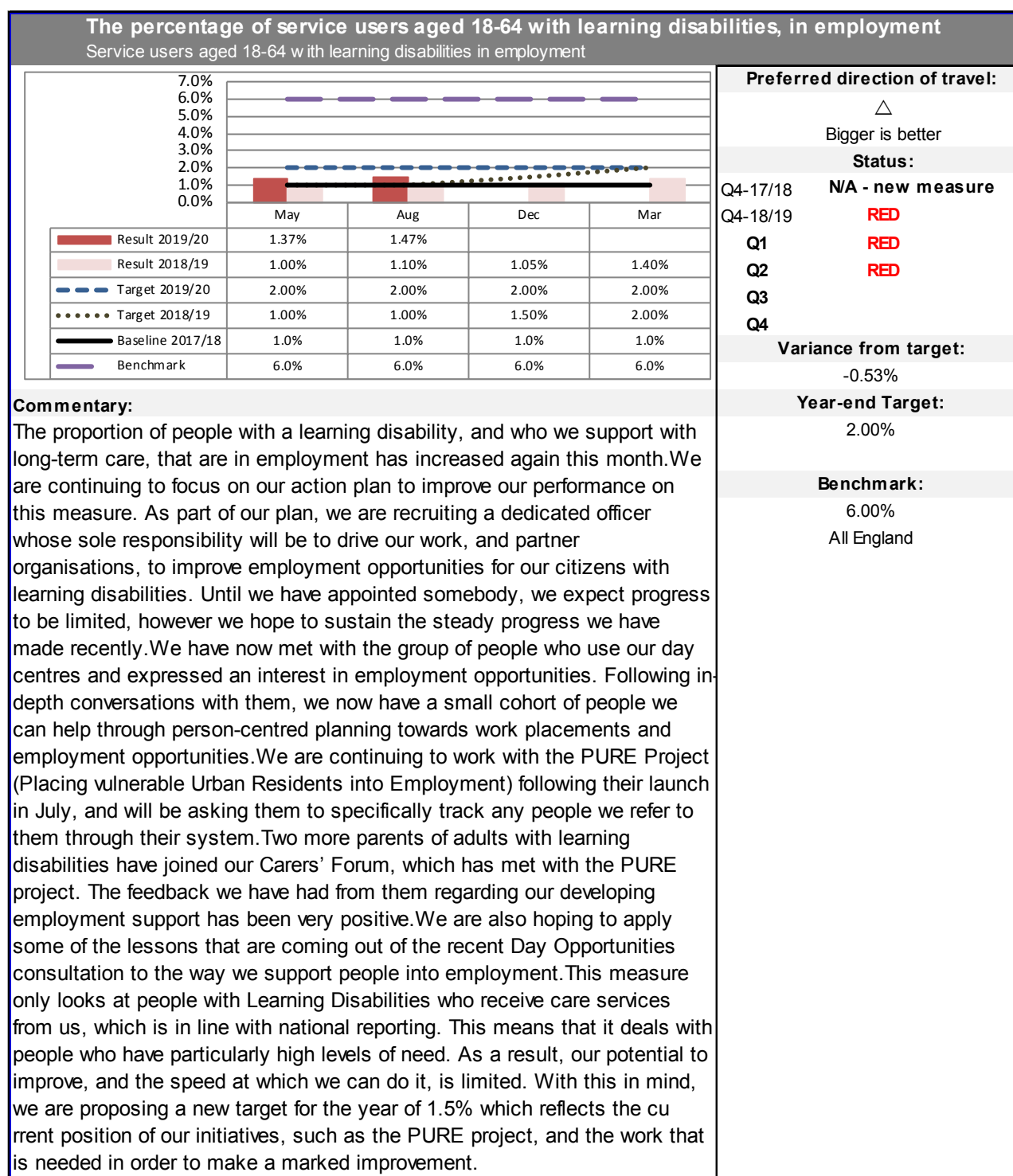
Core Cities

Commentary:

There is a six week data lag for this measure. The data shown relates to the period January to March 2019. Data for the period April to June will be available in mid October.

Birmingham unemployment rate is 7.7% this is higher than the UK unemployment of 4.2%. The unemployment rate has decreased in both Birmingham and the UK by 0.1% so the gap between the city and the national average has remained unchanged at 3.5%. The gap is the same as recorded in the previous quarter October to December and the same as the baseline.

Outcome 1: Birmingham is an entrepreneurial city to learn, work and invest in



Outcome 1: Birmingham is an entrepreneurial city to learn, work and invest in

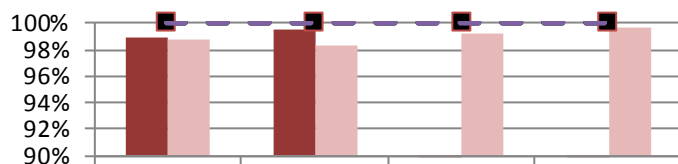
1.2.4 Private sector investment in the Enterprise Zone	Preferred direction of travel: Progress Report Project milestones
<p>No graph</p> <p>Project reports annually</p> <p>Commentary: Annual Measure due March 2020. Progress updates provided quarterly</p> <p>£75m of private sector investment has taken place in the Enterprise Zone, and includes investment of £21m on Paradise, £31m Parkside Building, £5m on 3 Snow Hill, £1m on Woodcock Street, £2m Pavillions, £2m Beorma, £7m Great Barr Street, and £6m 103 Colmore Row.</p>	<p>Status: GREEN</p> <p>18/19 19/20 20/21</p> <p>Variance from target: N/A Project</p> <p>Year-end Target: N/A Project</p> <p>Benchmark: N/A Birmingham specific measure</p>

1.2.5 Public sector investment in the Enterprise Zone	Preferred direction of travel: Progress Report Project milestones
<p>No graph</p> <p>Project reports annually</p> <p>Commentary: Annual Measure due March 2020. Progress updates provided quarterly.</p> <p>£33m of public sector infrastructure investment to support development activity in the Enterprise Zone. Public Sector infrastructure investment in this period relates to Arena Central HMRC £6m and Waterfall House £27m.</p>	<p>Status: GREEN</p> <p>18/19 19/20 20/21</p> <p>Variance from target: N/A Project</p> <p>Year-end Target: N/A Project</p> <p>Benchmark: N/A Birmingham specific measure</p>

1.3.2 New employment floor space created and/or refurbished floor space	Preferred direction of travel: Progress Report Project milestones
<p>No graph</p> <p>Project reports annually</p> <p>Commentary: Annual Measure due March 2020. Progress updates provided quarterly.</p> <p>29,862 sq.m of floorspace has been created and refurbished on Enterprise Zone sites - Waterfall House Children's Hospital, Primark Pavillions, BCU, and Beorma.</p>	<p>Status: GREEN</p> <p>18/19 19/20 20/21</p> <p>Variance from target: N/A Project</p> <p>Year-end Target: N/A Project</p> <p>Benchmark: N/A Birmingham specific measure</p>

Outcome 1: Birmingham is an entrepreneurial city to learn, work and invest in

1.4.4 Percentage of dangerous defects ('Category 1' defects) on streets made safe within one hour



	May	Aug	Dec	Mar
2019/20 Result	98.97%	99.57%	0	0
2018/19 Result	98.76%	98.27%	99.24%	99.69%
2019/20 Target	100%	100%	100%	100%
2018/19 Target	100%	100%	100%	100%

Preferred direction of travel:



Bigger is better

Status:

Q4-17/18

Q4-18/19

RED

Q1

RED

Q2

RED

Q3

Q4

Variance from target:

-0.43%

Year-end Target:

100.00%

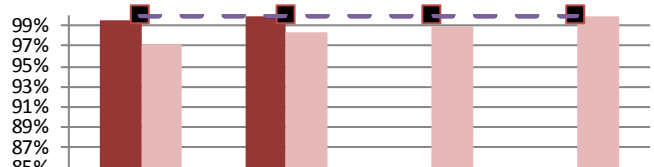
Benchmark:

Unable to Benchmark

Commentary:

These are the Service Providers view of their own performance and are disputed by BCC. Target set at 100% to reflect contract requirements. There is an additional requirement that 100% of defects are rectified within 28 Business Days. In both cases, performance below these requirements results in Adjustments under the contract Payment Mechanism to give incentive to the Service Provider to rectify outstanding defects and prevent future non-compliance.

1.4.5 Percentage of dangerous defects ('Category 1' defects) on streets full repaired within 28 days



	May	Aug	Dec	Mar
2019/20 Result	99.63%	100%	0	0
2018/19 Result	97.19%	98.28%	99.00%	99.90%
2019/20 Target	100%	100%	100%	100%
2018/19 Target	100%	100%	100%	100%

Preferred direction of travel:



Bigger is better

Status:

Q4-17/18

Q4-18/19

RED

Q1

RED

Q2

GREEN

Q3

Q4

Variance from target:

0.00%

Year-end Target:

100%

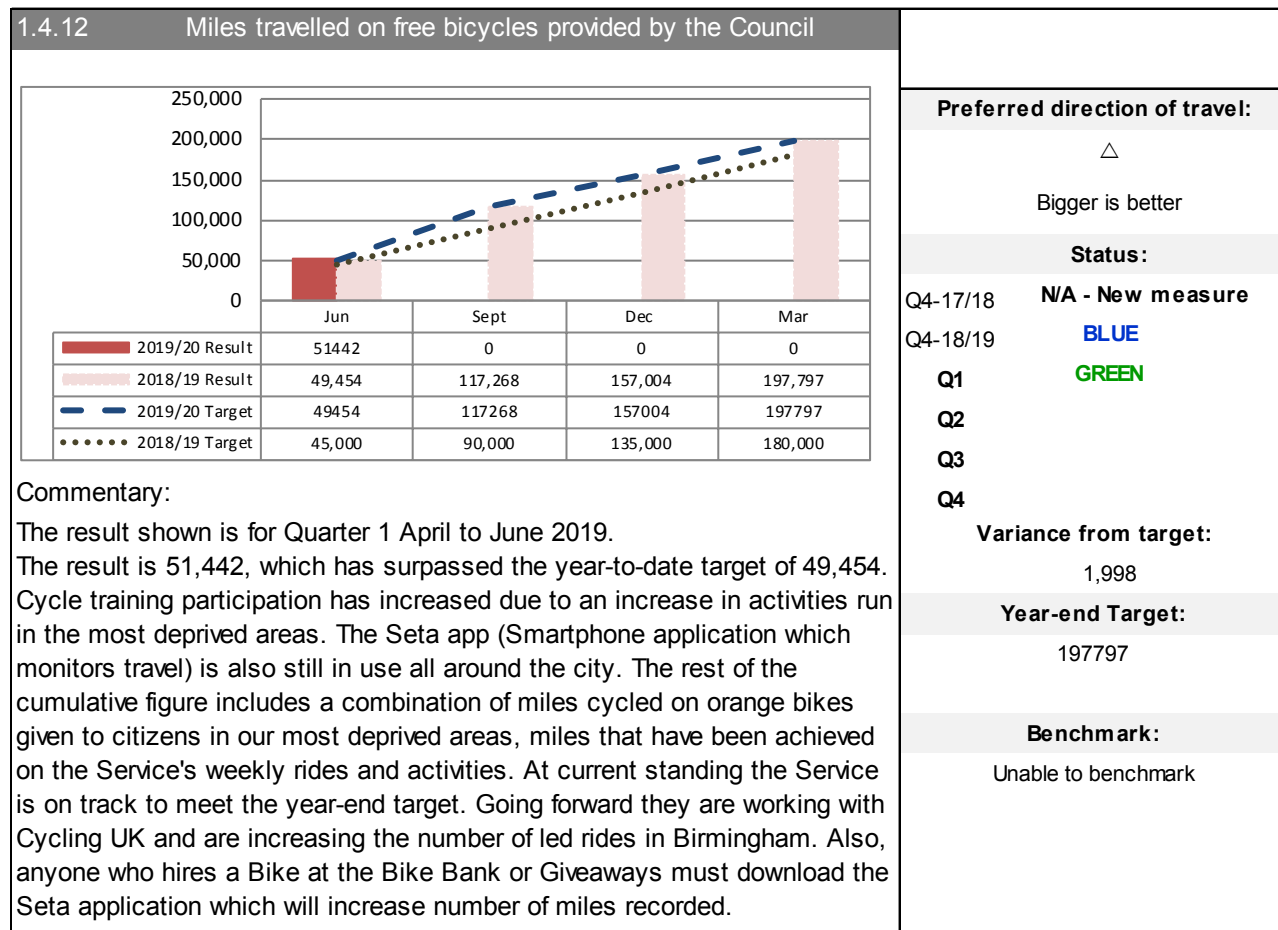
Benchmark:

Unable to benchmark

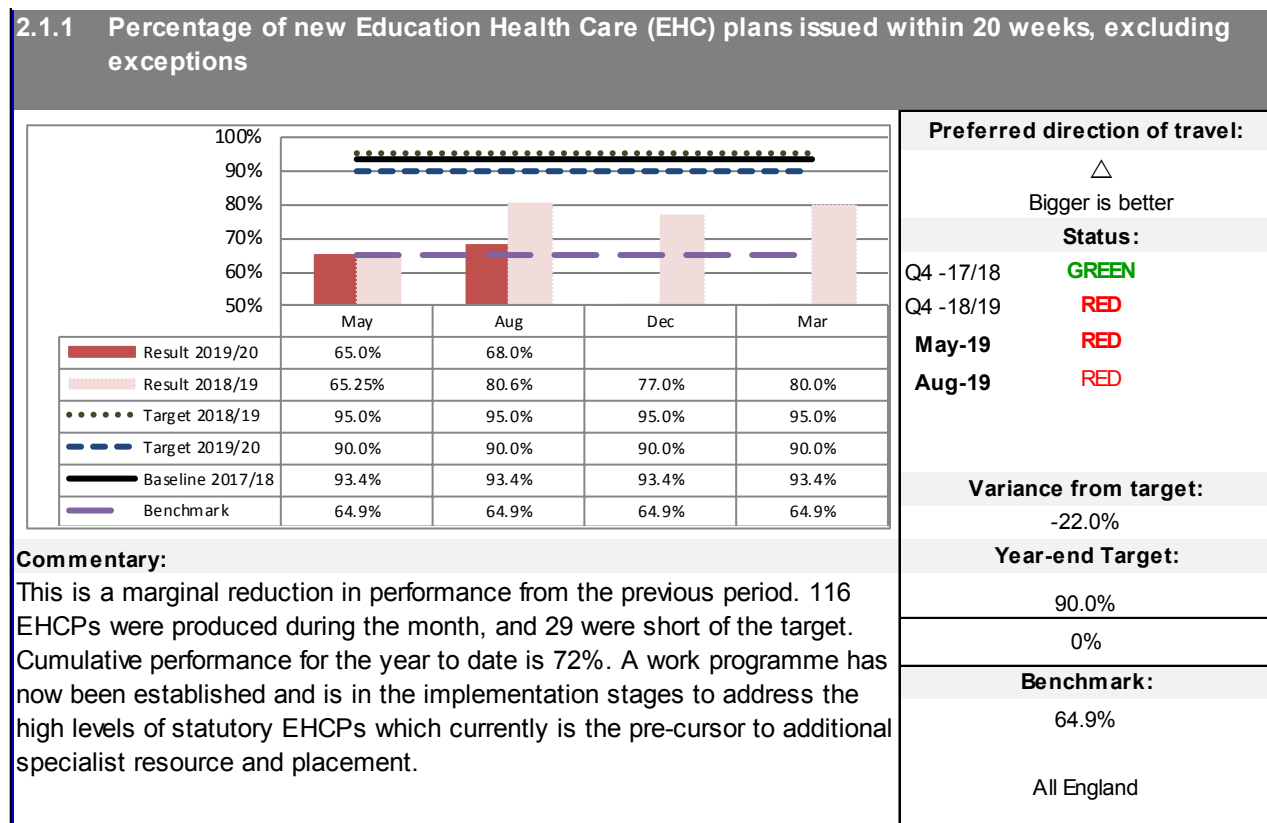
Commentary:

Following the windows 10 upgrade, the FTP software used to download the data from the Operating Sub-Contractor was removed. Until this software is re-installed the service cannot provide their performance results.

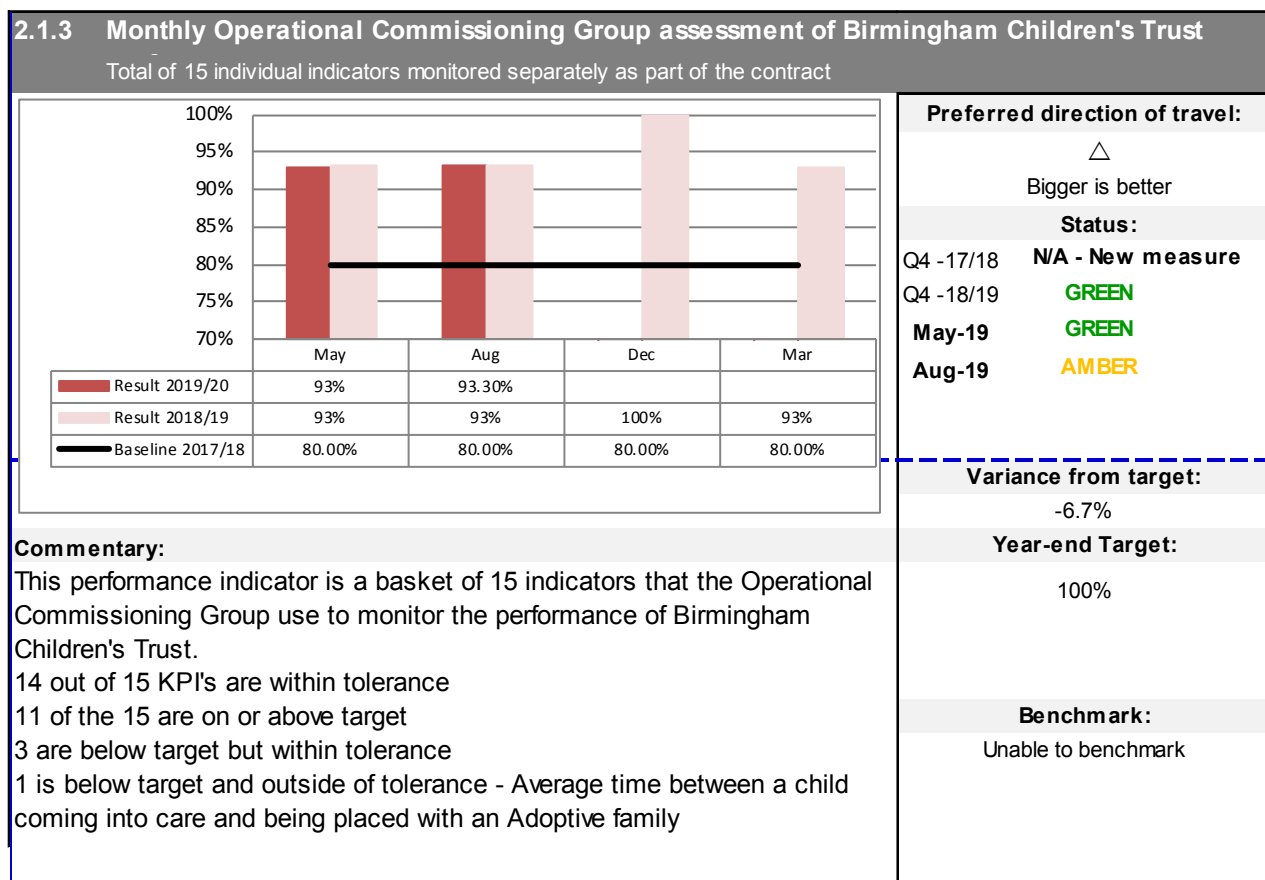
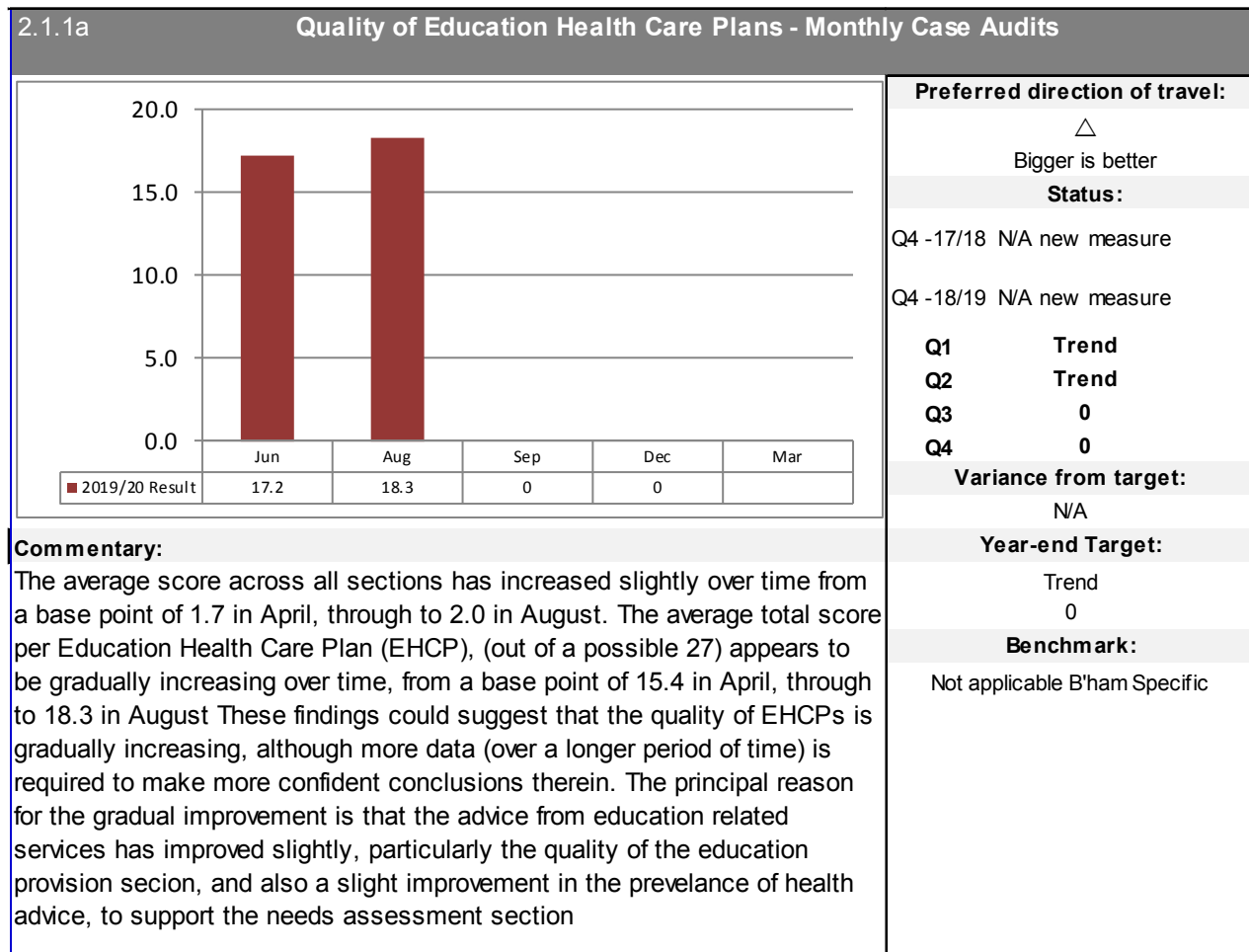
Outcome 1: Birmingham is an entrepreneurial city to learn, work and invest in



Outcome 2: Birmingham is an aspirational city to grow up in

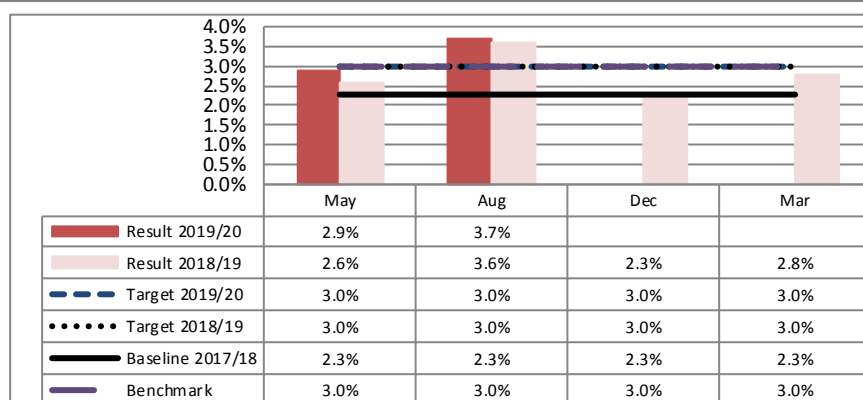


Outcome 2: Birmingham is an aspirational city to grow up in



Outcome 2: Birmingham is an aspirational city to grow up in

2.3.1 The proportion of years 12 to 13 not in employment, education or training (NEET)



Preferred direction of travel:



Smaller is better

Status:

Q4-17/18 **BLUE**

Q4-18/19 **BLUE**

May-19 **GREEN**

Aug-19 **RED**

Variance from target:

+0.7%

Year-end Target:

3.0%

Benchmark:

3.00%

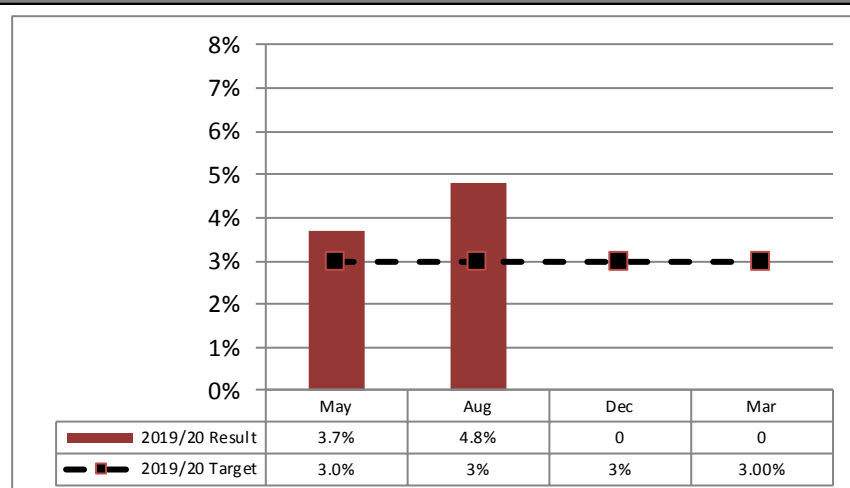
All England

Commentary:

National average: 3.2%; Core Cities Average: 4.9%; NEET is 3.7% for August 2019. NEET has increased from previous month and is slightly higher than the national figure but better than the Core City average. An increase in the number of NEETs is expected at this time of year as it is the end of the academic year. Young people leave provision and are yet to have secured provision for September 2019. ACTION TO BE TAKEN: 1) The 14-19 team are processing September Guarantee returns which captures offer data for Year 11s leaving school and Year 12s continuing in Post 16 education and training. From this data, we will identify those without an offer and at risk of becoming NEET. 2) Schools have reported young people at risk of becoming NEET (approx 600) and these young people are to be supported by Birmingham Careers Service to ensure the young people have an offer for September 2019 3) Through Youth Promise Plus, the Careers Service and Youth Service are continuing to support NEET young people.

2.3.1a

The proportion of years 12 to 13 pupils whose activity is unknown



Preferred direction of travel:



Smaller is better

Status:

New Council Plan Measure 2019/20

Q1 **RED**

Q2 **RED**

Q3 **0**

Q4 **0**

Variance from target:

+1.80%

Year-end Target:

3.0%

Benchmark:

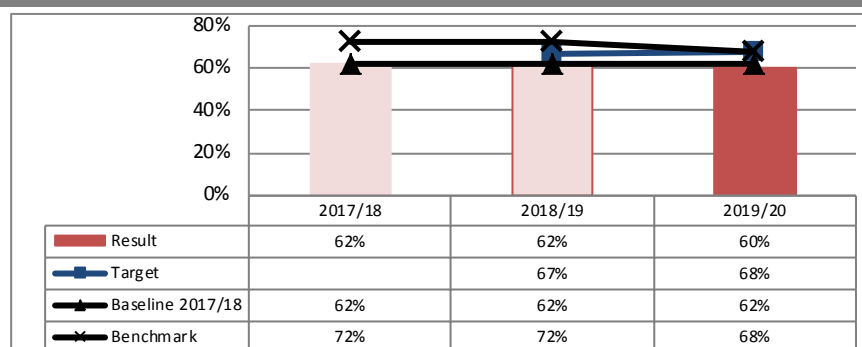
2.50%

Commentary:

National: 9% Core Cities Average: 5.4%. Not Known B'ham: 4.8%. The Not Known numbers have increased slightly as expected at this time of year with young people leaving provision at the completion or end of the first year of their courses. The Not Known figure is better than the same period in 2018 and is lower than the national figure and core cities average. ACTIONS TO BE TAKEN: 1) Permanent Recruitment for the tracking team is currently underway to stabilise the Service 2) Processing September Guarantee returns to capture 'offer' data for Year 11 and 12 and using this to capture possible destinations for those that are Not Known in a continued effort to bring this figure closer to the national figure and core cities average.

Outcome 2: Birmingham is an aspirational city to grow up in

2.4.2 Number of 2 year old children accessing flexible free entitlement to early education (EEE)



Preferred direction of travel:

△
Bigger is better

Status:

16/17 **RED**
17/18 **RED**
18/19 **RED**
19/20 **RED**

Variance from target:

-8.0%

Year-end Target:

68%

Benchmark:

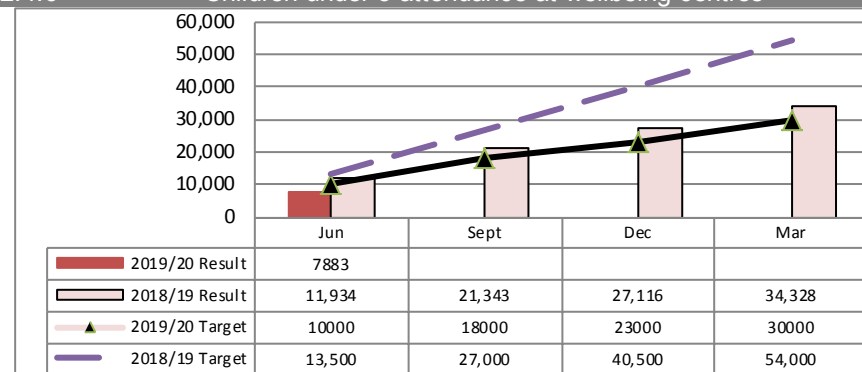
68%
All England

Commentary:

Annual result reported in month 5

The results are taken from the national published data of the annual Early Years Census and is based on the Spring Term of 2019 compared to the same term in 2018. There has been a drop of 2% in Birmingham. Whilst this is not desirable it is in the context of the national average drop of 4%; and is favourable in comparison to our Statistical neighbours with a take up at 59.5%, but is less good than our neighbours in the region at 68%. A contributing factor to the dip in performance has been the transition of the delivery of Children's Centres to the Early Years Health and Wellbeing model. Children's Centres have historically led Early Years Networks which have a key role in driving up-take locally and targeting eligible children. This has not worked well within the new contract and from September 2019 the Early Years (EY) Network will be led by Maintained Nursery Schools working in close partnership with the Council and Birmingham Forward Steps. This is a key priority focus area for the EY team.

2.4.6 Children under 5 attendance at wellbeing centres



Preferred direction of travel:

△
Bigger is better

Status:

17/18 **N/A new measure**
18/19 **RED**
19/20
20/21

Year-end Target:

30000

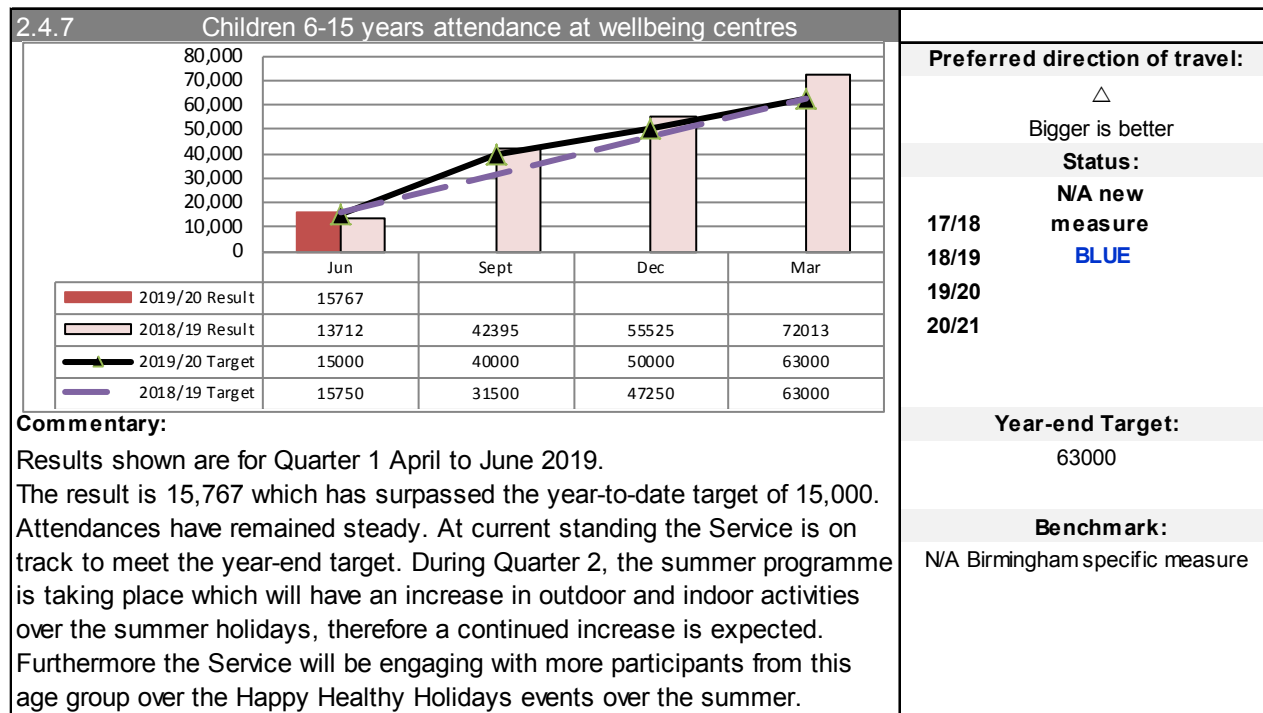
Benchmark:

N/A Birmingham specific measure
0.0%

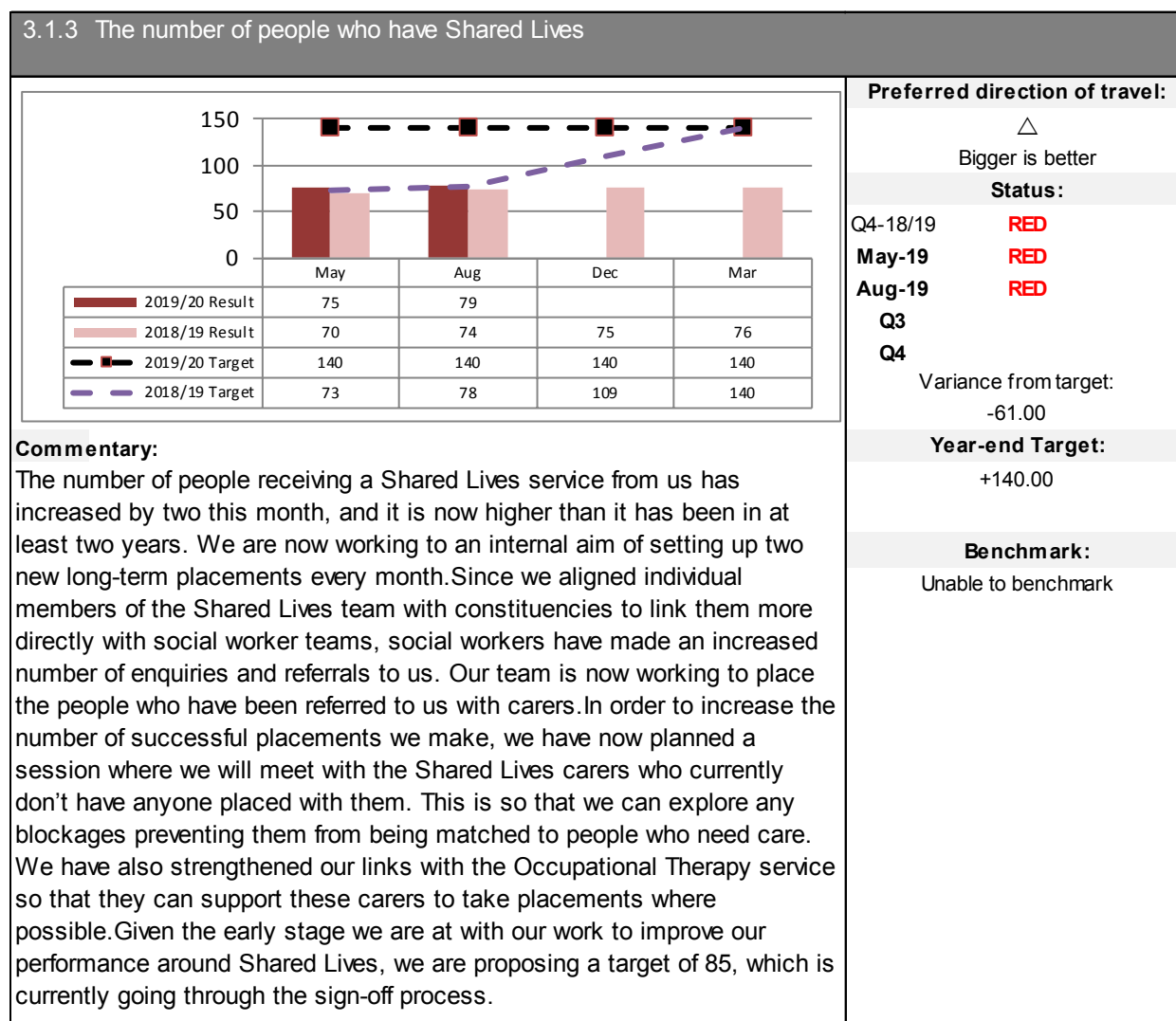
Results shown are for Quarter 1 April to June 2019.

The result is 7,883 which is below the year-to-date target of 10,000 for under 5 years attendances. There have been changes to BeActive hours at Wellbeing sites which has affected attendances. A big proportion of our Under 5 years attendances are from Green Fit Baby activities; during Quarter 1, a lot of the sessions were cancelled due to poor weather conditions. Heading into Quarter 2, the Service is increasing the number of outdoor and indoor activities (summer programme) targeting Under 5s. The Service is also engaging with this age group at Happy Healthy Holidays events over the summer. It is anticipated the year-end target will be achieved

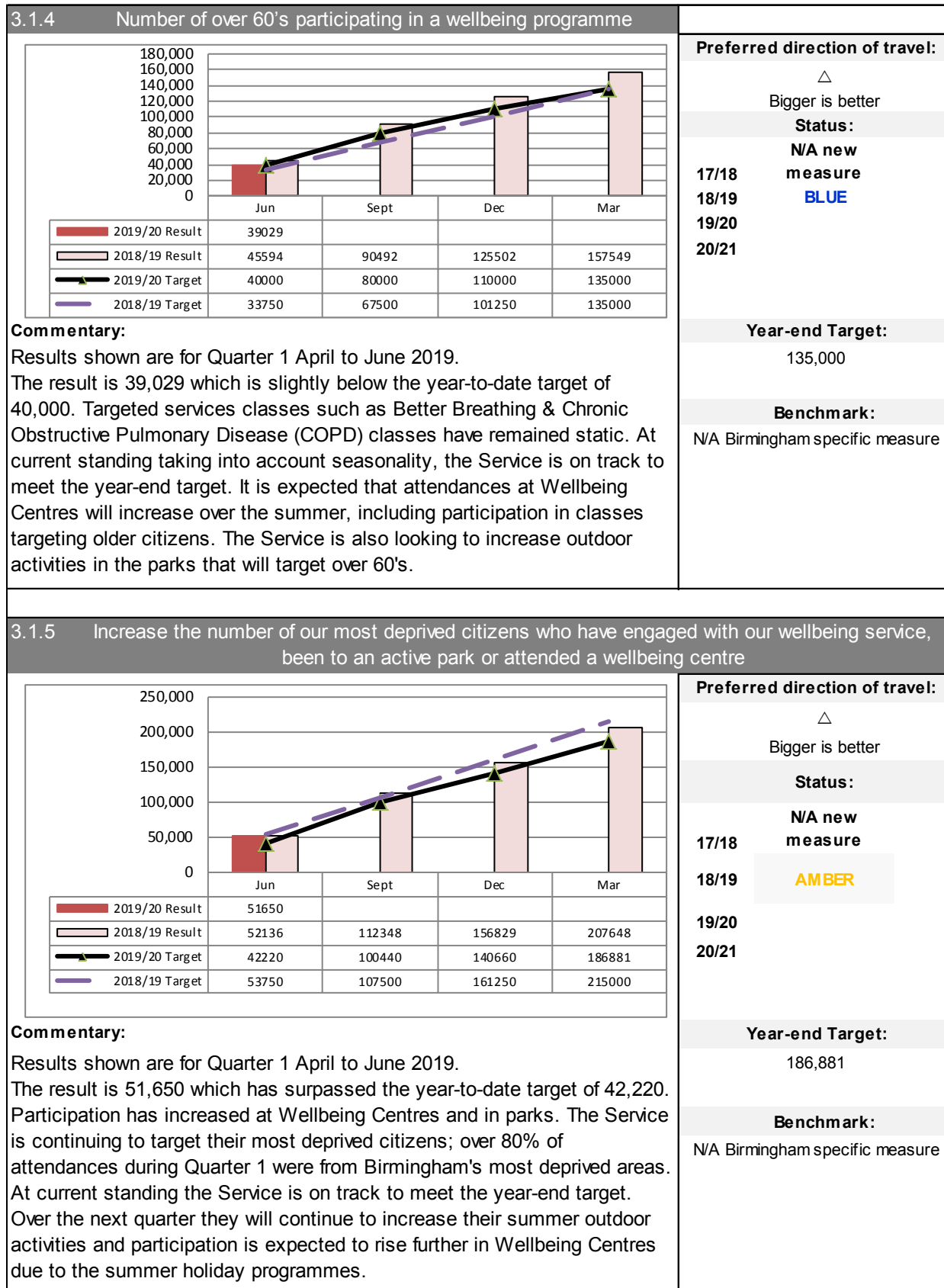
Outcome 2: Birmingham is an aspirational city to grow up in



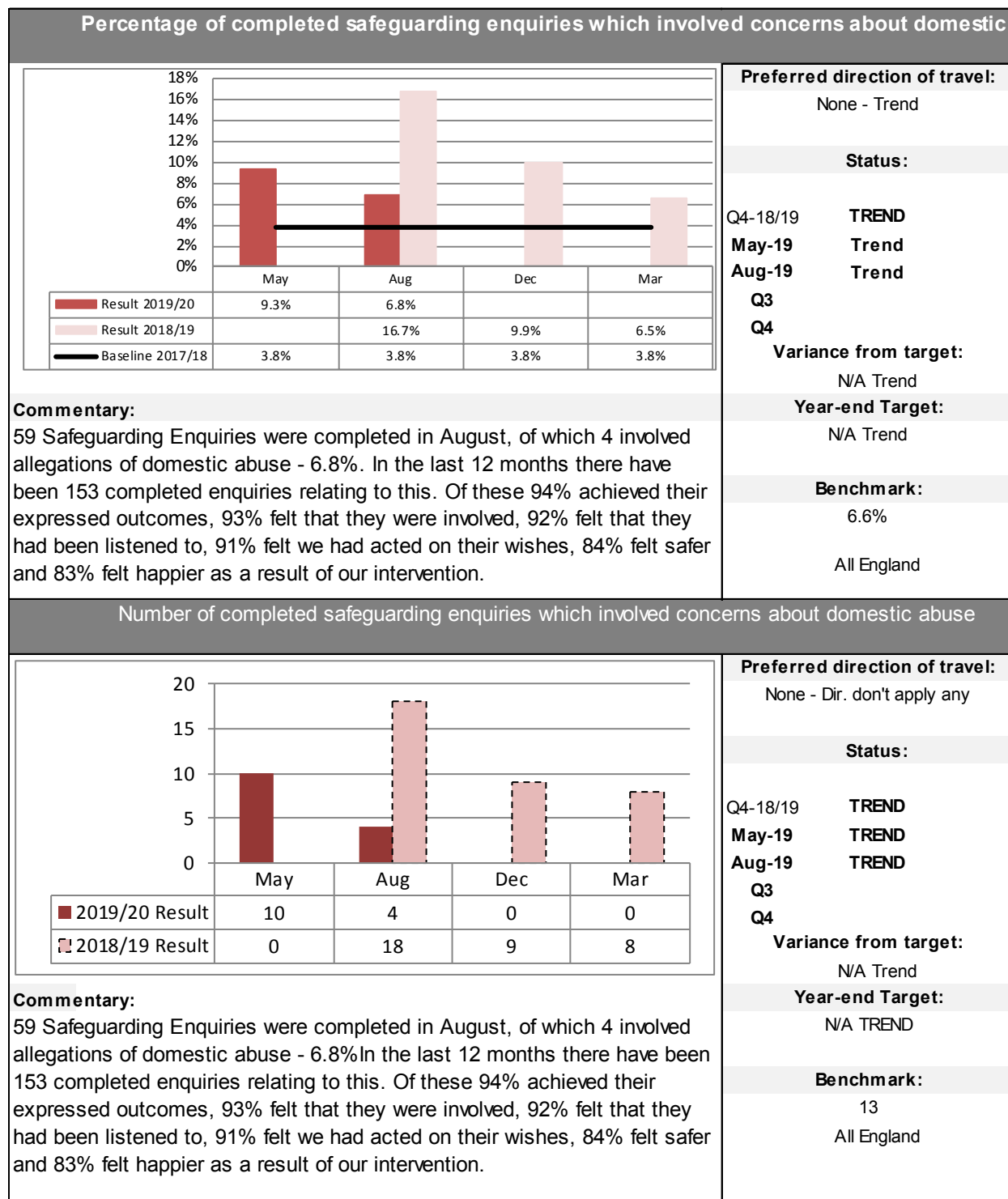
Outcome 3: Birmingham is a fulfilling city to age well in



Outcome 3: Birmingham is a fulfilling city to age well in

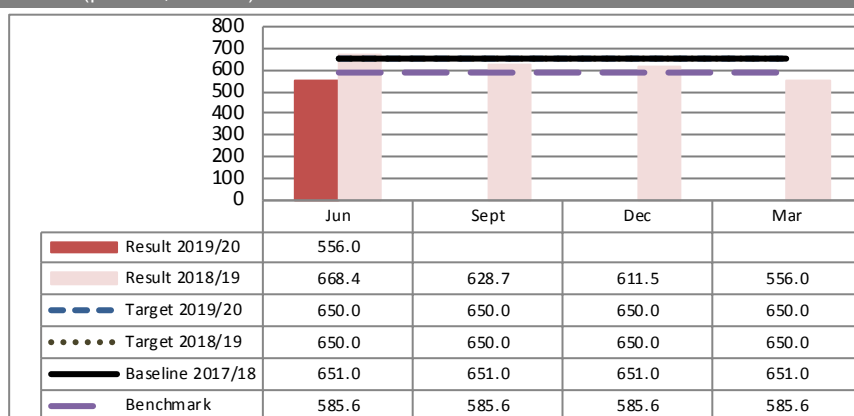


Outcome 3: Birmingham is a fulfilling city to age well in



Outcome 3: Birmingham is a fulfilling city to age well in

3.2.1 The number of long term admissions to residential or nursing care (per 100.000 over 65s) (per 100,000 65+)



Preferred direction of travel:



Smaller is better

Status:

Q4-17/18 **N/A - new measure**

Q4-18/19 **BLUE**

Q1 **BLUE**

Q2

Q3

Q4

Variance from target:

-94.0

Year-end Target:

650.0

Benchmark:

585.6

All England

Commentary:

There is a reporting lag of one quarter for this measure.

We have significantly decreased the number of people who we placed permanently in care homes over the last reported quarter (March 2019).

The figure of 556 represents 811 new admissions between April 2018 and March 2019, down from 892 in the period between January and December 2018.

In hospitals, we follow a Home First policy. We aim to avoid placing people permanently in care homes when they are discharged from hospital, and support them to remain in their own home whenever this is possible.

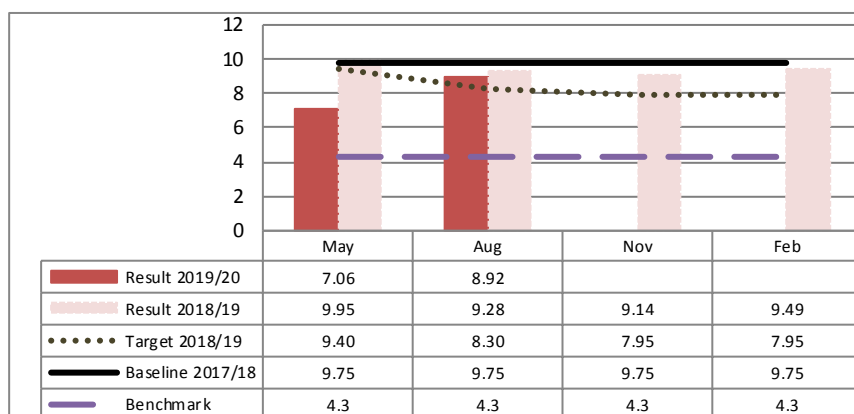
In the community, our social work teams have adopted a "Three Conversations" model of working. Under this model, social workers focus on connecting people with their communities as a source of support, and actively seek out opportunities and assets in the community that can help to meet people's needs.

Outcome 3: Birmingham is a fulfilling city to age well in

3.2.2

Reduced delayed transfers of care (DToC)

Daily Average Delay beds per day per 100,000 18+ population - combined figure - Social Care only and joint NHS and Social Care



Preferred direction of travel:



Smaller is better

Status:

Q4-17/18

RED

Q4-18/19

RED

May-19

GREEN

Aug-19

RED

Variance from target:

+0.97

Year-end Target:

TBC

Benchmark:

4.3

All England

Commentary:

Our delayed transfers from hospital rose again in July. Hospitals, and our social work teams that work with them, have experienced a particularly busy summer. Accident and Emergency attendance was reportedly high over the summer, and this has resulted in the number of referrals to our discharge hubs increasing significantly. The discharge hub at the Queen Elizabeth hospital (QE) in particular saw a 16% increase in referrals compared to this time last year. Thanks to the efforts of the staff in the hub, the average length of stay for patients who were referred to them is still relatively low at 8.4 days, compared to our historical baseline of 11.8.

We have also taken referrals for some people with complex nursing care needs, who require a longer assessment and support planning process. However, we are holding regular conference calls with our colleagues in Commissioning so that we can resolve outstanding delays.

We are continuing to improve our hospital discharge services. The team at the Queen Elizabeth Hospital (QE) are now holding care progression meetings that focus on people's outcomes, building on our "home first" principle.

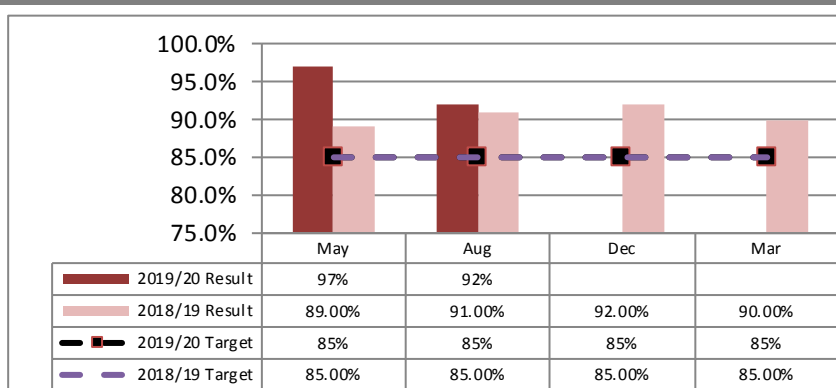
The Early Intervention pilot that we were testing at the QE's discharge hub has come to an end, and we are continuing to roll it out to the discharge hubs at other hospitals. We are also increasing the existing capacity for Early Intervention in Edgbaston and Northfield."

The Early Intervention Programme has now rolled out to Good Hope and Heartlands hospital. In the first week, it is evident that an increase in joint decision making between health and social care has facilitated timely discharges and enabled patients to return home.

The Early Intervention Community team (EICT) has increased its capacity for the QE site to enable more discharges. The Hospital Managers have made concerted efforts to ensure that they have real time oversight of demand in their areas and continue with regular meetings to share good practice and ideas to improve decision making at the new Case Progression meetings in the Discharge Hubs with the ultimate aim of enabling effective discharges.

Outcome 3: Birmingham is a fulfilling city to age well in

Percentage of concluded Safeguarding enquiries where the individual or representative was asked what their desired outcomes were



Preferred direction of travel:

△
Bigger is better

Status:

Q4-17/18 GREEN

Q4-18/19 GREEN

May-19 BLUE

Aug-19 GREEN

Variance from target:

Year-end Target:

85.0%

Benchmark:

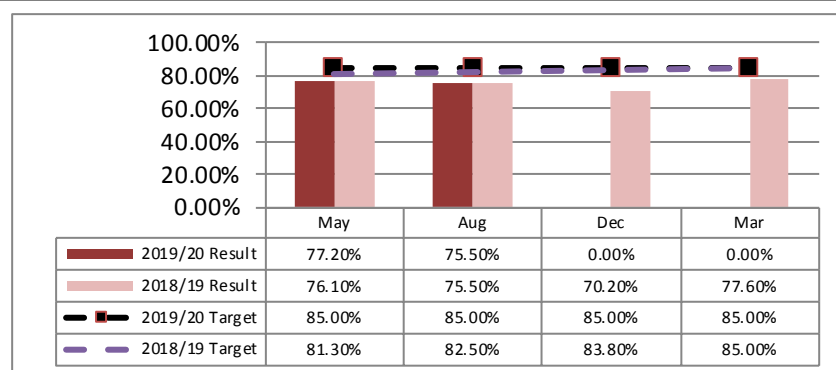
91.2%

All England

Commentary:

We have continued to exceed the target for this measure in August, and our overall performance over the last 12 months is 92.9%. As we have noted previously, this measure is based on relatively small numbers, so we expect variations in the result from month to month. However, the consistently high performance indicates that social work staff are making efforts to include vulnerable people in their safeguarding enquiries.

3.2.5 Proportion of clients reviewed, reassessed or assessed within 12 months



Preferred direction of travel:

△
Bigger is better

Status:

Q4-17/18

Q4-18/19

May-19 RED

Aug-19 RED

Variance from target:

-9.5%

Year-end Target:

85.0%

Benchmark:

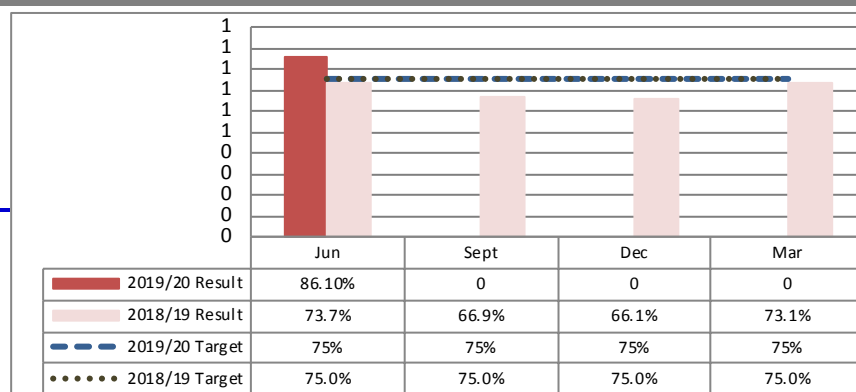
N/A

Commentary:

This month we have seen a slight improvement in the proportion of people who have been reviewed, reassessed or assessed in the last 12 months. This reflects a return to normal staffing levels as people return from holiday over the summer, and we expect to see an upwards trend in our performance. The Project Group has examined the feasibility of meeting our target for reviews by the end of the year. This is so that we can avoid the issue we have had in recent years where we have had to deal with unallocated reviews at the end of the year without enough time to address our performance. Following this, our Assistant Directors have tasked the Social Work Group Managers to come up with an action plan for each of their teams. The Project Group are continuing to progress through their actions under the Project Plan. These include: agreeing a business case in order to extend the Community Opportunities and Specialist Impact Teams until March 2020 to support with the review workload; redesigning our approach to reviews, and their function in the Three Conversations model of social work; and developing a "trusted provider" model for reviews, linked to our internally-provided day services. In addition to this, our performance management tracking of reviews against local targets continues.

Outcome 3: Birmingham is a fulfilling city to age well in

3.2.6 The proportion of clients receiving Residential, Nursing or Home Care, or Care and Support (supported living) from a provider that is rated as Silver or Gold



Preferred direction of travel:



Bigger is better

Status:

Q4-17/18

RED

Q4-18/19

AMBER

Q1

GREEN

Q2

Q3

Q4

Variance from target:

11.1%

Year-end Target:

75%

Benchmark:

N/A

Commentary:

We have now introduced home support services into our new framework contract, and this has resulted in a significant improvement in our performance against this measure. We specifically designed our home support procurement evaluation process so that we would commission providers with the highest quality ratings, and this has had a clear positive impact: 97% of our citizens who receive home support through our new contract now have a provider rated as silver or gold.

We have added 40 residential and supported living providers to our flexible contracting arrangement over this quarter (April-June). Our performance for the people who receive these services is now 78.1%- this is the equivalent of the measure we reported for March, and shows we are improving in this area as well.

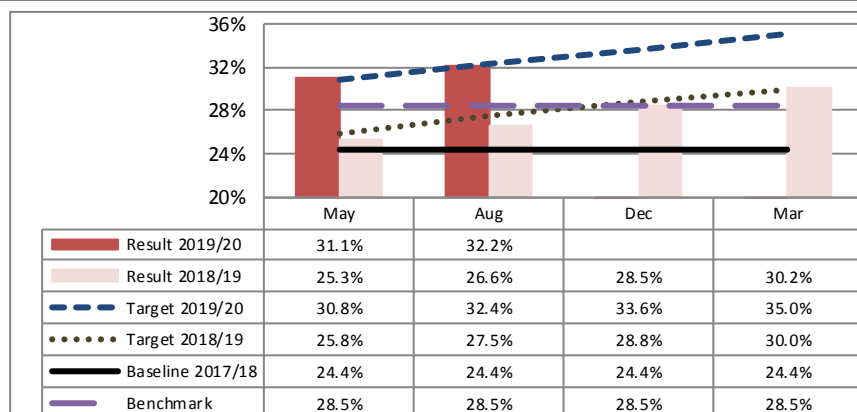
Our quality ratings, through our Quality framework, are now based on a rigorous, evidence-based approach, and we are committed to making annual review visits to the providers we commission, so that we can ensure they continue to meet our standards. The Care Quality Commission (CQC), whose quality assessments form part of our provider quality ratings, are now taking action against poor care providers, and this means that there are more providers rated as inadequate.

We have started analysing the data gathered from our annual quality reviews and the areas where providers face challenges in delivering high-quality care, and we are now putting together support packages to help improve areas of concern. We hope to have these in place by the end of the year.

Outcome 3: Birmingham is a fulfilling city to age well in

3.3.1 Uptake of Direct Payments

More people will exercise independence, choice and control over their care through the use of direct payments



Commentary:

We have increased the number of people receiving direct payments again this month, and we are confident that we are on track to meet our target in March 2020. The recording delays we experienced last month due to staff being on leave have resolved themselves as people have returned from holiday. We are continuing to work with social workers to promote direct payments as a way for people to access social care support, and we are encouraging the teams to share good practice. In March 2019, 42% of the people whose support we planned using our new Three Conversations process took up direct payments, and we are continuing to expand the use of this process. We also expect that our commissioning team's work to re-contract home support providers will result in more people taking up direct payments.

Preferred direction of travel:



Bigger is better

Status:

Q4-17/18 **GREEN**

Q4-18/19 **GREEN**

May-19 **GREEN**

Aug-19 **GREEN**

Variance from target:

+0.2%

Year-end Target:

35.0%

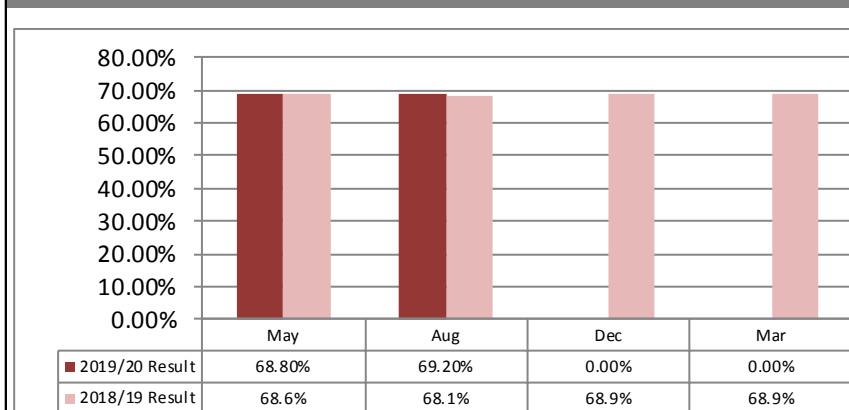
Benchmark:

28.5%

All England

Outcome 3: Birmingham is a fulfilling city to age well in

3.3.5 The percentage of people who receive Adult Social Care in their own home



Commentary:

The proportion of people receiving support from us in their own homes has increased again this month, and we are now seeing a steady incremental improvement in this measure. We are continuing to help people to remain living in their communities for as long as possible, so long as it meets their care needs and does not place them at risk. We have a variety of policies and initiatives in place to support this aim. These include our Home First policy, which aims to prevent discharging people from hospital into a care home wherever we can avoid it. As part of Home First we are running a pilot of an intensive home care service to assist people to return home when previously they would have needed to move to a nursing home. Our Occupational Therapists continue to support our Social Workers to use equipment and assistive technology effectively so that people can remain in their homes for longer. We have adopted a new model for social work across a large part of our service, the Three Conversations model, and we are in the process of rolling it out to the remaining teams. As part of the Three Conversation model, we focus on reconnecting people with their local communities as a source of support, and this should prevent, or at least delay, them needing to move into a care home. In some cases, it can even prevent people needing support at all. Given the long-term nature of our services, we only expect to see gradual change in this measure. However, taken in conjunction with the improvement in the numbers of people being admitted to care homes (811 between April 2018 and March 2019, down from 892 in the period between January and December 2018), this improvement suggests that our efforts are having a positive effect.

Preferred direction of travel:



Bigger is better

Status:

Q4-17/18 **Trend**

Q4-18/19 **Trend**

Q1 **Trend**

Q2 **Trend**

Q3

Q4

Variance from target:

Trend

Year-end Target:

Trend

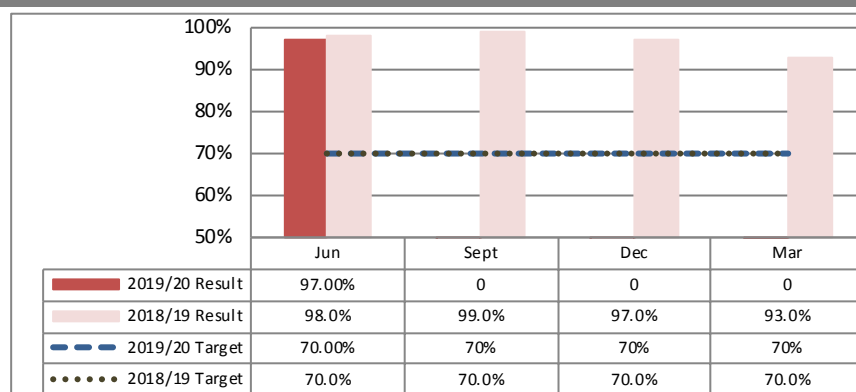
Benchmark:

67.7%

All England

Outcome 3: Birmingham is a fulfilling city to age well in

3.3.7 Social work client satisfaction - postcard questionnaire



Commentary:

We have reversed last quarter's slight drop in performance. Last quarter (January to March), 90% of people reported that they understood what would happen next. Since then we have passed this feedback on to social workers, and this quarter (April to June) 97% reported that they understood what would happen next. The feedback we have received through the postcard questionnaire is overwhelmingly positive- in particular, 98% of people reported that they felt their views had been listened to, and that they were treated with respect.

We also received a greater number of responses this quarter: 100, up from 66 last quarter. We are hoping to build on this success by further encouraging social workers to make use of it, and embedding it into the day-to-day work of our teams. We will also be looking at boosting our response rate by opening up other methods, such as an online questionnaire, and emailed invitations, in order to build a fuller picture of our citizens' experiences of our service.

As part of a routine quality assurance audit this month Team Managers are contacting a random selection of citizens who have recently worked with a social worker or social work facilitator to gather feedback.

Preferred direction of travel:



Bigger is better

Status:

Q4-17/18

N/A

Q4-18/19

BLUE

Q1

BLUE

Q2

Q3

Q4

Variance from target:

27%

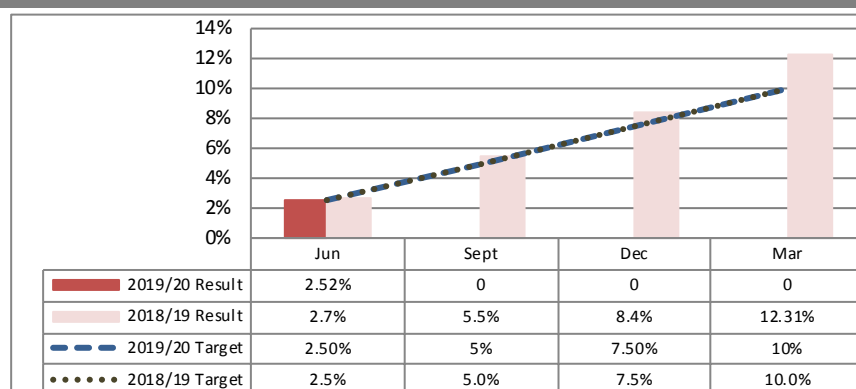
Year-end Target:

70%

Benchmark:

N/A

3.3.8 Proportion of eligible population receiving an NHS health check



Commentary:

The performance remains above national norms and is consistent with the seasonal variation we see.

Preferred direction of travel:



Bigger is better

Status:

Q4-17/18

AMBER

Q4-18/19

BLUE

Q1

GREEN

Q2

Q3

Q4

Variance from target:

0.02%

Year-end Target:

10%

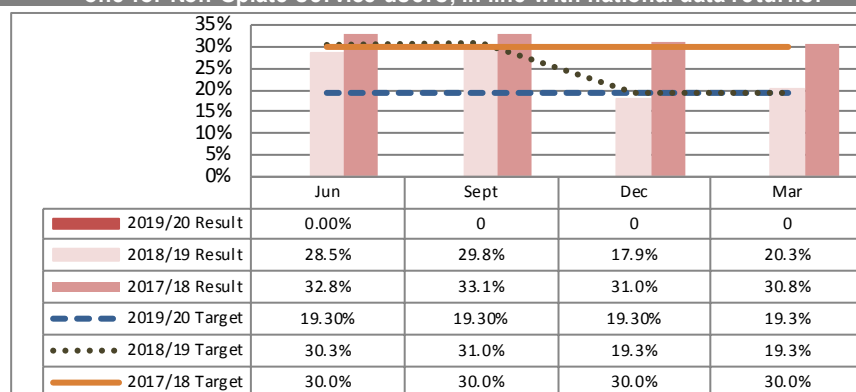
Benchmark:

N/A

Outcome 3: Birmingham is a fulfilling city to age well in

3.3.9 Percentage of opiate drug users who are in full time employment for 10 working days

From Q3 2018/19 onwards this measure will be reported as two separate measures, one for Opiate and one for Non-Opiate service users, in line with national data returns.



Commentary:

During 2018/19 a total of 234 Opiate users successfully completed treatment of which 54 were in employment 10 days or more on their Exit Treatment Outcome Profile (TOP). As a result the service has a rate of 20.30% for the year exceeding the 19.3% target.

Preferred direction of travel:



Bigger is better

Status:

Q4-17/18 **GREEN**

Q4-18/19 **GREEN**

Q1

Q2

Q3

Q4

Variance from target:

1%

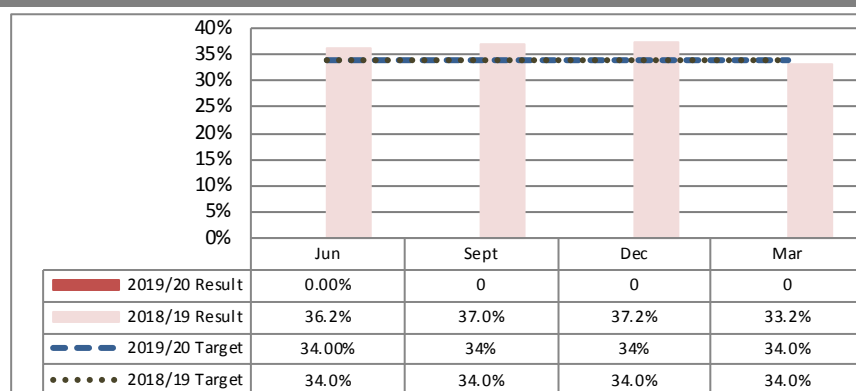
Year-end Target:

19.3%

Benchmark:

N/A

3.3.9a Percentage of non-opiate drug users who are in full time employment for 10 working days



Commentary:

There is a quarter lag on the results for this measure. This measure is new to corporate reporting but is an established national measure so results for 2018/19 have been provided. No commentary provided as with the data lag reported here the results are for quarter 4 2018/19 prior to the requirement to produce commentary.

Preferred direction of travel:



Bigger is better

Status:

Q4-17/18 **N/A**

Q4-18/19 **AMBER**

Q1

Q2

Q3

Q4

Variance from target:

-0.8%

Year-end Target:

34%

Reported with a quarter lag - These are the results for Q4, January to

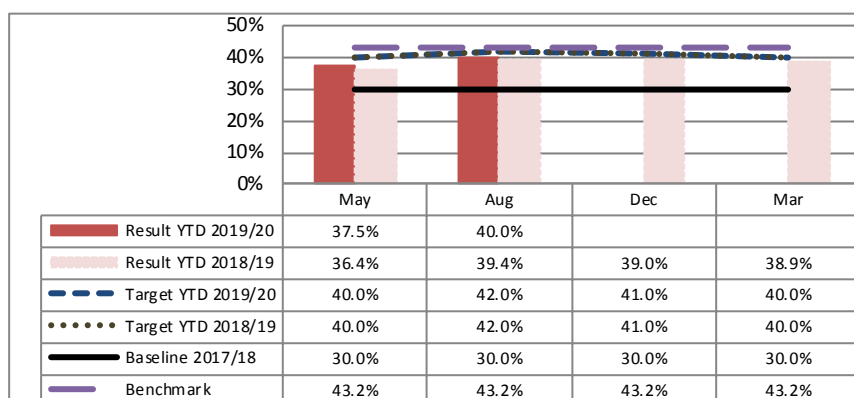
Benchmark:

N/A

Outcome 4: Birmingham is a great city to live in

4.1.2 Increase Recycling, Reuse, and Green Waste

This is the percentage of the total waste disposed of that was reused, recycled or composted. The recycling figure includes recycled bottom ash.



Commentary:

The estimated year-to-date (April 2019 to August 2019) result of 40.00% is below the year-to-date target of 42.00%. The estimated individual monthly figure for August 2019 is 44.00%, which is a significant improvement on last August's monthly result of 39.45%. The Service estimates to have recycled 17,600 tonnes of the estimated 40,000 tonnes disposed of in August 2019. As a comparison, during August 2018, the Service recycled 16,998 tonnes of the 43,083 tonnes disposed of that month. The estimated August 2019 (individual month) tonnage figures for both kerbside recycling and kerbside green waste show reductions compared to July 2019, and to August last year. The routes continue to be re-worked and a limited number of additional vehicles / drivers have been deployed to struggling depots, which has improved this result for the third month in a row. In addition, to address issues with vehicle breakdowns, procurement has started on a 3-year vehicle replacement programme, with a large proportion of the vehicles being replaced in the next 12 months; this should further improve this measure in the future.

Preferred direction of travel:

△
Bigger is better

Status:

Q4-17/18 **RED**
Q4-18/19 **AMBER**
May-19 **RED**
Aug-19 **AMBER**

Variance from target:

-2.0%

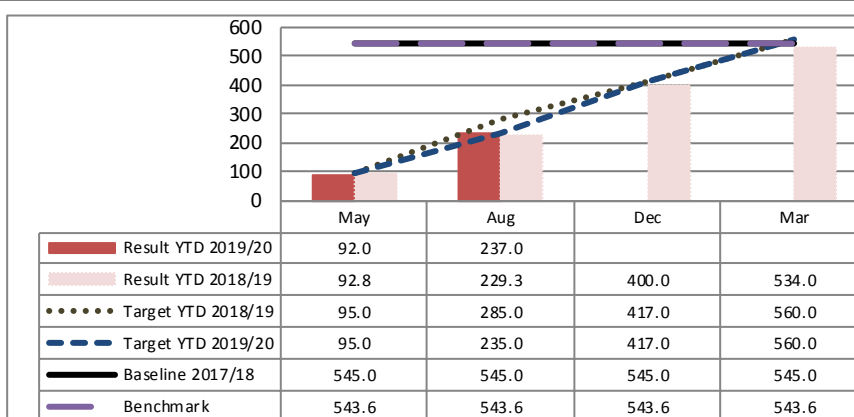
Year-end Target:

40.0%

Benchmark:

43.2%
All England

4.1.3 Reduced collected household waste – kg per household



Commentary:

The estimate year-to-date (April 2019 to August 2019) result is 237kg which has missed the target by only 2kg, but is within tolerance of the year-to-date target of 235kg. The estimated tonnage of residual waste collected directly from households in August 2019 was 20,400 tonnes, which is similar to August 2018's directly collected figure of 20,250 tonnes. The estimated amount of collected residual household per household waste collected in August 2019 is 47.00kg; this is above the profiled target for August 2019 of 45.00kg.

Preferred direction of travel:

▽
Smaller is better

Status:

Q4-17/18 **GREEN**
Q4-18/19 **GREEN**
May-19 **GREEN**
Aug-19 **AMBER**

Variance from target:

+2.0

Year-end Target:

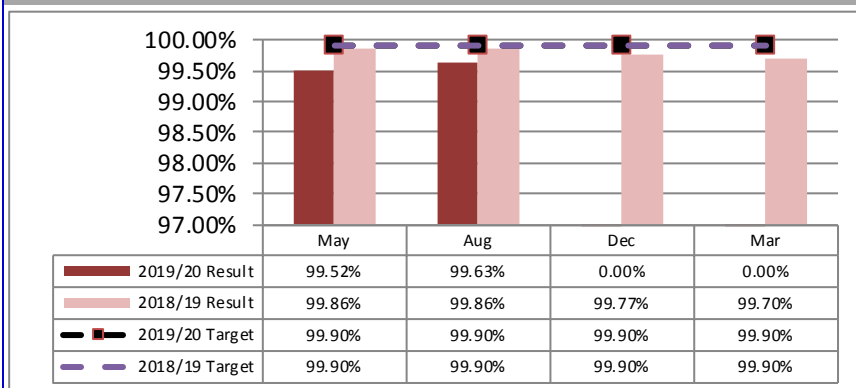
560.0

Benchmark:

543.6
All England

Outcome 4: Birmingham is a great city to live in

4.1.7 Percentage of refuse and recycling collections achieved



Commentary:

The year-to-date (April 2019 to August 2019) result of 99.63%, whilst an improvement from last month, is below the year-to-date target of 99.90%. The Service completed 14,415,627 collections out of the scheduled 14,468,993 collections. In August 99.83% of collections were achieved. In order to improve the service some reconfiguration of routes has been undertaken. In addition, to address issues with vehicle breakdowns, procurement has started on a 3-year vehicle replacement programme, with a large proportion of the vehicles being replaced in the next 12 months; this should further improve this measure in the future.

Preferred direction of travel:



Bigger is better

Status:

Q4-17/18 **N/A**

Q4-18/19 **RED**

May-19 **RED**

Aug-19 **RED**

Q3

Q4

Variance from target:

-0.3%

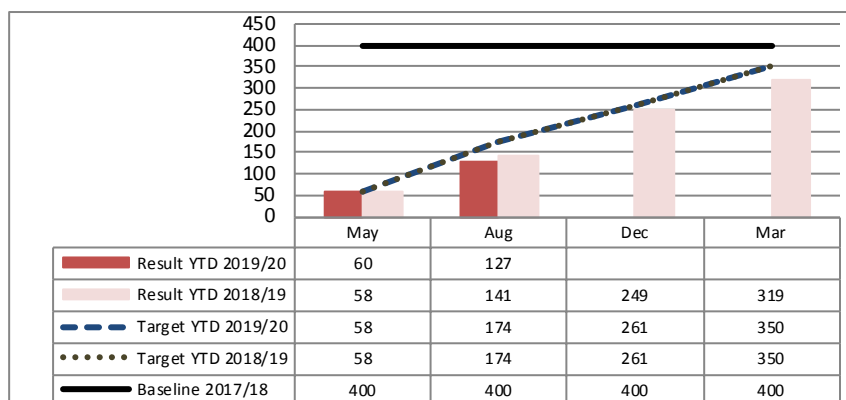
Year-end Target:

99.9%

Benchmark:

N/A Trend

4.2.2 Number of properties improved in the Private Rented Sector as a result of Local Authority intervention



Commentary:

The year-to-date (April 2019 - August 2019) result is 127 which is below the year-to-date target of 145. The recruitment of the additional vacancy continues. Once the vacant post is filled, and induction and training completed, it is expected that the year-end target will be achieved.

Preferred direction of travel:



Bigger is better

Status:

Q4-17/18 **BLUE**

Q4-18/19 **RED**

May-19 **GREEN**

Aug-19 **RED**

Variance from target:

-18.0

Year-end Target:

350

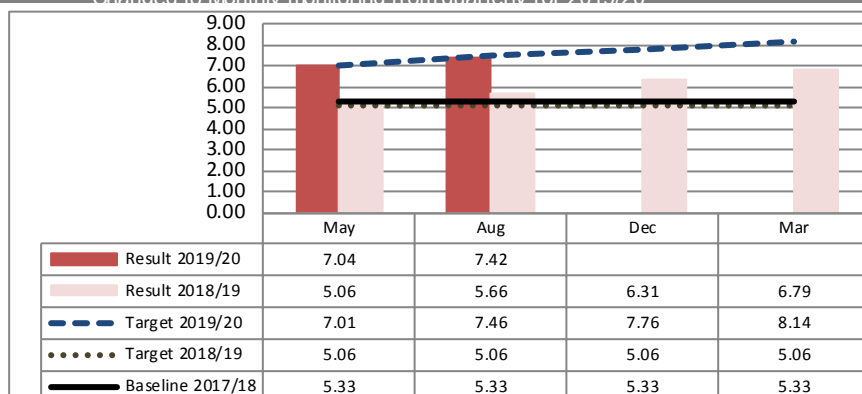
Benchmark:

Unable to benchmark

Outcome 4: Birmingham is a great city to live in

4.2.4 Minimising the number and percentage of households living in temporary accommodation per 1,000 households

Changed to Monthly monitoring from quarterly for 2019/20



Preferred direction of travel:



Smaller is better

Status:

Q4-17/18 N/A Trend

Q4-18/19 RED

May-19 AMBER

Aug-19 AMBER

Q3

Q4

Variance from target:

+0.07

Year-end Target:

8.14

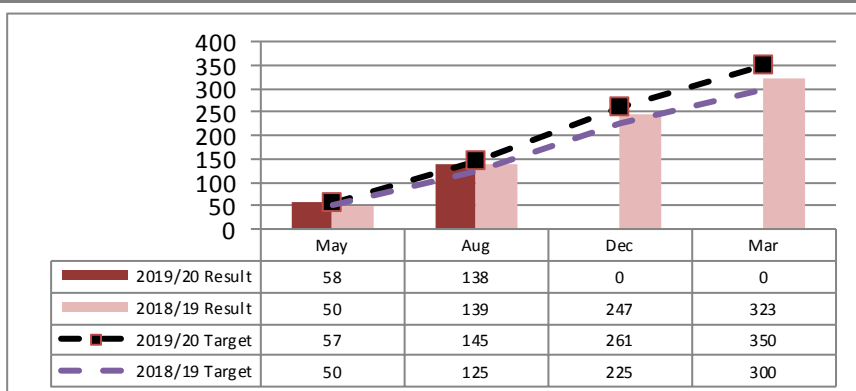
Benchmark:

Unable to benchmark

Commentary:

The snapshot figure for August 2019 is 7.42, which is slightly above the target of 7.35. With the increase in the number of people requiring Temporary Accommodation (TA), the Service has a number of mitigations. The Prevention Hub which was set up in June 2019, focuses on preventing the number of people requiring TA by ensuring people can either remain in their current home, or secure alternative accommodation before TA is required; this has already seen success with 60% of prevention for closed cases (the normal service delivery average is 44%). The Service is also piloting a new model of managing households into and through TA to make sure the Service helps people move on quickly to a sustainable tenancy, which includes accessing private rented sector properties to increase the housing options available to move people from TA. There are incentives available to landlords and support available to tenants to ensure access to the sector.

4.2.12 Private sector empty properties brought back into use (cumulative)



Preferred direction of travel:



Bigger is better

Status:

Q4-17/18

Q4-18/19 BLUE

May-19 GREEN

Aug-19 AMBER

Q3

Q4

Variance from target:

-7.0

Year-end Target:

350

Benchmark:

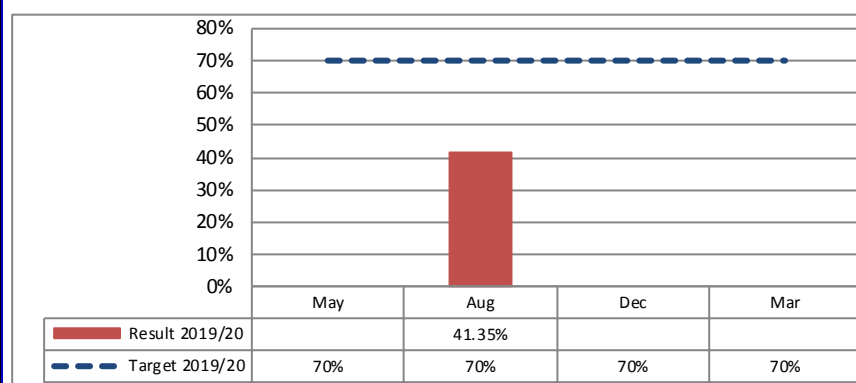
N/A

Commentary:

The year-to-date (April 2019 - August 2019) result of 138 is slightly below target, but within tolerance of the year-to-date target of 145. The recruitment for the vacancies continues. Once the vacant posts are filled, and induction and training completed, it is expected that the year-end target will be achieved.

Outcome 4: Birmingham is a great city to live in

4.3.2 Households where homelessness is prevented or relieved number and percentage



Preferred direction of travel:



Bigger is better

Status:

Q4-17/18 **N/A - New measure**

See

Q4-18/19 **commentary**

May-19 **Missing**

Aug-19 **RED**

Year-end Target:

70%

Benchmark:

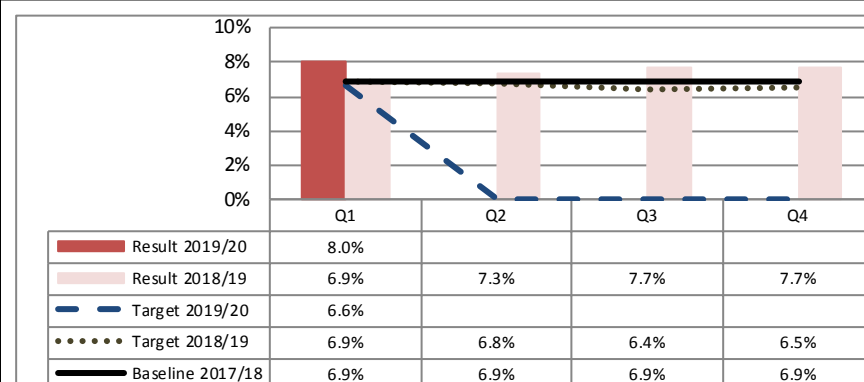
Comparative data not available

Commentary:

Local authorities are now required to submit case-level data to the Ministry via a new system called H-CLIC. H-CLIC provides data on individual people in each household (previously, only household-level data was available). Local authorities, including Birmingham, have experienced issues in collecting and reporting this data and the service switched to a new system from April 2019. The year-to-date (April 2019 - August 2019) result is 41.35% which is below the year-to-date target of 70.00%. There continues to be a number of cases with an outcome not recorded due to data gaps that are due to be resolved in Quarter 2. The Service is working with IT expertise to identify the cause of these gaps and put in place mitigations. The Service have a newly developing Prevention Hub which is showing very positive signs of increased prevention. For the closed cases to date, prevention has increased to 60% - although this is still early on in the hub development. As the Hub is further rolled out and mobilised to take all prevention cases, it is anticipated the proportion prevented and relieved will increase accordingly.

4.7.2 Reducing the unemployment gap between wards

Reducing the unemployment gap between Wards



Preferred direction of travel:



Smaller is better

Status:

Q4-17/18 **BLUE**

Q4-18/19 **RED**

Q1 **RED**

Q2 **RED**

Q3 **RED**

Q4 **RED**

Variance from target:

+1.4%

Year-end Target:

TBC

Benchmark:

Unable to benchmark

Commentary:

Above target (smaller is better) - In the period April to June 2019 (Q1 2019/20) the average unemployment proportion across the 10 Birmingham wards with the highest unemployment levels stood at 10.1%. The corresponding figure for the 10 Birmingham wards with the lowest unemployment proportions was 2.1%. Therefore, the gap between the 10 best and worst performing wards stood at 8.0% points in the period April to June 2019/20. The baseline uses the long term average gap for the corresponding quarter to avoid any issues with seasonal variation. Over the last 5 years the average gap in Q1 between the 10 best and worst performing wards was 6.6% points. The gap in Q1 2019/20 is therefore 1.4% points higher than the 5 year average. The gap between the 10 best and worst performing wards (8.0% points) widened when compared to the previous quarter (7.6% in Q4 2018/19).

Appendix B Headline Resident Survey Results 2018/19

Birmingham Residents Survey	2018/19	2017/18	+/- percentage change (between 17/18 and 18/19)	2016/17	2015/16
Sample Size	1208	1200		1200	1200

Overall, how satisfied or dissatisfied are you with the way Birmingham City Council runs things?					
Summary: Satisfied	60%	65%	-5%	63%	65%

To what extent do you think Birmingham City Council acts on the concerns of local residents?					
Summary: A great deal/ a fair amount	54%	61%	-7%	59%	60%

Overall, how satisfied or dissatisfied are you with your local area as a place to live?					
Summary: Satisfied	80%	83%	-3%	85%	87%

How strongly do you agree or disagree with each of the following? It is important for me to be able to influence decisions that affect my local area					
Summary: Agree	77%	77%	0%	85%	83%

How strongly do you agree or disagree with each of the following? I can influence decisions about public services that affect my local area					
Summary: Agree	38%	46%	-8%	38%	47%

How safe or unsafe do you feel when outside in your local area after dark?					
Summary: Safe	57%	71%	-15%	68%	67%

How prepared would you be to become involved in any community or voluntary work which might be aimed at offsetting any council service reductions that occur due to spending reductions?					
Summary: Would be prepared	31%	38%	-8%	35%	50%

Appendix B Headline Resident Survey Results 2018/19

Birmingham Residents Survey	2018/19	2017/18	+/- percentage change (between 17/18 and 18/19)	2016/17	2015/16
Sample Size	1208	1200		1200	1200

Thinking about this local area, which of these aspects, if any, do you think most need improving? Please give up to 5 aspects (Top ten responses in 2018/19).

Clean streets	49%	56%	-7%	40%	40%
The level of crime	31%	31%	-1%	16%	14%
Police presence	31%	22%	9%	22%	20%
Refuse collection	28%	35%	-7%	15%	13%
Activities for teenagers	25%	28%	-3%	26%	23%
Road and pavement repairs	23%	33%	-10%	25%	28%
The level of traffic congestion	21%	20%	1%	18%	16%
Parking	20%	18%	2%	23%	18%
The cost of housing	18%	11%	7%	13%	12%
Care and support for older and disabled people	16%	16%	0%	20%	15%

Please rank in order the five services that you feel are MOST important, and should continue to be provided by Birmingham City Council (Top ten responses in 2018/19).

Clean streets	52%	55%	-3%	47%	34%
Refuse collection - domestic waste and recycling	46%	54%	-8%	39%	40%
Care and support for older and disabled people	35%	35%	-1%	32%	35%
Child protection and safeguarding	32%	37%	-5%	25%	32%
Road and pavement repairs	30%	38%	-8%	30%	31%
Car parking	23%	21%	2%	24%	15%
Care and support for families (e.g. Children's Centres)	23%	24%	-1%	25%	26%
Activities for teenagers	21%	22%	-2%	20%	18%
Parks and open spaces	20%	18%	2%	26%	17%
Housing provision	18%	17%	1%	16%	15%
Improving Birmingham's economy (e.g. job creation)	18%	22%	-4%	17%	14%

Birmingham City Council

Report to Cabinet

29th October 2019



Subject: **BIRMINGHAM CITY COUNCIL ASSURANCE
FRAMEWORK 2019 -20+**

Report of: **THE CHIEF EXECUTIVE**

**Relevant Cabinet
Member:** Councillor Ian Ward, Leader

Relevant O &S Chair(s): Councillor Carl Rice – Co-ordinating O&S Committee

Report author: Dharmesh Patel dharmesh.patel@birmingham.gov.uk
0121 464 5718

Are specific wards affected?	Yes	<input checked="" type="checkbox"/> No
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** In July 2019, Cabinet approved the adoption of an innovative new model of 'progressive assurance' which led to the formation of a quarterly Strategic Programme Board. Specialist external Non-Executive Advisers (NEAs) were appointed to provide subject matter expertise on key areas of improvement activity (aligned to specific risk and professional areas of focus) to support the Council Management Team until July 2020.
- 1.2** As part of the agreed governance arrangements with The Ministry of Housing, Communities and Local Government, the Strategic Programme Board will submit voluntary update reports from the Leader to the Secretary of State in Autumn 2019, Spring and Summer 2020. The first update report (including commentary from the external advisers) is attached as Appendix 1.

2 Recommendation

That Cabinet

- 2.1** Approves submission of the report (including Non-Executive Adviser commentary) to the Secretary of State.

3 Background

- 3.1** Following the final report of the Birmingham Independent Improvement Panel in March 2019, the Council considered how best to continue the service improvement and transformation journey and agreed a model of 'progressive assurance' through the establishment of a quarterly Strategic Programme Board (SPB).

- 3.2** The SPB has been designed to maintain impetus around key areas of improvement activity, allow the Council to continue benefiting from external experience, and secure the trust and confidence of local stakeholders and Government.

- 3.3** Membership of the SPB includes all members of the Council Management Team (CMT) and five specialist external Non-Executive Advisers (NEA) to provide advice and input to the Council on key areas of improvement activity as follows:

- Sean Hanson: Waste management and industrial relations;
- Javed Khan: Outcomes for vulnerable adults and children;
- Rob Whiteman: Financial resilience;
- Max Caller: Risk management; and
- Donna Hall: Good governance and culture change & Peer support to the Chief Executive.

- 3.4** The SPB has committed to submitting voluntary update reports from the Leader to the Secretary of State in order to provide assurance that the model is genuinely value adding and that sustainable progress is being achieved at pace. The first report is now due to be submitted.

4 Current Progress

- 4.1** The SPB is now active and CMT are in ongoing dialogue with the NEAs around key lines of enquiry. Following an initial induction session, the Board has met formally in October to focus specifically on reviewing the Council's budget position, approach to managing pressures, and realising savings targets.

- 4.2** NEAs have also been meeting with various elected Members (as diaries permit) including the Leader, Deputy Leader, portfolio holders and members of the Opposition.

4.3 These engagement sessions together with review of various corporate and directorate specific plans has informed their initial view of the Council's improvement journey and thoughts on the most pressing strategic, cultural and operational challenges that will need to be addressed if the Council is going to deliver its core ambition.

4.4 The first update report from the Leader has now been developed and attached to this note for Cabinet review. The report includes an appendix with commentary from the NEAs themselves. The commentary demonstrates that the SPB model of progressive assurance is working and generating value for the Council. The NEAs have highlighted specific areas of challenge which CMT acknowledge and are committed to resolve. Some are tactical and can be addressed relatively easily; others are more deep-rooted and will require collective ambition to overcome including that of Cabinet.

5 Consultation

5.1 None required

6 Risk Management

6.1 The agreed areas of focus for the NEA roles were, in part, generated by the statutory recommendations published by the Council's external auditor during 2018-19 and the 'risk' NEA is advising specifically around the Council's internal risk management culture and practice. The External Auditor attended the October meeting of the Board in order to assess progress, and expressed positive initial feedback regarding both the spirit of openness in which the Council is embracing constructive challenge through the SPB, and the Council's response to those statutory recommendations.

7 Compliance Issues

7.1 The recommended decisions are consistent with the City Council's priorities, plans and strategies, supporting the Council's stated commitment to improvement.

7.2 Legal Implications.

7.2.1 Negligible

7.3 Financial Implications

7.3.1 Financial commitments in supporting the SPB model are consistent with the use of Policy Contingency agreed in the July Cabinet report. No additional requirements are envisaged.

7.4 Procurement Implications (if required)

7.4.1 None

7.5 Human Resources Implications (if required)

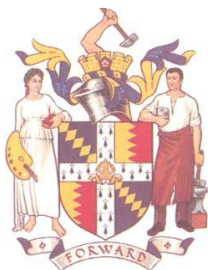
7.5.1 None

7.6 Public Sector Equality Duty

7.6.1 None

8 Appendices

8.1 Appendix 1 – Secretary of State Update – Autumn 2019



COUNCILLOR IAN WARD
LEADER OF THE COUNCIL

THE COUNCIL HOUSE
 VICTORIA SQUARE
 BIRMINGHAM
 B1 1BB

Tel: 0121 464 4000

Email: Ian.Ward@birmingham.gov.uk

Our Ref: IW/1017tr

29 October 2019

SENT VIA E-MAIL

The Rt Hon Robert Jenrick MP
 Secretary of State for Housing, Communities and Local Government
 2 Marsham Street
 London
 SW1P 4DF

Dear Secretary of State

Update on Birmingham City Council's New Model of Progressive Assurance

Further to the letter received from your predecessor dated 23 July 2019 in which he endorsed the Council's proposed new model of progressive assurance and quarterly reporting commitment (as described in my letter dated 14 June 2019), I am writing to provide an update on progress made since my last communication.

The model that was endorsed has now been formally launched through the creation of a Strategic Programme Board (SPB) with oversight of priority areas of improvement for the Council. Membership of the Board includes five specialist Non-Executive Advisors (NEAs), each with a specific focus area, alongside members of the Council's Management Team (CMT). Appointments to the NEA roles are as follows:

- Waste Management and Industrial Relations – Sean Hanson, CEO - Local Partnerships
- Financial Resilience – Rob Whiteman, CEO – Chartered Institute of Public Finance and Accounting (CIPFA)
- Risk Management – Max Caller, former Boundary Commission Chair and London Borough of Tower Hamlets Commissioner
- Vulnerable Adults and Children – Javed Khan, CEO – Barnardos
- Good Governance and Culture Change – Donna Hall, Chair – New Local Government Network
- Peer Support – Donna Hall

The SPB is now mobilised and the NEAs have started to establish their key lines of enquiry and agreed with CMT Directors on the focus areas where they can add most value. Broadly speaking, the NEA's role is to act as a 'critical friend' by leveraging their knowledge and networks of progressive practice from elsewhere to challenge, shape and accelerate improvement within Birmingham City Council.

As described below, the presence of the NEAs is already bearing fruit within their respective areas of focus. Their ability to offer a fresh perspective is also resulting in the injection of a sense of urgency in delivering the commitments outlined within the Council Plan and refreshed Constitution.

Attached as Appendix A is the summary programme plan agreed with CMT that describes each NEA's current area of focus in more detail. The plan will evolve as focus points and lines of enquiry are confirmed and progressed. Nonetheless, the key strategic outcomes are firmly established and have been agreed for each area shaped around bringing independent judgement, external perspectives and advice to the Council to ensure that the improvement journey progresses at pace.

A summary of the progress made and challenges identified within each of the specific improvement areas is detailed below, a letter from the NEAs to the Leader of the Council is also included as Appendix B; this outlines their reflections and observations to date. Whilst there is clear endorsement from each of the advisers on the progress we have made as a Council so far, we are conscious that there is still much further to go.

Waste Management and Industrial Relations

Driving performance improvement and service change in the Waste Management Service has led to well-known and published industrial relations problems, the latest of which has been industrial action in 2017 and 2018.

Following the industrial action in 2018, the Council is working with the Trade Unions and workforce to raise the performance levels and regain trust amongst staff and residents whilst operating within the established memorandum of understanding that was implemented in September 2017.

Sean Hanson has been helping to assess the progress made on the service improvement journey to date and to shape future plans. Sean has been working with the team to anticipate and scenario plan the potential options arising from the Independent Service Review as well as the likely recommendations from the West Midlands Combined Authority review of waste and the DEFRA consultation.

There are a number of key milestones over the coming months including: the launch of the street scene management structure following the successful in-sourcing of the grounds maintenance service; the procurement of various elements of the waste disposal contract in line with the five year extension; a review of the street cleaning service, and future proposals for the refuse collection service in line with government consultation on the collection of food waste. Our drive is to improve performance in all aspects of the waste service including recycling collection and disposal and we are working with the workforce to achieve this.

Financial Resilience

The Council's approach to financial management was given a one star rating from the CIPFA review earlier in the year, citing a lack of accountability, structure and transparency through our budget planning and delivery processes. There is complete commitment from CMT to implement the recommendations of the review with particular focus on establishing an integrated approach to strategic and financial planning. Rob Whiteman's focus has been on helping the Council to shape and embed that integrated approach and this work is taking place alongside the introduction of the One Council Programme Board, which is a central Programme Management Board with responsibility for governance of the major transformation projects and programmes across the Council. These initiatives will add assurance and drive to savings delivery and transformation.

Risk Management

The Council's approach and management of risk has undergone significant change over recent months, but there is still much work to be done in implementing proactive risk management processes and protocols across the Council. The Council has also not yet fully understood and embraced the interdependency between risk and performance management within decision-making processes. These are the areas on which Max Caller has been focusing his attention so far; supporting and challenging officers to be more robust and honest about the service delivery issues they face and the support they need. His national and international senior leadership experience, and knowledge of what good looks like as well as what bad looks like, has been invaluable so far, and is forcing us to re-challenge ourselves on the achievability of our service improvement plans and delivery ownership.

Vulnerable Adults and Children

The Adult Social Care team has made huge strides over the past two and a half years and delivered significantly better outcomes through a thorough transformation programme underpinned by a focus on personalisation and performance management. In turn, this is releasing savings as fewer placements are being made in residential and nursing care. In addition, a broader programme is underway across the care and health system which will deliver better integrated services and better outcomes. However, like the rest of the country, we also face the demand versus supply challenge across our entire social care portfolio. The recent spending review announcement will provide us with a welcome injection of resource in the short-term to help resolve immediate pressures. However, we are still maintaining our focus on implementing long-term and sustainable solutions.

The city's social care services for children are delivered by Birmingham Children's Trust, an operationally independent company owned by the Council, with an independent board of Non-Executive Directors chaired by Andrew Christie. The Trust is driving improvements in practice and services were judged no longer to be inadequate in the most recent Ofsted inspection.

Partnership between agencies across the city for children are developing, with some good emerging practice reflecting inter-agency working, such as in the city's response to the Contextual Safeguarding challenges it faces

Javed Khan is providing input across the Council's work with vulnerable Adults and Children with a specific focus on children with Special Educational Needs and Disability, early intervention in Children's Services and preparation for Adulthood as these are priority improvement areas for the Council. With Javed's help we are preparing to hold a workshop

session on 'systems rethink' which will involve experts in social care who have successfully implemented models of innovative practice elsewhere that we could apply in Birmingham.

His initial inputs have been helpful and an emerging plan, that will help us to examine and challenge our focus and activity, will add some momentum to the improvement work ongoing across services for Adults and Children.

Good Governance and Culture Change

The Council has been on a well-documented, turbulent journey over the last few years resulting in numerous leadership level changes. This has resulted in a number of different management and governance layers. Through our One Council approach and improvements to Corporate Governance we are modernising the organisation's structure and culture. Donna Hall has been reviewing our current plans and decision-making structure, and challenging our collective ambition. Already, she has rightfully observed that the most critical components for successfully delivering our ambition are that we need to have a dedicated permanent culture change resource and a clearly communicated 'golden thread' that ties all of our service improvement initiatives around a core set of behaviours and values, along with a engaged workforce that buys into the vision and direction of travel. Her analysis of our current position and her input has been invaluable in moving our work in this area forward.

Peer Support to the Chief Executive

Donna Hall's appointment as an NEA coincided with the resignation of the previous Chief Executive, so her priority has been to help us navigate through the transition period and maintain stability by supporting the interim Chief Executive, whilst we seek a permanent replacement. She is also starting to facilitate a peer-supported dialogue around our ambition on big ticket items such as localism, climate change and public service reform. This compliments our ambition to produce a 2020-2050 vision and delivery framework for both the Council and our partners in the city.

I trust that this update provides you with assurance that the Council has established a robust model of progressive assurance, and continues to have a relentless and determined focus on sustainable improvement across all priority areas. We are of course actively monitoring progress on Brexit discussions and assessing the potential impact on this programme through our Corporate Risk Framework.

Further formal updates will be provided in March and July 2020 as part of agreed commitments, building on dialogue between my officers and your senior officials. In the meantime, I would be delighted to meet if you would like to discuss this progress update in more detail.

Yours sincerely



Councillor Ian Ward
Leader of Birmingham City Council

Appendix A – Summary Programme Plan

		Link to other workstreams	AUG	SEPT	2019 OCT	NOV	DEC	JAN	FEB	MAR	2020 APR	MAY	JUN	JUL
Waste Management and Industrial Relations														
1	Identify and scenario plan the potential options from the independent review													
2	Develop understanding of current service performance independently of the industrial relation related issues													
3	Develop response and solutions to formal independent review recommendations													
4	Identify principles of future TU relationship and engagement approach	Culture Change												
5	Develop a modernised Council industrial relations framework	Good Governance												
Financial Resilience														
1	Implement Council financial management sustainability i.e. bring CIPFA recommendations to life													
2	Develop and embed an integrated approach to strategic and financial planning													
3	Review progress on delivering the Council's finance plan and budget	Risk												
Risk														
1	Implement consistent approach to Council-wide risk management based on the revised framework	Good Governance												
2	Engage MHCLG around best practice approach to audit and oversight	Good Governance												
3	Strengthen alignment between performance and risk management													
4	Identify Council critical emergency planning scenarios; plan and run mock exercise													
5	Identify Commonwealth Games specific critical emergency planning scenarios; plan and run mock exercise													
6	Assure Council's response to external audit statutory recommendations	Good Governance												
7	Review approach to risk within CMT, Cabinet, O&S and Audit Committee													
8	Review programme management arrangements around risk mitigation activity													

		Link to other workstreams	2019					2020						
			AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL
Vulnerable Adults & Children														
1	Complete service review of key focus areas													
2	Review delivery plans within KLOE - SEND, preparing for adulthood, early years support, and early intervention													
3	Complete 'critical friend' activity of current plans for service development													
4	Advise on 'sustaining continuous change' initiative	Culture Change												
Good Governance														
1	Review Council governance structure and operation													
2	Review refreshed Council constitution and implementation plan													
3	Review role definition of elected members and officers and identify any enhancements based on frameworks in use elsewhere													
4	Review LGA Peer Review Recommendations													
5	Review Corporate Governance Improvement Plan													
6	Review legal services improvement plan													
7	Develop a modernised Council industrial relations framework	Waste Management and Industrial Relations												
Culture Change														
1	Review the Council's approach to organisational development and culture change with particular focus on human resource management, safety and occupational health, and trade unions, and ensure that there is a common, complementary and systematic approach to deployment	Waste Management and Industrial Relations												
2	Review staff engagement approach													
3	Design an implementation and engagement plan based on a modernised industrial relations framework	Waste Management and Industrial Relations												

		Link to other workstreams	2019					2020						
			AUG	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL
Peer Support														
1	Develop strategic plan to maximise EMT time around medium-long term policy issues													
2	Focus on developing and maturing Council plan agenda around localism, climate change, social contract and others tbd													
3	Utilise the LGA framework to strengthen peer collaboration and create added value	Good Governance												
4	Support the 2020-2050 refresh of the Council vision and delivery framework for the city and its agencies													
5	Support and facilitate CEO transition													
6	Provide support to strengthening the culture change workstream around the Council's approach to celebrating success, and continuous learning and development	Culture Change												
7	Support shaping of the 'One Council' programme aligned to implementation of the workforce strategy and culture change programme	Culture Change												
8	Convene the NEAs to support production of Cabinet / SoS updates													

Appendix B – Letter to the Leader of Birmingham City Council from the Non-Executive Advisers

Introduction

The decision to formally appoint Non-Executive Advisors to aid BCC in its improvement journey is a ground-breaking initiative. Since the publication of the Kerslake report, BCC has committed itself to improving its performance and delivery to its citizens. This was initially overseen by an arms-length body, the Birmingham Improvement Panel, which stood down in March 2019, 4 years after it was established.

The Council has appointed us as individuals, each with a significant track record in local government and its services as a whole and expertise in our topic areas. We are here to help them improve the pace of improvement, working inside and alongside the organisation. Since the process started in July 2019, we have met collectively with the Council on two occasions and also met as a group alone. However, thus far, most of our work has been done either in face to face contact with Council officers and Members or remotely.

It is too early to form a judgement as to the success of the model but our initial response is to welcome and appreciate the openness in which the Council has received us and the willingness to take on board the challenges and points that have been put to them. What is crucial now is how and at what pace the Council responds to those challenges.

Our overall conclusion is that for BCC to succeed it must stop talking about what it wants to be and start being and acting like that body. This will require determined and consistent action by both political and managerial leaders as a group, insisting on getting it right and doing it right.

Our individual comments on our areas of activity are set out below.

Peer Support, Culture and Governance

All elected members and officers have fully embraced the new improvement process and are keen to give their time and to work with the non-executive advisors in an open and transparent way. This new improvement model could provide a new model for others in local government to embrace.

Significant building blocks for organisational improvement have been put in place in the last eighteen months to address the issues of service performance and a negative culture.

The departure of the Chief Executive Dawn Baxendale for a new role presents a risk to the organisation and it is important that the Interim Chief Executive continues with the same people-focussed approach to culture change and service improvement for the people of the City.

Stable and consistent leadership is required during this transition period, both political and managerial; especially given the numerous repeated leadership changes in recent years in Birmingham.

The Leader of The Council and his cabinet have a clear plan with timescales to appoint a permanent chief executive as soon as possible. It is important that a “constancy of purpose” is created in the delivery of the council’s objectives, both strategic and financial.

Plans and strategies need robust and resourced delivery plans to ensure they are embedded within departments. Robust organisational development plans are in place to tackle poor behaviours across the organisation. However these need to be adequately resourced through a comprehensive organisational development approach which is fully embraced across the council. There are currently insufficient resources corporately in place to deliver this with only six FTEs in organisational development.

A proposed LGA review of the HR function will also help to identify the pressure points in the service and develop practical recommendations to make required improvements and identify the resource constraints.

The One Council Plan, whilst laudable needs to be compiled as a single document and linked to the values and behaviour with clear and simple SMART actions for all leaders and for all staff. It needs to be truly owned at all levels of the council. The Transformation, One Council and Budget Plans need to be more strategically aligned; linking savings to service improvement and organisational redesign and the application of the values in service redesign and appointment to roles with modernised departmental structures.

There is a lack of the right capacity within strategic external and internal communications, corporate policy, transformation and organisational development. The Council needs to identify the resources to drive forward existing plans with energy and pace.

A new approach to the next stage of restructuring of middle management needs to be put in place if the organisation is to deliver on its savings targets.

The LGA review of Legal Services presents a very frank overview of the governance challenges facing the organisation. It is reassuring that the council commissioned this work.

There is now a robust and resourced action plan in place to address the governance challenges and improve the relationships between members and officers as well as the reputation of the legal team within the organisation.

The new Monitoring Officer needs to have the required organisational and team support in place to ensure they are able to succeed effectively in the role in such a large and complex organisation.

Financial Resilience

The review and consequent report by CIPFA into Financial Management across Birmingham City Council painted a bleak picture. Many basic elements of sound financial management have been lacking for some time. Encouragingly these were accepted and recognised by all, including Elected Members, the Corporate Management Team, Directorate Management Teams and across the Finance Directorate.

Due to the fundamental improvements that are required in finance and working across the organisation, sustaining pace is vital and requires significant dedicated focus in order to drive it forward.

Underlying systems and process have evolved during a number of years to be cumbersome, manual and in many cases duplicating each other to the extent that far too much officer time is spent preparing the numbers, and leaving insufficient time to analyse and advise services.

The implementation of a new ERP system provides the Council with an opportunity to resolve much of this and whilst a new system is not the panacea to all of the challenges, it does allow radical change in practice to address the current challenges. The Council will need to be firm in ensuring that the “vanilla” solution is not compromised by services wishing to bespoke the system to suit individual requirements.

Capacity within finance remains a challenge. Elected Members will need to provide agreed priorities on where the finance team is best focussed in order to ensure that attention is focussed on modernisation.

Compliance with the basic financial processes is not good with far too many examples of “off process” activity being undertaken (for example, commissioning goods and services without the requisite Purchase Order). In line with the wider Council transformation plan, examples of non-compliance with systems need to be challenged robustly and consequences introduced. Similarly the finance team will need to be clearer to service colleagues on expectations and requirements, and stick to agreed plans and timescales.

The finance improvement plan is ambitious and recognises the need to align service and budget planning. Whilst some change will take a while, strengthening the Star Chamber process to create an effective gateway for pressures and efficiencies to be assessed and scored would be a quick win. More rigour at an early stage would improve agreed delivery later.

Children and Adult Services

The Council's move to establish the Children's Trust for its children social care services was a brave but necessary step. Its establishment phase was understandably difficult, but the absolute focus on eight strategic priorities has begun to deliver improvements.

The latest OFSTED assessment of moving from a long term historical low of 'inadequate' to 'requires improvement' reflects this approach of doing things differently. However, the improvement journey is still highly fragile and without concerted and sustained focus alongside a protection of the resources required, future assessments could easily slide backwards. This is in the context that Birmingham's current spend per child (on social care) is 25% below the core city average.

More broadly, the council's self-assessment of needing to review and drive significant change in its Early Help, SEND, Early Years, Early Intervention, transition to adult-hood and

greater partnership working is clear and appropriate. The council is beginning to realise that these challenges are interconnected and it is unlikely that standalone interventions or initiatives will deliver the step-change required. The pressure to deliver efficiencies along way is immense. Therefore, the way forward needs to include a systemic rethink of the challenges that need addressing; the demand vs resources equation; and the possible solutions/new ways of delivering. Within this lies a key opportunity for the council to re-imagine its overall approach to meeting the needs of vulnerable children and adults.

Birmingham is home to one of the youngest and most diverse populations in Western Europe. Although the council often celebrates this fact in its marketing, its strategic leadership and service planning/delivery must also embrace both the challenges and the great opportunities that this presents. This of course relates to all aspects of the council's presence, but children and adult services have a critical part to play along the way. It would seem that there is yet much more to do in this respect too.

Additionally, the council seems to have made progress in better connecting children and adult services with key external partners, for example health and the voluntary sector. However, this work will need clear focus and be sustained over the long term. With the recent changes at a senior level, officers will need strong support and determined leadership at the highest level.

Risk

Good practice in recognising and addressing risk is starting to be put in place. However, coverage is not consistent. More importantly, risk is seen in some parts of the organisation as a linear process to be completed and documented rather than as a dynamic management tool.

As yet there is no evidence that the real time it takes to do things and get decisions in a timely way is recognised as a risk issue.

It is important to move away from an annual budget cycle to a 2-3 year planning horizon where the budget is seen as primarily a formal tax setting meeting recording the decisions already taken to balance the budget so that implementation issues can be effectively dealt with.

For significant risks BCC needs to undertake more 'What If?' scenario planning.

The way in which the Audit Committee operates, and reports is an important element of this process and future work will engage with this.

Waste and Industrial Relations

There is a contrast between the Council's waste service vision – to be "best in class", remodelled to provide "value for money" – and actual performance which, it is recognised, is achieving bottom decile recycling rates.

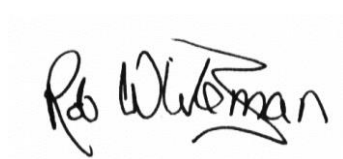
The way that the Council responds to the draft findings from its independent review will provide the framework for a new strategy which should also address the challenges of Defra's Resources and Waste Strategy for England.

The service suggests that there is a need to achieve a "major cultural shift" and has reported positive responses from the Trade Unions as to what this will mean in actuality. The Council needs to engage positively with Trade Unions pending the arrival of imminent dates mentioned in the Memorandum of Understanding in order to ensure that there is no return to the poor relations that have hampered progress in previous years.

Plans for transformation, employee engagement, culture shift, modernisation and future budgets need to be progressed with more substance and this will need support from organisational development and finance teams, to ensure that past lessons have been learned and there is a constancy of purpose. The Council needs to ensure that it does not wait until the recommendations of the independent review are received; it will have more success at achieving its aims if it mobilises its support now, in advance, rather than adopting an attitude of "wait and see". The service appears to recognise this and has shown encouraging signs that it wants to transform effectively through scenario planning.

Whilst scenario planning has commenced and shows some initial promise, there are still some concerns that many of these scenarios are based on tactical and operational responses to the current paradigm, rather than a longer-term approach. More work needs to be done to evidence that waste collection and waste treatment/disposal plans are joined up. Further evidence also needs to be demonstrated that the authority is collaborating closely with neighbours in the West Midlands Combined Authority area and is learning from the experiences of other major cities which have more effective collection and treatment systems.

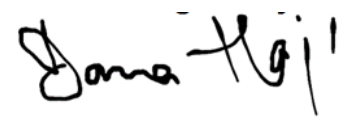
Yours sincerely,



Rob Whiteman



Max Caller



Donna Hall



Sean Hanson



Javed Khan



Birmingham City Council

Report to Cabinet

29th October 2019

Subject: Update on Fire Safety in High Rise Buildings

Report of: Acting Director - Neighbourhoods

Relevant Cabinet Member: Councillor Sharon Thompson, Cabinet Member for Homes and Neighbourhoods

Relevant O &S Chair(s): Councillor Penny Holbrook - Chair of Housing and Neighbourhoods Overview & Scrutiny Committee

Report author: Martin Tolley
Head of Capital Investment and Repairs
Tel: 0121 303 3974

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: 006562/2019		
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 To provide an overview of Birmingham City Council's response following Grenfell and Dame Judith Hackitt's subsequent report 'Building a safer future', and the government's implementation plan following this.

2 Recommendation

- 2.1 Cabinet are recommended to note the report content and endorse the approach being taken to respond to the findings of the Dame Judith Hackitt report and the government's response to this, post Grenfell.

3 Background

- 3.1 Following the fire at Grenfell Tower the government commissioned an independent review of building regulations and fire safety which was led by Dame Judith Hackitt. This resulted in recommendations in regard to both the physical aspects of building safety and also in regard to how landlords work with their residents on fire safety matters.

3.2 The Cabinet report 'Grenfell One year on' 24th May 2018 (background report) provided an overview of the Council's immediate response and activity post Grenfell. This report is intended to update Cabinet on actions taken since the previous Cabinet report. Below is a summary of some of the actions undertaken post Grenfell.

- The Fire Safety Steering Group was formed to ensure that Birmingham City Council responded to any legislative changes or government guidance post Grenfell.
- All 213 high rise blocks have been jointly inspected with West Midlands Fire Service, Fire Safety Engineer and Birmingham City Council's own Housing Officers. The assessment of Birmingham City Council's high rise blocks with cladding installations over the entirety of the building identified that there were no blocks that had a similar cladding system to that of Grenfell Tower.
- Work will be required to enhance fire safety to meet the government's latest guidelines as set out in the Ministry of Housing advice notes 18 and 19. It is projected that this work which is primarily to replace window infill panels, will require in excess of £28m to carry out
- A fire safety and wellbeing awareness campaign was delivered between November 2017 and April 2018. These campaigns were supported and co-ordinated with West Midlands Fire Service.

3.3 In December 2018 the government responded to the Hackitt report findings and issued an implementation plan, which included a number of revised guidelines in regard to safety measures. This resulted in building regulations for new and refurbished dwellings being amended. A number of working groups were established to develop proposals further on behalf of the Ministry of Housing Communities and Local Government, for wider consultation.

3.4 In December 2018, and following on from the Hackitt report findings, the government issued a 'Call for Evidence' on good practice on how residents and landlords work together to keep their home and building safe'. An example of some of the areas it planned to consult further on are below:

- Requirements for residents to be provided with critical safety information about their building.
- Requirements for responsible duty holders to put in place a Resident Engagement Strategy for high risk buildings.
- Options for a clear and quick escalation route for residents' to raise building safety concerns, including relationships with the new regulatory framework for building safety and interactions with existing regulatory and redress schemes.

3.5 The Social Housing Green Paper consultation also asked questions in regard to the landlord/resident relationship, including matters of fire safety, in addition to questions on regulation, complaint management and performance reporting.

- 3.6 The Regulator of Social Housing on 17th June 2019, issued regulatory notices to two local authorities in respect of compliance with the Home Standard (which is part of the Consumer standard that applies to local authorities) and specifically on a range of health and safety requirements. The standards require that providers will *'meet all applicable statutory requirements that provide for the health and safety of occupants in their homes'*. Birmingham City Council is in the process of reviewing and assessing the City Council's position against this report and its recommendations. This report seeks to provide an assurance of the Councils compliance, along with ongoing assurance provided through the Fire Safety Steering Group overseeing future activity.
- 3.7 All activity is being co-ordinated through the Fire Safety Steering Group , which is chaired by Head of Service Asset Management and Maintenance. The Chair of the FSSG is working in conjunction with the Ministry of Housing Communities and Local Government, Local Government Association and the National Housing Federation.
- 3.8 The Chair of the Fire Safety Steering Group has been in regular dialogue with Ministry of Housing Communities and Local Government regarding a range of issues including Large Panel System high rise blocks and Birmingham City Council's approach to its future management which is being used as an example for other local authorities to learn from. Birmingham's approach post Grenfell has also been showcased in conjunction with the Local Government Association and the National Housing Federation at their recent Building Safety Forum event.
- In June 2019, the Ministry of Housing Communities and Local Government commenced its long awaited consultation, "Building a Safer Future" with proposals for reform of the building safety regulatory system. This consultation follows on from the government's Implementation Plan published in December 2018 which set out how the government intended to take forward the recommendations from Dame Judith Hackitt's Independent Review of Building Regulations and Fire Safety.
 - Birmingham City Council facilitated resident feedback and the Fire Safety Steering Group provided technical feedback to the consultation, which closed in July 2019.
 - It is envisaged any legislative changes will be announced during the early part of 2020.

3.9 Update on Fire Safety and Assurance activity

3.9.1 Fire Awareness Visits

- A full scale review has been undertaken of resident profile information held on the council's information system for all high rise residents. This ensures our resident profiling information is as up to date as possible in order to be passed to the emergency services as part of the council's resilience plan when required.
- Housing Services are working with West Midlands Fire Service to provide safe and well visits. This will allow West Midlands Fire Service to pass back specific

information relating to the findings of visits (where residents give authority) or overarching management information relating to the findings.

- As part of the new lettings process every new tenant is invited to complete a referral for a safe and well visit, which is sent to West Midlands Fire Service to carry out.
- In sheltered accommodation, all new tenants have a referral completed for a safe and well visit

3.9.2 Fire Risk Assessments

- All Birmingham high rise blocks have a current Fire Risk Type 2 Assessment, covering all communal areas in place and are subject to a rolling 12-month programme of re-assessment. Type 2 Assessments do not include entry into individual flats.
- Birmingham City Council has its own in-house team of officers who are accredited Fire Risk Assessors, who administer our fire prevention program.
- Birmingham City council are currently reviewing the impact of carrying out Type 3 Fire Risk Assessments to communal parts and individual flats (which is non-destructive inspection) in all individual dwellings. Carrying out Type 3 Fire Risk Assessments will provide assurances to the council and residents that compartmentation is in place between dwellings, which is the primary fire management measure. This activity will form the main aspect of the Building Safety Manager role for which the pilot is currently being developed.

3.9.3 Retro fit sprinklers

£31m has been secured through a combination of HRA prudential borrowing and the HRA, to carry out the retro fit installation of sprinkler systems to all high rise residential blocks for which cross party support has been received.

- The following selection criteria is being used for sprinkler installation over a 3 year programme.
 - All sheltered high rise blocks (37 blocks - 1700 units)
 - Most flats per floor – Inkerman House (118 units)
 - Tallest residential 14 stories and above (34 blocks, 3049 units)
 - 10 – 14 stories (71 blocks, 3363 units)
 - Under 10 stories (70 blocks, 2355 units)

3.9.4 The sprinkler programme is now in year 2 of a 3 year installation programme. The installations continue to be delivered by our contractors across the city to all 213 of

our high rise blocks. Performance is monitored daily, weekly and monthly by Birmingham City Council's Capital Investment Team. There are very high-levels of customer satisfaction and generally residents are welcoming the installation of this important life-saving equipment into their homes.

3.9.5 Fire Doors

- Following the events at Grenfell, it was highlighted that there was a requirement to test all of the previously fitted doors against the new more robust fire safety standard.
- Currently, 10 new door types have been tested in partnership with Winkhaus. BM Trada who are the testing consultants for fire doors. They have now agreed with the Ministry of Housing Communities and Local Government on the composition of a Q Mark composite fire door scheme that will ultimately allow fabricators to re-enter the fire door market. Further advice and guidance is awaited from the Ministry of Housing Communities and Local Government however, in the event that Birmingham City Council are required to replace all fire rated front doors and frames, it is estimated that there will be an additional cost in the region of circa £34m. Any required work will be carried out in conjunction with Shelforce. Once the requirements are known a programme of replacement will be developed.

3.9.7 Further Enhanced Fire Safety works

- The Capital Investment Team is undertaking further enhanced fire safety work on the exteriors of high rise blocks. The blocks that require additional external upgrades have been identified through extensive joint working between the Fire Engineers from West Midlands Fire Service and Birmingham City Council's Capital Investment Team.
- This work will ensure that all high rise blocks meet the new Limited Combustibility A2 fire safety standard, as recommended by the Fire Service and central government. Work is in progress with a planned completion date for all work by the end of May 2020.

3.9.8 Resilience Testing

- Two resilience exercises took place in 2018 using decanted tower blocks which are due to be demolished. The exercises were co-ordinated between Birmingham City Council's Housing Service and West Midlands Fire Service. These exercises simulated a live fire safety situation. The exercises were also supported by West Midlands Fire Service personnel using apparatus from a range of stations. Birmingham City Council Housing personnel were also involved in this important exercise along with colleagues from the Contact Centre and the city council's Resilience Team. The simulation focused on the evacuation of volunteers and dummies from the block, as well as taking medical care of casualties and management of fatalities. It also provided West Midlands Fire Service the

opportunity to pilot new technology and monitor the oxygen equipment. Learning from the exercise has informed some minor changes and revision to the current resilience plan.

3.9.9 Private high rise blocks

- The Ministry of Housing, Communities and Local Government identified all known private residential high rise blocks within the Birmingham boundary. They requested the local authority facilitate the completion of surveys in relation to Aluminium Composite Cladding systems. Recently, central government has made available £200m to remove and replace unsafe cladding from around 170 privately owned high rise blocks.
- Surveys were undertaken and once all the information had been collated, it was identified that there were three high rise blocks in Birmingham that had Aluminium Composite Cladding systems and required rectification works. The council's Housing Service team liaised with the building owners and West Midlands Fire Service to provide the Ministry of Housing, Communities and Local Government with an identified rectification plan including costs as well as details of the interim fire protection measures that were put in place until rectification work had been carried out. The Tower Block Casework Team at the Ministry of Housing, Communities and Local Government has been provided with a full update in December 2018 and was satisfied with the information provided by Birmingham City Council throughout 2018.
- The Ministry of Housing, Communities and Local Government have recently asked for further significant detailed information regarding all high rise residential blocks including those which are privately owned. We are in the process of identifying resources to respond to this request.

3.9.10 Improved Resident Engagement

- Residents are being fully consulted regarding the installation of Sprinkler systems in our 213 high rise blocks. Residents receive a presentation and are shown a video at the Sprinkler Information Day in respect of their individual blocks. Tenant Liaison Officers provide contact details and offer face to face meetings where required. Particular emphasis is on making contact with vulnerable residents to ensure everyone is fully engaged and consulted with. This approach is replicated in relation to all fire safety works.
- A revised strategy is currently being finalised by the council to increase resident participation and involvement in all high rise tower blocks. This approach recognises the importance placed by central government on Dame Judith Hackitt's report, and the necessity that resident involvement is at the core of our management of high rise resident buildings. It is imperative that at least 1 tenant Block Champion/Inspector is identified for each of Birmingham's 213 high rise residential buildings. The campaign to identify these will incorporate engagement and recruitment of tenant Block Champion/Inspector at low-rise blocks at the

same time. West Midlands Fire Service has agreed to provide training for all Block Champion/Inspectors. A detailed description of the role and the support which will be provided to the Block Champions/Inspectors, including further training, will be developed and used to support the new recruitment process. The rigorous campaign will be embarked upon utilising our Tenant Participation Officers and promoting the role to all residents in high rise resident buildings and low rise blocks across the city.

- Building Safety Manager – This new role is proposed within the Hackitt recommendations and is being scoped and developed. It is envisaged the role will be piloted in 2020 when further clarity is received from the Ministry of Housing, Communities and Local Government on its scope of responsibilities.
- A Mobility Scooter Policy is now complete and all residents who have mobility issues have now been visited by the Sheltered Housing Scheme Officers, to discuss the options for charging and storing their mobility scooters safely.
- An Estate Services caretaking review has ensured that there are adequately trained officers and is also developing the use of a new mobile solution. This solution currently being developed, will provide the ability for the Caretakers to record and report any health and safety issues digitally.
- Daily block inspections are ongoing and include the provision of records for each block for residents to scrutinise. These are displayed in the ground floor foyer of each block and if residents wish to see the inspection detail these can be provided.
- A review of the Conditions of Tenancy in regard to the council and resident responsibilities will be finalised once the detailed requirements from the Ministry of Housing, Communities and Local Government are fully known.
- Review of “Out of Hours” provision. The “Out Of Hours” provision is part of the phase 2 Housing Service redesign and will ensure that the resilience plan is implemented in an emergency situation across all Housing Services.

3.9.11 Waste Management

- Waste Management and Housing Services are working together to ensure that the weekly schedule of bin collections will continue and ensure that there is no build-up of waste items in all high rise residential buildings

4 Options considered and Recommended Proposal

- 4.1 This project could have been outsourced to a third party consultancy, however it was felt that due to the time scales and the wide and varied approach required across the entirety of the service, an internal resource with in-depth knowledge of the service would be more efficient and cost effective. To address this, the Fire Safety Steering Group was formed

and headed up by the Head of Capital Investment and Repairs and supported by other Heads of Service and operational staff from across the wider Housing Service.

- 4.2 Cabinet are recommended to note the report content and endorse the approach being taken to respond to the findings of the Dame Judith Hackitt report and the government's response to this, post Grenfell.

5 Consultation

- 5.1 The ongoing activity in regard to fire safety and engagement as detailed in this report has been shared with tenants through the City Housing Liaison Board, Cabinet Member for Homes and Neighbourhoods, West Midlands Fire Service, Ministry of Housing Communities and Local Government and the Local Government Association. The joint working with West Midlands Fire Service since Grenfell is overseen by the Fire Safety Steering Group and an updated Project Plan is contained in Appendix 2.

6 Risk Management

- 6.1 See Appendix 1.

7 Compliance Issues:

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

- 7.1.1 Maintaining and improving the council owned housing stock directly contributes to the strategic outcomes of the Sustainable Community Strategy, the proposed Council Business Plan and Budget 2018+. Outcome 4 – Birmingham is a Great Place to Live - in particular under the theme of securing a high quality of life for residents.

7.2 Legal Implications

- 7.2.1 The proposed allocation of work is consistent with the effective management of the council's housing stock under Part II Housing Act 1985.

7.3 Financial Implications

- 7.3.1 To date Birmingham City Council has received no direct financial support from central government however it is acknowledged that Birmingham City Council has been allowed to extend prudential borrowing to fund the sprinkler programme.
 - 7.3.2 The revenue costs for investigative activity and re-prioritisation of capital investment has to date secured a Sprinkler System Programme of £31.0m, of which £2.8m was spent in the financial year 2018/19 on sprinkler installation.
 - 7.3.3 Other recommendations such as the installation of fire doors and frames at c£34m, fire safety works on our high rise blocks replacing window and balcony infill panels at a cost of £28m and requirements from fire assessments will require further approval and re-prioritisation of revenue and capital budgets.

This will be subject to Capital Board and Cabinet approval of the HRA capital programme.

7.3.4 It is important to note that the business as usual capital programme which concentrates on replacing expired life cycle elements such as windows, roofs, kitchens, bathrooms, door entry systems, rewires, gas central heating will be impacted to allow for the commitment of funds to fire safety. This will be detailed in the HRA Business plan report to be presented to a future Cabinet this financial year.

7.3.5 The council has previously written to the Government on a number of occasions lobbying for financial support with enhanced fire safety works, without any outcome to date. The Council will continue to lobby for such support, supported by West Midlands Fire Service, due to the increased pressure this has put on the housing revenue account capital programme.

7.4 Public Sector Equality Duty

7.4.1 Attached - Appendix 3 and Appendix 4

8 Background Documents/ Appendices

Appendix 1 – Risk Register Action Plan
Appendix 2 – Fire Safety Steering Group Project Plan
Appendix 3 – Equality Act 2010
Appendix 4 – Equality Impact Assessment
Background Document

Risk Register and Action Plan for: Fire Safety and High Rise Buildings Update						
Date produced: 30 May 2019						
Risk No	Risk description	Risk mitigation	Residual / current risk			Additional steps to be taken
			Likelihood	Impact	Prioritisation	
1.	Resident refusal to undertake essential fire safety works i.e. sprinkler installation	Robust communication and engagement process designed to alleviate resident concerns and encourage them to accept sprinkler systems.	Medium	Significant	High	
2.	Asset Management and Maintenance staffing resources reduced	It is vital that the Asset Management and Maintenance division restructure reflects the need for growth brought about with the increased requirements for Fire Risk safety management of our High/Low Rise residential buildings as a result of the Dame Judith Hackitt review.	High	Significant	High	
3.	Judith Hackitt Review/ Government Policy not being implemented	The Asset Management and Maintenance division has a dedicated fire safety steering group and project plan that is implementing any recommendations to ensure the continued fire safety risk management of our high and low rise residential buildings.	Low	Low	High	
Measures of likelihood/ Impact:						
Description	Likelihood Description	Impact Description				
High	Almost certain, is expected to occur in most circumstances. Greater than 80% chance.	Critical impact on the achievement of objectives and overall performance. Critical opportunity to innovate/improve performance missed/wasted. Huge impact on costs and/or reputation. Very difficult to recover from and possibly requiring a long term recovery period.				
Significant	Likely, will probably occur in most circumstances. 50% - 80% chance.	Major impact on costs and objectives. Substantial opportunity to innovate/improve performance missed/wasted. Serious impact on output and/or quality and reputation. Medium to long term effect and expensive to recover from.				
Medium	Possible, might occur at some time. 20% - 50% chance.	Waste of time and resources. Good opportunity to innovate/improve performance missed/wasted. Moderate impact on operational efficiency, output and quality. Medium term effect which may be expensive to recover from.				
Low	Unlikely, but could occur at some time. Less than 20% chance.	Minor loss, delay, inconvenience or interruption. Opportunity to innovate/make minor improvements to performance missed/wasted. Short to medium term effect.				

Appendix 2

Task Number	Action	In support of Hackitt Review Recommendations	Comments
Parameters and principles of a new regulatory framework 1-1.4			
Design, construction and refurbishment 2.1-2.14			
Occupation and maintenance 3.1-3.8			
4.1	Fire Risk Assessment Proposals	3.4 a & b	FRA proposals have been put forward and will tie in with the Building Safety Manager role being developed.
4.4	Training provision for new definition of competency for FRAs	3.4 a	Training has been signed off and will commence end of August 2019
4.5	Develop type 3 FRA inspection regime for all future voids	3.4 a & b	Type 3 FRA inspections have been piloted in several void flats with the aim to roll this out to all void flats.
4.6	Develop PDA IT solution for FRA's and DBI's	3.4 a & b	PDA IT solution is currently in tender stage with an aim to implement in 2019.
7.1	Issue and Monitor all remedial works packages by block	3.2a 3.2b	Any remedial work has been identified and work packages will be issued by block
7.2	Store all documentation electronically	3.2a 3.2b	This will be formed as part of the Safety Case File required from Hackitt Review recommendations being implemented
8.2	Doors at Manor Close	3.2b	Shelforce are currently getting Qmark verified for manufacture and fitting of fire doors under the new standards
12.1	Finalise policy for mobility scooters	3.2a	Data collection exercise is taking place to understand where reasonable adjustments need to be made
14.1	Night Security Service Expansion	3.2	Proposal to expand night security service to all high rise blocks
14.2	Scope project	3.2	Building a Safer Future (BSF) consultation sets out the responsible person for managing high rise living. Building Safety Managers will be implemented
14.3	Develop business case	3.2	Business case to be developed following working group 8 recommendations
14.4	Commission Service Birmingham	3.2	To be looked at alongside working group 8 recommendations
14.5	Specify requirements	3.2	Requirements set out in BSF consultation
14.6	Review options appraisal	3.2	To be looked at alongside working group 8 recommendations
14.7	Select preferred contractor (via Service Birmingham)	3.2	This will be looked at once recommendations have been finalised
14.8	Develop implementation plan	3.2	To be looked at alongside working group 8 recommendations
14.9	Implement solution	3.2	To be implemented following BSF consultation and working group 8 recommendations
14.10	Development of fire safety policy	3.2	Fire safety policy will form part of the Safety Case File
16.1	Review lessons learnt from refuse collection strike	3.2	This will be linked to Birmingham City Councils waste management strategy and the tendering of the waste management contract especially around ingress and egress.

16.2	Undertake feasibility study of new high rise refuse collection system	3.2	This will be part of the above review
16.3	Develop new tenant approach to high rise waste disposal and recycling	3.2	This will be developed after the review of lessons learnt
16.4	Link in with the study on the Poet Blocks	3.2	Poet blocks study will be looked at when developing new high rise waste disposal approach
19	Develop auditable process to determine existing fire stopping measures in high rise / low rise blocks are still intact following repair works	3.2a	This will be carried out as part of CDM safety file preparation and will include specifications of all products proposed or supplied to ensure they meet current standards and have been subjected to approved testing
20	Develop BSM/BSC role and determine if it is to be incorporated with current role or stand-alone post. and develop job description if necessary,"	3.1c	Awaiting BSF consultation and working group 8 outcomes
Residents' voice 4.1-4.6			
5.2	Customer Access to Safety Case files	4.1a. 4.3 a	Proposal for each block to have a dedicated page on BCC website with information BSF consultation advised is needed
5.3	Include FRA	4.2a. 4.3a	FRA will be included in Safety Case File
5.5	Include block review files	4.3 a	Will be included in Safety Case File
5.6	Include block profiles	4.3 a	Will be included in Safety Case File
15.1	Renew tenancy conditions	4.6a	Tenancy conditions are being reviewed by Housing Management department
6.2	Create business case with regard to additional financial and physical resource for renewed approach to managing low rise as a result of Hackitt Review	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	This will be review in 2019
6.3	Review FRA property list for low rise	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	Low rise property list is currently being reviewed
6.4	Scope how to collect images of all low rises	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	PDA IT solution will hold pictures from FRA
6.5	Create safety cases for low rise	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	BSF consultations states what is to be included in Safety Case Files. This is currently being collated
6.6	Consider fire procedure notices and information for low rise	3.4 c, 3.5c, 4.2b, 4.3b, 4.5b, 4.6b,	Low rise action notice proposal has been sent to West Midlands Fire Service for advice
10.8	ID block champions and start engagement – visit to Ward End/SafeSide to demonstrate engagement with WMFS	4.1	Housing Management are in the process of developing block champions
10.13	Liaise with Careline regarding fire activation process	4.1	A Standard Operating Procedure (SOP) is being developed for fire activation process
11.1	Develop block champions	4.1, 4.2, 4.3	Housing Management are in the process of developing block champions
11.2	Develop a framework for ongoing tenant engagement	4.1, 4.2, 4.3	BSF consultation has advised the framework for tenant engagement
11.3	Respond to the Hackitt Report regarding tenant engagement	4.1, 4.2, 4.3	BCC have responded to BSF consultation questions
11.4	Work with current tenant movement structure	4.1, 4.2, 4.3	This will be developed alongside the above framework for tenant engagement
11.5	Understand the influence of housing green paper	4.1, 4.2, 4.3	Understand the importance of residents voice and will develop this as part of tenant engagement following BSF consultation

Competence 5.1-5.4			
Guidance and monitoring to support building safety 6.1-6.3			
Products 7.1-7.6			
Golden thread of building information 8.1-8.4			
5.10	Ensure all records that are held on blocks are held electronically	8.1	Block records will be held electronically in Safety Case File
Procurement and supply 9.1-9.3			
International examples 10.1			
Not currently placed			
1	Cost analysis to be carried out of the impact of the Hackitt Review	9	Cost analysis is ongoing and will be determined once BSF implementations are finalised
1.2	Identify the cost of this project including resources and a budget allocation	9	Cost analysis is ongoing and will be determined once BSF implementations are finalised
9	Smoke Detectors	3	Smoke detector programme has been developed
9.1	Cross reference smoke detectors exist on all low rise flats and high rise.	3	Smoke detectors have been surveyed and information is help on Apex system
9.2	Deliver programme to install smoke detectors where needed in HR blocks	3	Smoke detector programme has been developed
17	Sprinkler Installation	2	Sprinkler installtion has commenced
17.1	Documentation	2	
17.1.5	Agree specification and cost for servicing	2	Servicing specification has been agreed
17.3	Sprinkler System Build	2	Sprinkler system build has been agreed and installtions have commenced
17.3.4	Build the servicing mechanism	2	Servicing specification has been agreed
17.3.6	Include work package in KPI reports	2	KPI specifications have been updated to include sprinklers
17.4	Sprinkler Operational Activity		
17.4.5	Brief staff and provide training re. System operation to estate based, OOH and technical staff. Create user guide for staff. (include in block profiles)		Contractors provide this at the end of each block installation
17.4.6	Provide HSE pack including certificate of commissioning, sign off by third party auditor and all signed refusal packs		These are provided at the end of each block installation
17.4.8	BCC to liaise with planning regarding the application for planning for pump houses		It has been determined that applications are required for each block individually.
17.4.9	Feasibility study for additional fire escape (staircase) or additional measures to protect the staircase		Feasibility study ongoing
18.1	Fire Safety Steering Group		
18.3	Operational review meetings with contractors, landlord service and TLO		
21	Develop process for managing refurbishment works to ensure fire safety is not compromised in blocks	2	
22	High Rise Residential fire doors replacement programme	3	
24	Damage inspection protocol/regime of EWI		

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
	(b)	Age
	(c)	Disability
	(d)	Gender reassignment
	(e)	Pregnancy and maternity
	(f)	Race
	(g)	Religion or belief
	(h)	Sex
	(i)	Sexual orientation

APPENDIX 4

Title of proposed EIA	Post Grenfell 2 Years On
Reference No	EQUA297
EA is in support of	Amended Function
Review Frequency	Annually
Date of first review	24/05/2018
Directorate	Neighbourhoods
Division	Asset Management and Maintenance
Service Area	Capital Investment Team
Responsible Officer(s)	<input type="checkbox"/> Gary Nicholls
Quality Control Officer(s)	<input type="checkbox"/> Louise Campton
Accountable Officer(s)	<input type="checkbox"/> Martin Tolley
Purpose of proposal	Update Cabinet on Post Grenfell Fire Safety Developments and Dame Judith Hackitt Implementation Plan
Data sources	Survey(s); Consultation Results; relevant reports/strategies; relevant research; Other (please specify)
Please include any other sources of data	West Midlands Fire Service
ASSESS THE POTENTIAL IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders; Wider Community
Age details:	All residents are impacted. However it must be noted significant support arrangements are in place to support residents of all ages.
Protected characteristic: Disability	Service Users / Stakeholders; Wider Community
Disability details:	All aspects of disability are relevant. Significant support arrangements are in place to support our Disabled Citizens.
Protected characteristic: Gender	Service Users / Stakeholders; Wider Community
Gender details:	The service provides support as required or when specified in order to ensure no discrimination takes place.
Protected characteristics: Gender Reassignment	Service Users / Stakeholders; Wider Community
Gender reassignment details:	

	The service provides support as required or when specified in order to ensure no discrimination takes place.
Protected characteristics: Marriage and Civil Partnership	Service Users/ Stakeholders; Wider Community
Marriage and civil partnership details:	The service provides support as required or when specified in order to ensure no discrimination takes place.
Protected characteristics: Pregnancy and Maternity	Service Users / Stakeholders; Wider Community
Pregnancy and maternity details:	The service provides support as required or when specified in order to ensure no discrimination takes place.
Protected characteristics: Race	Service Users / Stakeholders; Employees; Wider Community
Race details:	All contractors and BCC staff are bound by statute to ensure compliance.
Protected characteristics: Religion or Beliefs	Service Users / Stakeholders; Wider Community
Religion or beliefs details:	These improvements to residents' homes are being delivered in a sensitive and respectful manner. The contracts require that all operatives and staff are trained to ensure that no-one is discriminated against and that all needs are catered for respectfully and in compliance with statute.
Protected characteristics: Sexual Orientation	Service Users / Stakeholders; Wider Community
Sexual orientation details:	The service is delivered sensitively to ensure no discrimination takes place.
Please indicate any actions arising from completing this screening exercise.	These improvements to residents' homes are being delivered in a sensitive and respectful manner. The contracts require that all operatives and staff are trained to ensure that no-one is discriminated against and that all needs are catered for respectfully and in compliance with statute.
Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	Customer satisfaction rating confirms that there is a high level of satisfaction

	amongst all service users. When fire safety works are carried out to residents' homes, customer satisfaction feedback will be monitored.
Consultation analysis	Consultation is active and ongoing through the City Housing Liaison Board and local HLBs and residents group. Local agencies regularly liaise with our service where people are identified as needing specific support. West Midlands Fire Service are also involved.
Adverse impact on any people with protected characteristics.	Every effort is made to ensure that no customer is adversely affected. Fire Safety Works are dealt with in compliance with statutory legislation and, where appropriate, in line with policies which have been consulted on with tenants and leaseholders.
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	The primary objective is to respond to individual needs on a bespoke basis. Everyone has the right to be treated with respect and as an individual. Therefore, although policies provide a useful guideline, the needs of individuals vary widely and every effort is made to cater for specific needs as they arise. i.e. the call centre offer language translation services.
How will the effect(s) of this policy/proposal on equality be monitored?	The approach will continue to be monitored based on customer feedback at all times.
What data is required in the future?	Continued monitoring of complaints and customer satisfaction feedback to ensure we are meeting the needs of all protected characteristics.
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	All staff and contractors are bound by the Equality Act 2010. Therefore, every effort is made to support the needs of all service users and more specifically those with Protected Characteristics. There is no indication

at present, through complaints data or customer satisfaction, that we are falling short of our statutory obligations. However, we recently received a challenge regarding the impact of repairs on Mental Health; therefore, a focussed piece of work will now be undertaken in this area.

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

Customer satisfaction ratings continue to be extremely high, based on high levels of returns.

Ongoing consultations with residents/residents groups/contractors and West Midlands Fire Service will be carried out during the installation of these fire safety measures.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

This EIA has been quality checked and I am happy for it to proceed for final approval.

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

14/05/2019

Reasons for approval or rejection

Approved

Please print and save a PDF copy for your records

Yes

Content Type: Item

Version: 29.0

Created at 09/05/2019 12:27 PM by ☐ Gary Nicholls

Last modified at 14/05/2019 10:49 AM by Workflow on behalf of ☐ Martin Tolley

Close

BIRMINGHAM CITY COUNCIL PUBLIC

Report to: CABINET
Report of: Corporate Director - Place
Date of Decision: 24th May 2018
SUBJECT: BIRMINGHAM CITY COUNCIL RESPONSE TO GRENFELL TOWER TRAGEDY- ONE YEAR ON

Key Decision: Yes **Relevant Forward Plan Ref:** 5110/2018
If not in the Forward Plan: (please "X" box) ☐
Chief Executive approved O&S Chair approved ☐
Relevant Cabinet Member(s) Councillor Peter Griffiths, Housing and Homes
Relevant O&S Chair: Housing and Homes Overview and Scrutiny
Committee Wards affected: All

1. Purpose of Report

- 1.1 To update Cabinet on the immediate and ongoing action taken in Birmingham following the Grenfell Tower tragedy in June 2017.

To outline the follow up actions required following the report to Cabinet on 27th June 2017.

- 1.2 To outline the approach and criteria for prioritisation for the installation of automatic fire suppression systems, including sprinklers, in residential tower blocks owned by Birmingham City Council (BCC).

2. Decision(s) Recommended

That the Cabinet:

- 2.1 Notes and agrees the detailed action referred to in the report.
- 2.2 Agrees to the proposed approach for the installation of fire suppressant measures including sprinklers in residential tower blocks owned by Birmingham City Council.

Lead Contact Officer: Rob James, Director of Housing

Telephone Number: 0121 464 7699

E-mail Address: robert.james@birmingham.gov.uk

3. Consultation

3.1 Internal

Briefings have been shared with all elected members and members of the City Council's Leadership Team on the action taken immediately following the news of the fire at Grenfell Tower. Subsequent updates have also been provided.

3.2 External

Briefings have been shared with all Birmingham MPs.

Verbal briefing to the Birmingham Social Housing Partnership on 15th June with follow up written briefings.

Briefing to Housing Birmingham Partnership.

Information from briefings shared with Association of Retained Council Housing (ARCH).

Information requested by the Ministry of Housing Communities and Local Government has been submitted as requested.

Engagement at City Housing Liaison Board. Engagement at Local Housing Liaison Boards. Numerous media statements issued.

Visits to tower blocks with fire service to discuss fire safety with residents and leaseholders.

4. Compliance Issues

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

- 4.1.1 The measures being taken to ensure the safety of residents in the Council managed high rise accommodation are in line with the Council's vision of "Birmingham – a city of growth where every child, citizen and place matters" and support the key priority of "Housing – a great place to live".

4.2 Financial Implications (Will decisions be carried out within existing finance and Resources?)

- 4.2.1 The capital funding for the installation of fire suppressant measures including sprinklers is contained within the Housing Public Sector Capital Budget 2018+. The programme will be funded in line with the anticipated resources set out in the Council's Business Plan and Budget 2018+ as approved at the council meeting on 27th February 2018.

The Council Housing Investment Programme includes £19m of planned expenditure relating to the retrofit of fire suppressant systems (sprinklers) as part of an overall three-year programme with an anticipated cost of approximately £31m, in relation to which Central Government has been approached for a contribution of £19.4m towards these costs. In the event that this funding is not forthcoming, the costs will be funded through Prudential Borrowing.

All other measures can be delivered within existing approved HRA revenue budgets.

4.3 Legal Implications

In accordance with the Housing Act 1985, Housing act 2004 and Landlord and Resident Act 1985 the Council has the statutory obligations to maintain the housing stock. The Council, working in partnership with the Fire and Rescue Authority, are under a duty to ensure fire safety in the housing stock pursuant to the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005.

4.4 Public Sector Equality Duty

An Equality Assessment Form (Ref: ea002170) was completed for the Cabinet report dated 27 June 2017.

5. Relevant Background/Chronology of Key Events

- 5.1 The fire at Grenfell Tower in Kensington and Chelsea, in June 2017 resulted in a number of fatalities and has had a significant impact on the industry, but more importantly on how residents feel about living in high rise accommodation.
- 5.2 Birmingham has 213 tower blocks and immediately following the tragic event, briefings to all elected members and MPs were produced and a report presented to Cabinet on 27th June 2017, detailing BCC's response. This has been followed up with further briefings.
- 5.3 Birmingham's Immediate and Ongoing Response to Engage and Ensure Resident Safety
 - 5.3.1 To provide reassurance to our residents and to comply with requests from the Ministry of Housing, Communities and Local Government (MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENTG), a number of measures have been undertaken since June 2017.
 - 5.3.2 All 213 tower blocks have been inspected: Birmingham City Council Housing has an "in house" team of fire risk assessors, accredited by West Midlands Fire Service through the British Safety Council. As a result of these inspections, repairs are identified and then carried out. In addition, as part of our programme of fire stopping works, we maintain the following:
 - Flat/communal doors that resist fire for half an hour
 - Fire safety signage
 - Self-closing refuse chute hoppers
 - Fire retardant decorative coatings to communal areas
 - Sprinklers installed to bin rooms
 - Wired/battery operated smoke alarms
 - Emergency lighting/standby battery systems
 - 5.3.3 Additional detailed fire inspections have been carried out by technical officers and photographs taken of all external elevations of each block. Any repairs identified have been executed

5.4 Inspection of External Cladding

- 5.4.1 A number of BCC tower blocks have external cladding systems, but none of these share the same cladding as Grenfell Tower. To identify any improvements and to ensure the continued safety of its residents, we have continued to undertake a review of all cladding systems and specifications for work undertaken over many years to refurbish tower blocks. This has been carried out in conjunction with West Midlands Fire Service.

5.5 Joint Working with West Midlands Fire Service

- 5.5.1 Business Continuity Plans have been reviewed with the Fire Service and joint visits have enabled the fire fighting teams to carry out regular familiarisation visits to our tower blocks within their catchment areas so that any flood/fire incidents can be tackled effectively. These visits have also enabled us to deliver further fire prevention advice to residents.

5.6 Installation of Sprinkler Systems

- 5.6.1 The Cabinet Report in June 2017 confirmed that the Council would be installing sprinkler systems in all of its high rise blocks.
- 5.6.2 The reports on the budget presented to Cabinet and Full Council in February 2018 have been agreed and the required £31m expenditure is factored into the Capital Programme through a mixture of capital receipts, Housing Revenue Account revenue contribution and additional borrowing. Several approaches have been made to government to make a grant funded contribution of £19.4m for this work to be undertaken. All leaders of the political groups in Birmingham signed a letter to the Prime Minister requesting this funding which was in addition to letters sent to the government from the Cabinet Member, Housing and Homes.
- 5.6.3 A further report on 27th March 2018 confirmed an amendment to the Capital Investment Programme over three years which would authorise the commencement of this work. The Cabinet report dated 27th March 2018, is the subject of a request for 'call-in' and is being considered at the Cabinet meeting today (24th May 2018)
- 5.6.4 The current Repairs and Maintenance / Investment contractors were required to provide fire suppression system submissions and an evaluation of these has been carried out by officers within Procurement, Finance and Housing services.
- 5.6.5 A detailed specification was defined by BCC after site visits, recommendations from sprinkler companies, BAFSA (British automatic fire sprinkler association) and initial submissions from the contractors.
- 5.6.6 The requirement is to install suppression systems to 213 tower blocks, comprising of 10606 flats in the following areas of the City:

CENTRAL WEST	4221
EAST	1828
NORTH	1070

5.6.7 Prices have been provided from each contractor to install a fire suppression system based on a centralised system and a localised system in blocks located in their contract area. The most appropriate technical solution for each flat will be decided upon installation.

5.6.8 The proposed installation over a three year period has been based on the following priority criteria:

1. All sheltered high rise blocks (37 blocks - 1700 units)
2. Most flats per floor
3. Tallest residential 14 stories and above (34 blocks, 3049 units)
4. 10 – 14 stories (71 blocks, 3363 units)
5. Under 10 stories (70 blocks, 2355 units)

This will deliver the installation of sprinklers to approximately 2725 flats in 2018/19 and 4408 flats in 2019/20 with the remainder to be completed in 2020/21.

5.6.9 In addition to the above a sub-criteria will be applied to select the blocks to benefit from these works by taking into account of the height of the blocks and whether there is only a single staircase.

5.7 Residents' Assurance

5.7.1 Since June 2017 a programme of visits to all 10,500 flats in the 213 blocks has been undertaken to engage with residents about any concerns they may have. A fire safety reminder leaflet was delivered to every high rise flat in 2017.

5.7.2 We have engaged with residents through the City Housing Liaison Board, briefing them on the progress made with reassuring residents of existing and proposed fire safety measures, including automatic fire suppression systems. This was well received.

5.7.3 An online video featuring a Council officer was posted on social media promoting West Midlands Fire Service working in partnership with the Housing Service. This was a joint fire safety campaign, which involved undertaking several safe and well visits. Many residents participated and felt this was a worthwhile exercise.

5.7.4 Residents have been encouraged to become involved with the 'Block Champion' initiative. This provides those involved with an added opportunity to input into the work being done to inform residents about matters of fire safety.

5.7.5 Tenancy conditions are currently being reviewed and these will be strengthened to remind residents of their responsibility with regards to fire safety. Planned correspondence with residents will also include fire safety.

5.8 Review of Policies and Procedures

A review of all the current policies and procedures has been undertaken to enhance fire safety in tower blocks, including resilience planning and business continuity plans.

5.9 Partnership Working with Housing Associations

Regular updates and information sharing concerning remedial works to tower blocks has been shared with housing association colleagues through our Housing Birmingham Partnership Board.

Housing Associations (Registered Social Landlords) are required to report on block inspections directly to the MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENTG.

5.10 Information for Ministry of Housing, Communities and Local Government

5.10.1 Information concerning council owned blocks has been input onto the MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENTG Data Collection system (Delta) and indications are that civil servants are satisfied with the information we have provided. No requests have been received to undertake further tests at our tower blocks through the Building Research Establishment (BRE) testing centre.

5.10.2 The focus of attention now is collecting information on privately owned blocks as detailed above. Again, all information we have been able to gather so far has been input onto the Delta system.

5.10.3 Private ACM Clad Buildings

MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENTG has requested Local Authorities to identify privately owned residential blocks that may have ACM cladding similar to that used at Grenfell Tower. Housing staff have so far identified 132 private high rise residential properties in Birmingham.

Information on these blocks has been provided on the MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENTG database.

MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENTG and West Midlands Fire Service have been liaising to identify the remedial actions required.

- Advice notes have been issued regarding responsibilities of building owners and how to assess risk. These include a flow chart of the steps to be taken to ensure remediation works are undertaken.
- Over the last few months MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENTG working with local authorities and other social landlords to input data to populate the online system.
- Where necessary building owners have completed remedial works.
- Officers from MINISTRY OF HOUSING, COMMUNITIES AND LOCAL GOVERNMENTG thanked local authorities for their perseverance in gathering this data.

5.11 Hackitt Review of Building Regulations - Progress

A review of the current Building Regulations is being undertaken by Dame Judith Hackitt. The interim report states that the following will be recommended:

- Interim report published – ‘current system not fit for purpose’
- System needs a complete review in terms of roles, guidance notes, competence of those involved, residents voices, quality assurance – the current guidance is too complex and unclear
- Better processes for residents to complain will be recommended
- Interim recommendations can and will be implemented now as parliament is minded to accept these in advance of the final report
- Noted that the Fire Service do not have powers to enforce on matter relating to the external façade of residential buildings, but do have these powers for commercial buildings

5.12 School and Hospitals

Information regarding cladding systems on School and Hospital Buildings has also been requested. Adult Social Care and Education Services have worked with schools and hospitals and an update on the information provided to Government is provided below:

5.12.1 University Hospitals Birmingham NHS Trust and the Queen Elizabeth Hospital are not one of the Category 1 hospitals listed by NHSi. (Category 1 Hospitals are those with cladding which has been identified as a fire risk).

5.12.2 The QEHB was built to conform to The Building Regulations 2000, HTM 81 and The Regulatory Reform (Fire Safety) Order 2005, the cladding on the Trust has been confirmed as non-combustible.

5.12.3 All staff at QEHB have yearly mandatory fire training. The Trust has regular fire alarm tests and evacuation procedures are in place should this be required. The lifts are being reviewed for their safe use in the event of fire. Automatic fire doors are fitted as standard throughout the hospital. Fire risk assessments are updated regularly and are currently being reviewed. The Trust met with West Midlands Fire Service with other healthcare facilities last week and they offered to help should any support be required but their current focus is on residential blocks as you might expect.

5.12.4 Heart of England NHS Trust covers HEFT, Good Hope and Solihull Hospitals and has advised that after the Grenfell Tower Fire incident, a multi-disciplinary team of Estates Officers, Project leads and Fire Safety Advisors surveyed all of the buildings on all three acute hospital sites, to identify the location of any cladding and the design specification of that cladding. The outcome of the surveys was that there are very few buildings, that fall under the responsibility of the Trust, where cladding has been used in the buildings’ design, and of those buildings, only two, Ward Block 1 at Good Hope Hospital, which is a medium to high rise building, and the Hybrid Theatre at Heartlands Hospital, where

patients may not necessarily be evacuated, would be considered of a slightly higher risk, and further assessments of the cladding on these buildings will be undertaken.

5.12.5 The Trust's Head of Estates has met West Midlands Fire Service, along with other regional Estates leaders and remains in regular dialogue with them with regard to this matter to ensure that relevant information is shared appropriately.

5.12.6 The Community Health Care Trust has confirmed that it has complied with the requests for information issued by NHS Improvement regarding ensuring that assessments on 'externally clad buildings' have taken place and that current and suitable fire risk assessments are current.

5.12.7 The Trust has contacted the Fire Authority and made it aware of the situation and is working with them going forward in assessing its property portfolio.

5.13 Schools

5.13.1 Education Services completed an online Department for Education survey indicating how many school buildings are over 18m high (more than 3 storey high) and how many school buildings have residential use and are over 18m high. The response was limited to the maintained estate only:

- There are no maintained school buildings that are over 18m high
- There are no maintained school buildings with residential use that are over 18m high

5.13.2 DfE carried out their own survey on the Academies and the Free Schools buildings. We are aware that further testing was carried out at BOA Ormiston Academy as the building is over 18m high and cladded with Aluminium Composite Material (ACM). The investigation concluded that no mitigation was required.

6. **Evaluation of Alternative Option(s):**

6.1 A review of all current processes and procedures has been undertaken. Additional fire suppressant measures have been considered and recommended as Birmingham's approach to fire safety in tower blocks. Any additional or alternative options will be considered following any recommendations from the investigation into the fire at Grenfell Tower and from the publication of Dame Judith Hackitt's full report on the review of Building Regulations.

7. **Reasons for Decisions**

7.1 The information provided in this report provides Cabinet with an update on the work undertaken to ensure safety in residential tower blocks, hospitals and schools. It provides specific information on the approach being taken to ensure safety of residents in Birmingham City Council tower blocks.

Signatures

Date

Cabinet Member

Cllr Peter Griffiths Housing and Homes

Chief Officer

Jacqui Kennedy Corporate Director Place

List of Background Documents used to compile this Report: List of Appendices
accompanying this Report (if any):

Birmingham City Council

Report to Cabinet

29 October 2019



Subject: Moseley Road Baths

Report of: Acting Director - Neighbourhoods

Relevant Cabinet Member: Councillor Ian Ward , The Leader of the Council
Councillor Tristan Chatfield, Cabinet Member for Finance and Resources

Relevant O &S Chair(s): Councillor Mariam Khan – Commonwealth Games, Culture and Physical Activity
Councillor Tahir Ali – Economy and Skills
Councillor Sir Albert Bore – Resources

Report author: Dave Wagg – Leisure Projects & Client Manager

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Sparkbrook		
Is this a key decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, add Forward Plan Reference: 006915/2019		
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 : Not Applicable		

1 Executive Summary

- 1.1 To inform Cabinet of the successful impact of the partnership between the Council, the National Trust, Moseley Road Baths CIO, Historic England, the World Monuments Fund and Civic (the 'Coalition') to maintaining an important community asset and internationally significant heritage site and to determining a viable future for Moseley Road Baths in Balsall Heath.
- 1.2 To obtain approval for a maintenance/repair budget at a total of £0.130m for 2019/20 to support Moseley Road Baths.

- 1.3 To note that budget requirements to secure the long term future of the site will be fed into the 2020/21+ budget setting process for consideration alongside other council priorities.
- 1.4 To raise awareness of work being progressed by the partners to come up with a preferred capital and business model that will be presented to Cabinet at a future date.

2 Recommendations

- 2.1 Approves the Council allocating a total of £0.13m in 2019/20 from the Policy Contingency Budget to maintenance and repair work at Moseley Road Baths in line with the Council's commitment to retain maintenance responsibility and liability for the Baths under the three year License to Operate granted to the Moseley Road Baths CIO.
- 2.2 Notes that future budget allocations, on a sliding scale have been included within the Directorate's budget proposals, policy priorities and budget savings submitted in July 2019 for consideration within the Council's 2021/21+ budget setting process.
- 2.3 Notes that a masterplan will be presented to Cabinet during the current financial year setting out a vision and outline proposals for a sustainable future for the Baths. The plan will include financial, spatial and operational appraisals as well as considerations around timescales and funding requirements.

3 Background

- 3.1 A report to Cabinet by the Corporate Director – Place in March 2018 received approval for the execution of a License to Operate with Moseley Road Baths CIO for a period of three years to ensure the continuation of a community swimming offer. Cabinet agreed that the Council would retain maintenance responsibility and liability for the Baths during this time, and allocated £0.100m budget in year one against this obligation. It also noted the need for further financial resource to be identified for the remainder of the License term.
- 3.2 The License to Operate was agreed with Moseley Road Baths CIO (registered charity no. 1176432) in June 2018.
- 3.3 Since the previous Cabinet report, Officers have worked closely with the CIO, National Trust and Historic England to undertake conservation-led work to the building, supporting the specification, procurement and delivery. These works are starting to address major, long-standing maintenance/repair needs within the Grade II* building, but are also enabling the community swimming facility to remain open for local schools and the wider population of Balsall Heath.
- 3.4 The Council allocated £0.100m from its budget in 2018/19 towards Moseley Road Baths. This has levered-in a further £1.100m and significant in-kind support from the 'coalition' of organisations supporting the Baths.

3.5 Firmly grounded in collaborative working and co-investment, and focused on keeping the pool open for public swimming, repairing the Grade II* Listed building, and scoping a sustainable reuse of the Baths, this £1.200m includes:

- £0.100m from the Council for operational and building maintenance, a proportion of which was used as match funding for £0.100m from the World Monuments Fund for building repair.
- £0.659m from Historic England to repair the Gala Pool roof matched by £0.100m from the Council.
- £0.074m *Resilient Heritage* grant from the National Lottery Heritage Fund to support the operational development of the CIO.
- £0.300m from the National Trust to lead the development of a conservation-led cyclical maintenance schedule for the building and draw up a business plan for the potential future redevelopment of the Baths.
- £0.025m from Arts Council England via the National Trust to produce an artistic installation/programme in the Gala Pool post-restoration, testing potential opportunities for the future (or meanwhile) at the Baths and to serve as a focus for publicity.

3.6 In partnership, the Council has helped deliver significant impact for Balsall Heath and the Baths since the Cabinet decision in March 2018. In the past year, collective investment and expertise has already addressed a number of the commitments set out in the 2018 Cabinet report, successfully:

- **Avoiding closure of the building**, and associated mothballing (£5m) or closure costs and associated negative impacts locally and reputationally.
- **Maintaining local community swimming facilities** through transfer of public swimming in June 2018 from the City to the newly established CIO. Having secured grant funding to build its operation, the CIO now have 45+ active volunteers from the local community helping to run the pool (including 17 lifeguards and 6 first aiders, trained by the CIO), growing swimming numbers and a full public programme including a very popular women only and candlelight sessions.
- The award of the contract of the **Gala Pool roof restoration scheme**, in conjunction with Historic England. Restoration of the roof is now underway on site and is due to be completed by the end of 2019. This will be an important step towards removing this facility from the Heritage at Risk Register and opening up more of the building for public benefit.

- Establishing a costed **annual maintenance plan** based on current operational use of the building and statutory compliance responsibilities, the requirements of which are being delivered through the Coalition drawing on building conservation expertise from within the Council and its Partners.
- Drawing up a detailed **long term repair and maintenance plan** for the building to determine priority works to the listed building and guide the way the building is repaired to ensure this is cost effective and reasonable. This work has been based on condition surveys previously commissioned by the Council and recent surveys to assess the major structural and fabric repair works which will be required to arrest further decline.
- Creating a **clear vision** for the Baths focusing on **health and wellbeing** and the principle of involving and benefitting local being.
- Delivering a **spatial feasibility** for adapting and reimagining the Baths in order to support viable and sustainable uses. This is supported by a consolidated **conservation management plan** to guide the approach to repair and reuse.
- Developing a **masterplan / business plan** for the Baths that plays to its unique and remarkable qualities, embeds it within the leisure and cultural landscape of the City, and shows the potential for sustainable long-term development of the building and enterprise uses.
- Exploring **funding opportunities** for capital development, including early plans for a fundraising briefing breakfast in September 2019 hosted by Councillor Ian Ward.
- Creating the beginnings of a diverse **cultural programme** at the Baths, through creative commissions with artists such as *Women in Theatre* (March 2019) and *Juneau Projects* (to be delivered in the newly restored Gala Pool in 2020 with funding through the National Trust / Arts Council England *Trust New Art* programme) providing contemporary artistic responses to the spaces and inviting participation from local people.

3.7 However, the building is still in decline. A high level survey undertaken by the conservation architects appointed by the Council, Donald Insall Associates in 2018 estimated that the cost to make the building wind and watertight was c£2m. A recent review as part of the long term repair plan, has shown that the condition of high level sections of the building (slate, flashings etc) has worsened, and is likely to accelerate decline.

3.8 Maintaining the plant and interior of the building also requires close management and money. The boilers, now over 25 years old, have undergone significant repairs in the past year, following breakdowns which led to temporary closures of

the pool. Whilst there is a long term need to replace infrastructure within the building, the maintenance budget has been vital in maintaining business continuity and, in combination with additional external funding, can start to reverse the damage done by previous work and lack of investment.

- 3.9 Major investment into the restoration of the Gala Pool (£0.759km) needs to be safeguarded. Further conservation work will contribute towards care for this internationally significant building, keeping it open and in public use.
- 3.10 During 2019/20, a series of repair works identified within the application for the World Monuments Fund grant needs to be implemented to avoid withdrawal of this funding. This should start to address some of the most urgent works.
- 3.11 Officers continue to work with the wider coalition to support the swimming operation, implement work on the Gala Pool, and complete the development of a masterplan for Moseley Road Baths. Ongoing investment from the Council will help to maintain momentum within the Coalition and support the CIO to continue delivering swimming provision within Balsall Heath.
- 3.12 The emerging masterplan will provide a business case for the restoration and development of the Baths for the benefit of the community in Balsall Heath and the wider City. At the heart of the vision is a commitment to health, wellbeing and local economic development, taken forward with and for the community. Early indications from this study are starting to show that with a major capital scheme and astute business development, the Baths could become a vibrant and thriving enterprise hosting 'the finest pool in Britain'. Plans will be shared with the Council later this year.

4 Options considered and Recommended Proposal

- 4.1 The evaluation of options to close the Baths has been documented in the 2017 and 2018 Cabinet reports.
- 4.2 In light of the Council's incumbent commitment to maintain support/liability for the Baths, there are two options:
- 4.3 **Withdraw further financial support** – given the degree of deterioration to the building and equipment as a result of lack of investment to date, withdrawal of the Council's financial input around basic maintenance/remedial work is highly likely to mean that plant failure or building issues would severely compromise the operation or lead to closure of the building and collapse of the swimming operation. In addition, without attending to compliance works the Council / CIO would also be in breach of legal obligations. Ultimately, the Council would need to close / mothball the building. There would be significant reputational damage and impact on the partnerships created through the project.
- 4.4 **Reduce financial support** – any reduction on the proposed funding would put significant pressure on the Council, CIO and wider coalition to maintain business as usual at the Baths. The building is already in need of significant investment in

fundamental fabric repairs, so reductions in funding will only lead to further degradation.

As a key partner within the coalition, a reduced contribution would send a poor signal to partners and potential future funders about the Council's commitment to one of its most important buildings.

- 4.5 **Support for term of Licence** – Financial support as detailed within this report to allow continuation of swimming at the Baths and further restoration of the building. Support for further years (2020/21 onwards) will be fed into the Budget Planning process to be considered against other identified priorities and considered on a sliding scale of investment.

- 4.6 **Support for term of licence (4.5) is the preferred option.**

5 Consultation

- 5.1 The Leader and Acting Director for Neighbourhoods have been kept informed on the issues relating to the Baths and consultation is ongoing. Officers from Sport, Property, Communities, Procurement, Finance, Planning and Conservation have had input into the contents of this report and agree with the decisions recommended.
- 5.2 The Coalition Partners – The National Trust, Historic England, the World Monuments Fund, Moseley Road Baths CIO and Civic) have been consulted on the contents of this report and have been instrumental in shaping plans for the future of the building.
- 5.3 The community in Balsall Heath have been consulted extensively on the future of Moseley Road Baths to test different ideas and activities; to identify potential opportunities/interest amongst local and national entrepreneurs; to engage other building owners and operators to build a neighbourhood-wide view approach.

6 Risk Management

- 6.1 A full Maintenance Plan including risks and issues log has been developed by the Coalition in order to prioritise the work required in order to keep the building operational and to bring back into full operation in the most economic and effective manner.
- 6.2 The risks of not supporting this proposal include, the historical significance of the building, the previous cabinet decisions of 2017 and 2018 and the Council's commitment to swimming at Moseley Road Baths being part of the sporting and cultural activity around the Commonwealth Games.

7 Compliance Issues:

- 7.1 The recommended decisions within this report are aligned with the Council's strategic approaches and corporate priorities and outcomes. The City Council has adopted a Council Plan which sets out five key outcomes. These outcomes are

supported by clear priorities which if delivered make a positive difference every day to people's lives.

The continuing operation of Moseley Road Baths impacts positively on the Council's outcomes of an aspirational City to grow up in and a fulfilling City to age well in. It offers community swimming provision in the heart of Balsall Heath and a means of promoting an active lifestyle to local residents and school children. It is a credible (and potentially catalytic) component within a wider heritage corridor along the A435, stimulating confidence and allowing time to better explore and test future economic use. The project is providing opportunities for skills development through volunteering, training and apprenticeships.

The Baths is an example within the City of a potential model for heritage preservation. The continued operation and future restoration of this internationally significant building will have a positive impact on the City's profile nationally and internationally with the potential to support the City's growing reputation as tourist destination.

7.2 Legal Implications

- 7.2.1 Under section 19 of the Local Government Act (Miscellaneous Provisions) 1976, the Council has the power to provide such recreational facilities as it thinks fit in its area and under Section 111 of the Local Government Act 1972, the Council may do anything which is incidental to the discharge of any of its functions.
- 7.2.2 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.
- 7.2.3 The requirements of the Data Protection Act 2018 and The Human Rights Act 1998 have been taken into consideration in terms of the processing, management and sharing of data involved in these proposals.

7.3 Financial Implications

- 7.3.1 In order to meet its obligation for the ongoing maintenance of and liability for the Baths during the remaining two years of the License to Operate, the Council requires £0.130m in 2019/20 and £0.100m in 2020/21, which will be required to undertake statutory compliance tasks, to maintain the building for its current operational use, and to support urgent repairs to the building in order to keep it functional.
- 7.3.2 £0.130m has been identified within the General Policy Contingency to address the obligation in 2019/20.
- 7.3.3 The future budget requirement, £0.100m will be fed into the Budget Planning process for 2020/21+ to be considered against other identified priorities.

- 7.3.4 Policy Contingency funding of £0.130m will enable the City Council to fulfil its commitment in collaboration with the Partner Organisations to maintain this community asset in 2019/20.
- 7.3.5 The current obligation for the ongoing maintenance is reflected as an overspend, as detailed in the June 2019 Financial Monitoring Cabinet Report, presented in July 2019.
- 7.3.6 In 2018, a plan was produced in conjunction with the National Trust estimating the annual cyclical and routine compliance work required at the Baths. Although insufficient to complete the estimated £0.287m works required in year 1 of the maintenance plan, £0.100m was allocated in 2018/19. Of this, £0.060m was used to manage compliance/statutory tasks and a further £0.040m allocated to maintenance and remedial repairs to the Grade II* Listed Building.
- 7.3.7 The maintenance plan demonstrates the need for a minimum additional £0.100m per year to maintain the basic cyclical and compliance works given the current condition of the building. The long-term business plan for the Baths will help determine next steps for restoration and development of the building beyond the current License to Operate.
- 7.3.8 The budget set aside by the Council is leveraging-in significant financial and specialist resources from Historic England, the National Trust, the MRB CIO and World Monuments Fund to support the building and help safeguard its future.

7.4 Procurement Implications (if required)

- 7.4.1 There are no procurement implications for the decisions recommended by this report

7.5 Public Sector Equality Duty

- 7.5.1 A copy of the Equality Act 2010 – Public Sector Duty statement and equality assessment screening including Moseley Road Pool can be found within the Leisure Transformation’s Cabinet Report of 16th December 2013.
- 7.5.2 For the purposes of this report a further Equality Assessment has been undertaken (August 2019 – Reference EQUA356). This initial assessment found that a full impact assessment was not required.

8 Background Documents

- 8.1 Cabinet Report – Options for the future of Moseley Road Pool – 27th June 2017
- 8.2 Cabinet Report – Moseley Road Baths – 6th March 2018

Appendices

1. Equality Assessment
2. Equality Act 2010 – Public Sector Duty statement
3. Risk Assessment

APPENDIX 1

Title of proposed EIA	Moseley Road Baths
Reference No	EQUA356
EA is in support of	New Policy
Review Frequency	Annually
Date of first review	31/08/2020
Directorate	Neighbourhoods
Division	Neighbourhoods
Service Area	Sport
Responsible Officer(s)	Dave Wagg
Quality Control Officer(s)	Rehana Kosar
Accountable Officer(s)	Chris Jordan

Purpose of proposal Operation of Pool has been transferred to Moseley Pool CIO. The Council is still responsible for Maintenance costs. Costs were paid in year 1 of the 3 year agreement. Cabinet Report now asking for approval of payments for years 2 and 3.

Data sources

Please include any other sources of data

***ASSESS THE POTENTIAL

IMPACT AGAINST THE

PROTECTED CHARACTERISTICS***

Protected characteristic: Age Not Applicable

Age details: None

Protected characteristic: Disability Not Applicable

Disability details: None

Protected characteristic: Gender Not Applicable

Gender details: None

Protected characteristics: Gender Not Applicable

Reassignment

Gender reassignment details: None

Protected characteristics: Marriage and Civil Partnership Not Applicable

Marriage and civil partnership details: None

Protected characteristics: Not Applicable

Pregnancy and Maternity

Pregnancy and maternity details: None

Protected characteristics: Race Not Applicable

Race details: None

Protected characteristics: Religion or Beliefs Not Applicable

Religion or beliefs details: None

Protected characteristics: Sexual Orientation Not Applicable

Sexual orientation details: None

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?	None
Consultation analysis	None required
Adverse impact on any people with protected characteristics.	None
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	No
How will the effect(s) of this policy/proposal on equality be monitored?	Through Relationship Manager and feedback at Steering and Coordination Group meetings
What data is required in the future?	None
Are there any adverse impacts on any particular group(s)	No
If yes, please explain your reasons for going ahead.	N/A
Initial equality impact assessment of your proposal	No negative impact, this policy will have an overall positive impact on the service and service users.
Consulted People or Groups	Coalition
Informed People or Groups	
Summary and evidence of findings from your EIA	This policy will have an overall positive impact on the service and service users.
QUALITY CONTORL SECTION	
Submit to the Quality Control Officer for reviewing?	No
Quality Control Officer comments	I have reviewed this EIA and am happy for this to proceed for Final Approval.
Decision by Quality Control Officer	Proceed for final approval
Submit draft to Accountable Officer?	Yes
Decision by Accountable Officer	Approve
Date approved / rejected by the Accountable Officer	09/09/2019
Reasons for approval or rejection	no adverse impacts

APPENDIX 2

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 3 – Risk Assessment

Moseley Road Baths

Risk No	Risk description	Risk mitigation	Residual / current risk			Additional steps to be taken
			Likelihood	Impact	Prioritisation	
1	Use of Policy Contingency not approved at Cabinet	Contingency identified and agreed by Finance.	Low	High	2	Current cost identified as pressure to Service
2	Additional years maintenance funding not agreed within budget setting process	Discussions ongoing with coalition (Historic England, National Trust, World Monuments Fund) on revenue funding opportunities.	Med	High	3	
3	Major structural issue with building not covered by current funding	Full maintenance plan developed including regular structural and scaffolding checks	High	High	1	Work undertaken to repair gala pool roof. Further works to pool 1 and reception roofs planned.
4	CIO disbands and pulls out of current agreement	Coalition would still exist with existing members. Swimming operation could be outsourced.	Low	Med	4	Market testing has been undertaken and shown that operators would be interested in managing the facility.

Measures of likelihood/ Impact:

Description	Likelihood Description	Impact Description
High	Almost certain, is expected to occur in most circumstances. Greater than 80% chance.	Critical impact on the achievement of objectives and overall performance. Critical opportunity to innovate/improve performance missed/wasted. Huge impact on costs and/or reputation. Very difficult to recover from and possibly requiring a long term recovery period.
Significant	Likely, will probably occur in most circumstances. 50% - 80% chance.	Major impact on costs and objectives. Substantial opportunity to innovate/improve performance missed/wasted. Serious impact on output and/or quality and reputation. Medium to long term effect and expensive to recover from.
Medium	Possible, might occur at some time. 20% - 50% chance.	Waste of time and resources. Good opportunity to innovate/improve performance missed/wasted. Moderate impact on operational efficiency, output and quality. Medium term effect which may be expensive to recover from.
Low	Unlikely, but could occur at some time. Less than 20% chance.	Minor loss, delay, inconvenience or interruption. Opportunity to innovate/make minor improvements to performance missed/wasted. Short to medium term effect.

Birmingham City Council

Report to Cabinet

29th October 2019



Subject: EXTERNAL EUROPEAN SOCIAL FUND (ESF) FULL APPLICATION - ACCESS TO EMPLOYMENT FOR JOBSEEKERS AND INACTIVE PEOPLE - UNEMPLOYED SUPPORT AND EMPLOYABILITY SKILLS

Report of: Dr Tim O'Neill
Director for Education & Skills

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

Relevant O &S Chair(s): Cllr Kath Scott - Education and Children's Social Care
Cllr Sir Albert Bore - Resources

Report author: Kam Hundal,
Employment Manager - Education & Skills
Tel: 0121 303 3663
Email: Kam.Hundal@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: 007055/2019		
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 To seek approval to submit a Full Application to the DWP (Department for Work and Pensions) for funding under the ESF (European Social Fund) call 1.1: Access to Employment for Jobseekers and Inactive People - Unemployed Support and Employability Skills.

- 1.2 To seek approval to bring forward earmarked reserves for employment and training activity to provide cash match to the project. (Earmarked reserves detailed in approved Cabinet Report 13 December 2016, relevant Forward Plan Ref: 002559/2016).
- 1.3 To acknowledge the changes (drop) in funding value and related outputs target for the existing similar project currently being delivered, called Progression Pathways for Adults, delivery name known as 'World of Work' (WoW), relevant Forward Plan Ref: 004556/2018.

2 Recommendations

- 2.1 That Cabinet:-
 - 2.1.1 Approves the submission of Full Application to the DWP for funding under the ESF in relation to call 1.1: Access to Employment for Jobseekers and Inactive People - Unemployed Support and Employability Skills, for which the delivery name will be 'World of Work 2' (WoW 2).
 - 2.1.2 Approves to bring forward earmarked reserves for employment and training activity to provide cash match to WoW 2 project, up to £0.320m and up to £0.009m from the Education & Skills Directorate Budget.
 - 2.1.3 Notes that if the bid is successful, the project will be the subject of a subsequent report and Full Business Case to Cabinet, setting out the details of the project, including any changes to match funding and seeking approval to accept the Offer Letter and act as Accountable Body for the funding.
 - 2.1.4 Approves the recommendation to accept the reduction in the existing WoW project value and related outputs and replace the Council's Birmingham Adult Education Services (BAES) match funding, which had to be withdrawn, with Policy Contingency to the value of up to £0.152m.

3 Background

- 3.1 European Structural and Investment Funds (ESIF) are administered by managing authorities, the Department for Communities & Local Government and the DWP, who released a call on 05/09/2019 for applications to deliver employment support and employability skills provision.
- 3.2 In response to the recent ESF call for projects the Employment and Skills Service (E&SS) of the Education and Skills Directorate would like to progress with an application in line with relevant submission timescales of 28 November 2019. This new project will be referred to as WoW 2.
- 3.3 This submission is a direct response to the needs of residents and employers across the Birmingham and Solihull area; with the area having lower skills levels than the UK average with 11.3% of working age Birmingham and Solihull residents having no qualifications compared to 8.0% for the UK, and higher levels of unemployment, (Birmingham & Solihull 7.3%, UK 4.3%).

3.4 Current similar project (WoW 1) update

- 3.5 The E&SS is already delivering a similar project that was approved by Cabinet, (relevant Forward Plan Ref: 004556/2018) titled 'Progression Pathways for Adults', delivery name known as 'World of Work' or WoW – the project runs to the end of October 2020.
- 3.6 WoW was developed under Investment Priority 1.1 Access to Employment for Jobseekers and Inactive People. Following the successful submission of an outline application on 31 June 2017, the Council was asked on 28 September 2017 to submit a second stage (full) application by 24 November 2017 to deliver the progression pathways project across Birmingham and Solihull.
- 3.7 The original target for the current delivery of the existing WOW project was to engage with 2,063 long term unemployed and inactive participants providing support into basic skills provision, training and employment, supporting 499 participants into job search and employment. WoW targets those with no/low basic skills, people from black and minority ethnic backgrounds (BAME) women, lone parents, people with disabilities and health conditions including those living in areas of high unemployment.
- 3.8 However, there have been some changes to the financial value of the existing WOW project, which has resulted in the need to prepare for a variation to the project and its original targets, (officially known as a 'Project Change Request') to be submitted to DWP in due course. The reasons for this change are outlined below:
- 3.8.1 Solihull Metropolitan Borough Council (SMBC) had to withdraw their match funding due to internal restructuring and because of the length of time it took to get project approval from DWP. (The application to DWP was submitted in November 2017, but the signed funding agreement was not received until 25 September 2018). The match amount withdrawn by SMBC was circa £0.370m.
- 3.8.2 BAES had originally committed £0.800m as match to the project, which was outlined in an approved Cabinet report in March 2018. However, due to the improvements required to support BAES to achieve a Good rating at the last Ofsted inspection (March 2019), BAES were unable to keep to this commitment and the first revision meant reducing their match funding down to £0.550m. Unfortunately, due to further restructuring within BAES the latest commitment now stands at £0.200m.
- 3.8.3 These reductions in the match funding available to the project, means that the targets and outputs originally agreed for WOW have to be revised. E&SS has been in discussions with the DWP Account Manager keeping them up to date regarding the latest position. The DWP Account Manager is fully aware of the pending variation to the project, which will include the request to reduce the financial size and targets for the project.

- 3.8.4 The variations to the current WoW project as described above amount to more than 15% of the original agreed project value. This means therefore the project needs to go through a full appraisal by DWP, which could take anything up to 90 days to turnaround for an approval, to continue with the project with reduced financial amount and targets.
- 3.8.5 The Employment and Skills Service (Education and Skills Directorate) has made all attempts to try and keep the project variation within 15%. The service actively sought and brought forward new Delivery Partners (outlined in 7.3.4) with their funding match, but all attempts were not able to plug the gap left by the existing match withdrawals.
- 3.8.6 The remodelling of finance and outcomes for WoW means the revised value of the project will be £2.365m and the target of participants to be registered will be 1,492 (down from the original 2,063) – a reduction of 571 participants. (73% of the 1,492 will be unemployed and the remainder 27% will be inactive people).
- 3.8.7 Getting inactive people to engage with projects such as WOW can be harder than those that are unemployed and seeking support. In order to better the chances of the project being able to capture inactive participants, specialist providers were selected following a competitive procurement tender process supported by the Council's Procurement department. The following key geographies will be targeted by the relative winning delivery organisation under what is called the 'Targeted Outreach' contract:
- Aston and surrounding North West Birmingham – **GHC (Greater Health Care)**
 - Bordesley Green, Sparkbrook & Balsall Heath East and Small Heath - **Enterkey**
 - Kings Norton South, Druids Heath & Monymhull and Highter's Heath - **Aspects Care Ltd**

The revised target of 1,492 participants for WoW will be shared amongst E&SS's direct delivery team, the new Delivery Partners (outlined in 7.3.4) and the providers under the Targeted Outreach contracts. The Delivery Partners will commence delivery at their own risk from October 2019. The Targeted Outreach contracts are in the early stages of mobilisation and outputs performance has yet to be verified. However, UHB (one of the new Delivery Partners) has engaged 110 participants with 28 moving into employment already, giving a conversion rate of 26%. The E&SS's direct delivery team has to date registered 194 participants with 60 into employment giving a conversion of 31%. The required conversion on this output is 22% so we are currently exceeding this target and plan to continue on this trajectory. The combined total of engagements to date is 304 local unemployed/inactive residents, or 20% of the revised target. With a year to go until the end of the project there is confidence that the target can be

achieved once all partners and Targeted Outreach providers are fully mobilised. Given the remodelling undertaken and engagement of new delivery partners we are confident that we will achieve the re-profiled outputs and results in accordance with the contract requirements.

3.9 The new application and project

- 3.10 It is the E&SS's intention to transition smoothly onto the new WoW 2 project, with Cabinet approval, once the current WoW project comes to an end. E&SS will be in a great position to transition to WoW 2 and carry on delivering positive outcomes as all systems and infrastructure arrangements will already be in place.
- 3.11 This new WoW 2 project will engage with 2,086 long term unemployed (62%) and inactive (38%) participants providing support into basic skills provision, training and employment. (The target of 2,086 has been arrived at by dividing the total project cost by the individual participant unit cost of £1,585 provided by DWP).
- 3.12 The advantage E&SS has is its ability to connect the opportunities from inward investment, planning and procurement to local unemployed and inactive residents. Working closely with employers the service gains an insight into the role requirements and is therefore able to influence and establish training provision and provide support that benefits the participants. This has to date resulted in a one in three conversion from our programmes from training to job outcome. In previous funding call rounds very few organisations have been able to successfully come forward with the end to end integrated jobs and skills model.

4 Options considered and Recommended Proposal

- 4.1 Do Nothing: If we did not develop and submit the proposals the Council and the GBSLEP would miss the opportunity to obtain significant external funding to deliver focussed activity to promote local skills development and access to employment, which is something the Council is proud to promote as one of its key priorities within its Council Plan.
- 4.2 Proceed with the bid (the recommended option) as the project will be shaped based on previous experience and in line with requirements of the call and GBSLEP with full involvement from partners. Having looked at various delivery options, project lead partners and approaches, and through consultation with partners, we will adopt the model of delivery which is the most effective in delivering the required interventions which will bring forward a positive impact in supporting unemployed and inactive residents across the relevant geography.

5 Consultation

5.1 External

Each of the following have been made aware of our intent to bid and each will be providing a letter to confirm their interest to match to this project – Solihull

Metropolitan Borough Council (SMBC); University Hospital Birmingham (UHB); Sandwell and West Birmingham NHS Trust (SWB) and Clarion Housing Association. DWP for Birmingham & Solihull will be consulted on the model of this project.

5.2 Internal

Officers in Legal and Governance, Procurement and Finance have been involved in the preparation of this report. Lead Officers from Education & Skills Directorate including Birmingham Adult Education Service, 14-19 Skills Service, Careers Service, and Youth Service will also be involved in the development of the project.

6 **Risk Management**

- 6.1 The key risk inhibiting the project from running at full capacity would be if associated match funding was not available. This report illustrates that for now match funding has been identified, but the situation may change, in which case all effort will be made to find replacement match funding. Please refer to **Appendix 1** for the full risk assessment.

7 **Compliance Issues:**

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

- 7.1.1 The proposed project supports the Council's Vision & Priorities 2017 to 2020, particularly in respect of Jobs and Skills – “we want Birmingham to be a great city to learn, work and invest in.” Project delivery will address enduring and structural issues related to unemployment and low-skill levels and enable participation in the labour market. With the City Council as the lead applicant we will ensure that the projects are synchronised with the jobs and skills priorities using the investment where it will have the most impact.
- 7.1.2 The proposed project will also support the Birmingham City Council Plan (2018-2022) Outcome 1: 'Birmingham is an entrepreneurial city to learn, work and invest in' and in particular its Priority 1: 'We will create opportunities for local people to develop skills and make the best of economic growth' and Priority 2: 'We will strive to maximise the investment in the city and engage employers to create quality jobs and opportunities for citizens'.
- 7.1.3 The recommended decision to proceed with the application for the project will eventually translate in the Employment and Skills Service (Education and Skills Directorate) being able to bring forward candidates as the workforce required during the development phase of the Commonwealth Games due to take place in Birmingham in 2022.

7.2 Legal Implications

7.2.1 The City Council has the power to enter into this activity by the general power of competence secured by Section 1 of the Localism Act 2011. The activity is within the boundaries and limits on the general power set out in Section 2 and 4 of the Localism Act 2011 respectively. S111 of the Local Government Act 1972 contains the City Council's subsidiary expenditure power in relation to the discharge of its functions. Legal and compliance issues associated with the EU Grant and Project will be delivered within the Conditions of Grant Aid, in accordance with the Council's financial regulations where appropriate.

7.3 Financial Implications

7.3.1 The total cost of the project bid for the new WoW 2 is estimated to be up to £3.504m gross. At an ESF intervention rate of 50%, this requires City Council resources as indicative match funding to be identified of up to £1.752m. (See below for a further detailed breakdown). All City Council match funding resources required for delivery of the project are identified from existing approved City Council budgets.

7.3.2 Partners have identified match funding contributions of up to £0.900m and these offers will be confirmed in writing. All project funding will need to be defrayed by project end dates as indicated below.

7.3.3 Details of funding are set out below, it should be noted however that, as full applications progress and develop, match funding commitments and partners may change:

ESF 1.1 Access to Employment for Jobseekers and Inactive People Unemployed Support and Employability Skills (1 Nov 2020 – 31 Oct 2023):

- Total project budget up to £3.504m.
- BCC match funding commitment totals up to £0.852m, (which includes the earmarked reserves of £0.320m. The difference (£0.532m) is made up of staff time and a nominal amount of up to £0.009m from the Education & Skills Directorate Budget).
- Delivery Partners match funding commitment of up to £0.900m
- ESF Grant up to £1.752m.

7.3.4 The delivery partners making up the £0.900m match funding commitment consist of:

- University Hospital Birmingham (UHB)
- Clarion Housing Group

- Sandwell and West Birmingham NHS Trust

7.4 Procurement Implications (if required)

7.4.1 There is no procurement activity planned at this stage. Any future procurement activity in respect of this funding will follow the Council's Procurement Governance Arrangements.

7.5 Human Resources Implications (if required)

7.5.1 This funding will enable the Employment Access Team to retain staffing at current levels.

7.6 Public Sector Equality Duty

7.6.1 In accordance with the Public Sector Equality Duty, an initial Equality Analysis will be undertaken during the development stage of this project should approval be given to submit the full application and if that application is successful.

8 Appendices

8.1 Appendix 1 – Draft Risk Assessment

9 Background Documents

9.1 Previous Cabinet reports (of Corporate Director, Economy) relating to the current project application were approved as follows:

- 6 March 2018: External ESF 1.1 Full Applications. Purpose of report to seek agreement to full applications for funding for ESF projects; use of City Council resources as match funding; act as Accountable Body; and to proceed with full business case for Progression Pathways for Adults (formal name of project).
- 26 June 2018: ESF 1.1 Progression Pathways for Adults Project. Purpose of report to approve Full Business Case and to seek approval to accept funding from DWP acting as the Accountable Body; delegate authority for procurement activity.

Appendix 1 – Risk Assessment

Risk No	Risk description	Risk mitigation	Residual / current risk			Additional steps to be taken
			Likelihood	Impact	Prioritisation	
1.	Lack of demand – difficulty accessing and engaging eligible participants	<p>1) Marketing costs included</p> <p>2) PR & Publicity Plan</p> <p>3) aligned partners include JCP and NCS who will refer eligible candidates</p> <p>4) Engagement of community groups and community organisations to engage target groups and refer into project</p> <p>5) Budget allocated to specialist engagement where gap is identified</p>	Low	Medium	Tolerable	
2.	Over demand – too many eligible participants, or too many participants in specific target groups	<p>1) regular review of engagement activity to assess demand and review of engagement activity to ensure all target groups are engaging in project</p> <p>2) Further commissioning available to engage with specific groups where gaps identified</p>	Low	Medium	Tolerable	

3.	Difficulty progressing participants into employment	<p>1) Programme based on previous good practice</p> <p>2) 1-1 support, bespoke interventions with employer links will offer a comprehensive programme in to a positive outcome</p> <p>3) targeted training provision linked to employer demand</p> <p>4) Employer engagement function key role of EDWs working on project</p>	Low	Medium	Tolerable	
4.	Difficulty linking with employers	<p>1) Delivery partners have existing employer links</p> <p>2) Based on past delivery and existing employer links with Lead Partner</p> <p>3) Link with sector representatives already engaged with employers in growth sectors</p> <p>4) EDW team with experience of employer engagement and demonstrated success</p>	Low	Medium	Tolerable	

		5) Links with GBSLEP Growth Hub and other business engagement programmes to raise awareness of Progression Pathways and make referrals				
5.	Delay in confirmation of funding	1) Processes and structures in place to assist with retrospection	Medium	Medium	Tolerable	
6.	Associated match funding not available	1) Match funding confirmation provided	Low	Medium	Tolerable	

Measures of likelihood/ Impact:

Description	Likelihood Description	Impact Description
High	Almost certain, is expected to occur in most circumstances. Greater than 80% chance.	Critical impact on the achievement of objectives and overall performance. Critical opportunity to innovate/improve performance missed/wasted. Huge impact on costs and/or reputation. Very difficult to recover from and possibly requiring a long term recovery period.
Significant	Likely, will probably occur in most circumstances. 50% - 80% chance.	Major impact on costs and objectives. Substantial opportunity to innovate/improve performance missed/wasted. Serious impact on output and/or quality and reputation. Medium to long term effect and expensive to recover from.
Medium	Possible, might occur at some time. 20% - 50% chance.	Waste of time and resources. Good opportunity to innovate/improve performance missed/wasted. Moderate impact on operational efficiency, output and quality. Medium term effect which may be expensive to recover from.
Low	Unlikely, but could occur at some time. Less than 20% chance.	Minor loss, delay, inconvenience or interruption. Opportunity to innovate/make minor improvements to performance missed/wasted. Short to medium term effect.

Birmingham City Council

Report to Cabinet

29th October 2019



Subject: PUBLIC CONSULTATION ON THE PARKING SUPPLEMENTARY PLANNING DOCUMENT

Report of: DIRECTOR, INCLUSIVE GROWTH

Relevant Cabinet Member: Councillor Ian Ward - Leader
Councillor Wasseem Zaffar – Transport and Environment

Relevant O &S Chair(s): Councillor Tahir Ali – Economy and Skills
Councillor Liz Clements – Sustainability and Transport

Report author: Uyen-Phan Han, Planning Policy Manager, Telephone No: 0121 303 2765
Email Address: uyen-phan.han@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: 006461/2019		
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 To seek authority to undertake public consultation on the Parking Supplementary Planning Document (SPD) for a period of 6 weeks commencing 11th November 2019.
- 1.2 The Parking Supplementary Planning Document (SPD) sets out a coherent and equitable parking strategy for the city, including clear area-based parking policies

and revised parking standards to be applied when considering planning applications.

- 1.3 The consultation for the Parking SPD will meet statutory requirements for Supplementary Planning Documents. Comments submitted will be considered and the SPD will be amended prior to adoption by Cabinet.

2 Recommendations

- 2.1 That Cabinet approves the Parking Supplementary Planning Document (SPD) for public consultation.

3 Background

- 3.1 The Parking SPD replaces the existing Car Parking Guidelines SPD for Birmingham which was adopted by Cabinet in May 2012. The 2012 standards were derived from Planning Policy Guidance Note 13 (PPG13 and Planning Policy Statement 4 (PPS4) published in 2001 and 2009 respectively. This guidance has since been superseded by the National Planning Policy Framework which itself was revised in 2018. Revised standards are required to reflect new national guidance and delivery of the Birmingham Development Plan (BDP), and the emerging Birmingham Transport Plan.
- 3.2 Robust evidence has been gathered to provide clear justification for the proposed parking standards and policies within the SPD. This has included national and local policy alignment, parking beat surveys, site surveys, benchmarking with other core cities and best practice research.
- 3.3 The SPD provides supplementary guidance and detail to support policies in the BDP and the emerging Development Management in Birmingham (DMB) plan. It will also be supported by the forthcoming Birmingham Design Guide and the Birmingham Transport Plan. Improving management of parking within the City Centre is a necessary pre-requisite measure to support delivery of the key objectives of the Birmingham Clean Air Zone (CAZ).

4 Options considered and Recommended Proposal

- 4.1 The purpose of Supplementary Planning Documents is to add further detail and clarity to existing policies within a local plan or within the National Planning Policy Framework. As such the only alternative would be to do nothing which would not provide the clarity and detail required to assist in setting out requirements for new developments.
- 4.2 Based on the evidence assembled, it is considered that the approach contained in the Parking SPD Consultation Document at Appendix 1 is the most appropriate and aligns with current government legislation and best practice.

5 Consultation

- 5.1 Officers in Highways and Infrastructure, Transport and Connectivity and Planning and Development have been involved in the preparation of the document. Extensive internal consultation has taken place.
- 5.2 Public consultation on the document will take place following Cabinet approval. The consultation process will be in accordance with the Council's adopted Statement of Community Involvement, under the provisions of the Planning and Compulsory Purchase Act 2004, and the revised procedures required by The Town and Country Planning (Local Planning) (England) Regulations 2012.
- 5.3 The SPD and relevant material will be published online as well as being targeted towards specific stakeholders and developers to enable feedback and comments to be made which will be taken into consideration in formulating the final version of the document prior to formal adoption.

6 Risk Management

- 6.1 The programme for completion and adoption of the SPD allows flexibility to account for any potential issues. This allows time for discussion with stakeholders and for issues to be addressed, as well as the processing of any comments made.
- 6.2 Other risks are addressed elsewhere in this report, including section 4 on the risks of not having the SPD, and section 7.3 on the financial implications.

7 Compliance Issues:

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

- 7.1.1 The Parking SPD is consistent with the City's Council Plan and Budget 2019 to 2023. It will support delivery of the primary goals of an Entrepreneurial City, an Aspirational City, a Fulfilling City to age well in and a Great City to live in. It supports the most recent Council priority to tackle climate change and work towards a carbon neutral city. It will provide up to date policies against which planning applications for development will be assessed and will support provision of a sustainable integrated transport system for the city.
- 7.1.2 In particular the SPD will support Outcome 1, Priority 4: We will develop our transport infrastructure, keep the city moving through walking, cycling and improved public transport; and Outcome 4, Priority 4: We will improve the environment and tackle air pollution. Management of parking is a vital tool in providing an effective, efficient and sustainable transport network.

7.2 Legal Implications

- 7.2.1 The relevant legal powers for preparing and undertaking public consultation on the draft SPD is set out in the Planning and Compulsory Purchase Act 2004 (as amended), with detailed requirement set out in the Town and

Country Planning (Local Planning) (England) Regulations 2012 (as amended), and the Birmingham Statement of Community Involvement. There is a requirement to publicly consult on SPDs for a minimum of four weeks before they can be adopted. SPDs also need to be consistent with the National Planning Policy Framework and the Birmingham Development Plan.

7.3 Financial Implications

- 7.3.1 The Parking SPD has been prepared using existing Inclusive Growth Directorate (Planning and Development, and Transport and Connectivity) staff resources and specialist external consultants funded from the Planning and Development revenue budget to prepare specific evidence in support of the SPD.
- 7.3.2 Costs from undertaking the public consultation of the draft Parking SPD will be met from approved revenue budgets within Inclusive Growth Directorate (Planning and Development, and Transport and Connectivity).
- 7.3.3 Following adoption, up to date accessibility mapping will be completed at least every 3 years to ensure that the accessibility zoning remains accurate. This will cost approximately £8,000 on each occasion and will be funded from the Planning and Development revenue budget.
- 7.3.4 All future programmes/projects/schemes resulting from the adoption of the Parking SPD will be progressed in accordance with the Council's Gateway and Related Financial Approval Framework, which will include the identification of financial implications and associated resources.
- 7.3.5 Where required to support public realm improvements and sustainable transport modes, removal of on street parking may be required, and would therefore have financial implications regarding parking revenue. Parking loss figures cannot be quantified accurately at this time as they would be subject to individual scheme proposals. The precise implications will need to be determined as individual schemes are developed and future decision reports will be prepared to address this. However it should also be acknowledged that roll out of further parking control schemes (Controlled Parking Zones or resident parking schemes) has the potential to compensate for the loss of revenue elsewhere in the city.
- 7.3.6 Redevelopment of land currently used for off street parking may have varying financial implications. Removal of City Council car parks would result in loss of ticket revenue and potentially advertising income. Likewise closure of private car parks could result in loss of business rates revenue. Conversely, efficient redevelopment of land currently used as off street parking offers opportunities for increased business rates income as well as wider benefits for the city economy through job creation, dependant on the subsequent land use. A surplus of private non-residential parking spaces in the city centre has been identified; providing scope for repurposing of

valuable land currently utilised for parking. Detailed financial implications of any subsequent development proposal would need to be considered on a case by case basis.

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 The Parking SPD has been prepared in line with Section 149 of the Equality Act 2010 in ensuring that public bodies consider the needs of all individuals in shaping policy. An Equality Impact Assessment has been carried out and will be further developed following public consultation with appropriate advocacy groups and stakeholders representing relevant protected characteristics.

8 Appendices

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

- Appendix 1 - Draft Parking Supplementary Planning Document (SPD)
- Appendix 2 – Equality Analysis



Birmingham Parking Supplementary Planning Document

Consultation Draft

November 2019

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Foreword

We are pleased to present this Draft Parking Supplementary Planning Document for consultation. This document will help deliver the objectives of the Birmingham Development Plan in creating a sustainable, inclusive and connected city and the Big Moves set out in the emerging Birmingham Transport Plan.

Managing parking in the right way can play a crucial role in creating a balanced, efficient and sustainable transport network. While the right amount of parking provision can help support local business, cater for those with mobility needs and prevent inconsiderate and unsafe parking, we must also ensure that our valuable street space is not dominated by parked cars.

On average, cars remain parked for about 96% of the time. When they are moving on the roads, they contribute to congestion, and release emissions which not only contribute towards climate change but also pollute the air we breathe.

Birmingham City Council recently declared a climate emergency with the aim of becoming carbon neutral by 2030 – and a key part of this work will involve tackling the main causes of climate change in our city.

We are also working to clean up our city's air, including the introduction of the Clean Air Zone in 2020 and promoting a shift towards greener, cleaner forms of transport, with a clear focus on the movement of people rather than vehicles.

Birmingham is making bold moves and significant investment to deliver an integrated public transport system, and environments conducive to walking and cycling fit for a global city and to fundamentally change the way goods and people move around our city.

As all car journeys begin and end with parking, managing parking is a key tool for managing the demand for private car travel. But we acknowledge this must be done in a balanced way and in tandem with moves to improve accessibility by more sustainable transport modes.

This document supports the delivery of a sustainable transport system and the sustainable growth and regeneration of the city, whilst seeking to manage the provision of parking in a balanced way. We look forward to receiving your views on the draft SPD.

Councillor Ian Ward
Leader

Councillor Waseem Zaffar
Cabinet Member for Transport and Environment

Waheed Nazir
Director, Inclusive Growth

Birmingham City Council



Introduction

A bold approach to parking in Birmingham will be set out as a Big Move in the forthcoming Birmingham Transport Plan, using parking as a means to manage demand for travel by car through availability, pricing and restrictions.

Major changes are taking place on our transport network including new Metro and Sprint routes, improvements to cycling and walking infrastructure and the creation of a city centre Clean Air Zone.

Parking is a key component of this change. It can influence the way people travel, the efficient use of land, highway safety and the quality of the built environment.

It is estimated that the growth in the city's population, as set out in the Birmingham Development Plan¹, will result in 1.2million additional daily trips across the network by 2031. It is not possible or indeed desirable to accommodate all these additional trips by private car due to existing constraints on our highway capacity and

because of the significant detrimental impact of traffic on our environment and air quality.

Careful and appropriate management of parking is a key element of Birmingham's transport strategy. An oversupply of parking can stimulate demand for car travel. This generates traffic on the network that increases congestion and delay, contributes to poor air quality and makes walking and cycling less safe and convenient. It also commandeers land which could be used for better purposes.

However in certain circumstances, where parking supply is too low, this can act to inhibit economic activity, growth and social functions, particularly in locations with

limited access to public transport. Lack of parking can exacerbate localised network inefficiency and lead to inconsiderate parking causing obstruction and hazards for cyclists and pedestrians. Many residential areas are reliant upon the availability of on-street parking to provide for household parking needs.

Implementing appropriate management of on and off street parking, and the adoption of well-defined parking standards will contribute to sustainable development. This is consistent with the council's goals to make Birmingham an entrepreneurial city, an aspirational city, a fulfilling city to age well in and a great city to live in.



The objectives of this Supplementary Planning Document (SPD) are as follows:

- Manage the provision of parking in a balanced way; supporting an efficient transport network whilst delivering sustainable growth.
- Encourage more journeys based on walking, cycling, public transport and low emission vehicles.
- Provide an appropriate quantity, quality and type of parking to balance the needs of different users, protect amenity and ensure highway safety.

This document will replace the existing Car Parking Guidelines Supplementary Planning Document (2012)² and elements of the Birmingham Parking Policy (2010)³. It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework⁴.

Once adopted the SPD will form part of the Council's planning framework and act as a material consideration in the determination of planning applications. This SPD adds detail to policies in the Birmingham Development Plan and is aligned to the emerging Development Management in Birmingham Preferred Options Document (January 2019)⁵.

The emerging Birmingham Design Guide will cover the aspects of design and layout for parking provision, including cycle storage. Parking management guidance/ technical notes will be produced by Birmingham City Council to support the implementation and management of parking infrastructure and activities, fully replacing the Birmingham Parking Policy 2010.



This SPD has been informed by national and local planning policy, as well as local transport strategies.

The National Planning Policy Framework (NPPF)⁴ provides the policy context governing land use planning within the UK at a national level, with a key objective of achieving sustainable development. It encourages transport systems to be balanced in favour of sustainable transport modes. When setting local parking standards for residential and non-residential development, the NPPF states that local authorities should take into account:

- The accessibility of the development.
- The type, mix and use of development.
- The availability of, and opportunities for, public transport.

- Local car ownership levels.
- The need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

Maximum parking standards should only be set where there is a clear and compelling justification for them. However the NPPF acknowledges that maximum parking standards can be a necessary tool for management of the local road network and for optimising the density of development in city and town centres and other locations that are well served by public transport.

Locally, this SPD aligns with the Birmingham Development

Plan (BDP)¹ which promotes transition to sustainable modes of transport with high quality transport links to support sustainable growth.

The emerging Development Management in Birmingham Preferred Options Document (January 2019)⁵ requires parking and servicing to contribute to the delivery of an efficient, comprehensive and sustainable transport system. Reference is made in the policy to the preparation of a Parking SPD and the preparation of the Birmingham Design Guide, which will provide detailed design guidance in relation to parking.

Local and regional transport strategies ‘Birmingham Connected’⁶ and ‘Movement for Growth’⁷ both acknowledge the role of parking policy as a key part of an integrated transport network. Parking pricing and provision can support the objectives of the city and region’s transport strategy, including the forthcoming Birmingham Transport Plan, forming a key element together with the delivery of improvements to public transport, cycling and walking.

The Movement for Growth 10 year delivery plan identifies significant investment of over £1.4 billion for Walking, Cycling and Public Transport schemes within Birmingham before 2026. This level of



improvement to accessibility by non-car modes allows a more stringent approach to be taken towards parking provision in the most accessible areas of Birmingham.

The transport vision in Birmingham Connected and the forthcoming Birmingham Transport Plan have provided a clear steer for this Parking SPD; creating an efficient, attractive, sustainable, healthy and equitable transport system by seeking a reduction in over-reliance of private cars and developing a go-anywhere integrated public transport system supported by walking and cycling.

The parking standards in this SPD are informed and supported by evidence from surveys, best practice reviews and data analysis. An in-depth study of parking in Birmingham city centre was completed in 2016 and this has formed the basis for city centre focussed policies within this SPD.

The City's transport network can have a major impact on the City's air quality and, in consequence, on health and wellbeing. The whole of Birmingham is designated as an Air Quality Management Area (AQMA) for nitrogen dioxide (NO₂) and the Council maintains an Air Quality Action Plan (AQAP). In order to deliver compliance with national objectives, Government has determined the need for Birmingham to

introduce a Clean Air Zone (CAZ) to control road transport related emissions particularly NO₂. A Birmingham City Centre Clean Air Zone⁸ will therefore be introduced in 2020.

In July 2019 Birmingham City Council declared a climate emergency⁹. The Council's Cabinet have agreed to make tackling climate change one of

the authority's six main priorities and have formed a cross-party and multi-agency taskforce to support the goal of a carbon neutral city by 2030. This SPD supports these objectives through reducing demand for private car journeys and improving the Ultra Low Emission Vehicle infrastructure to support a more sustainable transport network.



Vision and Principles

As we meet the challenges of a growing population, plan for new housing, jobs and infrastructure and seek to reduce our impact on climate change - managing parking in the right way will be crucial in creating an inclusive, sustainable and connected city.

<p>This vision will be secured through the delivery of the parking strategy set out in this document, which is underpinned by the key principles below:</p> <ul style="list-style-type: none">• An evidence-based and location-specific approach will be applied to decisions concerning parking provision.• Where space is required for improvements for sustainable modes of transport or where traffic flow is impeded, parking provision may be removed, restricted, or parking control measures may be introduced.	<ul style="list-style-type: none">• Parking should be safe, suitable and accessible for all potential users, without comprising highway safety.• Efficient use of parking will be encouraged where different types of parking can be accommodated harmoniously. For example, where it is possible to allocate resident and short stay visitor parking within the same spaces, or where new developments provide customer parking, it will be expected to serve a wider purpose for local communities.	<ul style="list-style-type: none">• Parking serves a multiplicity of users creating competing demands for the same limited space. Multiple considerations for different types of parking provision, as set out in Table 1 below, should be addressed, reflecting location specific circumstances. In general, provision should be given priority as set out in Table 1, unless clear justification is provided to the contrary. Whilst residential parking will be given high priority in predominantly residential areas, this may not be justifiable in the city centre and urban centres.
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Table 1: Parking Considerations

Road User	Vehicle Type
<ul style="list-style-type: none">• Disabled user parking (residential)• Disabled user parking (non-residential)• Resident parking• Essential worker in the delivery of public service• Registered carers• Doctor parking• Local business essential parking/service need• Short stay shopper/visitor parking• Long stay shopper/visitor parking• Long stay commuter parking	<ul style="list-style-type: none">• Emergency vehicle• Bicycle• Bus/coach• Public service vehicle• Shared/pool car (Car Club)• Delivery vehicle/lorries and vans• Electric Vehicle• Taxi/ private hire vehicle• Powered two wheelers• Conventional private car

Parking Strategy

Parking Strategy

This section describes Birmingham’s strategy for parking in support of the growth and regeneration of the city as well as dealing with local parking issues. A tailored approach is taken for different areas of the city taking into account connectivity, public

City Centre

Introduction

Birmingham city centre has undergone major transformation in recent years and further key developments are planned to take place, including the arrival of HS2, Smithfield and the introduction of a Clean Air Zone. The increase in economic activity over the next 15 years is expected to generate an additional 140,000 daily trips to and within the city centre. Moving more people and goods to and within the city centre on the existing road network is a significant challenge.

For the purpose of this policy, the City Centre is defined as the area within the A4540 Ring Road.

Figure 1 Birmingham City Centre



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City Centre On-Street Parking

To support an efficient and effective transport system, the management of on street parking in the city centre will include:

1. The roll-out of the city centre controlled parking programme which will remove all no-fee on-street parking in the city centre.
2. The removal of on-street parking, where necessary, to support improvements to public realm, public transport provision or to provide priority for walking, cycling, servicing and delivery, taxis, car clubs and electric vehicle charging.
3. No further Resident or Business permits will be issued in the Inner Controlled Parking Zone. The availability of on-street Resident and Business permits in other city centre quarters will be considered and provided where appropriate.
4. Parking charges structured to support short and medium stay uses and discourage long-stay or commuter parking activity in premium, on-street locations.
5. Wherever possible, protection of the overall levels of disabled user parking provision in easily accessible locations, with improved provision of rest and shelter opportunities in public areas.

City Centre Off-Street Parking

Off street parking in the city centre will be managed in the following ways to support an efficient and effective transport system:

1. Replacement off street parking and new off street parking in the city centre will not be supported unless it can be demonstrated that there is a clear gap in provision.
2. Given the significant levels of Private Non-Residential Parking located within the city centre, options for introducing a Workplace Parking Levy will be explored.
3. Applications for temporary car parks or time extensions for temporary car parks will not be supported unless exceptional circumstances can be demonstrated.
4. Off-street car parks will be linked to the city's traffic management systems to provide real-time parking information (supplied as open data on the city council's open data portal¹¹) and assist with wider network management, also linked to variable messaging signage.

Why we have taken this approach

As the most important economic centre for employment and business in the Midlands, Birmingham city centre attracts over 200,000 people during a weekday morning with nearly half a million journeys made every weekday. It is home to more than 30,000 people and a further 13,000 homes are planned for construction by 2031, optimising land-use through high-density development.

To deliver the high-density development in the centre of Birmingham within the Big City Plan¹⁰, city centre land must be used as efficiently as possible. This will require a reduction in space hungry provision for residential and commuter parking. A key focus for the city centre is to reduce the need for private car journeys by ensuring viability of alternative modes.

The management of parking, alongside sustained improvement of sustainable travel modes, is key to supporting growth objectives and to encouraging changes in travel behaviour. It is recognised that for some journeys and business activities, travelling to the city centre by car is the most suitable, or in some cases the only viable option. The Council also recognise that on occasions users may require long-stay access to premium on-street locations. It is not therefore the

objective of our policy to entirely prohibit long-stay parking activity in the city centre, rather to ensure that it is in the first instance directed towards appropriate off-street facilities in more peripheral locations.

Poor air quality is a major health concern at both local and national level. The whole of Birmingham is designated as an Air Quality Management Area (AQMA) for nitrogen dioxide (NO2) and the Council maintains an Air Quality Action Plan (AQAP)¹² to direct compliance with national objectives. In order to deliver compliance, Government has determined the need for Birmingham to introduce a Clean Air Zone (CAZ) to control road transport related emissions particularly NO2. Therefore a CAZ will be introduced in 2020 and this strategy supports the objectives of the CAZ.

A review of the current parking supply in the city centre and its use was undertaken in 2016. This showed that there are currently some 60,000 parking spaces in the city centre of which around 37,000 are available for public use with the remaining 23,000 comprised of private non-residential (predominantly workplace) parking.

Even allowing for an additional 15% surplus the indications are that the city centre has more than 10,000 spaces that remain unused throughout the course of the working day. Of the c. 10,000 spare spaces, it is

estimated that around 7,500 are located in publicly available car parks (c. 6,000 in off-street locations and c. 1,500 on-street) and the remaining c. 2,500 are located in private non-residential (predominantly workplace) car parks.

The main objective for the City Centre is to support continued regeneration while balancing the needs of its different users and reducing environmental impacts by:

- Managing the parking stock in the city centre to efficiently and effectively meet the needs of all of its customers.
- Managing parking to reduce demand for car travel, minimise congestion and environmental impacts of car access.
- Improving the safety and experience of city centre residents, user and visitors.
- Operating the car park estate on a financially sustainable basis.



Introduction

Just outside the A4540 Ring Road, the edge of city centre area includes a diverse mix of land use ranging from office-based commercial uses around Five Ways / Hagley Road, the densely populated

residential streets of Sparkbrook and Small Heath to the south-east and Lozells and Winson Green to the north-west. There are significant areas of industrial commercial use to the north-east.



Figure 2 Edge of Birmingham City Centre

Edge of City Centre

To support an efficient and effective transport system, parking on the edge of the city centre will be managed through:

1. Implementation of a controlled parking programme in areas close to the city centre and other transitional areas, to control parking capacity and protect the amenity of local communities.
2. Large new developments with off-street parking provision must consider making their parking publically available to make efficient use of land, reduce parking pressure in local areas and support the local economy.
3. Applications for temporary car parks or time extensions for temporary car parks will not be supported unless exceptional circumstances can be demonstrated.

Why we have taken this approach

Locations on the edge of the city centre generate parking demand from a wide range of users from residents to businesses and in some cases commuters. There is evidence that parking pressure has begun to increase in some peripheral areas including Duddeston and Five Ways, where there are limited levels of public off-street parking. In some city centre peripheral areas that may be subject to parking pressures and overspill parking from city centre commuters, on-street controls (including Residents' Parking Schemes) are in place or planned.

The main objectives of the parking strategy for edge of the city centre are to:

- Ensure that the impact of city centre growth is managed in ways that minimise congestion and protect the amenity of residential occupiers.
- Support delivery of the Clean Air Zone.
- Support enhanced connections by public transport, walking and cycling from these areas to the city centre and the rest of the city.
- Ensure an appropriate level of good quality, safe and convenient parking for the needs of all users.

Introduction

Outside the city centre there are numerous urban centres and 10 key growth areas as defined by the Birmingham Development Plan. Urban centres range from large multi-functional centres such as Sutton Coldfield and Selly Oak with large concentrations of employment to smaller centres such as Cotteridge and Balsall Heath which serve more local needs. Some local centres have been identified as Green Travel Districts¹³, with much scope to reduce the number of journeys by car to and within these locations. They also all have a central role in delivering the city's agenda for inclusive economic growth and are focal points for future

investment, jobs, housing, cultural activity and connectivity.

Why we have taken this approach

Over recent years the traditional role of urban centres and the way in which people use urban centres has changed. Changes in shopping habits, new uses of space and consumer demands have made it challenging for them to remain simply as shopping destinations. An increased shift towards the provision of leisure and other services has allowed some centres to meet this challenge but others need

to evolve to remain attractive, viable and vibrant places.

As set out in the forthcoming Urban Centres Framework¹⁴, successful urban centres are places that offer diversity, not just in the uses, but in the environments and activities that occur there. It is essential that they are accessible by a range of modes of transport with good connections into their local communities and the wider city.

Approaches to parking should take account of the different locations of centres, the communities they serve and the often complex range of demands placed upon them.

Urban Centres and Growth Areas

The approach to parking in urban centres and growth areas will balance the needs of the local economy and accessibility requirements while improving the health, safety and wellbeing of the local community.

1. A phased programme of parking control measures across the city will be introduced to ensure that on-street parking can be managed, but without placing financial pressures on local business. The following locations will be prioritised initially:
 - Selly Oak
 - Perry Barr (linked to Commonwealth Games)
 - Harborne
 - Erdington
 - Sutton Coldfield
2. Large new developments with off street parking provision must consider making their parking publically available to make efficient use of land, reduce parking pressure in local areas and support the local economy.
3. Wherever possible, there will be protection of the overall levels of disabled user parking provision in easily accessible locations, with improved provision of rest and shelter opportunities in public areas.

A review of parking in district and local centres revealed that most experience some parking pressures. A particular issue in urban centres was the concern that long-stay commuter parking limited the availability of short-stay parking for those coming into the area to shop or do business. Pressures in residential areas near to major employment generators and suburban stations were also identified.

In light of the issues identified, the main objectives of the parking strategy for urban centres and growth areas are to:

- Support the improvement of public transport and walking and cycling routes that

connect centres to their neighbourhoods and employment opportunities;

- Support the vitality and viability of centres as a focus for local community life and activity;
- Ensure an appropriate level of good quality, safe parking to support local businesses and cater for those with mobility needs, whilst ensuring streets are not dominated by parked cars and that balance is made with encouraging more sustainable transport modes.
- Ensure provision of accessible and secure cycle parking to help transform the experience of cycling in the city.



Introduction

A markedly different approach from that taken in the city centre and edge of city centre must be taken for predominantly residential suburbs of the city. These areas are characterised by generally lower development densities to the city centre and urban centres and have a lower level of public transport accessibility.

Why we have taken this approach

In areas with fewer travel alternatives to the car, parking standards will need to ensure an appropriate level of parking provision while maintaining the amenity of nearby residents and occupiers and encouraging sustainable travel.

A balance has to be struck between the need to place reasonable restrictions on parking supply to discourage car usage, whilst ensuring that this policy is not likely to result in an overspill of parking activity on the highway. This will be achieved through the application of revised parking standards for new development contained in this document. These standards link an area's accessibility to public transport, car ownership and the presence of local parking controls with the parking rate applied. Minimum parking standards for housing will also be applied in lower accessibility areas to ensure that lack of provision

Residential Parking

To support an efficient and effective transport system in suburban and primarily residential areas:

1. Birmingham City Council will apply the parking standards contained within Appendix A of this SPD for new residential development.
2. Residential parking will generally be prioritised over long-stay commuter parking in areas without off-street parking provision.

does not create detrimental 'overspill' parking onto local roads and pavements.

The main objectives of the parking strategy for predominantly residential areas are to:

- Support the creation of sustainable neighbourhoods characterised by good access to facilities, and

convenient options to travel by foot, cycle and public transport.

- Protect and maintain good levels of residential amenity.
- Ensure an appropriate level of parking to meet the needs of residents and visitors.



Introduction

This document sets out parking standards for all new developments in the city. These set a policy position on the level of provision Birmingham City Council will seek for cycle parking, disabled user parking, electric vehicle charging and other servicing requirements as well as vehicle parking. Levels of provision are set out for developments in different locations and with different land uses.

Why we have taken this approach

Birmingham will continue to apply maximum parking standards to all car parking in the city for all land uses as there is a clear and compelling need to reduce travel by private car.

In addition, minimum parking standards for car parking will be applied to some residential developments in the form of unallocated parking. In those areas where there are no existing or proposed on-street controls, application of parking constraints is likely to result in parking overspill. This can cause loss of amenity and adverse impact on the local community.

Provision of parking for people with a disability is set as a minimum expectation. All other standards for provision such as cycle and motorcycle parking, and parking and infrastructure for car clubs and Ultra Low Emission Vehicles

Parking Standards

To support an efficient and effective transport system in suburban and primarily residential areas:

1. Birmingham City Council will apply the parking standards contained within Appendix A of this SPD for new residential development.

(ULEV) or Electric Vehicle (EV) charging are set as an expected level of provision. This is an active policy approach to support the uptake and adoption of these travel choices by the people of Birmingham.

In July 2019 the Department for Transport opened public consultations on Electric Vehicle (EV) chargepoints in residential and non-residential buildings¹⁵ and EV smart charging¹⁶. These set out proposals for regulations regarding EV charging provision in both new and existing buildings, as well as

proposals to ensure that all chargepoints sold or installed have smart charging functionality. Whilst these proposals are not yet legislation, the standards set out in this SPD ensure that future developments will align to, or exceed (where appropriate) these current government expectations.

It should also be noted that the government proposes a requirement of at least one chargepoint in existing non-residential buildings with more than 20 car parking spaces, applicable from 2025.



Controlled On-Street Parking (including Residents Parking schemes)

Introduction

Controlled parking can be used to safeguard residential parking, whilst also balancing the needs of shoppers, visitors and local business - providing for efficient deliveries and servicing. This section sets out the City Council's approach to the introduction of further parking control in the city.

Why we have taken this approach

Parking can be controlled and enforced in a variety of ways. Key types of controlled parking include:

- **No waiting** – this generally takes the form of double (no waiting at any time) or single yellow lines (no waiting at specified times) which prevent vehicles from waiting in a marked location.
- **Limited waiting** – it is free to park in these locations, however a motorist may only do so for a set period of time and may not return to the bay again until a set time has elapsed.
- **Pay and Display** – Any motorist is permitted to use these parking spaces if they have paid for the parking, either by displaying a ticket purchased at a machine or by paying over the phone.
- **Permit parking** – Only cars with appropriate permits can park in these locations. Often permits are issued to residents to enable them to park near their home in busy areas. Business permits are

Controlled Parking

1. The Council will implement parking control schemes, including Controlled Parking Zones and Residents Parking Schemes in order to manage on-street parking in areas experiencing parking stress or where parking problems are likely to occur due to land use changes.
2. All on-street parking within the Clean Air Zone (within the A4540 Ring-road) will be subject to parking control measures as part of CAZ implementation.
3. Decisions concerning the in principle introduction of a parking control scheme will be determined at the discretion of the Council informed by technical advice and evidence and the prioritisation criteria in this SPD.
4. Controlled parking scheme design will be open to consultation with local residents and businesses.
5. Houses of Multiple Occupancy (HMOs) will be considered as a single dwelling regarding entitlement to purchase parking permits.
6. Where there is a need to safeguard on-street parking permit availability for existing residents, future residential developments with low parking provision may be subject to planning conditions restricting access to parking permits for their residents. Developers must make purchasers and tenants aware of such restrictions, and any variations to existing Parking Places Orders which are necessary to achieve this will be at the developer's expense.

also issued in some locations.

Various combinations of these methods will be used across the city to effectively manage parking and to prevent unsafe or inconsiderate parking; on Parking controls will also support the parking standards within this SPD. In areas where parking supply is limited, controls will ensure that parking does not

'overspill' onto surrounding streets.

Controlled parking reduces traffic and parking congestion for residents who live in or near urban centre or tourist/visitor hotspots. Controlled parking can help to allow the flow of traffic and emergency vehicles down streets with high levels of parking; and allow residents to park near their homes.

There are a number of areas of the city where the introduction

Controlled On-Street Parking (including Residents Parking schemes)

of parking controls will be required to address and effectively manage existing parking and to support more stringent parking standards.

Controlled parking may be introduced in the following circumstances:

- Within, or in areas affected by, the Clean Air Zone.
- Where the level of parking demand exceeds the level of on and off-street parking supply (as evidenced from parking surveys).
- Where there is a clear need to manage the impact of parking on the operation of the network.

- Where excessive parking demand causes operational or safety issues, particularly for vulnerable road users.
- Where parking controls can be effectively enforced.

If the above circumstances are applicable, the following criteria will be used to prioritise delivery schedules:

- Parking occupancy data evidencing parking stress.
- Demonstrable safety concerns, evidenced through safety audits and/or accident data.
- Areas within parking standard zones A and B.

- Demonstrable demand from residents/councillors/district engineers.
- Funding availability.

Parking Permit restrictions for 'car free/low car' developments

Where new developments are provided with very low or zero parking provision, it may be necessary to ensure that future residents of these buildings do not have access to parking permits. This safeguards available on-street parking for existing residents.



Together with its key regional partners, the City Council is currently assessing the role of Park and Ride in providing part of a balanced access strategy for the city. A successfully implemented Park and Ride system can deliver environmental enhancements,

reduce congestion and support economic growth and activity by improving access to labour markets and facilitating business travel. Its successful introduction is dependent upon ensuring price competitiveness and operational efficiency when

compared to alternative forms of travel, particularly private car use. Wider parking control is also required in some areas around Park and Ride sites to prevent overspill from customers wishing to avoid car park charges.

Park and Ride

1. The Council will support the production and implementation of a Park and Ride Strategy for the West Midlands, to be led by Transport for the West Midlands.
2. Parking Control measures funded by the Park and Ride operator will be used in the areas around Park and Ride sites to limit any detrimental impacts of parking overspill.



School Parking

Parking outside schools can be a particular concern for pupil safety and air quality and inconsiderate parking is a frequent issue raised by residents living near to schools. A Road Safety Strategy for Birmingham sets out the city’s approach to parking management on roads near schools

Car Free School Streets, or School (Traffic) Exclusion Zones¹⁷, restrict vehicles from driving in, out or through an area close to the school

School Parking

1. The City Council will encourage a ‘park and stride’ approach for parents and pupils who are unable to walk or cycle to school. Careful consideration of parking control measures should be made for any new or expanded school development. This must include a traffic regulation order on all School Keep Clear markings to ensure they are enforceable.
2. New schools or expanded schools, should ensure appropriate parking enforcement controls or measures to discourage pavement parking are in place on surrounding roads. Provision of cycle and non-motorised scooter (for pre-school and primary schools) parking will be encouraged. This should be supported by a travel plan through the Modeshift Stars¹⁸ process.



entrance for up to an hour at the beginning and end of the school day. Local residents and other identified groups can apply for a permit which exempts them from this. The council is piloting these schemes as part of the 2019/2020 Safer Routes to School programme.

Car Club bays

Any new highways scheme where parking is affected should evaluate current and potential provision for car club bays. Liaising with the current Birmingham City Council provider, new bays should be introduced wherever market viability and available resources allow.

Many people with a disability rely on the private car as their principle mode of transport. The ease of their journey is largely dependent on whether it is possible to park close to their destination. It is therefore vital that well located, designed disabled parking bays are provided at key locations e.g. home, work, shops and other public sites in order to improve accessibility for those who are mobility impaired.

However it must be acknowledged that some public realm and sustainable transport schemes, particularly in the city centre may result in the removal of some disabled parking bays. The council aims to mitigate the impact of this as much as possible and will consult Access Birmingham and other relevant groups where changes are being considered.

The parking standards within this document set out clear requirements for future developments to help ensure that off road parking for new sites provides a high level of parking for disabled people.

Parking for disabled people

1. Wherever possible, the Council will seek to protect the overall levels of disabled parking provision in easily accessible locations, with improved provision of rest and shelter opportunities in public areas.
2. Any future public realm improvement schemes in the city centre or urban centres must aim to provide a good level of rest and shelter opportunities to support those with reduced mobility.
3. The council will ensure that any proposed changes to parking for disabled people face constructive consultation with appropriate disability action groups and the access forum.





Parking Standards

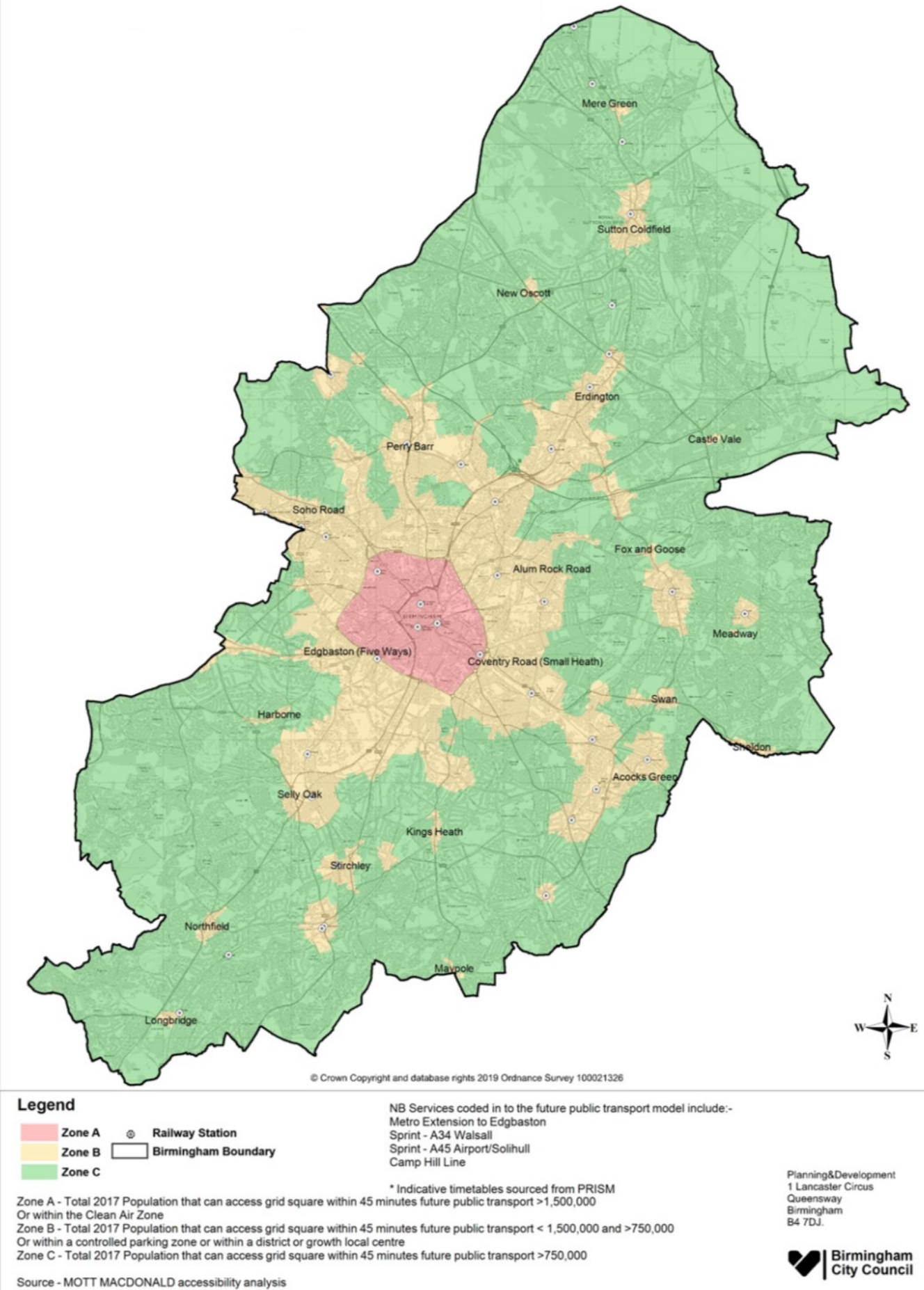
Birmingham has applied different parking standards over three zones since 2012. The zoning process has now been re-defined to reflect a wider and more nuanced set of characteristics impacting on the approach and level of standards to be applied. Three zones have been identified using public transport accessibility mapping, car ownership levels, opportunities for future public transport, and the presence of parking restrictions/ traffic regulation orders.

The characteristics for each zone are broadly summarised in Table 2. Figure 3 shows draft mapping of the zones.

Table 2: Parking Standards Zone Characteristics

Zone	Zone Characteristics	Parking Provision Characteristics
A	<ul style="list-style-type: none"> • Very high or high public transport accessibility • All locations within the Clean Air Zone • High population density • Well served by cycle and walking facilities • Primarily retail and commercial with high density residential • Comprehensive on-street parking restrictions. 	<ul style="list-style-type: none"> • Car free development • High provision for cycling, Car Clubs, ULEV (and bike hire where appropriate). • Adequate servicing and operational provision.
B	<ul style="list-style-type: none"> • High public transport accessibility • High to medium population density • Well served by cycle and walking facilities • Includes the most accessible urban centres and growth areas 	<ul style="list-style-type: none"> • Restricted maximum parking levels for all land uses, particularly non-residential. • High provision for cycling, Car Clubs, ULEV. • If not in place already, these locations will be prioritised for on-street parking controls in the future.
C	<ul style="list-style-type: none"> • Medium to low public transport accessibility • Medium to low population density • Predominantly residential 	<ul style="list-style-type: none"> • More generous car parking maximums and minimum unallocated requirements for residential developments. • Good provision for cycling and ULEV (and Car Clubs where market demand allows).

Figure 3 Birmingham Parking Standards Zones



When determining the absolute number of parking spaces to be provided, a number of principles will apply:

- These standards apply to all planning applications and prior approvals/notifications.
- Unless otherwise specified, calculated car parking maximums are to be rounded up to the next whole number. All other parking standards can may be rounded down to the next whole number once calculated.
- For mixed use developments, the parking standards will be applied for each different use. Facilities which provide for multiple uses in an efficient way are encouraged – and may reduce overall provision, at the discretion of planning officers.
- Where the footprint of a development falls into more than one zone, applicants should apply the zone with the most generous provision in which any part of the footprint of the development exists. For minimum standards, applicants should apply the zone with the lowest requirement. i.e. a development falling in both zone B and zone C would need to apply the standards for zone C.



Parking Standards for Disabled People

Birmingham has applied a higher rate to the first 200 parking spaces for many land uses, and a lower rate thereafter. This approach aims to reflect actual likely demand and ensure adequate provision without creating considerable over-provision of disabled parking that may lead to its abuse. Active management of disabled parking provision to match actual demand is a recommended function and good practice for those seeking accreditation under the Disabled Parking Award Scheme¹⁹.

Disabled user parking provision will be in addition to standard car parking provision.

Bays for drivers with disabilities should be 3.6m wide or alternatively should consist of two standard 2.4 m bays with shared spaces of 1.2m between. In addition a 1.2m safety zone should be provided for boot access and cars with rear hoists. The 1.2m safety/unloading zone at the rear of the accessibility parking bays should not project into the 6m minimum width manoeuvring roadway in car parks, as this would expose disabled drivers to being reversed on within the 'safe zone'.

On-street parking bays should be 6.6m long with width of 3.6m and dropped kerb access at one end²⁰. Accessibility 'on street' parallel parking bays should allow for additional length for a tailgate/rear unloading ramp, with a drop kerb alongside. Scope for driver and passenger side unloading onto the pavement would mean a choice of bays being provided in an area.

Parking spaces for people with disabilities should be clearly marked, located as close as

possible to the main accessible entrance to the building and with level or ramped access from the bay to the entrance. Wherever possible this should be undercover.

Planning conditions may be attached to planning consents requiring active management of spaces to help prevent abuse.

Wherever possible, disabled bays should not be allocated to individual residences, but a pool of disabled parking bays should be available at each site for use by any Blue Badge-holding residents.



The cycle parking standards outlined are provided to make parking a bicycle at both its origin and destination convenient and secure, encouraging cycling and reducing the theft of bikes. This removes a barrier to cycling and thus supports the vision for cycling for Birmingham.

Like car parking, cycle parking should be designed into developments at an early stage. For employment sites, provision of other cycling facilities should also be made, such as lockers, showers, and changing rooms.

Cycle parking is specified for different users to cater for short and long stay usage. The former is provision for those visiting the site as customers or service users. Long stay cycle parking is relevant for employees or residents. In design terms, short stay cycle parking should focus on accessibility and convenience; for long stay parking, security, lighting, protection from the weather and potentially the proximity to different access points into the building are all important. Cycle parking should be located as prominently as possible within a development.

All new residential properties are required to provide appropriate cycle storage. This is to be within a structure with roof and lockable door. For houses, cycle storage may be provided in garages or other outbuildings at the front of the property. Storage in outbuildings at the rear of the property is acceptable subject to access to these buildings being achieved without the need to pass through the

dwelling. For apartments, secure, communal cycle shelters are to be provided. Buildings used for waste bins or plant are not acceptable for cycle storage without adequate clear separation of areas of use.

Larger residential properties are also required to provide short stay accessible, convenient and secure cycle parking for visitors and guests.

Design specifications and dimensions for cycle parking are set out the TFWM Cycle Design Guide²¹ and the emerging Design Guide SPD. The default type of cycle stand is the 'Sheffield' style stand. When correctly sited, one stand provides the required minimum of two cycle spaces.

Birmingham City Council will consider commuted sums for developers unable to satisfy the requirements and/or in situations where off-site unallocated provision of cycle parking, such as in the public footway, may better serve the needs of the site and wider community.

Scooter Provision for Primary Schools

Whilst not specified in the standards, it is recommended that primary schools provide scooter storage alongside

cycle storage. Scooter storage ensures that cycle racks do not get blocked with scooters. Adoption of active travel in early years promotes sustained healthy choices in later life.

Birmingham Cycle Hire

To support the provision of cycle hire locations for the forthcoming Transport for West Midlands Cycle Hire provider²² and facilitate easy access to the cycle hire scheme for visitors to the city, there will be specific cycle hire requirements that will apply to leisure centres, stadiums, cinemas and sports facilities. This will also apply to new hotels, boarding or guest houses above a threshold number of guest rooms. Other commercial sites in key locations/destinations may be required to consider the viability of cycle hire stand provision.

Standards for Electric and Low Emission Vehicles

All new developments must, as a minimum, meet the draft Department for Transport technical guidance requirements for Electric Vehicle (EV) charging²³ (see appendix A), or subsequent legislation as agreed following public consultation on the proposals.

Residential Charging Provision

Every new residential building with an associated car parking space must have at least one EV chargepoint. This applies to buildings undergoing material change of use to create a new dwelling.

Every residential building undergoing major renovation with more than 10 parking spaces must also have one chargepoint and cable routes for an electric vehicle chargepoint for one in five spaces.

Note: where no parking spaces are provided there is

no requirement to install an electric vehicle chargepoint.

For unallocated residential parking provided on-street, an assessment must be made in liaison with the network provider, to take account of existing chargepoint availability and whether this is appropriate provision for the likely demand generated by the development. Where further provision is required, a planning obligation will require the developer to work with the network provider to make satisfactory arrangements for this. The preferential provision for highway charging is rapid charging hubs. Where necessary, contributions will

be sought from the developer towards implementation.

Non-Residential Charging Provision

Non-residential developments with more than 10 parking spaces are subject to both active and passive provision requirements.

DfT Draft technical guidance states that new buildings other than dwellings, or major renovations for buildings, which have a minimum of 11 parking spaces, must provide a minimum of one EV chargepoint. In addition a minimum of one in every 5 spaces should have either an EV chargepoint or enabling



infrastructure for future EV chargepoint installation.

Where the Council's requirements for standard charging points are greater than the DfT draft technical guidance standards, these may potentially be reduced by the Council if charging points are upgraded to a 'rapid charge'. This will be subject to discussions with Planning and Transportation officers at Birmingham City Council. A management plan will be required to ensure that rapid charging spaces are available to a large number of users. The plan may include an enforced stay limit to ensure high turnover and low dwell times.

A general principle applies that a minimum of one chargepoint, or 5% of the chargepoints, whichever is greater, should be accessible to drivers with disabilities.

Where on-site provision of ULEV requirements is not achieved, a commuted sum payment towards public charging provision will be considered.

Technical requirements for EV chargepoints

Each electric vehicle chargepoint should meet all of the following:

- a. Be designed and installed in accordance with the appropriate parts of BSEN 61851.

- b. Have a minimum rated output of 7kw, measured or calculated at a nominal supply voltage of 230 VAC.
- c. Be fitted with a universal socket (known as an untethered electric vehicle chargepoint).
- d. Be fitted with a charging equipment status indicator using lights, LEDs or display.
- e. Provide a minimum of Mode 3 or equivalent.

For buildings other than dwellings, in addition to the above, each electric vehicle chargepoint should meet the requirements of [The Alternative Fuels Infrastructure Regulations 2017](#) ²⁴

Technical requirements for enabling infrastructure for EV chargepoints

Each parking space requiring enabling infrastructure should have an identified future connection location, suitable for use for electric vehicles with different charging inlet locations. In many cases the optimum position for a future connection location will be at one corner of the parking space.

A future connection location may serve more than one parking space provided that the enabling infrastructure is adequate for each space to be used simultaneously for recharging once the EV chargepoint infrastructure is installed.

Enabling infrastructure should be provided from a metered electricity supply point up to the future connection point and should include:

- a. Sufficient physical space for a new electrical connection at a metered supply point, such as a consumer unit or feeder pillar.
- b. A dedicated, safe, unobstructed route for electrical cabling from the electrical supply point to the future connection location (using electrical containment systems).
- c. A future connection location (as specified above), clearly identified and labelled/signed.
- d. Provisions to facilitate the safe installation of an EV chargepoint meeting the standards in BS 7671. This may require a suitable location to be identified for an earth electrode.

Standards for Car Club Provision

Car clubs have the potential to have a significant impact on reducing car ownership when provided within or close to residential developments, particularly in city centre locations where the density of potential users is high and the need to own and use a car on a regular or frequent basis may be low.

Birmingham has an assigned provider²⁵ for all highway car club bays and these operate under a 'return to base' model. This means hired vehicles must be returned to where they are collected from.

All residential developments over a threshold size will be required to provide a car club parking bay accessible to the

public, or commuted sums to enable provision on the highway.

Developers that are required to provide car club parking but can evidence that at least four accredited car club operators, that includes the City's main provider, have all declined to provide any cars for the site, due to adequate provision already in the area or poor

potential viability, will be able to waive this requirement. They will instead be subject to commuted sums to support existing car club provision. Outside central areas, the policy recognises that there may be less demand car clubs, and thus requirements are lower. In zone C the intent is that car clubs can reduce second and marginal car ownership.



Car club facilities should provide the following elements:

- Dedicated and convenient parking which is identified on submitted plans and managed according to the parking management plan.
- Vehicle parking that is always accessible and available to use by the wider public.
- Operation by an accredited car club provider (nationally recognised accreditation).
- Be in place and promoted to potential residents prior to occupation, ideally with a free initial membership deal.

Developments below the threshold for providing an on-site car club facility within the City Centre will be required to provide either;

- a contribution per dwelling towards community car club facilities; or
- a number of years' free membership to the nearest car club bay provider for all residents/occupiers.

Although there are no minimum standards applied to non-residential developments, it is recommended that all developments consider the

viability of car clubs and car share opportunities for staff and business use. In city centre locations residential and corporate car club provision can be complementary, with businesses utilising the service for fleet purposes during week days, and residential usage at evenings and weekends.



Standards for Car Parking

Residential Developments

Maximums and Minimums

All residential developments in Birmingham will be subject to maximum parking standards.

The maximums are set to ensure that developments continue to come forward with levels of parking provision that remain commensurate with the vision to reduce car dependency and thus exert some pressure on uncontrolled car ownership where appropriate.

In Zone A only disabled user car parking will be expected to be provided. There will be a preference for car free development unless there is a demonstration of clear need for car parking provision. The maximum provision would 1 space per 10 residential units.

In Zone C a minimum level of parking provision is also required. This minimum requirement is to reduce the level of overspill that any site may generate.

Minimum Unallocated Parking Standards

Unallocated parking is parking provided in a way that can be accessed and used by all those with legitimate purpose for being on the development site; residents and their visitors. It may be on-street or designed within the development for shared use. This is in contrast to allocated or on-plot parking that is by

virtue of being within a residential curtilage, only for use by the tenant or owner of that specific property.

Evidence shows that parking provision can be reduced to less than 75% where it is unallocated rather than allocated.

From a strategic perspective, retention of a significant parking provision on-street or in unallocated spaces means that there is some flexibility in the future for space to be re-

purposed should the needs of the community change.

Providing minimum unallocated parking for developments on a footprint suitable for only one or two dwellings may be problematic and not conducive to good design. For such developments below a threshold size the minimum parking requirement must be provided, but it may be unallocated or allocated.

The forthcoming Birmingham Design Guide SPD will support



delivery of schemes with a significant provision of unallocated parking.

Sites Unable to provide minimum requirements

In areas where provision of parking on the site is inconsistent with the design or layout, or for other cases where on-site provision is unfavourable, Birmingham City will consider the use of commuted sums such or other measures to mitigate the effect of parking demand generated.

Garages

Garages will only be accepted as contributing towards parking provision for development if they have adequate functional space. As a minimum, garages should measure 6 metres by 3 metres, or 7 metres by 3.3 metres to include cycle storage as well.

Houses in Multiple Occupation (HMOs)

Provision of 0.5 parking spaces per bedroom will be sought for HMOs in Zones B and C. This level of provision acknowledges that HMOs tend to attract occupiers with lower-than-average levels of car ownership compared to the general population. However parking demand will vary depending on location and variations to this level of provision will be considered on a case by case basis.

The Council will determine whether the proposed use will generate a greater parking demand or vehicle trips than the existing use. Where it would significantly add to local

parking pressures, there should be off-street parking provided or a proposal could be refused.

Tandem off-street parking bays are not acceptable for HMOs, as they are difficult to manage for occupants who are not related.

The provision of off-street parking through the replacement of traditional front gardens with open hard standing and the removal of front and side boundary walls will be resisted. Removal of these elements can negatively impact on existing character of the street and, in some cases exacerbate localised flooding.

Commuted sums for parking control or other measures to mitigate the effect of parking demand generated will be considered for developments that do not satisfy requirements.

New HMO developments in zone A should only provide parking for disabled residents. As per Controlled Parking principle 6 (page 21) in this document, new HMO developments in the city centre will be excluded from residents' parking schemes; residents or tenants will not be eligible for on-street parking permits.

Student Accommodation

Student accommodation proposals should not include parking for residents except for disabled parking for residents and visitors. In outer zones, clear need for parking

provision must be demonstrated.

Accommodation providers should also strongly discourage students from bringing their cars to the city for the duration of their academic studies through code of conduct agreements and travel plans.

Mixed Use Developments

Where development includes both residential and other uses, consideration should be given to how parking spaces can be shared between uses, particularly where the non-residential use is more likely to attract the need for parking during the day. A parking management plan may be required to demonstrate how these shared spaces will be managed.

Standards for Parking

Non-Residential Developments

All non-residential car parking standards are expressed as maximums, unless otherwise stated.

Places of Worship

Places of Worship can generate a high level of short-term demand. Some places of

worship will draw users from a very local area and generate only limited car-based demand. Others may have a much more substantial hinterland leading to a greater volume and car mode share.

The policy applied for Birmingham City Council for this land use is that parking maximums will apply to places of worship for any on-plot

provision. It will however be a requirement that applicants can demonstrate adequate parking capacity, available at the typical times of worship, within an 800 metre walk distance of the place of worship, for the expected car-based demand. Appropriate travel planning mechanisms should be in place to reduce demand for car travel wherever possible.

Applicants will be required to undertake surveys to an agreed specification and produce evidence to satisfy this requirement. Where adequate parking capacity is demonstrably unavailable locally, maximum parking standards for on-plot provision may be reviewed. This would be with an expectation that more extensive parking provision can be used by the wider community to make efficient use of space.



A number of land uses are subject to other parking provision requirements. These consist of operational, servicing and specific service user needs to ensure parking provision is suitable for planned use.

Operational Parking

Operational parking is specifically identified as that required for the purposes of the site to conduct the business or service operated. This may be space for:

- Vehicles that are used by staff to perform the task (cars used by estate agents to visit properties or those used by restaurants to deliver takeaway food).
- The delivery of goods.
- Storage of vehicles that are being serviced or repaired (such as at a garage/MOT centre).

While it is recognised that parking may be a requirement for a business to attract and support customers, operational parking excludes parking for patrons, visitors or service users. Furthermore, operational parking is not parking provided for employees unless the vehicle is substantively used by that employee in the course of their day-to-day business.

Servicing (replenishment/waste extraction)

The servicing of a development is a key component to ensure that it operates in a safe and sustainable manner. Minimum requirements are included for different land uses. These may be supplemented subject to the specifics of the development.

Access Requirements for Service Users

There are also a number of instances where access to the site by patrons or service users can present highway safety and congestion issues if the site does not have use of suitable short-term parking for users. Clear examples of this are crèches and nurseries, takeaway food providers and ATMs.

Consistent with the overall policy approach that developments will not have minimums applied to provide additional parking capacity for patrons or employees, it will not be expected or permissible for this parking to be provided outside the maximum levels allowed for the development. It will be a requirement that the site can demonstrate that at the times



required, such short-term parking is available for its users in sufficient quantity and within an acceptable distance of the development.

This short-term parking may necessarily be on-street (and thus not part of any provision with the development) or off-street parking, where at the times required, it will be available for use. It will be the responsibility of the applicant to demonstrate the suitability and availability of this short-term parking at the times it will be required. These conditions are included as part of the Other Requirements in Appendix A.

Service User Access Requirements by Non-Car Modes

The standards employed have introduced requirements for bus/coach drop off and other bus-based transport users for some land uses. A key requirement for many developments will be a larger parking bay close to the entrance for use by special needs transport. These are included within the Other Requirements as good practice to improve the safety and convenience of those using coach or bus to reach the development.

Developer Contributions

In appropriate cases, the City Council will also seek contributions from new developments through S106 agreements or Community Infrastructure Levy.

Infrastructure resulting from these contributions should be provided in a timely manner, to meet the first occupation of a site in order to influence travel behaviour from the earliest opportunity.



APPENDIX A

Parking Standards Tables

A Class Land Uses

Land Use	Parking Type	Zone A	Zone B	Zone C
A1 Shops (Convenience/ Food Retail) Up to 1000m ²	Car parking (maximum)	Disabled user car parking only	1 space per 28 m ²	1 space per 15m ²
	Bicycle Spaces	Staff: 1 space per 10 staff (long stay) Customer: 1 space per 125m ² (short stay) Minimum of 2 spaces		
	Disabled User Parking	Minimum of 1 space or 6% of total.		
	Motorcycle spaces	Minimum of 1 space		
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers		
	Other requirements	Servicing: over 250m ² , identification of adequate loading space for size of operation		
A1 Shops (Convenience/ Food Retail) Over 1000m ²	Car parking (maximum)	Disabled user car parking only	1 space per 30 m ²	1 space per 20m ²
	Bicycle Spaces	Staff: 1 space per 10 staff (long stay) Customer: 1 space per 250m ² (short stay) Minimum of 2 spaces		
	Disabled User Parking	Up to 200 bays: Minimum of 1 space or 6% of total. Over 200 bays: 12 bays plus 4%		
	Motorcycle spaces	1 space per 400m ² . Minimum of 1 space		
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers		
	Other requirements	Service User: Larger Parking bay for Ring and Ride and special needs transport close to entrance. Family Parking Spaces should be available (zones B and C). Servicing: Over 1000m ² , one 3.5m x 26.5m bay and associated off-street manoeuvring space.		
A1 Shops (Comparison/ Non-Food Retail)	Car parking (maximum)	Disabled user car parking only	1 space per 40 m ²	1 space per 30m ²
	Bicycle Spaces	Staff: 1 space per 10 staff (long stay) Customer: 1 space per 250m ² (short stay) Minimum of 2 spaces		
	Disabled User Parking	Up to 200 bays: Minimum of 1 space or 6% of total. Over 200 bays: 12 bays plus 4%		
	Motorcycle spaces	1 space per 400m ² Minimum of 1 space		
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers		
	Other requirements	Servicing: 3.5m x 26.5m loading bay and associated off- street manoeuvring space.		

Land Use	Parking Type	Zone A	Zone B	Zone C
A2 Financial and Professional services (Banks, Estate Agents, Building Societies)	Car parking (maximum)	Disabled user car parking only	1 space per 60m ²	1 space per 30m ²
	Bicycle Spaces	Staff: 1 space per 10 staff (long stay) Customer: 1 space per 150m ² (short stay) Minimum of 2 spaces		
	Disabled User Parking (minimum)	Minimum of 1 space or 6% of total capacity, whichever is greater.		
	Motorcycle spaces	Over 10 staff, minimum of 1 space		
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers		
A3 Food and Drink (Restaurants, Cafes, snack bars) A4 Drinking Establishments/ Public Houses	Car parking	Disabled user car parking only	1 space per 20 m ²	1 space per 10m ²
	Bicycle Spaces	Staff: 1 space per 10 staff (long stay) Customer: 1 space per 200m ² (short stay) Minimum of 2 spaces		
	Disabled User Parking (minimum)	Minimum of 1 space or 6% of total capacity, whichever is greater.		
	Motorcycle spaces	Over 10 staff, minimum of 1 space		
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers		
	Other requirements	Operational – demonstration of adequate space to operate delivery fleet		
A5 Hot Food Takeaways	Car parking	Disabled user car parking only	1 space per 35m ²	1 space per 20m ²
	Bicycle Spaces	Staff: 1 space per 10 staff (long stay) Customer: 1 space per 200m ² (short stay) Minimum of 2 spaces		
	Disabled User Parking (minimum)	Minimum of 1 space or 6% of total capacity, whichever is greater.		
	Motorcycle spaces	Over 10 staff, minimum of 1 space		
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers		
	Other requirements	Operational – demonstration of adequate space to operate delivery fleet		

B Class Land Uses

Land Use	Parking Type	Zone A	Zone B	Zone C
B1 Office	Car parking (maximum)	Disabled user car parking only	1 space per 60m²	1 space per 40m²
	Electric Vehicle Charging	10% (minimum 1) of disabled user bays to be EVCP	Over 10 parking bays: Min 1 EVCP plus EVCP or passive provision for every 1 in 5 bays. 5% EVCP (min 1) to be accessible to disabled drivers	
	Bicycle Spaces	Staff: 1 space per 10 staff (long stay) Visitor: 1 space per 400m² (short stay) Minimum of 2 spaces Showers and changing facilities should be provided for all office developments of 600m² and above.		
	Disabled User Parking	1 space per disabled employee, where known. Plus 1 space or 5% of total capacity, whichever is greater Over 200 parking bays: 6 bays plus 2% of total capacity		
	Motorcycle spaces	Minimum of 1 space or 2% of total capacity, whichever is greater.		
	Car Club	Consider viability of a car club scheme for staff/ business use, particularly in Zone A		
B2 General Industry and Warehousing	Car parking (maximum)	Disabled user car parking only	1 space per 120m²	1 space per 60m²
	Electric Vehicle Charging	10% (minimum 1) of disabled user bays to be EVCP	Over 10 parking bays: Min 1 EVCP plus EVCP or passive provision for every 1 in 5 bays. 5% EVCP (min 1) to be accessible to disabled drivers	
	Bicycle Spaces	1 space per 10 staff Minimum of 2 spaces Showers and changing facilities should be provided for all developments with 40 or more staff.		
	Disabled User Parking	1 space per disabled employee, where known. Plus 1 space or 5% of total capacity, whichever is greater Over 200 parking bays: 6 bays plus 2% of total capacity		
	Motorcycle spaces	Minimum of 1 space or 2% of total capacity, whichever is greater.		
	Other Requirements	Appropriate provision for HGVs/ Lorries/ Freight, including overnight parking facilities where necessary. Vehicle maintenance/ repair/ tyre and exhaust fitting: must have adequate on-site provision for all vehicles (min 4 spaces per working bay)		

Land Use	Parking Type	Zone A	Zone B	Zone C
B8 Storage and Distribution	Car parking (maximum)	Disabled user car parking only	1 space per 150m ²	1 space per 60m ²
	Electric Vehicle Charging	10% (minimum 1) of disabled user bays to be EVCP	Over 10 parking bays: Min 1 EVCP plus EVCP or passive provision for every 1 in 5 bays. 5% EVCP (min 1) to be accessible to disabled drivers	
	Bicycle Spaces	1 space per 10 staff Minimum of 2 spaces Showers and changing facilities should be provided for all developments with 40 or more staff.		
	Disabled User Parking	1 space per disabled employee, where known. Plus 1 space or 5% of total capacity, whichever is greater Over 200 parking bays: 6 bays plus 2% of total capacity		
	Motorcycle spaces	Minimum of 1 space or 2% of total capacity, whichever is greater.		
	Other Requirements	Appropriate provision for HGVs/ Lorries/ Freight, including overnight parking facilities where necessary.		

C Class Land Uses

Land Use	Parking Type	Zone A	Zone B	Zone C
C1 Hotels Hotels, boarding and guest houses	Car parking (maximum)	Disabled user car parking only. (1 space per 10 beds where clear need for provision can be demonstrated)	Under 50 bed spaces: 1 per 4 beds Over 50 bed spaces: 1 per 6 beds	Under 50 bed spaces: 1 per 2 beds Over 50 bed spaces: 1 per 3 beds
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers.		
	Bicycle Spaces	Staff and guests: 1 space per 10 bed spaces (long stay) Minimum of 2 spaces For establishments with event/conference facilities provision should be made for visitor spaces at 5% of visitor capacity.		
	Disabled User Parking (minimum)	1 space per disabled employee, where known. Plus 1 space or 6% of total capacity, whichever is greater Over 200 parking bays: 6 bays plus 2% of total capacity.		
	Motorcycle spaces	Minimum of 1 space or 2% of total capacity, whichever is greater.		
	Other requirements	Must consider viability of TFWM cycle hire provision. Larger parking bay for special needs transport close to entrance. Adequate taxi pick up and drop off. Over 50 bed spaces: min 1 coach drop-off.		
C2 Residential Institutions - Residential Care homes, Nursing homes	Car parking (maximum)	1 per 2 staff	1 per 2 staff Visitors – 1 space per 8 residents	
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP plus EVCP or passive provision for every 1 in 5 bays. 5% EVCP (min 1) to be accessible to disabled drivers.		
	Bicycle Spaces	Staff: 1 per 10 staff (long stay) Visitor: 1 per 20 bed spaces (short stay) Minimum of 2 spaces		
	Disabled User Parking (minimum)	1 space or 6% of total capacity, whichever is greater. Over 200 parking bays: 6 bays plus 2% of total capacity.		
	Motorcycle spaces	Minimum of 1 space or 2% of total capacity, whichever is greater.		
NB – C2 Hospitals and C2A Secure Residential Institutions – Assessed on own merits				

Land Use	Parking Type	Zone A	Zone B	Zone C
C3 Dwelling Houses	Car parking Maximum spaces per dwelling (allocated plus unallocated parking must not exceed this value)	Disabled user parking only (or 1 space per 10 residential units where clear need can be demonstrated)	1 bed: 0.8 space	1 bed: 1 space
			2 bed: 1 space	2 bed: 1.4 spaces
			3 bed: 1.3 spaces	3 bed: 2.5 spaces
			4 + bed: 1.6 spaces	4 + bed: 3 spaces
		To include unallocated as below		
	Car Parking Unallocated Requirement (minimum)	None	None	1 bed: 0.4 spaces
				2 bed: 0.6 spaces
				3 bed: 0.7 spaces
				4 + bed: 0.8 spaces
				1 bed: 1 space
	Car Club	5 to 50 units: 2 years membership to the nearest car club bay provider (1 per unit) upon occupation. Between 51- 300 units: 1 car club bay per 50 units. 1 car club bay per each subsequent 500 units.	Between 100 – 300 units, 1 car club bay per 50 units. 1 car club bay per each subsequent 500 units.	Over 300 dwellings: 2 car club bays per 300 units.
	Electric Vehicle Charging	All car parking spaces to be active Electric Vehicle Charging Point (EVCP).	Allocated parking: 1 Active EVCP per dwelling with an associated parking space. Unallocated parking off street: 5 parking spaces or more: 20% active EVCP provision. Passive capacity for all spaces. Unallocated parking on street: Subject to EV Network Charging requirements.	
	Bicycle Spaces	Housing: One secure, covered cycle storage space per bedroom. Flats/apartments: 1 secure, covered cycle storage space per unit, plus 1 visitor space (short stay) per 10 units.		
	Disabled User Parking (minimum)	1 space per wheelchair accessible unit. Flats/ apartments: 1 space per wheelchair accessible unit plus 1 space or 5% of total units, whichever is greater.		
	Motorcycle spaces	Flats/apartments: 1 space per 20 units.		

C Class Land Uses (continued...)

Land Use	Parking Type	Zone A	Zone B	Zone C
C3 Purpose Built Student Accommodation	Car parking (maximum)	Provision for disabled user parking only	1 space per 10 bedrooms where clear need for provision can be demonstrated, unallocated parking only	1 space per 3 bedrooms where clear need for provision can be demonstrated, unallocated parking only
	Electric Vehicle Charging	Allocated parking: 1 Active EVCP per dwelling Unallocated parking off street: Over 10 parking spaces: EVCP or passive provision for each space.		
	Bicycle Spaces	1 secure, covered cycle storage space per unit, plus 1 visitor space (short stay) per 20 units.		
	Disabled User Parking (minimum)	1 space per wheelchair accessible unit plus 1 space or 5% of total units, whichever is greater		
	Motorcycle spaces	1 space per 20 units.		
	Other requirements	Sufficient space for drop off and pick up/ moving. Timed management arrangements for student moving days.		
C4 Houses in Multiple Occupancy (HMO) And Sui Generis HMOs	Car parking	Provision for disabled user parking only	0.5 unallocated spaces per bedroom generally sought. Alternative provision levels considered on a case by case basis.	
	Electric Vehicle Charging	Allocated parking: 1 Active EVCP per dwelling Unallocated parking off street: Over 10 parking spaces: EVCP or passive provision for each space.		
	Bicycle Spaces	1 secure, covered cycle storage space per bedroom.		
	Disabled User Parking (minimum)	1 space per wheelchair accessible unit plus 1 space or 5% of total units, whichever is greater		
	Other requirements	Sufficient space for drop off and pick up/ moving.		

Land Use	Parking Type	Zone A	Zone B	Zone C
D1 Clinics and Health Centres	Car parking (maximum)	4 spaces per consulting room and 1 per treatment room	4 spaces per consulting room and 1 per treatment room	4 spaces per consulting room and 1 per treatment room
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers.		
	Bicycle Spaces	Staff: 1 space per 10 staff (long stay) Visitor: 1 space per 20 people expected to use the facility at any one time (short stay) Minimum of 2 spaces		
	Disabled User Parking (minimum)	1 space per disabled employee, where known. Plus 1 space or 6% of total capacity, whichever is greater Over 200 parking bays: 12 bays plus 4% of total capacity		
	Motorcycle Spaces	2% of total capacity (min 1).		
	Other requirements	Larger parking bay(s) for special needs transport or ambulance close to entrance.		
D1 Crèches, Day Nurseries, Day Centres and Madrassahs	Car parking (maximum)	1 per 8 pupils	1 per 8 pupils	1 per 8 pupils
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers.		
	Bicycle Spaces	Staff: 1 space per 20 staff Visitor: 1 space per 100 pupils Minimum of 2 spaces		
	Disabled User Parking (minimum)	1 space per disabled employee, where known. Plus 1 space or 6% of total capacity, whichever is greater Over 200 parking bays: 12 bays plus 4% of total capacity		
	Motorcycle Spaces	2% of total capacity (min 1).		
	Other requirements	Demonstrable available short term parking space within 100 metres for 1 car per 5 pupils. Provision should be made for buggy storage.		

D Class Land Uses (continued...)

Land Use	Parking Type	Zone A	Zone B	Zone C
D1 Educational Establishments Primary, Infant and Junior Schools, Secondary and 6 th form Schools/ Colleges	Car parking (maximum)	Staff: 1 per 4 staff Visitors: additional 10% of staff parking	Staff: 1 per 2 staff Visitors: additional 10% of staff parking	Staff: 1 per 2 staff Visitors: additional 10% of staff parking
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers.		
	Bicycle Spaces	Staff: 1 space per 20 staff Pupils: 1 space per 20 pupils Visitor: 1 space per 100 pupils Minimum of 2 spaces		
	Disabled User Parking (minimum)	1 space per disabled employee, where known. Plus 1 space or 6% of total capacity, whichever is greater Over 200 parking bays: 12 bays plus 4% of total capacity		
	Motorcycle Spaces	2% of total capacity (min 1).		
	Other requirements	Provision for SEN transport. Primary: Space for min 1 coach. Provision for scooter storage. Secondary: Space for min 2 coaches		
D1 Educational Establishments Higher and further education	Car parking (maximum)	Provision for disabled user parking only	Staff: 1 per 2 staff Visitors: additional 10% of staff parking	Staff: 1 per 2 staff Visitors: additional 10% of staff parking
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers.		
	Bicycle Spaces	Staff: 1 space per 20 staff Pupils: 1 space per 20 pupils Visitor: 1 space per 100 pupils Minimum of 2 spaces		
	Disabled User Parking (minimum)	1 space per disabled employee, where known. Plus 1 space or 6% of total capacity, whichever is greater Over 200 parking bays: 12 bays plus 4% of total capacity		
	Motorcycle Spaces	Minimum of 1 space or 2% of total capacity.		
	Other requirements	Space for 1 coach. Provision for SEN transport.		

Land Use	Parking Type	Zone A	Zone B	Zone C
D1 Halls and Places of Worship	Car parking (maximum)	Provision for disabled user parking only	1 space per 15 m ²	1 space per 10m ²
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers.		
	Bicycle Spaces	Staff: 1 space per 10 staff Visitor: 1 space per 20 people expected to use the facility at any one time (typical peak occupancy). Minimum 2 spaces		
	Disabled User Parking (minimum)	1 space per disabled employee, where known. Plus 3 spaces or 6% of total capacity, whichever is greater Over 200 parking bays: 12 bays plus 4% of total capacity		
	Motorcycle Spaces	1 space per 50 seats (min 1)		
	Other requirements	Provision for Special Needs transport, parking and loading within the site.		
D2 Assembly and Leisure Cinemas, Bingo, Casinos, Conference Centre, Music and Concert Halls, Theatres	Car parking (maximum)	1 space per 20 seats	1 space per 10 seats	1 space per 4 seats
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers.		
	Bicycle Spaces	Staff: 1 space per 10 staff Visitor: 1 space per 20 people expected to use the facility at any one time (typical peak occupancy) Minimum of 2 spaces		
	Disabled User Parking (minimum)	1 space per disabled employee, where known. Plus 3 spaces or 6% of total capacity, whichever is greater Over 200 parking bays: 12 bays plus 4% of total capacity		
	Motorcycle Spaces	2% typical peak occupancy (min 1)		
	Other requirements	Where appropriate, adequate provision for coach drop off and HGV loading bays provided. Must consider viability of TFWM cycle hire provision.		
D2 Swimming Pools, Leisure centres, Gyms and Sports Centres	Car parking (maximum)	Disabled user parking only	1 space per 35m ²	1 space per 25m ²
	Electric Vehicle Charging	Over 10 parking bays: Min 1 EVCP Plus EVCP or passive provision for every 1 in 5 bays 5% EVCP (min 1) to be accessible to disabled drivers.		
	Bicycle Spaces	Staff: 1 space per 10 staff Visitor: 1 space per 15 people expected to use the facility at any one time (typical peak occupancy) Minimum of 2 spaces		
	Disabled User Parking (minimum)	1 space per disabled employee, where known. Plus 3 spaces or 6% of total capacity, whichever is greater Over 200 parking bays: 12 bays plus 4% of total capacity		
	Motorcycle Spaces	2% typical peak occupancy (min 1)		
	Other requirements	Adequate provision for coach drop off Must consider viability of TFWM cycle hire provision.		

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Title of proposed EIA	Public Consultation on Parking Supplementary Planning Document
Reference No	EQUA281
EA is in support of	New Policy
Review Frequency	Two Years
Date of first review	28/03/2020
Directorate	Inclusive Growth
Division	Planning
Service Area	Transport Policy
Responsible Officer(s)	■ Naomi R Coleman
Quality Control Officer(s)	■ Janet L Hinks
Accountable Officer(s)	■ Uyen-Phan Han
Purpose of proposal	To seek approval for public consultation on the Draft Birmingham Parking Supplementary Planning Document (SPD)
Data sources	Survey(s); Interviews; relevant reports/strategies; Statistical Database (please specify); Other (please specify)
Please include any other sources of data	
ASSESS THE POTENTIAL IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Not Applicable
Age details:	
Protected characteristic: Disability	Wider Community
Disability details:	<p>The Draft SPD includes a number of guidelines which will be beneficial to people with a disability. These include clear standards for disabled parking provision in all new developments.</p> <p>It is recognised that the wider parking strategy, which includes support for city centre pedestrianisation proposals and parking removal for transport infrastructure, may result in the removal of some disabled parking bays. To mitigate this the SPD includes a commitment to seek increased provision elsewhere in the city centre. Opportunities will</p>

also be sought to provide increased seating and resting facilities for those with limited mobility. Any new developments or projects which may be delivered in future as a result of the Parking SPD guidance will be subject to further equality analysis and relevant governance and consultation processes.

Whilst recognising potential future equality implications of the Draft SPD, this Equality Analysis concerns the decision to approve public consultation on the document. This will allow for engagement with relevant stakeholders which will be taken into account in the final version of the SPD.

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.

A comprehensive public consultation process will take place to ensure that stakeholders representing the needs of different age groups and different types of disability are engaged and their views are taken into account for the final version of the strategy.

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?

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

What data is required in the future?

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

It is broadly felt that the impact of the draft Parking Supplementary Planning Document on those with protected characteristics, in particular those with a disability, will be positive. The guidance in the draft document requires all new developments to provide adequate parking for people with disabilities that is easy-to-use and convenient. It includes guidance to mitigate the impacts of any scheme which may result in the removal of disabled parking. Any new developments or projects which may be delivered in future as a result of the Parking SPD guidance will be subject to further equality analysis and relevant governance and consultation processes.

It should be noted that the decision of the Cabinet at this stage is to approve the public consultation on the Draft Parking Supplementary Planning Document . This will allow for further feedback from stakeholders regarding equality impacts which will be taken into account in the final version of the strategy.

Consultation will be carried out in accordance with the adopted Birmingham Statement of Community Involvement 2008 and the draft Statement of Community Involvement 2019. The approach to public consultation will ensure that protected characteristics are fully considered and the views of groups representing age and disability

characteristics are included. Relevant organisations with an interest in equalities will be consulted.

An engagement strategy has been developed to set out how the public consultation will be carried out on the Draft SPD. This will meet the requirements of the relevant regulations and guidance. The broad range of specific and general stakeholders will be informed about the draft strategy and invited to comment. Consultation methods will include letters, emails, a press release, social media publicity and a Be Heard consultation site for feedback. Meetings will be offered/ carried out with key stakeholders. The general public will be able to discuss the SPD face-to-face at public events.

Consulted People or Groups

Informed People or Groups

Summary and evidence of findings from your EIA

A full assessment is not required at this stage, however the results of the public consultation on the draft document will be used to update the Equalities Analysis and inform the final SPD when it is adopted by the Cabinet (scheduled for Spring 2020).

QUALITY CONTROL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Proceed to Approving Officer
8.10.19

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

03/10/2019

Reasons for approval or rejection

Approved 3/10/19

Please print and save a PDF copy for your records

Yes

Content Type: Item
Version: 48.0

Created at 28/03/2019 12:43 PM by  Naomi R Coleman

Last modified at 10/10/2019 10:17 AM by Workflow on behalf of  Naomi R Coleman

Close

Birmingham City Council

Report to Cabinet

29th October 2019



Subject: PUBLIC CONSULTATION ON THE PUBLICATION OF THE 'DEVELOPMENT MANAGEMENT IN BIRMINGHAM' DEVELOPMENT PLAN DOCUMENT

Report of: DIRECTOR, INCLUSIVE GROWTH

Relevant Cabinet Member: Councillor Ian Ward, Leader of the Council

Relevant O &S Chair: Councillor Tahir Ali, Economy and Skills
Councillor Liz Clements, Transport and Environment

Report author: Uyen-Phan Han, Planning Policy Manager
Telephone No: 0121 303 2765
Email Address: uyen-phan.han@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: 006883/2019		
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 To seek authority to undertake public consultation on the Publication version of the 'Development Management in Birmingham' Development Plan Document (DMB) for a period of 6 weeks starting on 11th November 2019.
- 1.2 To report on the outcome of the previous consultation (Preferred Options) undertaken in January – March 2018 and the key changes made to the document. To set out the next steps following consultation on the Publication version.

2 Recommendations

- 2.1 Approves the DMB Publication document including the accompanying Sustainability Appraisal (attached at Appendices 1 and 2) for public consultation commencing 11th November 2019 for a period of 6 weeks.

3 Background

- 3.1 The DMB, when adopted, will support the Birmingham Development Plan (2017) (BDP) by setting out non-strategic planning policies for the determination of planning applications. It will replace the existing policies of the Birmingham Unitary Development Plan (2005) (UDP) and be one of the Council's key planning policy documents alongside the BDP.

- 3.2 This current consultation stage (Publication) is the final draft version of the DMB and has been developed having regard to comments received during earlier consultation stages - Issues and Options held in October – November 2015 and Preferred Options carried out in January – March 2019. The outcome of most recent consultation (Preferred Options) is set out in the Consultation Statement (Appendix 4). The Consultation Statement contains details on the engagement that was carried out, the main issues raised and how they have been addressed in the Publication version. In summary, there were approximately 69 respondents providing about 650 different comments on the draft policies in the Preferred Options document. Overall there was general support for all the policy topics covered in the DMB but detailed comments on the content and wording of the policies. The key responses were:

- Policy DM6 'Noise and vibration' and DM5 'Light pollution' to be more aligned with the approach in the National Planning Policy Framework
- Need to strengthen Policy DM9 'Day nurseries and early years provision' in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space.
- Support for Policy DM11 'Houses in Multiple Occupation and other non-family residential uses' with suggestions on how the policy could be strengthened.
- Some objections to the use of the nationally described Space Standards and Part M4(2) Accessible and Adaptable Standard for housing from developers with suggestions of more evidence required to justify the approach.

- 3.3 The comments were analysed and considered in the preparation of the Publication version, which has led to some changes to the draft policies. In summary these changes include:

- Amendments to 'Policy DM6 Noise and vibration' and DM5 'Light pollution' to be more aligned with the approach in the National Planning Policy Framework.

- Additional criteria added to 'Policy DM9 Day Nurseries and early years' provision in relation to impact on 'local amenity, parking, public and highway safety'.
- Splitting of previous policy on 'Houses in Multiple Occupation and other non-family residential uses' into two separate policies – DM11 'Houses in Multiple Occupation' and DM12 'Residential Conversions and Specialist Accommodation'.
- Detail added to DM11 Houses in Multiple Occupation in relation to minimum space standards and provision of an adequate living environment
- Detail added to DM12 Residential conversions and specialist accommodation to clarify policy
- Policy DM8 'Places of worship and faith related community uses' has been simplified.
- Revision of Appendix 4 - Monitoring Framework
- Detailed wording changes to: DM1 Air quality, DM2 Amenity, DM3 Contaminated Land, DM4 Landscape and Trees, DM5 Light pollution, DM6 Noise and Vibration, DM7 Advertisements, DM14 Highway safety and access, DM15 Parking and servicing, and DM16 Telecommunications.

3.4 Consultation will commence on 11th November 2019 for a period of 6 weeks. Its purpose is to invite comments on the final Publication version. Following consultation, a report will be brought back to Cabinet and Full Council to seek approval for its submission (along with supporting evidence and any representations made) to the Secretary of State for Housing, Communities and Local Government for an examination in public. A planning inspector will be appointed to carry out the examination and, if found sound, the DMB can then be adopted by the Council.

3.5 The Publication document is accompanied by a Sustainability Appraisal (SA) (Appendix 2) which assesses the policies within the DMB to ensure they have a positive impact on social, economic and environmental factors. An Equality Impact Analysis has also been carried out and is attached as Appendix 3.

4 Options considered and Recommended Proposal

- 4.1 Do Nothing: Do not consult on the Publication document. This would delay having up to date development management policies in place to help determine planning applications.
- 4.2 Based on the evidence assembled, it is considered that the approach contained in the Publication document is the most appropriate. The recommended proposal is to proceed with consulting on the Publication document.

5 Consultation

- 5.1 The launch of the public consultation on the DMB document will be the start of external consultation on the Publication version. This is the final consultation stage

for the DMB having previously been subject to initial public consultation in 2015 and consultation on Preferred Options earlier in 2019, which has helped to formulate the Publication version of the document now being considered. Public consultation will take place following Cabinet approval. The consultation process will be in accordance with the Council's adopted Statement of Community Involvement, under the provisions of the Planning and Compulsory Purchase Act 2004, and the revised procedures required by the Town and Country Planning (Local Planning) (England) Regulations 2012.

- 5.2 The consultation document and relevant material will be published online and all those on the Planning Policy Consultation Database will be notified. All representations received will be submitted, alongside the DMB, to the Secretary of State for Housing, Communities and Local Government for examination.

6 Risk Management

- 6.1 The programme for completion and adoption of the DMB allows flexibility to account for any potential issues. This allows time for discussion with stakeholders and for issues to be addressed, as well as the processing of any comments made.
- 6.2 Other risks are addressed elsewhere in this report, including Section 4 on the risks of not having the DMB, and section 7.3 on the financial implications.

7 Compliance Issues:

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

- 7.1.1 The DMB is consistent with the Council Plan 2018-2022 which has been refreshed in 2019 and in particular the outcome; Birmingham is an Entrepreneurial City to learn, work and invest in by providing up to date policies against which planning applications for development will be assessed.

7.2 Legal Implications

- 7.2.1 The preparation of the DMB is being carried out in accordance with the Planning and Compulsory Purchase Act 2004 and is prescribed under Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012. Once adopted, it will replace the content of Chapter 8 of the Birmingham UDP 2005.

7.3 Financial Implications

- 7.3.1 The DMB and Sustainability Appraisal have been prepared using existing Inclusive Growth Directorate (Planning and Development) staff resources and specialist external consultants funded from existing approved revenue budgets to prepare specific evidence in support of the DMB. Following this consultation, subsequent stages in the adoption of the DMB will be met

from the Planning and Development revenue budget for 2019/20. There are no additional financial implications to the City Council from the production of the DMB.

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 The DMB is being prepared in line with Section 149 of the Equality Act 2010 in ensuring that public bodies in the exercise of their functions have due regard to and consider the needs of all individuals in shaping policy. Preparation of the DMB document includes the carrying out of an integrated Sustainability Appraisal (Appendix 2) at each formal stage which ensures positive social, economic and environmental impacts as well as an Equality Impact Analysis (Appendix 3).

8 Appendices

- Appendix 1 - Development Management in Birmingham DPD (DMB) (Publication) Consultation Document
- Appendix 2 – Interim Sustainability Appraisal (SA) for the Development Management in Birmingham DPD (DMB) (Publication) Consultation Document
- Appendix 3 – Equality Impact Analysis
- Appendix 4 - Consultation Statement

9 Background Documents

- 9.1 Development Management Development Plan Document: Public Consultation – Cabinet report dated 27th July 2015
- 9.2 Public Consultation on the ‘Development Management in Birmingham’ Development Plan Document - Cabinet Report 22nd January 2019.



DEVELOPMENT MANAGEMENT IN BIRMINGHAM

Publication version (Regulation 19)

October 2019

Birmingham Local Plan

Development Management in Birmingham Development Plan Document

Publication version (Regulation 19)

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How to respond to the consultation

Birmingham City Council has prepared the Development Management in Birmingham (DMB) (Development Plan Document) Publication Document, which it proposes to submit to the Secretary of State, under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012). It will then be assessed by an appointed planning inspector via an Examination in Public. In the meantime, the DMB and its supporting documents are being made available for public inspection providing people with the opportunity to make representations for consideration by the planning inspector.

Consultation period

There is a statutory requirement to provide a minimum 6 week consultation period to enable the submission of representations. This period will commence Monday 11th November 2019 and end on Monday 23rd December 2019. Representations received after this date will not be accepted.

Comments received during previous consultation periods will be summarised in a Consultation Statement which will be submitted to the planning inspector.

Submitting representations

Representations can be submitted by way of a completing a representation form online through our website or by email at:

- Email: planningstrategy@birmingham.gov.uk
- Online: www.birmingham.gov.uk/DMB

Paper copies of the form will be provided on request and can be sent to this address:

- Write: Planning and Development, 1 Lancaster Circus, Birmingham, B11TU.

All representations will be submitted directly to the independent planning inspector for consideration as part of the examination process.

The planning inspector will consider representations made in relation to the legal tests that underpin the Examination in Public.

At this stage of the plan's preparation, the consultation is primarily concerned with the 'soundness' of the document. A sound plan must be:

Positively prepared - it must be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements;

Justified – it should be based on robust evidence and should be the most appropriate strategy when considered against reasonable alternatives;

Effective - it should be deliverable over the plan period and be based on effective joint working; and

Consistent with national planning policy - it has to have regard to, and give effect to, the policies contained within the National Planning Policy Framework as well as extant national planning policy statements and guidance.

Further guidance on this criteria, how to make your comments and

the type of information required is provided in the representation form.

In particular, if you wish to make a representation seeking a change to the plan, you should:

- Be clear about which policy or paragraph, figure or part of the plan your representation relates to;
- State clearly why you consider the plan is not sound having regard to the above tests;
- Provide supporting information or evidence to justify why the plan should be changed; and
- Put forward the changes that you consider necessary to make the plan sound.

Please clearly state the policy and paragraph number that your comments relate to.

Viewing the Document

You can view the document and find out more about the consultation on the Council's website at www.birmingham.gov.uk/DMB or by calling 0121 303 4323. Hard copies of the plan are available to view during normal opening hours at the Planning and Development offices and at the local libraries listed on: www.birmingham.gov.uk/DMB.



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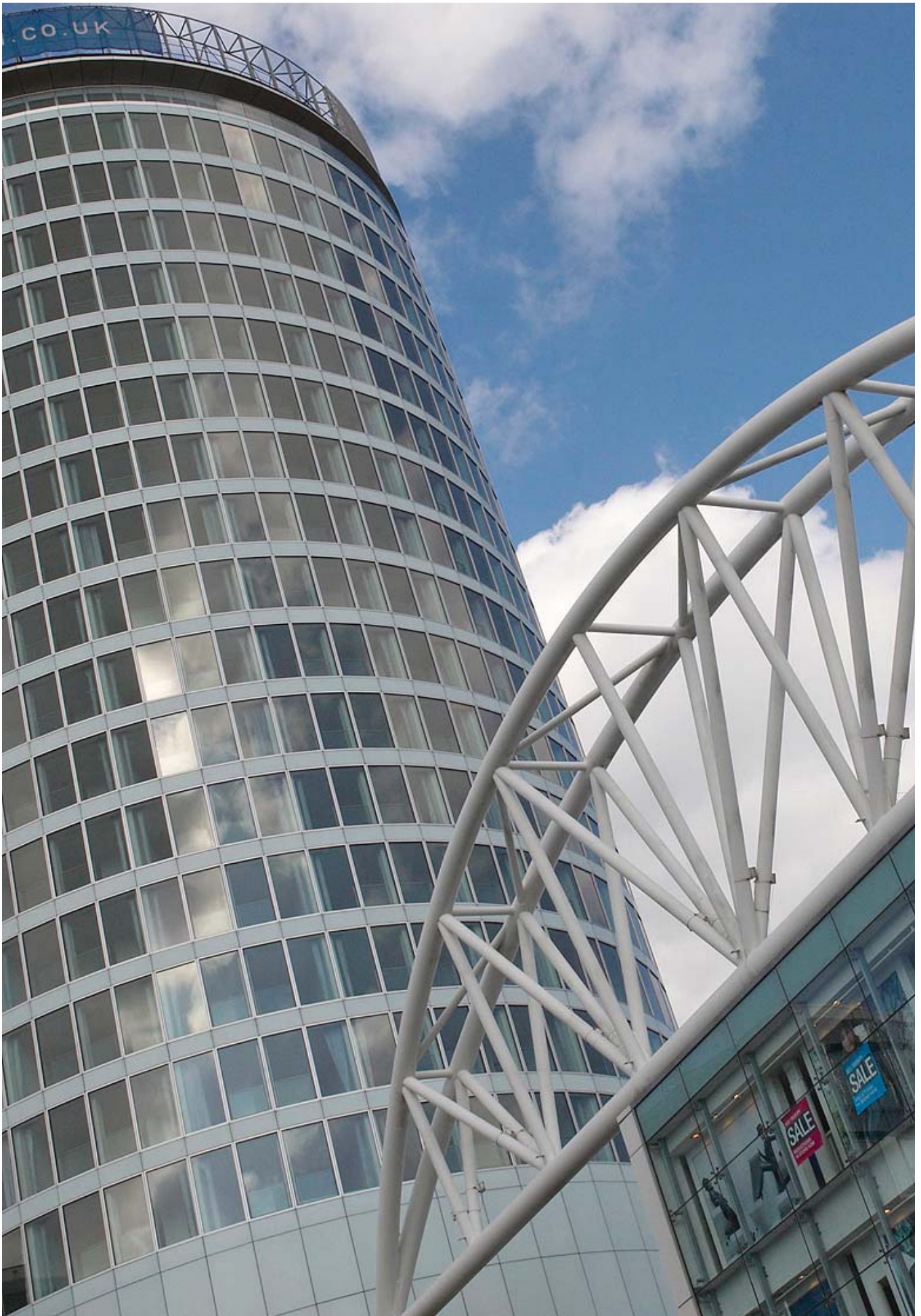
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Foreword

Birmingham is going through exciting changes which will see significant levels of new development and infrastructure delivered in the city over the next 15 years. Through the Birmingham Development Plan (adopted in 2017), over 51,100 new homes and substantial amounts of employment land, retail and office development will be delivered by 2031.

At the heart of the Council's Local Plan is the objective of sustainable growth which seeks to ensure that we build a strong and competitive economy, vibrant and healthy communities and protect and enhance our environment.

This document aligns with the Birmingham Development Plan and the Council's key priorities, which are to make Birmingham a great city to live, grow up and age well in; as well as an excellent city to learn, work and invest in.

Growth must therefore be managed in the most positive, effective and sustainable way possible, which is why this document is important in providing detailed planning policies to support the implementation of the Birmingham Development Plan.

I am pleased to invite your views on the Publication version and encourage your participation in the process of making Birmingham a better place to live.

Ian Ward

Leader

Birmingham City Council

Building on the Birmingham Development Plan, which sets out the overall spatial strategy for the city, the Development Management in Birmingham (DMB) document (once adopted) will provide up-to-date development management policies, replacing the saved policies of the Unitary Development Plan 2005.

The purpose of the DMB is to provide clear policies that will be used to determine planning applications. Overall, these policies will ensure that development is guided to the right location, is of a high standard, and that inappropriate development is deterred.

The DMB will help to ensure that our vision and objectives for sustainable growth and development of the city will be realised. To that end we welcome your comments on this document as a means of helping us to achieve this.

Waheed Nazir

Director of Inclusive Growth

Birmingham City Council

Introduction

Birmingham's Local Plan

1.1 Birmingham has established a clear agenda to deliver sustainable growth meeting the needs of its population and securing high quality development and infrastructure. This agenda is set out through Birmingham's Local Plan which consists of a series of documents containing the strategy and policies for growth. All proposals for development that require planning permission will be determined in accordance with the relevant policies in the Local Plan, which consists of the:

- Adopted Birmingham Development Plan (BDP).
- Adopted Aston, Newtown and Lozells Area Action Plan.
- Adopted Longbridge Area Action Plan.
- Balsall Heath Neighbourhood Development Plan.
- Bordesley Park Area Action Plan.

1.2 The Development Management in Birmingham Development Plan Document (DMB), once it is adopted, will replace the Saved 2005 Birmingham Unitary Development Plan policies and form part of Birmingham's Local Plan.

1.3 Other relevant planning documents which provide guidance on how planning policies will be applied include Supplementary Planning Documents and Guidance (SPD/ SPG) and non-statutory area frameworks. The Council is in the process of updating and consolidating existing design related SPDs and SPGs into one new SPD called the Birmingham Design Guide. The design guide is currently being developed and will be consulted on in Winter 2019/20. A revised Parking SPD is also currently being prepared to replace the Council's existing Parking Guidelines SPD (2012). This is being consulted on at the same time as this DMB Publication Document. The Council also has Local Validation Requirements for

Planning Applications which can be found at https://www.birmingham.gov.uk/downloads/file/7362/local_validation_criteria_2018

Development Management in Birmingham

1.4 The purpose of the DMB is to provide detailed development management policies which are non-strategic and provide detailed often criteria based policies for specific types of development. The policies will give effect to, and support, the strategic policies set out in the Birmingham Development Plan (BDP), adopted in January 2017. It is intended that the policies contained within this document are to be applied City-wide unless specified otherwise.

1.5 This document contains 16 policies arranged in themes to reflect the BDP. They are informed by national policies and guidance which set out Government's planning policies for England and how it expects them to be applied.

1.6 The DMB provides detailed policies in areas where further detail is needed beyond that contained in the BDP. Each policy in the DMB seeks to deliver and/or clarify in detail a BDP policy. The Council is satisfied that the DMB is in general conformity with the policies of the BDP and also takes full account of national planning policy and European Union Directives.



Objectives

1.7 The DMB will support the delivery of the objectives for the City as set out in the BDP. These are:

- To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character.
- To make provision for a significant increase in the City's population.
- To create a prosperous, successful and enterprising economy with benefits felt by all.
- To promote Birmingham's national and international role.
- To provide high quality connections throughout the City and with other places including encouraging the increased use of public transport, walking and cycling.
- To create a more sustainable City that minimises its carbon footprint and waste, and promotes brownfield regeneration while allowing the City to grow.
- To strengthen Birmingham's quality institutions and role as a learning City and extend the education infrastructure securing significant school places.
- To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space.

- To protect and enhance the City's heritage assets and historic environment.
- To conserve and enhance Birmingham's natural environments, allowing biodiversity and wildlife to flourish.
- To ensure that the City has the infrastructure in place to support its future growth and prosperity.

Principles

1.8 The following key principles have been used to guide the preparation of the policies contained in the DMB

- **Additionality** - the DMB will provide detailed policies to support the delivery of the BDP. Where principles for development are addressed by national or BDP policies, they are not repeated. Some areas of policy will be supported by supplementary planning documents to provide more detailed advice about how particular policies will work in practice.
- **Justification** - the development management policies are based on an appropriate and deliverable strategy when considered against alternatives and relevant, proportionate and up-to-date evidence.
- **Conformity** - the development management policies have been developed in consultation with the relevant statutory consultees

and other key stakeholders in accordance with the Duty to Co-operate and the Statement of Community Involvement. The policies are consistent with national policy and the BDP.

Structure of the document

1.9 The policies have been organised on a topic basis mirroring the structure of the BDP. Each policy begins with an introduction setting out the purpose of the policy. The policy text is shown in a box. The explanatory supporting text provides a reasoned justification for the policy and important information on how the policy will be applied. Other relevant links are made including reference to BDP policies, relevant Supplementary Planning Documents (SPDs) and other guidance

Stages in producing the DMB

1.10 This Publication Document forms part of the statutory consultation required under Regulation 19 of the 2012 Regulations and follows earlier rounds of consultation held in February to March 2019 (Preferred Options) and September to October 2015 (Initial Consultation). A summary of the comments from the first and second stage consultations and how they have been considered are set out in separate Consultation Statements.

The overall plan preparation process is set out below:

Initial Consultation Document
consultation – September -
October - 2015

Preferred Options document
consultation – February - March
2019

Publication document
consultation (this stage)
November - December 2019

**Submission to the Secretary of
State** – Spring 2020

Examination in Public
Summer 2020

Adoption
late 2020

1.11 Following earlier rounds of consultation, the Council considers this Publication version of the document to be the final version that it plans to submit to the Secretary of State for examination, in line with Regulation 22 of the 2012 Regulations. Any representations made during this final statutory consultation period will be submitted alongside the DMB and associated documents for examination by the planning inspector.

Duty to co-operate

1.12 Section 33A of the Planning & Compulsory Purchase Act 2004, as inserted by Section 110 of the Localism Act, places a duty on local authorities and relevant statutory bodies to cooperate on strategic planning issues. This duty requires ongoing, constructive and active engagement on the preparation of development plan documents. Duty to Co-operate bodies have and will continue to be involved through the key stages of the process.

Sustainability appraisal

1.13 A Sustainability Appraisal (SA) assesses the social, economic and environmental effects of the proposed policies. It is a process that must be carried out during the preparation of a Local Plan. A Sustainability Appraisal (SA) of the impact of the DMB has been undertaken and is available in a separate document.

1.14 A Habitats Regulations Assessment Screening has been carried out in accordance with the European Union Directive to complement the SA. These have been undertaken as an integral and iterative part of the preparation of the DMB and their outcomes have been taken into account in formulating and refining the policies of the DMB.

1.15 Copies of the SA report and the Habitats Regulations Assessment Screening are available at www.birmingham.gov.uk/DMB.

Equality Duty

1.16 The Council has a commitment to equality which is also a statutory duty under the Equality Act 2010. The Act aims to promote equality, eliminate discrimination and encourage good relations between different groups. Engaging with residents and other stakeholders is key to meeting this duty in order to better understand the needs of diverse groups. Consultation on the DMB has been undertaken with a wide range of groups and an Equality Assessment has been undertaken. This will be updated following this round of consultation.

Evidence base

1.17 The DMB has been informed by national and local planning policies, guidance and evidence produced by the Government, the Council and its partners. It has also drawn upon the evidence base which informed the development of the BDP. Evidence reports have also been specifically prepared for this DMB which form background evidence to the policy formation process. The evidence base supporting the DMB can be found on the DMB page of the Council's website at www.birmingham.gov.uk/DMB.



2 Environment and sustainability

2.1 The policies in this chapter have a focus on ensuring that new development over its lifetime contributes towards improvements in the quality of life in Birmingham. This approach also supports the key objective of the BDP in bringing forward sustainable development and creating quality places.

DM1 Air quality

Introduction

2.2 The City's built environment and transport systems can have an impact on the City's air quality and, as a consequence, on health and wellbeing. Policies in the BDP seek to improve air quality within the City by taking a proactive approach to planning, regeneration and new development. This policy seeks to ensure that any proposal considers air quality and is accompanied by an appropriate scheme of mitigation where negative impacts are identified. The Government's current threshold for nitrogen dioxide is 40 micrograms/m³.

Why we have taken this approach and how the policy will be applied

2.3 Poor air quality is a public health concern at both a local and national level. The whole of Birmingham is designated as an Air Quality Management Area (AQMA) for nitrogen dioxide (NO₂) and the Council maintains an Air Quality Action Plan (AQAP) to direct compliance with national objectives.

2.4 In order to deliver compliance, Government has determined the need for Birmingham to introduce a Clean Air Zone (CAZ) to control road transport related emissions

particularly NO₂. The Council's Cabinet has approved the preferred measures for a Birmingham Clean Air Zone that will seek to achieve air quality compliance with UK and EU statutory NO₂ limits in the shortest time possible, as part of a longer term air quality programme.

2.5 The positive management of air quality is a priority for the City, and it is imperative that development does not undermine the objectives of the CAZ, specifically that compliance within the CAZ is maintained and that no other areas become subject to requiring the declaration of a CAZ.

2.6 The AQAP, BDP and Birmingham Connected (the City Council's transport strategy) provide the framework to improve air quality in the city, including measures to encourage walking, cycling and the use of public transport, together with the support for the uptake of cleaner vehicle technologies through infrastructure provision, fleet transition and travel behaviour changes.

2.7 New developments have the potential to adversely affect air quality or be affected by air quality. This particularly relates to development that would trigger an Air Quality Assessment (AQA) as set out in the Local Validation Requirements. The assessment and mitigation approach contained within the West Midlands Low Emissions Towns and Cities Programme: Good Practice Air Quality Planning Guidance (2014) (or any subsequent future replacement) should be utilised to assess where relevant exposure may arise, calculate the emission damage costs and

POLICY DM1 Air quality

1. Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure to unacceptable levels of air pollution, will not be considered favourably.
2. Mitigation measures such as low and zero carbon energy, green infrastructure and sustainable transport can help to reduce and/or manage air quality impacts and will be proportionate to the background air quality in the vicinity, including Clean Air Zone designations.
3. The development of fuelling stations for low emission and electric vehicles will be supported in principle where they establish a network of facilities to support the City's transport and air quality objectives. New or extended fuelling stations for petrol and diesel vehicles would need to be justified on the basis of addressing clear gaps in existing provision, demonstrate compliance with Part 1 of this policy and provide fuelling for low emission and electric vehicles.

*As defined in paragraph 2.7

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
✓	✓		✓	✓	

identify mitigation. 'Unacceptable' deterioration is defined as where the development would result in exposure to pollutant concentrations close to the limit values.

2.8 AQAs must outline the current and predicted future pollutant concentrations at, and in the vicinity of, the development site. The AQA should also consider any potential cumulative impacts on air quality arising from planned development in the vicinity of the development site. The AQA should set out the planned mitigation measures to address any negative impacts. Mitigation measures should be provided on-site, however where this is impractical the AQA should demonstrate that it is possible to include measures in the local area which have equivalent air quality benefits. Mitigation measures may be secured either by planning condition or legal agreement where appropriate. Any impacts upon air quality will be considered in the context of the benefits the development brings to the City.

2.9 Mitigation measures will include ensuring that developments are designed to ensure walking and cycling is an obvious choice for short trips and that there is good public transport access to contribute towards the reduction in emissions, particularly nitrogen oxides and particulate matter. Where appropriate, new development should include low emission vehicle charging points as part of their parking provision, and consideration should be given to options to introduce car clubs as an alternative model of car ownership. Further details will be set out in an updated Parking Supplementary Planning Document.

2.10 Developments for sensitive uses such as schools, hospitals and residential units should be located away from major sources/areas of air pollution. However, where this is not possible, developments must be designed and sited to reduce exposure to air pollutants by incorporating mitigation measures.

2.11 The City Centre offers an opportunity for air quality improvement with an extensive public transport network, good pedestrian access and cycle routes. Outside the City Centre, development proposals will also need to demonstrate how they will contribute towards improvements in air quality.

2.12 Where an AQA is required and the development involves significant demolition, construction or earthworks, the developer will also be required to assess the risk of dust and emissions impacts and include appropriate mitigation measures to be secured in a Construction Management Plan.

2.13 The UK Government has confirmed it will be outlawing the sales of new conventional petrol and diesel cars, as part of its 'Road to Zero' strategy. According to the proposals, no new cars or vans powered solely by a petrol or diesel engine will be sold in the UK from 2040. The Road to Zero strategy does, however, aim to considerably increase the viability and ease-of-use of electric cars.

2.14 Recent studies have shown that petrol fuelling stations are a source of higher rates of air pollution immediately adjacent to their operation and should therefore be subject to an AQA

and subsequent mitigation requirements. New fuelling stations must also be capable of meeting the needs of new alternative fuel vehicles as well as electric vehicles to help meet growing demand.

2.15 Birmingham and the West Midlands have particular expertise and a strong skills base in relation to manufacturing processes, autonomous vehicles and energy technologies. These offer the opportunity to develop innovations and products in the ultra-low emissions and autonomous vehicles sector. The City is well placed to capitalise on the opportunity that this presents and put in place the infrastructure needed to support this policy.

Policy links

Birmingham Development Plan

- PG3 Place making
- TP1 Reducing the City's carbon footprint
- TP2 Adapting to climate change
- TP3 Sustainable construction
- TP4 Low and zero carbon energy generation
- TP5 Low carbon economy
- TP7 Green infrastructure network
- TP37 Health
- TP38 A sustainable transport network
- TP43 Low emission vehicles
- TP44 Traffic congestion and management

DM2 Amenity

Introduction

2.16 Birmingham seeks to sustainably manage growth so that it takes place in the most appropriate locations; meeting the city's needs while continuing to conserve and enhance the features that make Birmingham an attractive, vibrant, historic and interesting place to live, work and visit. Promoting and protecting high standards of amenity is a key element of ensuring sustainable growth and will be a major consideration when the Council assesses development proposals.

Why we have taken this approach and how the policy will be applied

2.17 The delivery of a high quality environment in Birmingham leaves a lasting impression on how the city is perceived and how it functions. In delivering the BDP, amenity is an important planning consideration to ensure places are fit for purpose and development proposals are acceptable.

2.18 Each development will have its own considerations, both within the site itself and its impact on the character of the area in which it is set. These factors will influence how amenity needs to be addressed. The careful design of development can ensure that proposals help to maintain or improve amenity. Development proposals should mitigate and reduce to a minimum, potential adverse impact on the amenity of nearby occupiers and neighbours. The Birmingham Design Guide, which will replace existing design guidance once adopted, will provide detailed design guidance relating to the policy criteria.

2.19 The built up nature of Birmingham presents opportunities for new uses to address and improve the amenity of the city. This can be achieved by ensuring that all developments are suitably located, well designed, adequately separated from neighbouring uses and operate in an appropriate way for the area in which they are located. Unless otherwise stated, this policy applies to all forms of development within the

city, including changes of use and smaller proposals such as extensions.

2.20 Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.

2.21 The protection of amenity covers both living and working conditions. This means firstly that new development should provide for adequate day to day living and working conditions for those who will be occupying it. Secondly, it means that development should not have undesirable amenity impacts on the living conditions of neighbouring residents or compromise the continued operation of uses and activities which are already established in the locality. The NPPF is clear (with particular reference to noise) that businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

2.22 It may be necessary to apply planning conditions to new developments to ensure amenity standards are maintained such as hours of operation, requirements for ventilation equipment to be properly maintained, and delivery times.

Policy links

Birmingham Development Plan

- PG3 Place making, TP1-TP46.

POLICY DM2 Amenity

1. All development will need to be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:
 - a. Visual privacy and overlooking;
 - b. Sunlight, daylight and overshadowing;
 - c. Aspect and outlook;
 - d. Access to high quality and useable amenity space;
 - e. Noise, vibration, odour, fumes, dust, air or artificial light pollution;
 - f. Safety considerations, crime, fear of crime and anti-social behaviour;
 - g. Compatibility of adjacent uses; and
 - h. The individual and cumulative impacts of development proposals in the vicinity on amenity.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	✓



DM3 Land affected by contamination, instability and hazardous substances

Introduction

2.23 Regeneration of previously developed land is a key Government policy and is integral to the city's growth strategy for the creation of housing and jobs. While the Council supports development opportunities that bring areas of land affected by contamination or instability back into beneficial use, the potential for any risks associated with these issues should be appropriately considered to make development safe. This equally applies to any risks associated with hazardous substances.

Why we have taken this approach and how the policy will be applied

2.24 With the re-use of previously developed land in urban areas such

as Birmingham, the potential for land contamination and instability is commonplace. The contamination of land can have adverse impacts on human health, wildlife and contribute to the pollution of water bodies. The pollution of land can have an adverse impact on its suitability for certain types of development. There is often a link between the contamination and stability of land. New development, however, presents an opportunity to bring contaminated land back into use.

2.25 Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. When development is proposed on or adjacent to land that is known or suspected to be affected by contamination and/ or instability, or where development is proposed that would be sensitive to these risks, proposals for development

should be accompanied by an appropriate level of supporting information. Early engagement with the local planning authority and environmental health, particularly if the land is determined as contaminated land under Part 2A of the Environmental Protection Act 1990, will clarify what assessment is needed to support the application and issues that need to be considered in the design of a development.

2.26 A preliminary risk assessment will be required to identify the nature and extent of contamination and/ or instability. Where the assessment identifies significant harmful risk to human health or the environment, the Council will require a full ground investigation and a risk assessment management and remediation strategy. Any remedial measures must be agreed by the Council before the development is commenced and completed prior to occupation. Planning conditions may be applied to ensure remedial measures are submitted to and approved by the Local Planning Authority. As part of this, the developer will be required to provide a report verifying that the works have been carried out as approved. The Planning Practice Guidance: Land affected by contamination provides further detail on how contamination may be identified, mitigated and remediated.

2.27 The Environment Agency will also have an interest in the case of 'special sites' designated under Part 2A of the Environmental Protection Act 1990 and all sites where there is a risk of pollution to controlled waters. Remediation will need to meet their requirements. The developer should also check whether an environmental permit is required before development can start. See also BDP Policy TP6 Management of flood risk and water resources.

2.28 Remedial measures will need to be carried out in line with current legislation, guidelines and best

POLICY DM3 Land affected by contamination, instability and hazardous substances

1. Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater.
2. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area and/ or groundwater.
3. Proposals for development of new hazardous installations, or development located within the vicinity of existing hazardous installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the Control of Major Accidents Hazards (COMAH) competent authority, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	

practice, including applying the Environment Agency's principles in managing risks to groundwater (the precautionary principle, risk based approach and groundwater protection hierarchy).

2.29 When a new development is proposed that could cause land to become contaminated and/ or unstable, for instance by nature of the proposed use or by reason of specific elements of the proposed development, the development should be designed in such a way as to minimise the risk of contamination or instability occurring. Advice on how to ensure that development is suitable to its ground conditions and how to avoid risks caused by unstable land or subsidence is provided in the Planning Practice Guide: Land stability.

2.30 Hazardous installations comprise a range of chemical process sites, fuel and chemical storage sites, and pipelines. It is important that any risks associated with the development of hazardous installations, or development near them, are appropriately considered through the planning process.

2.31 The Council will consult with the COMAH competent authority, which in most cases is the Health and Safety Executive (HSE) and Environment Agency acting jointly and for nuclear sites the Office of Nuclear Regulation and the Environment Agency, acting jointly. The Council will need to be completely satisfied that the proposal will not constitute a hazard to existing communities or the local environment. In considering planning applications the Council must be satisfied that proposals will not constitute a hazard to existing communities or the local environment.

2.32 Hazardous substances consent is required for the presence of certain quantities of hazardous substance stored or used. The hazardous substances consent process ensures that necessary measures are taken to prevent

major accidents and limit their consequences to people and the environment. The list of substances and controlled quantities set out in Schedule 1 to the Planning (Hazardous Substances) Regulations 2015. An application for hazardous substances consent must provide the information set out at regulation 5 of the Regulations. The Council will consult the COMAH competent authority and others as required by legislation. It will consider the comments received and take account of local needs and conditions, the local plan, and any other material considerations. Further guidance is set out in the Planning Practice Guidance on Hazardous Substances.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP37 Health.



DM4 Landscaping and trees

Introduction

2.33 Maintaining and expanding the green infrastructure network throughout Birmingham is important to the city's growth agenda and provide net gains for

biodiversity. Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks.

This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.

Why we have taken this approach and how the policy will be applied

2.34 The green infrastructure of the City is an important part of our landscape and townscape - enhancing quality of the environment, human well-being and can positively affect the value of local property and attract investment. Policy TP7 Green Infrastructure of the BDP, and other supporting policies, set out how the green infrastructure network will be maintained and enhanced, with the role of landscape and trees clearly recognised.

2.35 New development has a clear role in supporting the city's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.

2.36 Protected trees, woodland and hedgerows should be retained as an integral part of the design of development except where their long-term survival would

POLICY DM4 Landscaping and trees

Landscaping

1. All developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network.
2. The composition of the proposed landscape should be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.

Trees, woodland and hedgerow protection

3. Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees. Where trees and/or woodlands are proposed to be lost as a part of development, this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.
4. Where a proposed development retains existing trees or hedgerows on site, or where there is an incursion into a tree root protection area, provision must be made for their protection during the demolition and construction phase of development with monitoring and mitigation measures being put in place to ensure that development works do not have an adverse impact on retained trees, hedgerows and associated wildlife.
5. To ensure that the benefits of proposed development outweigh the harm resulting from the loss of any trees, woodlands or hedgerows, adequate replacement planting will be required to the satisfaction of the Council. Replacement should be provided on-site unless the developer can justify why this is not achievable. Where on-site replacement is not achievable, contributions to off-site tree planting will be sought through a Section 106 Agreement.

* see the adopted Local Validation Criteria

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
			✓	✓	✓

be compromised by their age or physical condition or there are exceptional circumstances such as, where the tree is considered to be imminently dangerous or its loss is significantly outweighed by the benefits of the proposed scheme and there are no viable development alternatives. Sufficient consideration must be given to retained trees and the proposed new use of the land around them, especially in respect of their long term viability, beneficial or adverse shade to buildings, perceived threat and building distances.

2.37 Trees classified as being of categories A or B in value should be considered as worthy of protection and development proposals should seek to avoid their loss and minimise risk of harm.

2.38 All development proposals that impact on trees are required to follow the process outlined in the latest British Standard (BS 5837 2012 or subsequent updated version) and provide an up-to-date AIA. This should be undertaken by suitably qualified and experienced professionals, including arboricultural consultants and tree surgeons.

2.39 Where development would result in the loss of a tree(s) and/or other landscaping, adequate replacement planting will be assessed against the existing value of the tree(s) removed, calculated using the Capital Asset Value for Amenity Trees (CAVAT) methodology (or other future equivalent), pre-development canopy cover and biodiversity considerations. Reasonable deductions will be permitted based on the value of any replacement planting works and the individual circumstances of the proposal. The Council will provide detailed guidance in a Tree Strategy.

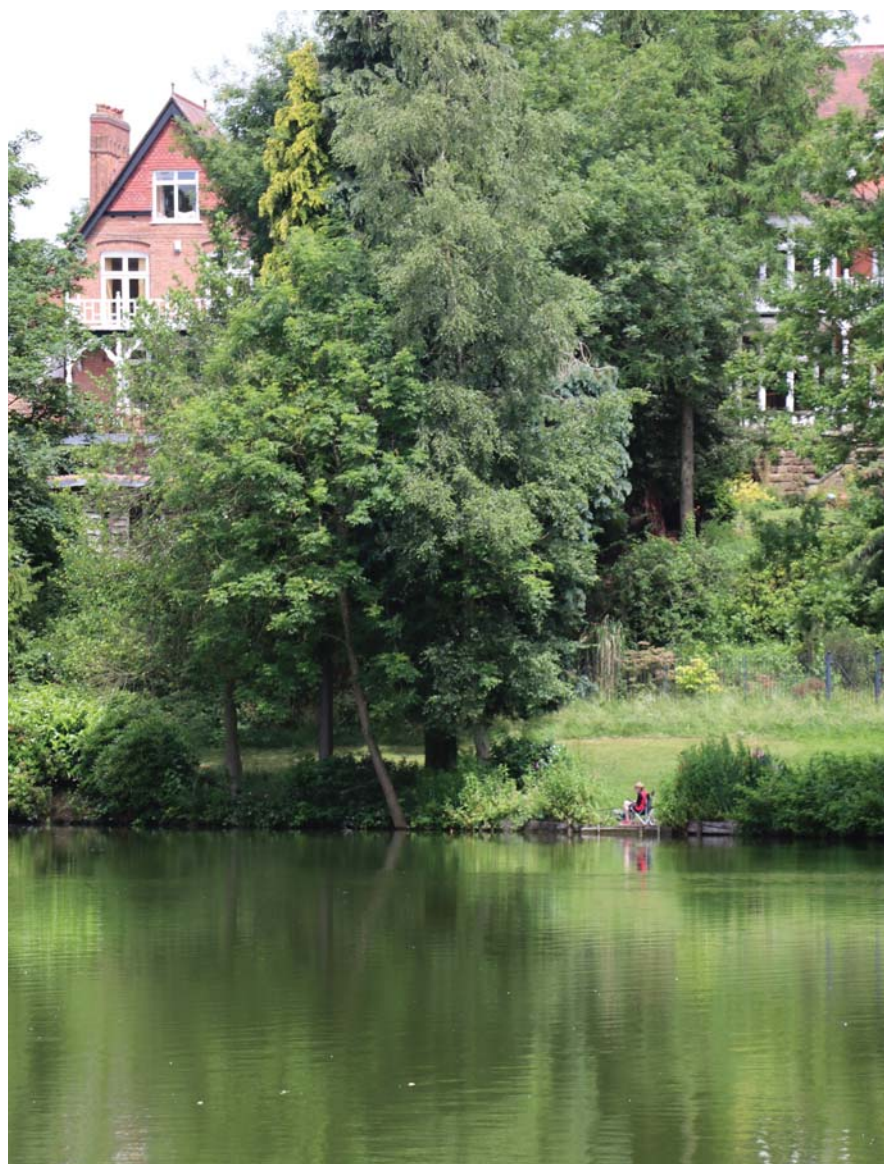
2.40 New trees, including trees on the highways should be provided with sufficient above and below ground planting space requirements (soil volumes, water supply and drainage) to allow

for healthy growth to maturity without creating conflicts with buildings, pavements and utility infrastructure. Where appropriate the maintenance of a Landscape Management Plan will be required through a planning condition. Planting should be maintained in accordance with the plan and follow Secured by Design principles.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP7 Green infrastructure network.
- TP8 Biodiversity and geodiversity.



DM5 Light pollution

Introduction

2.41 Creative and appropriate lighting can provide a valuable contribution to making Birmingham successful, safe and connected. Given the built up nature of the area, the city needs to ensure that lighting makes a positive impact on the built and natural environment. This policy seeks to ensure that impact of light pollution from new development will be minimised and mitigated.

Why we have taken this approach and how the policy will be applied

2.42 Well-designed lighting can make a positive contribution to the urban environment, providing safe environments for a range of activities, creating landmarks out of existing buildings and developing way-finding opportunities through the City. It can also improve safety by lighting dark places and enhance the visual appearance of buildings and townscapes. Through careful planning and design, adverse impacts of light pollution, including glare, light spill and sky glow can be avoided.

2.43 In applying the policy the Council will seek to limit the impact of artificial lighting on local amenity and nature conservation (including ecological networks and blue and green infrastructure).

2.44 BDP policy TP11 Sports facilities provides policy on sports facilities lighting. Advice and guidance is provided by and should be sought from Sport England on sports lighting proposals.

2.45 Proposals involving or adjacent to designated and un-designated historic assets, must apply a lighting design appropriate to the asset, considering the architecture of the building to be illuminated and the impact this may have on the character of its surroundings.

2.46 Where appropriate, the Council will require applicants to submit a Lighting Assessment Report/ Strategy (as set out in the Local Validation Requirements) to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light and retain dark landscapes to protect

wildlife. Planning conditions may be imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.

2.47 Lighting associated with new developments should be designed in accordance with established industry standard guidance which is currently set out the Institute of Lighting Professionals. In particular, the use of low energy light sources will be encouraged. Detailed guidance on the design of lighting proposals will be included in the Birmingham Design Guide. The Planning Practice Guidance on Light Pollution also provides detailed guidance on how light pollution should be managed.

Policy links

Birmingham Development Plan

- TP8 Biodiversity and geodiversity.
- TP11 Sports facilities.
- TP12 Historic Environment
- TP37 Health.

POLICY DM5 Light pollution

1. Development incorporating external lighting should make a positive contribution to the environment of the city and must seek to avoid or mitigate any potential adverse impacts from such lighting on amenity and public safety.
2. Proposals for external lighting will need to demonstrate that the lighting is:
 - a. Appropriate for its purpose in its setting;
 - b. Designed to avoid or limit its impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation;
 - c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected;
 - d. Designed to a high standard and well integrated into the proposal; and
 - e. Energy efficient.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	✓



Longbridge District Centre

DM6 Noise and vibration

Introduction

2.48 Noise is an inherent part of everyday life and contributes to the character of different places. Ensuring that noise and vibration are considered in development proposals and managed appropriately brings benefit to the quality of the living and working environments. This policy seeks to mitigate the impact of new noise and vibration generating development and to ensure that noise sensitive uses are located and designed in a way to protect them from major sources of noise.

Why we have taken this approach and how the policy will be applied

2.49 The growth of Birmingham over the centuries has led to a dynamic and attractive environment with its busy commercial areas in close proximity to residential areas. Noise and vibration needs to be considered where new developments may create additional noise and/ or vibration, or when they would be sensitive to existing or planned sources of noise and/or vibration.

2.50 Proposals for noise sensitive developments in areas of existing

and/or planned sources of major noise will be subject to a case by case analysis with reference to expert advice from the Council's Environmental Health Team. As far as is practicable, noise sensitive developments should be located away from major sources of existing and/ or planned sources of noise unless an appropriate and robust scheme of mitigation is provided and the benefits of the proposal in terms of regeneration are considered to outweigh the impacts on amenity and biodiversity. 'Planned' sources of noise mean sites in the nearby vicinity that are under construction; extant consents; sites that have planning consent which are not yet started; and sites which are allocated in the development plan.

POLICY DM6 Noise and vibration

1. Development should be designed, managed and operated to reduce exposure to noise and vibration. The following will be taken into account when assessing development proposals:
 - a. The location, design, layout and materials;
 - b. Positioning of building services and circulation spaces;
 - c. Measures to reduce or contain generated noise (e.g. sound insulation);
 - d. Existing levels of background noise;
 - e. Hours of operation and servicing; and
 - f. the need to maintain adequate levels of natural light and ventilation to habitable areas of the development.
2. Noise and/or vibration-generating development must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and/or mitigated.
3. Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/or planned sources of noise and vibration in the vicinity of the proposed development including transport infrastructure, entertainment/cultural/community facilities and commercial activity. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and/or mitigated.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	✓

2.51 New development should be sited and designed so that it can be integrated effectively with existing businesses, cultural, entertainment and community facilities (such as places of worship, pubs, music venues, and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation.

2.52 In all cases, the assessment will be based on an understanding of the existing and planned levels of environmental noise and the measures needed to bring noise down to acceptable levels for the existing or proposed noise-sensitive development. A noise assessment and scheme of mitigation will be required as part of the planning application. The determination of noise impact will be based on the Noise Policy Statement for England and the Planning Practice Guidance on Noise. The Council also has a detailed guidance note on Noise and Vibration maintained by Environmental Health.

2.53 The design of mitigation measures should have regard to the need to provide a satisfactory

environment for future occupiers and take account of other material planning considerations such as urban design.

2.54 Noise and vibration can have a significant impact on amenity and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase.

2.55 Sources of vibration include transportation (especially railways) and industrial processes. Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an adverse impact is predicted development proposals shall include details of any vibration monitoring and precautions to prevent damage to any structure. Environmental Health can advise where a vibration assessment will be required.

2.56 Good design of developments, along with other actions, can help to mitigate any noise or vibration impacts. These include:

- Reduction and/or containment of the source of impact, and/or protection of surrounding sensitive buildings.
- Layout to provide adequate distance between the source and sensitive buildings or areas, and/or screening/buffers.
- Limiting operating times or activities of sources allowed on the site, and/or specifying acceptable limits.

Policy links

Birmingham Development Plan

- PG3 Placemaking
- TP37 Health.



3 Economy and network of centres

3.1 Ensuring that Birmingham has a successful and prosperous economy requires the provision of a wide range of employment opportunities and services to meet the needs of the city's growing population. The BDP provides the strategic approach to ensuring provision for a wide range of businesses and jobs in the city. This section sets out detailed policies for specific types of development to support economic success.

DM7 Advertisements

Introduction

3.2 Commercial advertising is a component of modern day life but must integrate effectively into the city's environment through appropriate siting and design.

The aim of this policy is to ensure that advertisements are well designed and relate well in scale and character to a building or surrounding area.

Why we have taken this approach and how the policy will be applied

3.3 The Council aims to ensure that advertisements, including hoardings, are designed to a high standard and contribute to a safe and attractive environment. Poorly placed or designed advertisements can have a negative impact on the appearance of both the built and natural environment, and impact on amenity, public safety and movement. At the same time, sensitive areas need to be protected from any adverse impacts from advertisements.

3.4 The display of advertisements is subject to a separate planning consent process as set out in The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). Through the planning system, advertisements are subject to the consideration of impacts in the interests of amenity and public safety. The Planning Practice Guidance: Advertisement explains the control of the advertisement regime and provides detail in relation to consideration affecting public safety and amenity.

3.5 Policy DM7 applies to all types of advertisements, including hoardings, freestanding signs, those attached to buildings, telecommunication assets, totems and other signs. It also applies to internally and externally illuminated signs, and digital signs.

POLICY DM7 Advertisements

1. Proposals for advertisements should be designed to a high standard and meet the following criteria:
 - a. Suitably located, sited and designed having no detrimental impact on public safety or amenity, taking into account cumulative impact;
 - b. Sympathetic to the character and appearance of their location, adjacent buildings and the building on which they are displayed having regard to their size, materials, construction, location and level of illumination;
 - c. Avoid proliferation or clutter of signage on the building and in the public realm;
 - d. Not obscure architectural features of a building or extend beyond the edges or the roofline of buildings and respect the building's proportions and symmetry;
 - e. Not create a dominant skyline feature when viewed against the immediate surroundings; and
 - f. Designed to preserve or enhance the character or appearance of any heritage assets which are affected.
2. Illuminated advertisement and signs should seek to avoid or mitigate any potential adverse impact on uses/ areas sensitive to light such as nearby residential properties and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation.
3. The siting of advertisements hoardings will be resisted where visible from the M6 motorway or A38 Aston Expressway and purposefully designed to be read from the roadway and where the attention of drivers is likely to be distracted.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	✓

3.6 Detailed guidance on the design of advertisements, signs and shop fronts will be updated and included in the emerging Birmingham Design Guide SPD.

Policy links

Birmingham Development Plan

- PG3 Place making.



DM8 Places of worship and faith related community uses

Introduction

3.7 Birmingham’s population is increasingly diverse with a broad range of faiths and a growing demand for faith premises. Places of worship are an important part of the infrastructure, culture and identity of the city. The aim of this policy is to ensure such facilities are appropriately located, designed and managed to benefit users and protect local neighbourhoods.

Why we have taken this approach and how the policy will be applied

3.8 Places of worship are places where groups of people gather to perform acts of religious praise, honour, or devotion. In addition to this main function, they can also include facilities that provide religious or faith-related training, accommodation, and social welfare, as well as community and educational facilities. This policy also relates to faith related community and educational uses which do not physically form part of a place of worship.

3.9 The Council recognises the important and valuable contribution of places of worship to communities across the city and wishes to ensure that the needs of faith communities in Birmingham are appropriately met in the context of a growing and increasingly diverse population.

3.10 The most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP. These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance.

3.11 Development should be designed, managed and operated to reduce and/ or mitigate any potential adverse impact from noise on nearby residents. Consideration will be given to attaching conditions to any planning permission granted, which would help to reduce or eliminate such problems.

3.12 Proposal will need to include travel plans where appropriate and management plans to reduce the risk of vehicles parking inappropriately and causing an obstruction or having a detrimental impact on highway safety.

3.13 Additional ancillary activities such as weddings, funerals, and other special occasions are likely to lead to higher volumes of people and increased noise levels, traffic movements and parking demand. These can have an adverse impact on local amenity and public safety and will need to be carefully considered having regard to their frequency and the number of additional people that would be attracted to the premises. A travel plan and/or management plan will be required to address such issues.

3.14 Good design can help to mitigate noise and promote sustainable development. Good design can also ensure that places of worship respect the local context and character of an area and contribute to a high quality environment.

3.15 The information to be submitted in support of a planning application for a place of worship or faith related community use is set out in the Local Validation Requirements for planning applications.

POLICY DM8 Places of worship and faith related community uses

1. The Council’s preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres will be considered favourably where:

a. It is well located to the population the premises is to serve by means of walking, cycling and public transport;
b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety; and
c. It does not conflict with any other policies in the Local Plan.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	

- Policy links
- Birmingham Development Plan
- PG3 Place making.
 - TP21 The network and hierarchy of centres.



DM9 Day nurseries and early years provision

Introduction

3.16 The Council recognises the value and importance of provision of suitable day care facilities for preschool children. Demand for a range of such facilities, operated either from dwellings or other premises, is likely to increase over the plan period. To ensure that basic standards are maintained, the Council will seek to ensure that all facilities are appropriately located, in particular to protect the amenity of the neighbouring properties and the wider area.

Why we have taken this approach and how the policy will be applied

3.17 Increasing living costs, coupled with a need for both parents to work have resulted in increasing demand for pre-school nurseries. Although some schools have sought to provide nursery places, private companies provide the majority of pre-school nursery places. This is often provided through the conversion of existing buildings and sometimes through the development of purpose built facilities.

3.18 Early years facilities bring benefits to the community by reducing barriers to work for parents and carers and can provide an environment conducive to the development of the children who attend. Investment in the expansion and improvement of educational facilities is supported, in accordance with the BDP (Policy TP36 Education). However, such facilities must be provided in appropriate locations and suitable premises to ensure high standards of provision and prevent harm to the amenity of neighbours. The network of centres as defined by Policy TP21 of the Birmingham Development Plan is considered the most appropriate location, but locations outside of centres will be considered appropriate where the policy criteria are met. Where nurseries are proposed in residential areas it is important to ensure that they would not give rise to unacceptable adverse impacts on local amenity. In these cases it may be necessary to ensure that there is sufficient distance between buildings and/ or that mitigation measures will be put in place to minimise the impact from noise and disturbance.

3.19 If you are using your home (dwellinghouse) for childcare provision and more than seven children are minded for more than two hours a day, or most of the rooms within your dwellinghouse is used for childcare so that the main use no longer as your home, this will be considered as a day nursery and planning consent would be required.

3.20 There is normally a need for parents to drop off their children in the morning and pick them up in the afternoon or evening. It is therefore important that sufficient safe parking is provided in a location that will not endanger other road users or pedestrians.

3.21 The Council will expect all planning applications for day nurseries and child care facilities in residential buildings and other non-residential buildings to outline: the numbers of staff and other visitors expected to attend the facility; the days of the week and the hours when the facility will operate; the nature of the activity; car parking and transport patterns, including servicing of the use; disabled access; steps taken to minimise the noise impact of such uses; and a travel plan and noise mitigation measures where appropriate.

POLICY DM9 Day nurseries and early years provision

1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres will only be considered favourably where:
 - a. It is well served by means of walking, cycling and public transport;
 - b. It will not have an unacceptable adverse impact on local amenity, parking public and highway safety;
 - c. Sufficient useable outdoor play space to meet the needs of the children is provided;
 - d. The property can accommodate satisfactorily the number of children proposed; and
 - e. It does not conflict with any other policies in the Local Plan.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP21 The network and hierarchy of centres
- TP36 Education.



4 Homes and neighbourhoods

4.1 The provision of the right amount and right type of housing in the right location is essential to supporting the city's growing population and creation of sustainable neighbourhoods. The BDP sets out the overall approach to developing new homes and promoting sustainable communities in the city. The policies in the section offers an approach to ensure the delivery of a good standard of housing and addressing the impacts and issues of certain forms of housing.

DM10 Standards for residential development

Introduction

4.2 Birmingham residents should be able to enjoy good levels of amenity and have accommodation that meets every day needs for indoor and outdoor space, privacy, daylight and outlook. This policy sets out how to achieve high quality residential environments to protect the health and well-being of residents of existing and new dwellings.

Why we have taken this approach and how the policy will be applied

4.3 In delivering Policy PG3 Place making, amenity is an important consideration as it contributes to peoples' physical and mental health and well-being. Homes should meet occupiers' needs in terms of the size and layout of internal and external spaces.

4.4 The Government's Technical Housing Standards - Nationally Described Space Standards (March 2015 as updated) applies to new residential development in Birmingham. This will ensure that all homes are highly functional, meeting occupiers' typical day to day needs at a given level of occupation. It is based on being able to accommodate a basic set of furniture, fittings, storage, activity and circulation space appropriate to the design and occupancy level of the dwelling. When Government amends these standards, the City Council will prepare technical notes

POLICY DM10 Standards for residential development

1. All residential development will be required to meet the minimum Nationally Described Space Standards (Appendix 1).
2. Housing developments of 15 or more dwellings, should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.
3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.
4. All new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development and adequate provision for recycling/ refuse storage and collection*.
5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.
6. Exceptions to all of the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.

* Standards are set out in Places for Living SPD which will be replaced by the Birmingham Design Guide

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	✓

to demonstrate how the update is applied within Birmingham.

4.5 Where space standards are to be met, applicants must submit appropriate supporting documentation alongside the planning application to ensure that compliance with the standards can be verified, including completion of an internal space compliance statement.

4.6 All new development, including extensions of properties within residential areas has the potential to affect adjoining dwellings. Daylight and outlook are important to create pleasant spaces and support everyday activities.

4.7 The '45 Degree Code' is a well-established approach in Birmingham to protect daylight levels and outlook for occupiers, particularly for existing houses. In applying the code the main considerations include:

- If the extension/building is single storey, the line is drawn from the midpoint of the nearest habitable room ground floor window of the adjoining premises.
- If the extension/building is two storey or taller, the measurement is taken from the quarter point of the nearest habitable room ground floor window.
- If the neighbouring property has already been extended, the measurement is normally taken from the nearest habitable room window of that extension.

- If the neighbouring property has an extension which is made mainly of glass, the policy is applied to the original window opening in the wall where the extension has been added.

Existing guidance on the 45 degree code will be merged into the forthcoming Birmingham Design Guide SPD.

4.8 Amenity will also be considered in terms of adequate separation from surrounding uses (existing and proposed) to ensure that satisfactory living standards can be achieved through suitable and careful design.

4.9 Outdoor private space is highly valued and it is important for both children and adults to have access to some private outdoor space for play and relaxation as well as more practical requirements such as for garden tools/ furniture, drying clothes and outdoor toys. The amount and type of outdoor space should relate to the potential occupancy of the dwelling and should be useable, with consideration from a number of factors, including shape, orientation, landform and shading. Outdoor amenity spaces should receive sunlight for at least part of the day, with garden sizes increased where necessary to take account of overshadowing. Any proposal affecting an existing dwelling will also need to ensure that private external open spaces are retained in accordance with the standards set out in the policy.

4.10 Existing guidance on outdoor amenity space and separation distances is set out in Places for Living SPD, which will be updated through the forthcoming Birmingham Design Guide SPD.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP27 Sustainable neighbourhoods.
- TP28 Location of new housing
- TP30 The type, size and density of new housing.
- TP37 Health.

DM11 Houses in multiple occupation (HMO)

Introduction

4.11 With the city's growing population, there is a need to ensure that new development supports successful communities by ensuring the right mix of housing types in an area, securing appropriate design and supporting well managed properties. HMOs provide an important contribution to people's housing choice. The policy aims to ensure that such development also preserves the residential amenity and character of an area and that harmful concentrations do not arise.

Why we have taken this approach and how the policy will be applied

4.12 A House in Multiple Occupation, commonly known as a HMO, is defined as a property rented to at least three people who are not from one 'household' (e.g. a family) but share facilities such as a bathroom and kitchen. Planning use classes distinguish between 'small' HMOs of up to six people (C4 use class), and 'large' HMOs of seven or more occupants which are Sui Generis.

4.13 The BDP recognises that different types of residential accommodation are important to meeting the wide ranging housing needs of people in the city. All developments should achieve a high quality design contributing to a strong sense of place (BDP Policy PG3), and new homes should contribute towards achieving mixed and balanced communities (BDP policy TP30). The City Council will seek to prevent the loss to other uses of housing which is in good condition (BDP Policy TP35).

4.14 The conversion and reuse of existing buildings for housing can help to meet the changing housing needs of the city. There has been significant trend for this form of housing in the private rented market in Birmingham in recent years. This trend has emerged in

part due to the accommodation needs of the city's substantial student population, but also to cater for transient populations and to address a general need for low cost accommodation for young professionals unable to afford home ownership.

4.15 It is important that such proposals take account of effects on the surrounding area. Over-concentrations of certain types of accommodation can have a number of negative impacts on the local communities, including the loss of family housing, effects to the

POLICY DM11 Houses in multiple occupation (HMO)

- Proposals for the conversion of existing dwellinghouses or the construction of new buildings to be used as Houses in Multiple Occupation (HMO) should protect the residential amenity and character of the area and will be permitted where they:
 - would not result in this type of accommodation forming over 10% of the number of residential properties* within a 100 metre radius of the application site**; and
 - would not result in a C3 family dwellinghouse being sandwiched between two HMOs or other non-family residential uses***; and
 - would not lead to a continuous frontage of three or more HMOs or non-family residential uses***; and
 - it would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies; and
 - would not give rise to unacceptable adverse cumulative impacts on amenity, character, appearance, highway safety and parking; and
 - provide high quality accommodation with adequate living space including:
 - bedrooms of at least 7.5 sq.m. (single) and 11.5 sq.m. (double); and
 - communal living space comprising lounge, kitchen and dining space either as distinct rooms or in an open plan format; and
 - washing facilities; and
 - outdoor amenity space; and
 - recycling/ refuse storage.
- Where a) and c) has already been breached, planning permission will only be granted in exceptional circumstances****.
- Proposals for the intensification or expansion of an existing HMO should comply with (e) and (f) above, having regard to the size and character of the property.

* Paragraph 4.17 sets out the residential properties identified for the purposes of calculating the percentage concentration of HMOs and the data sources for the purposes of identifying HMOs.

** Measured from the centre point of the property

*** For the purposes of this policy a non-family residential use is defined as a HMO, student accommodation, residential accommodation within C1 and C2 Use and self-contained flats.

**** Exceptional circumstances are set out in paragraph 4.23.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	

residential character, appearance, and amenity of an area as a result of excessive noise and disturbance to residents and increased parking pressures.

4.16 The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. For these reasons applications for such changes will be assessed using criteria three of the policy.

4.17 A planning policy for the Article 4 Direction Area of Selly Oak, Harborne and Edgbaston was adopted in November 2014. This will be replaced by Policy DM11 Houses in Multiple Occupation in the DMB when adopted.

4.18 Where additional bedrooms are created in both new build HMOs and conversions of existing buildings, these will be expected to meet the internal space standards set out in the policy. Appropriately sized, proportioned and equipped communal areas and adequate bathroom and cooking facilities should be provided, relative to the expected number of occupants in accordance with the Council's adopted guidance on Property and Management Standards applicable to Private Rented Properties including HMOs. Communal living space should be provided within the main structure of the building and not within conservatories due to the inferior noise insulation and consequent effect on amenity of neighbours. Insufficient communal areas increase the time occupants must spend in their individual bedrooms and can therefore hinder social cohesion within the property. The size of the bedrooms and the extent of their ability to function as social areas will be taken into account in determining whether communal space provision is sufficient. Planning applications must be supported by a full set of floor plans that includes details showing the internal measurements for each room; for bedrooms indicating if they are intended to

be single or double; and any areas of reduced ceiling heights.

4.19 The City Council, local residents, universities, private landlords and other partners will continue to work together to support the best management, maintenance and provision of residential accommodation, and to ensure that a good standard of amenity is maintained.

4.20 In the right location, good design of development and its future operation can help to limit any negative impacts. This includes ensuring the proposal can be delivered in line with best practice and Government guidance.

4.21 The Council will calculate the number of HMOs in the relevant area for each individual planning application based on the following method.

Stage 1

Identifying residential properties

The residential properties identified are those located within 100m of the application site (measured from the centre point of the property). For the purposes of assessing applications for HMO development, dwelling houses and HMOS that are located within blocks of flats or subdivided

properties are counted as one property. Residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.

Stage 2

Count HMOs

HMOs are identified from the following sources:

- Properties licensed as a HMO
- Properties with C4 or Sui Generis HMO planning consent or issued with a Certificate of Lawful Development
- Declared C4 HMOs recorded in the 12 month notice period for the city-wide Article 4 Direction 2019
- Council tax records – student exemptions for council tax excluding purpose built student accommodation and privately flats

Stage 3

Calculate concentration

The concentration of HMOs surrounding the application site is calculated as a percentage of the total estimated number of existing HMO units against the total number of residential properties.



It is accepted that although the HMO sources listed above provide the most robust approach to identifying the numbers and locations of HMOs in an area, it will not identify all HMOs.

4.22 Additional HMOs can also impact on residential amenity where they lead to concentrations in the immediate vicinity of an application site, as well as creating other impacts where they proliferate at a broader neighbourhood level. Planning permission would not be granted where the introduction of new HMO would result in an existing C3 dwelling being 'sandwiched' by any adjoining HMOs or non-family residential uses on both sides. This would not apply where the properties are separated by an intersecting road or where properties have a back to back relationship in different streets. Planning permission would not be granted where it would result in a continuous frontage of 3 or more HMOs or non-family residential uses. In situations where properties are not traditional houses situated along a street frontage, the policy can be applied flexibly depending on the individual circumstances of the proposal.

4.23 The Council's Strategic Housing Market Assessment (SHMA) (2013) indicates a need for accommodation of all sizes but it also shows that the highest net change in the number of homes needed is for 3 and 4 or more bedroom homes. Where there are particular shortages of large family accommodation, the City Council will be sensitive to any such need when considering proposals for HMOs which would result in the loss of such housing.

Exceptional circumstances

4.24 The concentration of HMOs in an area may be at such a point where the introduction of any new HMO would not change the character of the area. This is because the vast majority of properties are already in HMO use. In these circumstances the retention of the property as a family dwelling will have little effect on the balance and mix of households in a community which is already over dominated by the proportion of existing HMO households. Therefore, the conversion of the remaining buildings to a HMO would not further harm the character of the area.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP27 Sustainable neighbourhoods.
- TP28 The location of new housing.
- TP30 The type, size and density of new housing.
- TP35 The existing housing stock.



DM12 Residential conversions and Specialist accommodation

Introduction

4.25 The development of any new type of housing should help contribute to creating sustainable neighbourhoods and provide good quality accommodation to meet the needs of people in the city. This policy seeks to ensure that such development is well located, achieves a high standard of design, protects local character and achieves good levels of amenity.

Why we have taken this approach and how the policy will be applied

4.26 The BDP (Policies TP27 and 30) seek to ensure that new housing provision is made in the context of creating sustainable communities which contain a wide mix of housing. New housing should add to the choice of accommodation available to people, whatever their circumstances. A strong and sustainable community responds to

the needs of all residents, including those who are considered to be most vulnerable and requiring access to housing that meets their specific needs.

4.27 Specialist residential accommodation is a generic description used to describe housing that meets the needs of specific groups of people. This can comprise of hostels, shared housing, care homes and supported accommodation for older people and people with mental health, learning disabilities, dementia, physical and sensory impairment, ex-offenders and drugs and alcohol dependency. It does not include age-restricted general market housing, retirement living or sheltered housing.

4.28 It remains a priority for the Council to provide safe environments which facilitate independent living for vulnerable residents and older people in Birmingham. All applications for specialist housing including

extensions to existing facilities should have regard to the Council's latest housing needs strategies.

4.29 The Council will resist proposals for residential conversion and specialist accommodation where it would result in an over-concentration of similar uses in the immediate area, if it is considered that the proposal will cause demonstrable harm to the character and function of an area, and/or local amenity. If a site lies within an identified Area of Restraint, planning permission may be refused on grounds that further development of such uses will have a harmful impact on local character, appearance, amenity and sustainable communities.

4.30 Specialist accommodation is normally most appropriately located in large detached properties set in their own grounds. The development of such uses in smaller detached or large semi-detached or terraced houses will not be acceptable, unless the amenity of adjoining occupiers can be safeguarded. Proposals should include within the site boundary adequate outdoor amenity space to provide a satisfactory living environment for residents. The amount and location of such space should be related to the proposed number of residents and their particular needs. This should normally be a minimum of 16 sq.m. of space per resident. Details of the management arrangements of such developments should be submitted with an application.

4.31 Conversions are a useful way of maximising the efficient use of the existing housing stock and land. It may also enable many large, old properties to be retained which are important to the character of many residential areas.

4.32 However, it is important that development is carefully managed in order not to detract from the character of the area and/or amenity of nearby residents; and that the size of the property or site

POLICY DM12 Residential conversions and Specialist accommodation

1. This policy applies to the subdivision or conversion of properties into self-contained dwelling units and the development of specialist accommodation*. Such development will be supported where:
 - a. It will not lead to an unacceptable adverse impact on the amenity, character, appearance, parking, public and highway safety of the area, taking into account the cumulative effects of similar uses in the area;
 - b. The accommodation and facilities, including outdoor amenity space and provision for safety and security, is suitable for the intended occupiers;
 - c. It is accessible to local shops, services, public transport and facilities appropriate to meet the needs of its intended occupiers;
 - d. The scale and intensity of the proposed use is appropriate to the size of the building;
 - e. It will not result in the loss of an existing use that makes an important contribution to the Council's objectives, strategies and policies;

* Specialist accommodation is defined in para 4.27

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
✓				✓	

is suitable and can provide good living environment for occupants. The conversion of a single dwelling house into several separate units may result in an increased intensity of use and possible adverse effects on the adjacent properties, including increased amount of traffic, on-street parking and poor waste management. This should be fully assessed and adequate mitigation measures will be required to address any adverse impacts.

4.33 Generally, detached properties are most appropriate for flat conversions. Semi-detached and terraced properties may be considered but the potential effect on adjoining occupiers

will be assessed particularly carefully. Properties should be of sufficient size to permit the creation of individual dwelling units of a satisfactory size and layout. Favourable consideration will not normally be given to the subdivision of single dwellinghouses with 3 or less bedrooms into smaller dwelling units.

4.34 The Council's Strategic Housing Market Assessment (SHMA) (2013) indicates a need for accommodation of all sizes, but it also shows that the highest net change in the number of homes needed to 2031 is for 3 and 4 or more bedroom homes. Where there are particular shortages of large family accommodation, the

City Council will be sensitive to any such need when considering proposals for flat conversions and the specialist accommodation.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP27 Sustainable neighbourhoods.
- TP28 the location of new housing
- TP30 The type, size and density of new housing.
- TP31 Affordable housing.
- TP32 Housing regeneration.
- TP35 The existing housing stock.



DM13 Self and custom build housing

Introduction

4.35 Self and custom build housing can be an additional source of supply to conventional housing and further housing choice. The Council will seek to support individuals or groups of individuals that wish to build their own homes as a more affordable means by which to access home ownership.

Why we have taken this approach and how the policy will be applied

4.36 Self-build and custom build housing can be defined as homes built or commissioned by individuals or groups of individuals for their own use. There is a strong push at a national level to increase self-build activity and a number of requirements have been placed on local councils, including keeping a register of those seeking to acquire a plot for self-building and having regard to the register in carrying out their planning, housing, land disposal and regeneration functions.

- The National Planning Policy Framework requires local planning authorities to clearly understand need, and plan for a mix of housing, including for people wishing to build their own homes.
- The Self-Build and Custom Housebuilding Act 2015 places a duty on local authorities to keep a register of those seeking to acquire a plot for self-building and to have regard to the register in carrying out their planning, housing, land disposal and regeneration functions.
- The Housing and Planning Act introduced a duty on local authorities to “give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority’s area arising in each base period”. The Act defines ‘demand’ as evidenced by the number of entries added to the register during the relevant period

4.37 The Council has been operating its self-build register since November 2014 and the number of entries on the register is increasing. The number of new homes granted exemptions from the Community Infrastructure Levy due to their self/custom build status also indicates that there is considerable self-build activity in the city.

4.38 The Council will encourage and facilitate self-build and custom build housing, including promotion of the self-build register, further engagement with local self-build groups and consideration of Council owned land opportunities. The Council welcomes engagement with local residents or community groups wishing to build their own home, and pre-application planning discussion is recommended.

4.39 The Council’s Housing Development Team is also working to make permissioned plots available to support this type of house building. This development management policy will therefore form just one part of a wider package of measures intended to promote and facilitate self-build and custom build housing development in the district.

4.40 While the Council is generally supportive of proposals for self or custom build units, it is important that applications for self or custom build do not compromise the strategy of the BDP. Planning applications for this type of housing will still need to comply with other relevant policies in the Local Plan.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP27 Sustainable neighbourhoods.
- TP30 The type, size and density of new housing.

POLICY DM13 Self and custom build housing

1. The Council will actively support the development of self and custom-build homes in suitable locations where they support the delivery of the Birmingham Development Plan and do not conflict with other policies in the Local Plan.
2. The Council will encourage developers to consider incorporating an element of self-build plots into development schemes as part of the housing mix. The Council’s self-build register will be used as a source of evidence of the demand for self-build and custom build housing locally, and the level of demand will be a material consideration in determining proposals.
3. Affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement on larger sites.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
✓				✓	



5 Connectivity

5.1 Connectivity is key to the successful future growth of Birmingham and the wellbeing of its residents. The core principles in regard to how we use our streets, create places and link people and businesses to opportunities are covered by the BDP. The development management policies in this section set out the detailed transport and traffic considerations relevant to individual development proposals. It also sets out the policy on telecommunications.

DM14 Highway safety and access

Introduction

5.2 Transport from individual developments can have an impact on the efficiency, safety and sustainability of the city's transport system. This policy will be used to determine whether or not a proposed development would have an impact on the existing highway network and, therefore, whether the proposal should be considered appropriate in transport terms. It also provides guidelines on the provision of adequate access and servicing for development.

Why we have taken this approach and how the policy will be applied

5.3 New developments make an important contribution towards an efficient, comprehensive and sustainable transport system in Birmingham. At the same time this network is an enabler for economic growth across the city ensuring that businesses can operate successfully and people have a choice of sustainable transport modes for their journeys.

5.4 Highway safety is fundamental to the design of the highway network and no development should have a negative impact on highway safety. The Road Safety Strategy for Birmingham adopts a 'Safe System' approach which acknowledges the risk of human error and places significant responsibility on design of the transport network to ensure that collisions do not result in serious injury. Effective traffic management is essential to the safe and free flow of movement on the highway

POLICY DM14 Highway safety and access

1. Development must ensure that the safety of highway users is properly taken into consideration and that any new development would not have an adverse impact on highway safety.
2. Development must ensure that safe, convenient and appropriate access arrangements are in place for all users, including the needs of people with disabilities and reduced mobility within the development and onto the highway network, both during the construction and operation stages of the development. Priority shall be given to the needs of sustainable transport modes.
3. Developments should provide for the efficient delivery of goods and access by service and emergency service vehicles. Where it is demonstrated that this is not feasible, an appropriate alternative solution must be agreed with the City Council and secured.
4. Development proposals that will generate significant amounts of traffic should be accompanied by a Transport Assessment and should be located where the need to travel will be minimised, and is in a location that is readily accessible by sustainable transport modes. Development proposals that generate significant amounts of traffic will be required to provide, implement and monitor a Travel Plan that sets out the means by which the developer will encourage users to adopt more sustainable modes of travel.
5. On Birmingham's strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety).
6. All new vehicle access points (including private driveways) will be supported where it would not result in:
 - a. reduction in pedestrian or highway safety;
 - b. detrimental impact on public transport, cycling and walking routes;
 - c. adverse impact on the quality of the street scene and local character of the area;
 - d. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated; and
 - e. the prevention or restriction of the implementation of necessary or future transport improvements.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
	✓		✓	✓	

network. It can improve accessibility and potentially reduce congestion by understanding flows of traffic at peak and non-peak periods. Where it is necessary for the developer to undertake improvements to the highway network to facilitate the safe and smooth movement of traffic, or incorporate pedestrian, cycle or public transport improvements, these works will be secured through the use of appropriate planning conditions and legal agreements.

5.5 Development proposals that will generate significant amounts of traffic should be accompanied by a Transport Assessment or Statement and will be required to provide a Travel Plan. Applications for development with significant transport implications should demonstrate the measures they are taking to minimise the impact of the development on highway users. The Council's thresholds for Transport Assessments/ Statements and Travel Plans are set out in the Council's Local Validation Requirements for Planning Applications. Further guidance on the preparation of TAs and TSs can be found in national policies and guidance.

5.6 Detailed guidance on Travel Plans is provided on Birmingham Connected Business Travel Network with requirements for uploading and maintaining travel plans through STARSfor. Schools refer to information on Modeshift STARS. Where Travel Plans are to be submitted alongside a planning application, they should be worked up in consultation with the local authority using the STARSfor online system. They should have



measurable outputs, which might relate to targets in the local transport plan, and should set out the arrangements for monitoring the progress of the plan, as well as the arrangements for enforcement, in the event that agreed objectives are not met. This is likely to be addressed through a legal agreement between the relevant parties and the Council under a Section 106 Agreement.

5.7 Travel Plans must include clear, viable proposals for monitoring of travel patterns post occupation. Where a Travel Plan is required to mitigate significant impacts on the highway, the agreed measures and targets of the Travel Plan may be secured with a sanction to ensure that any failure to deliver agreed measures and/or outcomes can be remedied. The sanction would be used, if required, to address the travel impact of the scheme to the benefit of all parties.

5.8 Where construction activity is likely to have an impact on the highway network (physical highway occupation or increased traffic due to site construction or servicing) a Construction Traffic Management Plan (CMTP) will be required. This should meet the Council's CMTP guidance notes and ensure safe and efficient operation of the highway. This should include consideration of communications in relation to travel impact, in liaison with the Transportation Demand Management Team. It is the developer's responsibility to ensure the impact on the highway network is reduced as far as reasonably possible and any necessary Highways Act licenses are obtained before construction takes place.

5.9 With all development, the existing network and proposed access points to the site will need to be suitable for future traffic levels. The main parts of the highway network within Birmingham, including the strategic highway network and the West Midlands key route network, are more sensitive to traffic impacts from development. Any new or

amended access arrangements need to be carefully considered to ensure the efficient, effective and safe operation of the highway infrastructure across the City.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP38 A sustainable transport network.
- TP39 Walking.
- TP40 Cycling.
- TP41 Public transport.
- TP42 Freight.
- TP43 Low emission vehicles.
- TP44 Traffic and congestion management.
- TP45 Accessibility standards for new development.





DM15 Parking and servicing

Introduction

5.10 Managing parking in the right way can play a crucial role in creating a balanced, efficient and sustainable transport network. The Council recognises that a flexible and balanced approach is needed to prevent excessive car parking provision and not increasing parking pressure on existing streets.

Why we have taken this approach and how the policy will be applied

5.11 It is estimated that the growth in the city's population will result in 1.2 million additional daily trips across the network by 2031 (by all transport modes). It is not possible or indeed desirable to accommodate all these by private car due to existing constraints on our highway capacity and because of the significant detrimental impact of traffic on our environment.

5.12 In order to ensure that development is sustainable, local parking policies, alongside other planning and transport measures, should act to promote sustainable transport choices and reduce reliance on the private car for work and other journeys. Careful and appropriate management of parking is a key element of Birmingham's transport strategy.

5.13 The Council is currently consulting on a new Parking Supplementary Planning Document (SPD) which will replace the existing Car Parking Guidelines Supplementary Planning Document (2012) and elements of the Birmingham Parking Policy (2010). It provides revised parking standards for all new developments in the city to reflect the National Planning Policy Framework. The approach to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The Parking

SPD will also set out how the city will manage on-street (public highway) and off-street parking provision across the city.

5.14 The Council will support and promote the provision of charging points for ultra-low emission vehicles and car clubs. The availability of car club vehicles has been shown to reduce the level of car ownership and usage. The Council considers this would contribute to sustainable development in the City. Car club bays should ideally be placed on-site if they would be accessible to the public as well as for the occupants of the site, or on the public highway close to the development.

5.15 Garages will only be accepted as contributing towards parking provision for development if they have adequate functional space. This will help ensure that parking of cars in garages contributes to parking needs and residential amenity by creating a more secure environment, and reducing the potential for unsocial parking and visual impacts.

5.16 It is essential that a design led approach is adopted to ensure parking functions satisfactorily for all users including disabled drivers, pedestrians, cyclists and service vehicles and does not impact negatively on the surrounding streetscape. Well planned and designed parking can have a determining influence on the streetscape, can influence development density and is important to the success of all developments. The existing Car Park Design Guide will be replaced by the forthcoming Birmingham Design Guide SPD, providing detailed guidance on parking design.

POLICY DM15 Parking and servicing

- 1. Parking and servicing should contribute to the delivery of an efficient, comprehensive and sustainable transport system. Development should promote sustainable travel, reduce congestion, and make efficient use of land.
- 2. New development will be required to ensure that the operational needs of the development are met and parking provision, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs is in accordance with the Council's Parking Supplementary Planning Document.
- 3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking should be designed to be secure and fully accessible to all users and adhere to the principles of relevant Supplementary Planning Documents.
- 4. Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
	✓		✓	✓	

Policy links**Birmingham Development Plan**

- PG3 Place making.
- TP38 A sustainable transport network.
- TP39 Walking.
- TP40 Cycling.
- TP41 Public transport.
- TP42 Freight.
- TP43 Low emission vehicles.
- TP44 Traffic and congestion management.
- TP45 Accessibility standards for new development.



DM16 Telecommunications

Introduction

5.18 The Council recognises the importance of advanced high quality communications infrastructure to serve local business and communities and their crucial role in the national and local economy. This includes the development of high speed broadband technology and other communication networks for which there is a growing demand. The objective of this policy is to ensure the right balance is struck between providing essential telecommunications infrastructure and protecting the environment and local amenity.

Why we have taken this approach and how the policy will be applied

5.19 Whilst there are significant economic and social benefits associated with the development of telecommunications infrastructure, the development of masts, antennae and other associated infrastructure can give rise to significant levels of concern relating to visual intrusion and impact on the surrounding area in which it is located. Operators and Local Authorities work to the 'Code of best practice on mobile network development' in England, which has been produced in accordance with a working group including English Heritage, the Mobile Operators Association, National Parks England, and the Planning Officers Society.

5.20 Proposals for new telecommunications equipment require either planning permission or prior notification from the City Council, although some small installations are not required to seek this approval.

5.21 The necessary evidence to justify the proposed development should support applications for telecommunications development. This should include the outcome of consultations with organisations with an interest in the proposed development. When adding to an existing mast or base station, a statement that self-certifies the cumulative exposure will not exceed the International Commission on non-ionising radiation protection guidelines is needed, or evidence that the applicant has explored the possibility for erecting antennas on an existing building, mast or other structure and a statement certifying International Commission guidelines will be met.

5.22 Relating to the visual intrusion of masts, careful consideration into the design should be carried out to minimise the visual impact of the development. Such design solutions may relate to the form of structure, to colour and to materials, for example masts can be designed to look like trees or street furniture or can be designed into the fabric of a building.

5.23 When freestanding masts outside of the built up area are being developed, it is essential to ensure that they, as far as possible, blend in with the natural landscape. This includes the associated equipment such as underground cable, service routes and means of enclosure should be designed such that there is minimal loss or damage to trees and other natural vegetation. Additional planting of trees and vegetation is a means to screen such development. In accordance with the policy no unacceptable harm should arise to the natural environment as a result of such applications.

POLICY DM16 Telecommunications

1. The Council will promote the development of advanced, high quality communications infrastructure to support economic growth and more accessible, inclusive communities. This will be achieved by requiring new development proposals to:
 - a. Demonstrate opportunities have been explored for sharing of masts or sites. Such evidence should accompany any application made to the local planning authority;
 - b. Demonstrate that there are no suitable alternative sites for telecommunications development available in the locality including the erection of antennae on existing buildings or other suitable structures;
 - c. Be sited and designed in order to minimise impact on the visual and residential amenity, character and appearance of the surrounding areas;
 - d. If on a building, apparatus and associated structures to be sited and designed in order to minimise impact to the external appearance of the building;
 - e. Not have unacceptable harm on areas of ecological interest, areas of landscape importance, or heritage assets and their setting; and
 - f. Conform to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators' equipment located on the mast/site.

Implementation

Local/ National Funding	Partnerships	CPO	CIL/ Section 106	Planning Management	Other Local Plan/ SPD/Regeneration Framework
				✓	

5.24 Further guidance is contained in paragraphs 42-46 of the NPPF, and the Telecommunications Development: Mobile Phone Infrastructure SPD.

Policy links

Birmingham Development Plan

- PG3 Place making.
- TP46 Digital communications.



6 Implementation and monitoring

6.1 The DMB will be implemented through the development management process. Its policies along with other Birmingham Local Plan policies and the National Planning Policy Framework will be the primary means by which the Council will make decisions on planning applications.

6.2 The Birmingham Authority Monitoring Report (AMR) will monitor the effectiveness of the policies of the Development Management policies. Updates of the AMR will normally be published annually. However, publication of the AMR will be dependent upon the resource available.

6.3 The Development Management policies support the delivery of the BDP. Each Development Management policy identifies links to BDP policies. The effectiveness of the Development Management policies will be monitored using indicators set out in Appendix 2 of this document, many of which link with BDP monitoring indicators.





7 Appendices

Appendix 1: Technical Housing Standards - Nationally Described Space Standard (March 2015 as updated)

Table 1 - Minimum Gross Internal floor Areas (GIA) and Storage

Number of bedrooms	Number of bedspaces (people)	1 storey dwelling (sq.m)	2 storey dwelling (sq.m)	3 storey dwelling (sq.m)	Built in storage* (sq.m)
1b	1	39(37)**	-	-	1
	2	50	58	-	1.5
2b	3	61	70	-	2
	4	70	79	-	
3b	4	74	84	90	2.5
	5	86	93	99	
	6	95	102	108	
4b	5	90	97	103	3
	6	99	106	112	
	7	108	115	121	
	8	117	124	130	
5b	6	103	110	116	3.5
	7	112	119	125	
	8	121	128	134	
6b	7	116	123	129	4
	8	125	132	138	

* The built-in storage figures are included within the GIAs (i.e. are not additional).

** Where a studio has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as shown bracketed.

The Standard requires that:

- a. the dwelling provides at least the GIA and built-in storage area set out in Table 1.
- b. a dwelling with two or more bedspaces has at least one double (or twin) bedroom.
- c. in order to provide one bedspace, a single bedroom has a floor area of at least 7.5 sq.m and is at least 2.15m wide.
- d. in order to provide two bedspaces, a double (or twin) bedroom has a floor area of at least 11.5 sq.m.
- e. one double (or twin) bedroom is at least 2.75m wide and every other double (or twin) bedroom is at least 2.55m wide.
- f. any area with a headroom of less than 1.5m is not counted within the GIA unless used solely for storage (if the area under the stairs is to be used for storage, assume general floor area of 1sq.m within the GIA).
- g. any other area that is used solely for storage and has a headroom of 900-1500mm (such as under eaves) is counted at 50% of its floor area, and any area lower than 900mm is not counted at all.
- h. a built-in wardrobe counts towards the GIA and bedroom floor area requirements, but should not reduce the effective width of the room below the minimum widths set out above. The built-in area in excess of 0.72 sq.m in a double bedroom and 0.36sq.m in a single bedroom counts towards the built-in storage requirement.
- i. the minimum floor to ceiling height is 2.3m for at least 75% of the GIA.

Compliance

All areas are to be denoted in square metres (sq.m) and all linear dimensions in metres (m). Developers are to provide a schedule of dwelling types indicating their overall GIA and in-built storage areas.

Developers will be able to achieve 'type approval' for standardised designs. (Note that internal floor plans will still normally need to be submitted in order to assess amenity impacts and to demonstrate compliance with design principles such as active frontages, natural surveillance and the 45 degree code). For dwellings without type approval, drawings will need to be submitted at a scale of no greater than 1:100 showing room dimensions and heights for plan checking purposes

The City Council will accept type approval of plans where this is confirmed by a building control body (which can be either a Local Authority Building Control Body, or a Government Approved Inspector) providing that the information used to assess compliance is also submitted, to enable checking by the City Council.

If the proposed development does not comply with the Standard, room floor plans with indicative furniture layouts will be required to demonstrate the functionality of internal spaces.

Appendices

Appendix 2: Monitoring Framework

Policy	Monitoring Indicator
Policy DM1 Air Quality	<ul style="list-style-type: none"> Number of applications refused where proposals exceed nationally or locally set objectives for air quality, particularly for nitrogen dioxide, or increase exposure to unacceptable levels of air pollution Number of applications for fuelling stations refused due to air quality and percentage successfully defended at appeal
Policy DM2 Amenity	<ul style="list-style-type: none"> Number of applications refused on amenity grounds and percentage of refusals successfully defended at appeal Use of conditions securing compliance with the policy
Policy DM3 Land affected by Contamination and Hazardous substances	<ul style="list-style-type: none"> Number of applications where there are outstanding EA/HSE objections and no submission of a preliminary risk assessment, and where appropriate, a risk management and remediation strategy.
Policy DM4 Landscaping and Trees	<ul style="list-style-type: none"> Ha/sq.m. in loss of ancient woodland Number of applications providing replacement trees/landscaping
Policy DM5 Light Pollution	<ul style="list-style-type: none"> Number of applications refused on light pollutions grounds and percentage successfully defended at appeal
Policy DM6 Noise and Vibration	<ul style="list-style-type: none"> Number of successful planning enforcement cases carried out in relation to noise Number of applications refused on noise grounds and percentage of refusals successfully defended at appeal Number of applications approved with successful mitigation schemes
Policy DM7 Advertisements	<ul style="list-style-type: none"> Number of enforcement cases successfully concluded Number of applications refused and percentage successfully defended at appeal
Policy DM8 Places of Worship	<ul style="list-style-type: none"> Percentage of permissions for places of worship granted inside/outside the network of centres Percentage of applications refused successfully defended at appeal
Policy DM9 Day nurseries and childcare provision	<ul style="list-style-type: none"> Percentage of permissions for day nurseries granted inside/outside the network of centres Percentage of applications refused successfully defended at appeal
Policy DM10 Standards for Residential Development	<ul style="list-style-type: none"> Percentage of applications refused on space standards not being met successfully defended at appeal Percentage of applications refused on 45 Degree Code successfully defended at appeal
Policy DM11 House in multiple occupation	<ul style="list-style-type: none"> Percentage of applications refused successfully defended at appeals
Policy DM12 Residential conversions and specialist accommodation	<ul style="list-style-type: none"> Percentage of applications refused on criteria not being met and successfully defended at appeal
Policy DM13 Self and custom building	<ul style="list-style-type: none"> Number and of individuals and groups listed on the self-build register each year Number of new homes granted exemption from CIL due to self/custom build status Numbers of plots made available for self and custom build each year
Policy DM14 Highway and safety access	<ul style="list-style-type: none"> Percentage of major applications which are accompanied by a Transport Assessment and a Travel Plan Percentage of refused applications successfully defended on appeal
Policy DM15 Parking and servicing	<ul style="list-style-type: none"> Number of applications refused on car parking or servicing grounds successfully defended at appeal.
Policy DM16 Telecommunications	<ul style="list-style-type: none"> Percentage of applications refused successfully defended at appeal.

Appendix 3: Planning policies to be superseded by the Development Management in Birmingham DPD

Policy topics and paragraphs in saved UDP	DMB or other policy/guidance replacement
The Design of new development (paras 3.14 – 3.14D)	DM2 Amenity
Hot food shops and restaurants/cafes (paras 8.6 – 8.7)	DM2 Amenity, DM6 Noise and vibration, DM14 Highway safety and access, DM15 Parking and servicing
Amusement centres and arcades (paras 8.8 – 8.10)	DM2 Amenity, DM6 Noise and vibration, DM14 Highway safety and access, DM15 Parking and servicing
Car hire booking offices (paras 8.11-8.13)	DM2 Amenity, DM6 Noise and vibration, DM14 Highway safety and access, DM15 Parking and servicing
Day nurseries (paras 8.14-8.16)	DM9 Day nurseries and early years provision
Hotels and guest houses (paras 8.18-8.22)	DM2 Amenity, DM12 Residential conversions and specialist accommodation
Houses in Multiple Paying Occupation (paras 8.23-8.25)	DM11 Houses in multiple occupation (HMO)
Flat conversions (paras 8.26-8.27)	DM12 Residential conversions and specialist accommodation
Hostels and residential homes (paras 8.28-8.30)	DM12 Residential conversions and specialist accommodation
Places of worship (paras 8.31-8.35)	DM8 Places of worship and other faith related community facilities
Development affecting Archaeological Remains (para 8.36)	BDP TP12 Historic environment
Notifiable Installations (paras 8.37-8.38)	DM3 Land affected by contamination, instability and hazardous substances
The 45 Degree Code for House Extensions (paras 8.39-8.44)	DM10 Standards for residential development, emerging Birmingham Design Guide SPD
Parking of vehicles at commercial, institutional and industrial premises adjacent to residential property (para 8.45)	DM15 Parking and servicing
Planning Obligations (paras 8.50-8.54)	BDP TP47 Developer contributions
Telecommunications (paras 8.55-8.55C)	DM16 Telecommunications
Development in the Green Belt (paras 8.56-8.62B)	BDP TP10 Green Belt
Enforcement Policy (paras 8.64-8.69)	Not replaced. Local Enforcement Plan to be prepared.
Aerodrome Safeguarding (paras 8.69-8.69C)	Not replaced. Covered by NPPF.

Appendices

SPGs Listed in Chapter 8 of Saved UDP	DMB or other policy/guidance replacement
DC1 Places for Living	Emerging Birmingham Design Guide SPD
DC2 Extending your Home	Emerging Birmingham Design Guide SPD
DC3 Specific Needs Residential Uses	Emerging Birmingham Design Guide SPD
DC4 Access for People with Disabilities	Emerging Birmingham Design Guide SPD
DC5 Shopfronts Design Guide	Emerging Birmingham Design Guide SPD
DC6 Electronic Information and Advertisement Signs	DM7 Advertisements
DC7 Use of Basement Floors for Entertainment Purposes	Not replaced. Covered by relevant policies in the DMB.
DC8 Petrol Filling Stations	DM1 Air quality
DC9 Guidelines for assessing Planning Applications for Development on or near to Landfill Sites	DM3 Land affected by contamination, instability and hazardous substances
DC10 Car Parking Guidelines	Emerging Parking SPD
DC11 Car Park Design Guide	Emerging Parking SPD
DC12 Development involving Former Public Houses	Retain
DC13 Evening Opening of Licensed Betting Offices	DM2 Amenity, DM6 Noise and vibration, DM14 Highway safety and access, DM15 Parking and Servicing
DC14 Development Involving residential accommodation above commercial premises (Living above the shop)	Revoked 2012
DC15 Proposals involving Isocyanate Paints	Not replaced.
DC16 Design Guidelines for Bottle and Recycling Banks at Supermarket Car Parks	Emerging Birmingham Design Guide SPD
DC17 Residential moorings	Revoked 2012
DC18 Policy for Ground Floor Non-Retail Uses in Shopping Centres	Revoked 2012
DC19 Location of Advertisement Hoardings	Policy DM7 - Advertisements
DC20 Floodlighting of Sports Facilities, Car Parks and Secure Areas (Light Pollution)	DM5 Light pollution
DC21 Affordable Housing	BDP TP31 Affordable housing
DC22 Use of S106 Agreements to secure provision of Public Toilet Facilities as part of new retail development	Revoked 2012

SPGs Listed in Chapter 8 of Saved UDP	DMB or other policy/guidance replacement
DC23 Guidelines for Bedroom Sizes for Student Accommodation	Emerging Birmingham Design Guide SPD
DC24 Guidelines for the location of Telecommunications Equipment (Mobile Telephone Infrastructure)	DM16 Telecommunications
ENV1 Regeneration through conservation	BDP TP12 Historic environment
ENV2 Nature Conservation Strategy for Birmingham	BDP TP12 Historic environment
ENV3 Canalside development in Birmingham – Design Guidelines	BDP TP12 Historic environment, Emerging Birmingham Design Guide SPD
ENV4 Birmingham Canals Action Plan	BDP TP12 Historic environment
ENV5 Open Space Requirements for New Residential Development	Retain
ENV6 Archaeology Strategy	BDP TP12 Historic environment
ENV7 Places for the future	Emerging Birmingham Design Guide SPD
ENV8 Places for all	Emerging Birmingham Design Guide SPD
ENV9 Lighting Places	Policy DM5 Light pollution, emerging Birmingham Design Guide SPD
ENV10 High places	Emerging Birmingham Design Guide SPD

Areas of restraint	DMB or other policy/guidance
Church Road, Erdington: Review of Interim Draft Area of Restraint	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation
Gillot Road	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation
Moseley and Sparkhill	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation
Wheelwright Road	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation
Middleton Hall Road and Bunbury Road	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation
Handsworth, Sandwell and Soho	Retain boundary and replace policy with DM12 Residential Conversions and Specialist Accommodation

Appendices

Other SPD/G's	DMB or other policy/guidance
45 degree code (2006)	Emerging Birmingham Design Guide SPD
Loss of industrial land to alternative uses SPD (2011)	Retain
Mature suburbs SPD (2008)	Retain
Places of worship SPD (2011)	DM8 Places of worship and other faith related community facilities
Sustainable management of urban rivers and floodplains SPD (2007)	Retain
Selly Oak, Edgbaston and Harborne: Houses in Multiple Occupation Article 4	DM11 Houses in multiple occupation (HMO)

Appendix 4: Glossary of Terms

45 Degree Code: a well-established approach in Birmingham applied to house extension proposals in order to protect daylight levels and outlook for occupiers, particularly of existing houses.

Accessibility: ability of people or goods and services to reach places and facilities.

Active frontages: street frontages where there is an active visual engagement between those in the street and those on the ground floors of buildings. This quality is assisted where the front facade of buildings, including the main entrance, faces and opens towards the street. This is not the same as attractive frontages, such as art walls, green walls or display boxes. Active frontages are often taken to mean continuous rows of highly-glazed Shopfronts with frequent entries and cafes.

Affordable Housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers).

Air Quality Action Plan (AQAP): Air Quality Action Plans are produced by local authorities (in collaboration with national agencies and others) to state their intentions and objectives towards achieving air quality targets through the use of the powers they have available.

Air Quality Management Area (AQMA): areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

Ancient or veteran tree: a tree which, because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

Ancient woodland: An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites.

Arboricultural Impact Assessment (AIA): a study to assess the impacts to trees caused by any development.

Area Action Plan (AAP): Development Plan Documents used to provide a planning framework for areas of change (e.g. major regeneration) and areas of conservation.

Article 4 Direction: a power available under the 1995 General Development Order allowing the Council, in certain instances, to restrict permitted development rights.

Authority Monitoring Report (AMR): a report published by the Council which provides updates on the preparation of the Council's Local Plan and other planning documents and assesses performance of adopted planning policies.

Biodiversity: encompasses the whole variety of life on earth (including on or under water) including all species of plants and animals and the variety of habitats within which they live. It also includes the genetic variation within each species.

Birmingham Connected: Birmingham's long-term transport strategy for the city.

Birmingham Connected Business Travel Network: a framework for the range of transport information, resources, services and activities that businesses and other organisations can access. This includes general advice around encouraging sustainable travel along with specific elements relating to road safety, air quality, freight and smarter working.

Birmingham Design Guide: a Supplementary Planning Document being prepared by the Council as the primary planning guidance used to assess and guide the design of all new development across the city.

Appendices

Birmingham Development Plan (BDP): adopted by the Council in January 2017, it sets out a spatial vision and strategic policies for the sustainable growth of Birmingham for the period 2011 to 2031.

Brownfield Land: previously developed land which is or has been occupied by a permanent structure.

Capital Asset Value for Amenity Trees (CAVAT): a tool for measuring the value of trees as public assets developed in 2008 and now used widely by local authorities across the UK.

Car Clubs: schemes which facilitate vehicle sharing.

Clean Air Zone (CAZ): an area where targeted action is taken to improve air quality, in particular by discouraging the most polluting vehicles from entering the zone. No vehicle is banned in the zone, but those which do not have clean enough engines will have to pay a daily charge if they travel within the area.

Community Infrastructure Levy (CIL): a per square metre tariff on new development seeking to raise revenue to fund new infrastructure.

Company Process Order (CPO): an order which enables a statutory authority to purchase an area of land compulsory for an approved project.

Conservation (for heritage policy): the process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

Conservation Area: area designated by the Council under the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 as possessing special architectural or historic interest.

Development Plan Documents (DPD): statutory planning documents that form part of the Local Plan including the Strategic Policies, Development Management Policies and Site Allocations Documents.

Environmental Protection Act 1990: deals with issues relating to waste on land, defining all aspects of waste management and places a duty on local authorities to collect waste.

Geodiversity: the range of rocks, minerals, fossils, soils and landforms.

Green Infrastructure: a network of connected, high quality, multi-functional open spaces, corridors and the links in between that provide multiple benefits for people and wildlife.

Groundwater: water held underground in the soil or in pores and crevices in rock.

Habitats Regulations Assessment Screening: assesses whether a plan or a planning proposal will impact upon a European protected ecological site such as Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites which are afforded strict protection under the Conservation of Habitats and Species Regulations 2017.

Heritage asset: a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

Historic environment: All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Historic Parks and Gardens: Parks and gardens containing historic features dating from 1939 or earlier registered by English Heritage. These parks and gardens are graded I, II or II* in the same way as Listed Buildings.

Houses in Multiple Occupation (HMOs): a property rented out by at least 3 people who are not from one 'household' (for example a family) but share facilities like the bathroom and kitchen. (Housing Act 2004).

International Commission on Non-Ionising Radiation Protection (ICNIRP): Organisation providing scientific advice and guidance on the health and environmental effects of non-ionizing radiation (NIR) to protect people and the environment from detrimental exposure. Activities include determining exposure limits for electromagnetic fields used by devices such as cellular phones.

Landmarks: buildings and structures which are visually or culturally prominent

Landscape: The character and appearance of land, including its shape, form, ecology, natural features, colours and elements and the way these elements combine.

Listed Buildings: Locally listed buildings are those which satisfy one or more of the following criteria: historic interest, architectural interest or environmental significance. Statutory listed buildings are buildings of special architectural or historic interest, they are graded as I, II* or with grade I being the highest. English Heritage is responsible for designating buildings for statutory listing in England.

Local Plan: a plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two.

Local Validation Requirements: document which sets out the information that Birmingham City Council will require to be able to register, assess and determine planning applications.

Major development: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

Major hazard sites, installations and pipelines: Sites and infrastructure, including licensed explosive sites and nuclear installations, around which Health and Safety Executive (and Office for Nuclear Regulation) consultation distances to mitigate the consequences to public safety of major accidents may apply.

Market Housing: private housing for rent or for sale, where the price is set in the open market.

National Planning Policy Framework (NPPF): sets out the Government's planning policies for England and how they are expected to be applied.

Noise-sensitive Development: development which increases noise exposure or may have a detrimental impact for residents or users.

Non-strategic policies: Policies contained in a neighbourhood plan, or those policies in a local plan that are not strategic policies.

Open Space: all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Appendices

Planning condition: A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

Planning obligation: A legal agreement entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

Public realm: the space between and within buildings that is publicly accessible, including streets, squares, forecourts, parks and open spaces.

Regeneration: the economic, social and environmental renewal and improvement of a rural or urban area.

Remediation strategy: to manage environmental liabilities – specifically land and water contamination risks in order for land to be brought forward for development.

Renewable and low carbon energy: Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

Road to Zero: UK Government strategy which sets out measures to clean up road transport and lead the world in the developing, manufacturing and using zero emission road vehicles.

Section 106 Agreement (S106)/Planning Obligations: These agreements confer planning obligations on persons with an interest in land in order to achieve the implementation of relevant planning policies as authorised by Section 106 of the Town and Country Planning Act 1990.

Secured by Design: The planning and design of street layouts, open space, and buildings so as to reduce the likelihood of crime, fear of crime, and anti-social behaviour.

Self-build and Custom-build housing: Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.

Modeshift STARS: an Accreditation system run by Birmingham City Council to encourage schools to review their travel plans to reduce congestion and encourage more active travel to and from school.

Statement of Community Involvement (SCI): the Council's policy for involving the community in the preparation, review and alteration of LDDs and planning applications. It includes who should be involved and the methods to be used.

Sui Generis: A term used to categorise buildings that do not fall within any particular use class for the purposes of planning permission. The different use classes are set out in the Town and Country Planning (Use Classes) Order 1987.

Supplementary Planning Documents (SPD): documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Sustainability Appraisal (SA): a systematic and continuous assessment of the social, environmental and economic effects of strategies and policies contained in the DPDs, which complies with the EU Directive for Strategic Environmental Assessment.

Sustainable transport modes: Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra low emission vehicles, car sharing and public transport.

The National Planning Practice Guidance: Government guidance to accompany the National Planning Policy Framework.

Transport Assessment (TAs): a comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies measures required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport, and measures that will be needed deal with the anticipated transport impacts of the development.

Transport Statement (TSs): a simplified version of a transport assessment where it is agreed the transport issues arising from development proposals are limited and a full transport assessment is not required.

Travel Plan: a long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives and is regularly reviewed.

Tree Preservation Order (TPO): made under the Town and Country Planning Act 1990 by the local planning authority to protect trees of importance for amenity, landscape and nature conservation.



BIRMINGHAM PLAN 2031





Birmingham City Council

Sustainability Appraisal of the Development Management Development Plan Document

Publication Version (Regulation 19)

Sustainability Report



Report for

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Non-Technical summary

Introduction

This Non-Technical Summary (NTS) provides an overview of the Sustainability Appraisal (SA) Report produced as part of the SA of the Development Management DPD (DM DPD) that is currently being prepared by Birmingham City Council (the Council). The SA is being carried out on behalf of the Council by Wood¹ to help integrate sustainable development into the emerging DPD. This iteration of the SA report concerns the Publication Draft DM DPD.

The following sections of this NTS:

- ▶ provide an overview of the DM DPD;
- ▶ describe the approach to undertaking the SA of the DM DPD;
- ▶ summarise the findings of the SA of the DM DPD; and
- ▶ set out the next steps in the SA of the DM DPD including how to respond to the consultation on this SA Report.

What is the Development Management DPD?

The Development Management DPD provides detailed policy guidance on a range of planning matters, covering environmental, social and economic topics, and will be a material consideration in the determination of planning applications. The DPD will be applicable to any location in the City, helping to deliver the BDP vision of Birmingham as *“an enterprising, innovative and green City that has delivered sustainable growth meeting the needs of its population”*, with an emphasis on supporting growth and creating high quality places. The objectives of the DPD mirror those of the BDP. The policies within the Development Management DPD reflect, and are in accordance with, the policies and guidance set out within the National Planning Policy Framework (NPPF) and the strategic spatial objectives and policies in the BDP. There are 16 proposed policies under the following themes:

Environment and Sustainability

- ▶ DM1 Air quality
- ▶ DM2 Amenity
- ▶ DM3 Land affected by contamination, instability and hazardous substances
- ▶ DM4 Landscaping and trees
- ▶ DM5 Light pollution
- ▶ DM6 Noise and vibration

Economy and network of centres

- ▶ DM7 Advertisements
- ▶ DM8 Places of worship and other faith related community facilities

¹ Formerly Amec Foster Wheeler, which was acquired in October 2017 by Wood Group.

- ▶ DM9 Day nurseries and early years provision

Homes and Neighbourhoods

- ▶ DM10 Standards for residential development
- ▶ DM11 Houses in multiple occupation (HMO)
- ▶ DM12 Residential conversions and specialist accommodation
- ▶ DM13 Self and custom build housing

Connectivity

- ▶ DM14 Highway safety and access
- ▶ DM15 Parking and servicing
- ▶ DM16 Telecommunications

What is Sustainability Appraisal?

National planning policy² states that local plans should be prepared with the objective of contributing to the achievement of sustainable development. Sustainable development is that which seeks to secure net gains across economic, environmental and social objectives to meet the needs of the present without compromising the ability of future generations to meet their own needs.

The DM DPD should contribute to a sustainable future for the plan area. To support this objective, the Council is required to carry out a SA of the DPD³. SA is a means of ensuring that the likely social, economic and environmental effects of the DPD are identified, described and appraised and also incorporates a process set out under a European Directive⁴ and related UK regulations⁵ called Strategic Environmental Assessment (SEA). Where negative effects are identified, measures are proposed to avoid, minimise or mitigate such effects. Where any positive effects are identified, measures are considered that could enhance such effects. SA is therefore an integral part of the preparation of the DM DPD.

How has the Development Management DPD been appraised?

Table NTS 1 presents the range of SA Objectives that were developed in light of the baseline data, key sustainability issues identified for the City and with reference to the sustainability objectives developed for the SA/SEA of the Birmingham Development Plan and the SEA topic areas. These have been used to appraise the effects of DM DPD and to consider whether the Plan objectives, policies and proposals are sustainable.

² See paragraph 16 of the National Planning Policy Framework (Ministry for Housing, Communities and Local Government, 2019).

³ The requirement for SA of local plans is set out under section 19(5) of the Planning and Compulsory Purchase Act 2004.

⁴ Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

⁵ Environmental Assessment of Plans and Programmes Regulations 2004 (statutory instrument 2004 No. 1633).

Table NTS 1 Sustainability Appraisal Objectives

SEA Directive Topic Area(s)	DM DPD Sustainability Appraisal Objectives
Material assets, soil	1. ENV1 Encourage development that optimises the use of previously developed land and buildings
Material assets	2. ENV2 To promote the application of high standards of design, construction and maintenance of buildings
Material assets, air quality, human health	3. ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel
Cultural heritage, landscape, biodiversity, flora and fauna	4. ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage, including resilient ecological networks able to meet the demands of current and future pressures.
Climatic Factors	5. ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly floodrisk management and reduction
Water, air quality, human health, material assets	6. ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management
Population and human health	7. ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all
Population and human health	8. ECON2 To help promote the vitality of local centres
Population and human health	9. ECON3 To promote the regeneration of areas across the City through appropriate development
Population and human health	10. ECON4 To encourage investment in learning and skills development
Population and human health	11. SOC1 To help ensure equitable access to community services and facilities
Population and human health	12. SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs
Population and human health	13. SOC3 To encourage development which promotes health and well-being
Population and human health	14. SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour
Population and human health	15. SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life

The DPD Objectives have been assessed for their compatibility with the SA Objectives.

The policies have been appraised against the SA Objectives using matrices to identify likely significant effects on the SA objectives. A qualitative scoring system has been adopted which is set out in **Table NTS 2**.

Table NTS 2 Scoring System Used in the Appraisal of the Draft DPD

Score	Description	Symbol
Significant Positive Effect	The proposed option/policy contributes significantly to the achievement of the objective.	++
Minor Positive Effect	The proposed option/policy contributes to the achievement of the objective but not significantly.	+
Neutral	The proposed option/policy does not have any effect on the achievement of the objective	0
Minor Negative Effect	The proposed option/policy detracts from the achievement of the objective but not significantly.	-
Significant Negative Effect	The proposed option/policy detracts significantly from the achievement of the objective.	--
No Relationship	There is no clear relationship between the proposed option/policy and the achievement of the objective or the relationship is negligible.	~

Score	Description	Symbol
Uncertain	The proposed option/policy has an uncertain relationship to the objective or the relationship is dependent on the way in which the aspect is managed. In addition, insufficient information may be available to enable an appraisal to be made.	?

NB: where more than one symbol/colour is presented in a box it indicates that the appraisal has identified both positive and negative effects. Where a box is coloured but also contains a '?', this indicates uncertainty over whether the effect could be a minor or significant effect although a professional judgement is expressed in the colour used. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.

What are the likely significant effects of the Development Management DPD?

The results of the SA of the DM policies indicate that there are likely to be largely positive or significantly positive effects resulting from implementation of the policies. This reflects the positive intent of the policies and the need to deal systematically and objectively with planning issues arising day-to-day across the City, as well as the experience accumulated through their ongoing implementation in the past through the UDP. More generally, the Development Management policies represent the lowest tier in a hierarchy of planning policies, adding local detail to implement the broader principles of policies within the NPPF and the BDP. As such they specifically address local issues and are designed to mitigate potential adverse effects associated with development.

No significant negative effects, either associated with specific sustainability objectives or cumulatively, have been identified. This contrasts with the scores attributed to the absence of a policy which are typically significantly negative, reflecting the clear need to systematically control development and the likely consequences of the absence of such a policy framework which is to the benefit of applicants, residents and the City as a whole.

Some policies have been identified as holding some uncertainty as to their precise effects in respect of meeting sustainability objectives. These apply principally to whether significant positive effects are likely to be fully realised in respect of matters such as sustainable travel and construction, or enhanced access by local communities to skills enhancement from the construction of education facilities, reflecting the case-by-case nature of individual developments and their particular circumstances. Nevertheless, the potential for the realisation of significant positive or positive effects exists.

Proposed mitigation measures

No suggestions were made as to the specific wording of policies reflecting their positive intention. This reflects the positive scores, the absence of negative effects and the intention to use the policies in combination with the policies of the BDP, which for each policy are cross-referenced.

However, the following suggestions are made in respect of the presentation of the policies in order to make clearer how the policies will be implemented:

- ▶ Ensure that, wherever possible, the specific criteria against which the policy will be implemented and monitored are included.
- ▶ For each DM policy, provide further detail against the cited BDP policies on how these will work together.
- ▶ Set out more clearly in paragraph 1.10 of the DPD which matters are covered by the BDP, such as the control of various forms of retail development.

In Summary

The SA of the DM DPD has scrutinised the basis for, content and likely effects of the proposed suite of policies. The SA has ensured that there has been consideration of the likely environmental effects of various options associated with each policy, demonstrating how the performance of the proposed policy is likely to lead to positive outcomes for the location of proposed developments and for the City as a whole.

Comments

This Sustainability Appraisal Report which accompanies the Publication DM DPD is subject to consultation between Monday 11th November 2019 and Monday 23rd December 2019. Comments on this Report should be sent to:

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Next Steps

Following consultation and an analysis of the responses, the Council will produce a Submission Development Management DPD for scrutiny at an Examination in Public.



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1. Background

1.1 Introduction

- 1.1.1 The Birmingham Development Plan⁶ (BDP) was adopted by Birmingham City Council (the Council) in 2017. The BDP provides the strategic planning policies for over 51,100 new homes and substantial amounts of employment land, retail and office development to be delivered by 2031. The Council has also been preparing the Development Management Development Plan Document (DM DPD). It will provide detailed planning policies for specific types of development and support the implementation of the BDP.
- 1.1.2 The Council issued an initial draft Development Management DPD in March 2015⁷. Following an analysis of the consultation responses and the adoption of the BDP, the Council prepared a Draft Development Management DPD, consulted on as Preferred Options version in January – February 2019 and now as a Publication version.
- 1.1.3 Wood Environment and Infrastructure Solutions Ltd. (Wood) was been commissioned by the Council to undertake a Sustainability Appraisal (SA) of the Development Management DPD. The SA appraises the environmental, social and economic performance of the Development Management DPD and any reasonable alternatives.
- 1.1.4 This report presents the findings of the SA of the Publication Draft Development Management DPD. It sets out the results of the appraisal of the DPD's sustainability performance using a SA framework developed in the Scoping Report⁸.
- 1.1.5 This Sustainability Appraisal Report accompanies the Publication Draft Development Management DPD and is subject to consultation between Monday 11th November 2019 and Monday 23rd December 2019. Comments on this Report should be sent to:

Planning Policy
Birmingham City Council
Planning and Development
1 Lancaster Circus
Queensway
Birmingham
B1 1TU

www.birmingham.gov.uk/DMB

1.2 What is Sustainability Appraisal?

- 1.2.1 Sustainability Appraisal (SA) is a process whereby the environmental, social and economic aspects of a proposed plan, policy or programme (and any reasonable alternatives) are systematically identified, described and evaluated. In doing so, it will help to inform the selection of options and identify measures to avoid, minimise or mitigate any potential negative effects that may arise from

⁶ Birmingham City Council (January 2017) *Birmingham Development Plan: Part of Birmingham's Local Plan, Planning for sustainable growth*.

⁷ Birmingham City Council (June 2015) *Regulation 18 Consultation on Development Management DPD*

⁸ Birmingham City Council (2018) *Sustainability Appraisal of the Development Management DPD: Scoping Report*

the plan, policy or programme's implementation as well as opportunities to improve the contribution towards sustainability.

Legislation

- 1.2.2 Under Section 19(5) of the Planning and Compulsory Purchase Act (PCPA) 2004, a local planning authority (LPA) is required to:
- a) carry out an appraisal of the sustainability of the proposals in each development plan document;
 - b) prepare a report of the findings of the appraisal.
- 1.2.3 The development plan documents referred to in Section 19 (5a) include Local Plans.
- 1.2.4 In developing the DPDs, LPAs must also address the requirements of European Union Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, referred to as the SEA Directive, and its transposing regulations.⁹ In the case of the Development Management DPD, following screening against the requirements of the SEA Directive, the Council considered that it was likely to have significant effects, and in consequence, this SA includes meeting the requirements of the SEA Directive and implementing regulations.
- 1.2.5 Section 39 of the PCPA requires that the authority preparing a DPD must do so "with the objective of contributing to the achievement of sustainable development". On this, it echoes Article 1 of the SEA Directive, which states that the objective of SEA is:
- "to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development".*

National Planning Policy Framework and Guidance

- 1.2.6 At paragraph 16, the National Planning Policy Framework (NPPF) (2019)¹⁰ sets out that local plans should be prepared with the objective of contributing to the achievement of sustainable development.¹¹ In this context, paragraph 32 of the NPPF reiterates the requirement for SA/SEA as it relates to local plan preparation:
- "Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements.¹² This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered)."*

⁹ [Environmental Assessment of Plans and Programmes Regulations 2004](#) (the 'Strategic Environmental Assessment Regulations'), which implement the requirements of the [European Directive 2001/42/EC](#) (the 'Strategic Environmental Assessment Directive')

¹⁰ Ministry of Housing, Communities and Local Government (2019) *National Planning Policy Framework* <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

¹¹ This is a legal requirement of local planning authorities exercising their plan-making functions (section 39(2) of the Planning and Compulsory Purchase Act, 2004)

¹² The reference to relevant legal requirements in the NPPF relates to Strategic Environmental Assessment.

- 1.2.7 The Planning Practice Guidance (Plan-making paragraph 03713) also makes clear that SA plays an important role in demonstrating that a local plan reflects sustainability objectives and has considered reasonable alternatives. In this regard, SA will help to ensure that a local plan is *"justified"*, a key test of soundness that concerns the extent to which the plan provides an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence. The PPG also states¹⁴ that *"The development and appraisal of proposals in plans needs to be an iterative process, with the proposals being revised to take account of the appraisal findings"* and leads to a series of SA Reports being completed to accompany each stage of the plan preparation.
- 1.2.8 Therefore current legislation, planning policy and guidance all make clear that compliance with requirements of the SEA Directive through the completion of an integrated SA is critical to ensuring that a plan is found sound at Examination and can then be formally adopted.

1.3 Purpose of this SA Report

- 1.3.1 Specifically, this SA Report sets out:
- ▶ an overview of the Publication Draft Development Management DPD;
 - ▶ a review of relevant international, national, regional, sub-regional and local plans, policies and programmes;
 - ▶ baseline information for the DPD area across key sustainability topics;
 - ▶ key economic, social and environmental issues relevant to the appraisal of the Publication Draft Development Management DPD;
 - ▶ the approach to undertaking the appraisal of the Publication Draft Development Management DPD;
 - ▶ the findings of the appraisal of the Publication Draft Development Management DPD; and
 - ▶ conclusions and an overview of the next steps in the SA process.

1.4 The Development Management DPD

- 1.4.1 The Development Management DPD provides detailed policy guidance on a range of planning matters, covering environmental, social and economic topics, and will be a material consideration in the determination of planning applications. The DPD will be applicable to any location in the City, helping to deliver the BDP vision of Birmingham as *"an enterprising, innovative and green City that has delivered sustainable growth meeting the needs of its population"*, with an emphasis on supporting growth and creating high quality places. The DPD will support the delivery of the BDP objectives, namely:
- ▶ To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character.
 - ▶ To make provision for a significant increase in the City's population.
 - ▶ To create a prosperous, successful and enterprising economy with benefits felt by all.

¹³ Planning Practice Guidance, Reference ID 61-037-20190315 (Revision date: 15/03/2019)

¹⁴ Planning Practice Guidance, Strategic environmental assessment and sustainability appraisal, Paragraph: 018 Reference ID: 11-018-20140306 (Revision date: 06 03 2014)

- ▶ To promote Birmingham's national and international role.
- ▶ To provide high quality connections throughout the City and with other places including encouraging the increased use of public transport, walking and cycling.
- ▶ To create a more sustainable City that minimises its carbon footprint and waste and promotes brownfield regeneration while allowing the City to grow.
- ▶ To strengthen Birmingham's quality institutions and role as a learning City and extend the education infrastructure securing significant school places.
- ▶ To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space.
- ▶ To protect and enhance the City's heritage assets and historic environment.
- ▶ To conserve and enhance Birmingham's natural environments, allowing biodiversity and wildlife to flourish.
- ▶ To ensure that the City has the infrastructure in place to support its future growth and prosperity.

Evolution of the Development Management DPD

1.4.2 The DM DPD has been subject to an extensive process of consultation that has played an important role in helping to shape the policies in the plan. The Council has undertaken two key consultation exercises prior to publication of the Council's Publication version DM DPD in October 2019.

Stage 1 - Initial Consultation Document (June 2015)

Stage 2 - Preferred Options Consultation Document (January 2019)

Stage 3 - Publication version Consultation (October 2019 - this stage)

1.4.3 The first two stages of consultations are considered to be work undertaken as 'preparation of a local plan' under Regulation 18 of the Regulations. The reason for the large time gap between the first consultation in 2015 and the second consultation in 2019 was due delays around the adoption of the Birmingham Development Plan (BDP). The BDP Inspector issued his final report in March 2016. The Government placed a holding direction on the adoption of the BDP until November 2016. After the holding direction was lifted the Birmingham City Council sought to adopt the BDP as soon as practicable, which was at its Council meeting of January 2017.

1.4.4 Consultation on the Issues and Options version of the DM DPD (Regulation 18 Stage) took place in Summer 2015. In total, 26 respondents provided a total of 91 responses, which have been taken into consideration as the policies in the DPD were prepared. Relevant responses are summarised in **Appendix E**.

1.4.5 In light of the consultation and re-appraisal of the relationship between the emerging DM DPD and the adopted BDP, various policies have been deleted and others merged (**Table 1.1**).

Table 1.1 Changes to the Suite of Policies from the Regulation 18 Document to the Preferred Options Document

Proposed policy in October 2015 Consultation	How this was dealt with in the Preferred Options Draft Document
Hot food Takeaways (DM01)	Covered by DM2 Amenity, DM6 Noise and Vibration, DM13 Highway safety and access, DM14 Parking and Servicing
Sheesha Lounges (DM02)	Covered by DM2 Amenity, DM6 Noise and Vibration, Highway safety and access, DM14 Parking and Servicing
Restaurants/ Cafes/ Pubs (DM03)	Covered by DM2 Amenity, DM6 Noise and Vibration, Highway safety and access, DM14 Parking and Servicing
Private Hire and Taxi Booking Offices (DM08)	Covered by DM2 Amenity, DM6 Noise and Vibration, Highway safety and access, DM14 Parking and Servicing
Education Facilities – Use of Dwellings Houses (DM09)	Covered by DM9 Places of worship and faith related community uses, DM10 Day nurseries and early years provision, BDP Policy TP36 Education
Education Facilities Non-Residential Properties (DM10)	Covered by DM9 Places of worship and faith related community uses, DM10 Day nurseries and early years provision, BDP Policy TP36 Education
Hotels and Guest Houses (DM11)	Not considered necessary. Majority of impacts covered by DM2 Amenity, DM6 Noise and Vibration, DM13 Highway safety and access, DM14 Parking and Servicing
Flat Conversions (DM14)	Not considered necessary. Majority of impacts covered by DM2 Amenity, DM6 Noise and Vibration, DM13 Highway safety and access, DM14 Parking and Servicing
Hostels and Residential Homes (DM15)	Not considered necessary. Majority of impacts covered by DM2 Amenity, DM6 Noise and Vibration, DM13 Highway safety and access, DM14 Parking and Servicing
Planning Obligations (DM17)	Covered by BDP Policy TP47 Developer contributions
Aerodrome Safety (DM19)	Covered by ODPM Circular1/2003
Design (DM23)	Covered by BDP Policy PG Place-making

1.4.6

Consultation on the Preferred Options Draft Development Management DPD took place from 4th February to 29th March 2019. Some 69 individuals/ organisations responded generating 650 separate comments; general Comments regarding Development Management DPD and SA are recorded in **Appendix G** along with where there have been refinements made through amended wording to the proposed policies in response to the comments made. Policies within the Homes and Neighbourhood section have been expanded from three to four as follows:

Preferred Options Plan Homes & Neighbourhoods policies	Publication Plan Homes & Neighbourhoods policies
DM10 Houses in multiple occupation and other residential accommodation	DM10 Standards for residential development
DM11 Standards for Residential development	DM11 Houses in multiple occupation (HMO)

DM12 Self and custom build housing

DM12 Residential conversions and specialist accommodation

DM13 Self and custom build housing

- 1.4.7 Changes to the structure of the policies and their content in response to comments have been taken into account in the appraisal.
- 1.4.8 The only comment on the SA of the Preferred Options document noted the need to include specific reference to the HRA produced for the BDP. This omission has been corrected in this document (see section 1.6)
- 1.4.9 The proposed policies within the Publication Draft Development Management DPD reflect, and are in accordance with, the policies and guidance set out within the National Planning Policy Framework (NPPF) and the strategic spatial objectives and policies in the BDP. There are 16 proposed policies under the following themes:

Environment and Sustainability

- ▶ DM1 Air quality
- ▶ DM2 Amenity
- ▶ DM3 Land affected by contamination, instability and hazardous substances
- ▶ DM4 Landscaping and trees
- ▶ DM5 Light pollution
- ▶ DM6 Noise and vibration

Economy and network of centres

- ▶ DM7 Advertisements
- ▶ DM8 Places of worship and other faith related community facilities
- ▶ DM9 Day nurseries and early years provision

Homes and Neighbourhoods

- ▶ DM10 Standards for residential development
- ▶ DM11 Houses in multiple occupation (HMO)
- ▶ DM12 Residential conversions and specialist accommodation
- ▶ DM13 Self and custom build housing

Connectivity

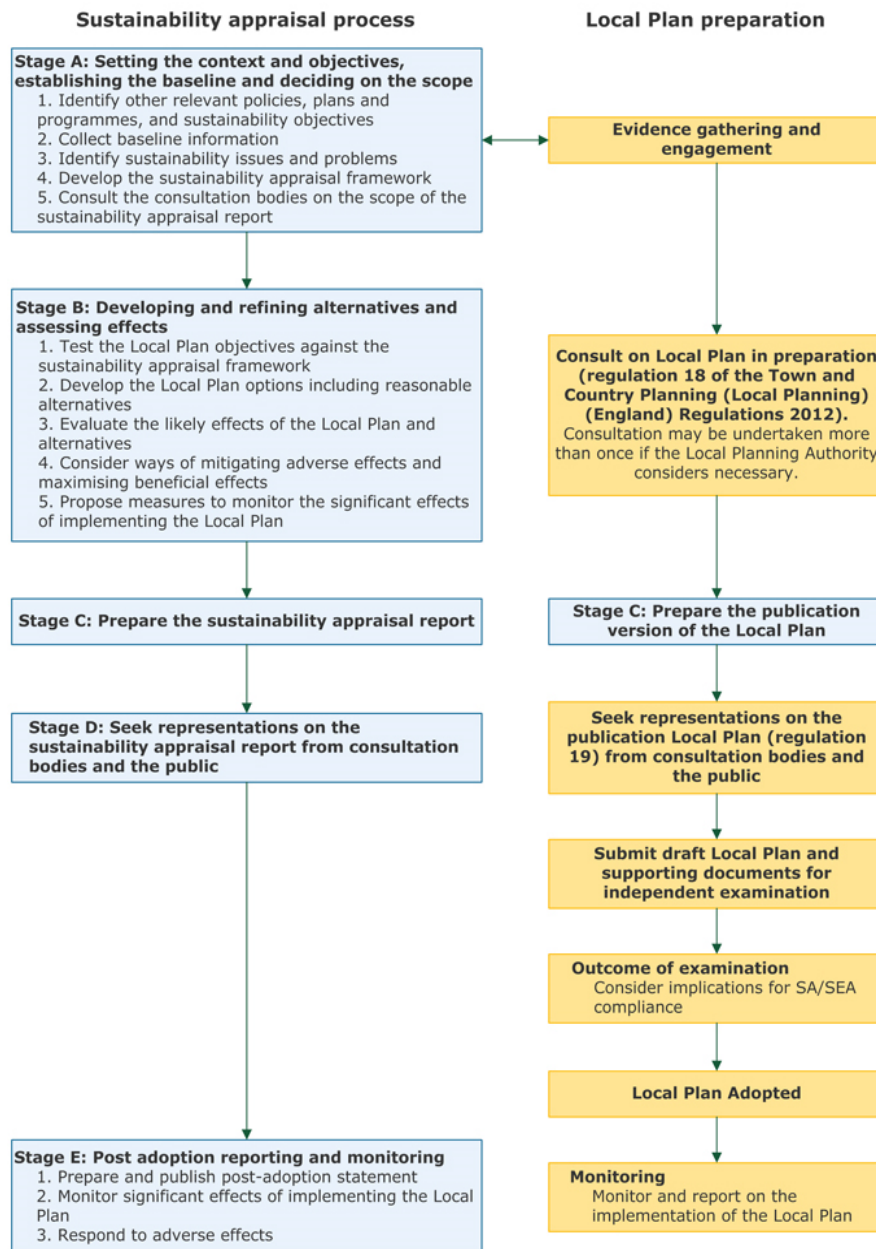
- ▶ DM14 Highway safety and access
- ▶ DM15 Parking and servicing
- ▶ DM16 Telecommunications.

1.5 The Sustainability Appraisal process

- 1.5.1 The appraisal of the DM DPD is an integral part of the plan preparation and has five sequential stages. These are highlighted in **Figure 1.1** below together with links to the development of the DPD.
- 1.5.2 The first stage (**Stage A**) led to the production of a SA Scoping Report¹⁵. Informed by a review of other relevant policies, plans and programmes as well as baseline information and the identification of key sustainability issues affecting the City, the Scoping Report set out the proposed framework for the appraisal of the DPD (termed the SA Framework).
- 1.5.3 Consultation on the Scoping Report ran from Friday 12th December 2014 until Friday 22nd January 2015 and from 21st May and 29th June 2018. Responses were received to the consultation from the statutory SEA consultation bodies (Natural England, Historic England and the Environment Agency). Responses related to various aspects of the Scoping Report and resulted in amendments to the SA Framework. **Appendix D** contains a schedule of the consultation responses received on the Scoping Report, the Council's response and the subsequent action taken.
- 1.5.4 **Stage B** of the SA process is iterative and involves the development and refinement of the DPD by testing the sustainability strengths and weaknesses of the emerging policy options. An SA of the Issues and Options and Preferred Options versions of the DM DPD (Regulation 18 Stage) were completed and subject to consultation (along with the draft DPD) in summer 2015 and winter 2019 respectively. **Appendix F** and **G** contains a schedule of the consultation responses received.
- 1.5.5 At **Stage C**, a final SA Report will be prepared to accompany the publication draft DPD. As with this SA Report, it will be available for consultation alongside the DPD itself. In some instances following consultation, further amendments are made to the SA Report prior to submission and consideration by an independent planning inspector (**Stage D**).
- 1.5.6 Following Examination in Public, and subject to any significant changes to the draft DPD that may require appraisal, the Council will issue a Post Adoption Statement as soon as reasonably practicable after the adoption of the DPD. This will set out the results of the consultation and SA processes and the extent to which the findings of the SA have been accommodated in the adopted DPD. During the period covered by the DPD, the Council will monitor its implementation and any significant social, economic and environmental effects (**Stage E**).

¹⁵ Birmingham City Council (2018) *Sustainability Appraisal of the Development Management DPD: Scoping Report*

Figure 1.1 The relationship between the SA process and Local Plan preparation



Source: Ministry of Housing, Communities and Local Government (MHCLG) (2019) *Planning Practice Guidance Strategic Environmental Assessment and Sustainability Appraisal* (Paragraph: 013 Reference ID: 11-013-20140306). Available at <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal>

1.6 Habitats Regulations Assessment

1.6.1 Regulation 105 of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations') requires that competent authorities assess the potential impacts of land use plans on the Natura 2000 network of European protected sites¹⁶ to determine whether there will be any 'likely

¹⁶ Strictly, 'European sites' are any Special Area of Conservation (SAC) from the point at which the European Commission and the UK Government agree the site as a 'Site of Community Importance' (SCI); any classified Special Protection Area (SPA); any candidate SAC (cSAC); and (exceptionally) any other site or area that the Commission believes should be considered as an SAC but which has not been

significant effects' (LSE) on any European site as a result of the plan's implementation (either alone or 'in combination' with other plans or projects); and, if so, whether these effects will result in any adverse effects on that site's integrity with reference to the site's conservation objectives. The process by which the effects of a plan or programme on European sites are assessed is known as 'Habitats Regulations Assessment' (HRA)¹⁷.

- 1.6.2 In accordance with the Habitats Regulations, what is commonly referred to as a HRA screening exercise has been undertaken to identify the likely impacts of the emerging Local Plan upon European sites, either alone or 'in combination' with other projects or plans, and to consider whether these effects are likely to be significant. Where the possibility of significant effects could not be excluded, a more detailed Appropriate Assessment¹⁸ (AA) has been carried out to determine whether these effects would adversely affect the integrity of European sites.
- 1.6.3 The HRA is reported separately from the SA of the DPD (although a summary of the findings is included in **Section 4.4** of this report) but importantly has helped to inform the appraisal process, particularly in respect of the potential effects of proposals on biodiversity.

1.7 Compliance with the SEA Directive/Regulations

- 1.7.1 This Sustainability Appraisal Report has been compiled with reference to the legal requirements of the SEA Directive and associated Regulations. **Table 1.2** sets out where and how the requirements of the SEA Directive have been addressed in producing this SA Report.

Table 1.2 Compliance with the requirements of the SEA Directive

Annex I, SEA Directive requirement	Where covered in the SA Report
a) An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans.	Sections 1 and 2
b) The relevant aspects of the current states of the environment and the likely evolution thereof without implementation of the plan or programme.	Section 2
c) The environmental characteristics of areas likely to be significantly affected.	Section 2
d) Any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance.	Section 2
e) The environmental protection objectives, established at international, community or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account during its preparation.	Section 2
f) The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material and archaeological heritage, landscape and the interrelationship between the above factors. These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects.	Section 4

identified by the Government. However, the term is also commonly used when referring to potential SPAs (pSPAs), to which the provisions of Article 4(4) of Directive 2009/147/EC (the 'new wild birds directive') are applied; and to possible SACs (pSACs) and listed Ramsar Sites, to which the provisions of the Conservation of Habitats and Species Regulations 2017 are applied a matter of Government policy when considering development proposals that may affect them (NPPF para 176). 'European site' is therefore used in this report in its broadest sense, as an umbrella term for all of the above designated sites.

¹⁷ See: https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf

¹⁸ 'Appropriate Assessment' has been historically used as an umbrella term to describe the process of assessment as a whole. The whole process is now more usually termed 'Habitats Regulations Assessment' (HRA), and 'Appropriate Assessment' is used to indicate a specific stage within the HRA.

g) The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan.	Section 4
h) An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties encountered in compiling the required information.	Section 4
i) A description of measures envisaged concerning monitoring.	Section 5
j) A non-technical summary of the information provided under the above headings.	This Report

2. Review of Contextual Information

2.1 Review of Plans, Policies and Programmes

- 2.1.1 One of the first steps in undertaking SA is to identify and review other relevant plans and programmes that could influence the DM DPD. The requirement to undertake a plan and programme review and to identify the environmental and wider sustainability objectives relevant to the plan being assessed is set out in the SEA Directive. An 'environmental report' required under the SEA Directive should include: *"An outline of the contents, main objectives of the plan or programme and relationship with other relevant plans and programmes"* to determine *"the environmental protection objectives, established at international (European) community or national level, which are relevant to the plan or programme ... and the way those objectives and any environmental considerations have been taken into account during its preparation"* (Annex 1 (a), (e)).
- 2.1.2 Plans and programmes relevant to the DPD may be those at an international/ European, UK, national, regional, sub-regional or local level, as relevant to the scope of the document. The review of relevant plans and programmes aims to identify the relationships between the DPD and these other documents, i.e. how the DPD could be affected by the other plans' and programmes' aims, objectives and/or targets, or how it could contribute to the achievement of their sustainability objectives. The review also ensures that the relevant environmental protection and sustainability objectives are integrated into the SA. Additionally, reviewing plans and programmes can provide appropriate information on the baseline for the plan area and help identify the key sustainability issues.
- 2.1.3 The relationship between various policies, plans, programmes and environmental protection objectives may influence the DM DPD. The relationships are analysed to help:
- ▶ identify any external social, environmental or economic objectives that should be reflected in the SA/SEA process;
 - ▶ identify external factors that may have influenced the preparation of the plan; and
 - ▶ determine whether the policies in other plans and programmes might lead to cumulative or synergistic effects when combined with policies in the plan.
- 2.1.4 This process enables the DM DPD to take advantage of any potential synergies and to respond to any inconsistencies and constraints. The plans and programmes to be considered include those at the international, national, regional and local scale.
- 2.1.5 The review aims to identify the relationships between the DM DPD and these other documents i.e. how the DPD could be affected by the other plans' and programmes' aims, objectives and/or targets, or how it could contribute to the achievement of any environmental and sustainability objectives. An understanding of the plans and programmes alongside which the DM DPD sits is important in developing a baseline approach to the assessment. It is also a valuable source of information to support the completion of the social, economic and environmental baseline and aid the determination of the key issues. The completed review of plans and programmes will also be used to provide the policy context for the subsequent assessment process and help to inform the development of objectives that comprise the assessment framework.
- 2.1.6 The SA Scoping Report (2015 and 2018 update) included a review of plans and programmes, consistent with the requirements of the SEA Directive, and which was used to inform the development of the SA Framework. Table 2.1 lists the plans, programmes and strategies at international, national, regional and local scale reviewed within the Scoping Report, whilst

Appendix B sets out where the content of the plans, programmes and strategies reviewed have been translated into the Sustainability Objectives.

Table 2.1 Plans, Programmes and Strategies Relevant to the SA of the DM DPD

International
<p>Council of Europe (2006) European Landscape Convention</p> <p>Council of Europe (1985) Convention on the Protection of the Architectural Heritage of Europe</p> <p>EU (2007) Floods Directive</p> <p>EU (1991) Urban Waste Water Treatment Directive.</p> <p>EC (2007) Together for Health: A Strategic Approach for the EU 2008-2013</p> <p>The Pan-European Biological and Landscape Diversity Strategy (1995)</p> <p>EU Directive on the Conservation of Wild Birds (79/409/EEC)</p> <p>EU Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora (92/43/EEC) & Subsequent Amendments</p> <p>EU Directive on Waste (Directive 75/442/EEC, 2006/12/EC 2008/98/EC as amended)</p> <p>EU Packaging and Packaging Waste Directive (94/62/EC)</p> <p>EU (1996) Ambient Air Quality Assessment and Management (96/62/EC, Air Quality Framework Directive).</p> <p>EU (1998) Aarhus Convention</p> <p>EU Drinking Water Directive (98/83/EC)</p> <p>EU Directive on the Landfill of Waste (99/31/EC)</p> <p>EU (2000) Directive on Establishing a Framework for Community Action in the Field of Water Policy (2000/60/EC, The Water Framework Directive).</p> <p>EU 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment (SEA Directive)</p> <p>EU (2005) Clean Air Strategy.</p> <p>EU (2010) The Industrial Emissions Directive</p> <p>UNFCCC (1997) Kyoto Protocol to the UN Framework Convention on Climate Change.</p> <p>UNFCCC (2009) Copenhagen Accord (Climate Change).</p>
National
<p>CLG (2019) National Planning Policy Framework (NPPF)</p> <p>DCLG (2011) The Localism Act</p> <p>DCLG (2011) The Community Infrastructure Levy Regulations</p> <p>DCLG (2014) Planning Policy for Traveller Sites (updated August 2015)</p> <p>DCLG (2019) Planning Practice Guidance</p> <p>DCLG (2014) National Planning Policy for Waste</p> <p>DCLG (2014) Written Statement on Sustainable Drainage Systems</p> <p>DCLG (2017) Fixing Our Broken Housing Market</p> <p>DECC (2008) UK Climate Change Act 2008.</p> <p>DCMS (2007) Heritage Protection for the 21st Century.</p> <p>DCMS (2013) <i>Scheduled Monuments & Nationally Important but Non-Scheduled Monuments</i></p> <p>DCMS (2016) The Culture White Paper</p> <p>DCMS (2017) Heritage Statement</p> <p>Defra (2007) Guidance for Local Authorities on Implementing Biodiversity Duty</p>

Defra (2007) The Air Quality Strategy for England, Scotland, Wales and Northern Ireland (Volume 2).

Defra (2007) The Air Quality Strategy for England, Scotland, Wales and Northern Ireland

Defra (2007) Strategy for England's Trees, Woods and Forests

Defra (2008) Future Water, the Government's Water Strategy for England

Defra (2009) Safeguarding our Soils: A Strategy for England

Defra (2011) Natural Environment White Paper; The natural choice: securing the value of nature

Defra (2011) Biodiversity 2020: A strategy for England's wildlife and ecosystem

Defra (2011) Review of Waste Policy in England

Defra & HM Government (2011) Water White Paper; Water for Life

Defra & Environment Agency (2001) National Flood and Coastal Erosion Risk Management Strategy for England

DfT (2008) Delivering a Sustainable Transport System (DaSTS).

English Heritage (2008) Conservation Principles, Policies and Guidance

English Nature (2006) Climate Change Space for Nature

Environment Agency (2009) Water for people and the environment - Water resources strategy for England and Wales.

Environment Agency (2011) The National Flood and Coastal Erosion Risk Management Strategy for England

Forestry Commission (2005): Trees and Woodlands Nature's Health Service

HM Government (1979) Ancient Monuments and Archaeological Areas Act

HM Government (1981) Wildlife and Countryside Act

HM Government (1990) Planning (Listed Building and Conservation Areas) Act

HM Government (2000) Countryside and Rights of Way Act 2000

HM Government (2003) Sustainable Energy Act

HM Government (2003) The Water Environment (Water Framework Directive) (England and Wales) Regulations

HM Government (2004 and revised 2006) Housing Act

HM Government (2005) Securing the Future – the UK Sustainable Development Strategy

HM Government (2006) The Natural Environment and Rural Communities Act 2006

HM Government (2006) The Natural Environment and Rural Communities (NERC) Act 2006

HM Government (2008) The Climate Change Act 2008

HM Government (2008) The Planning Act

HM Government (2009) The UK Renewable Energy Strategy

HM Government (2010) The Government's Statement on the Historic Environment for England

HM Government (2010) The Air Quality Standards 2010

HM Government (2010) Flood and Water Management Act

HM Government (2010) White Paper: Healthy Lives, Healthy People: Strategy for Public Health in England

HM Government (2011) The Localism Act

HM Government (2011) Water for Life: White Paper

HM Government (2011) Carbon Plan: Delivering our Low Carbon Future

HM Government (2013) The Community Infrastructure Levy (Amendment) Regulations 2013

HM Government (2014) Water Act 2014

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HM Government (2016) Environmental Permitting (England and Wales) Regulations 2016.

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HM Government (2017) The Conservation of Habitats and Species Regulations 2017

HM Government (2006) Climate Change The UK Programme

Regional

Severn Trent Water Resources Management Plan (2019)

Energy Capital (2018) a Regional Approach to Clean Energy Innovation

Environment Agency Humber River Basin Management Plan (2015)

Environment Agency

The Tame, Anker and Mease Management Catchment (2017)

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Environment Agency (2015) Severn River Basin District River Basin Management Plan

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Greater Birmingham & Solihull Local Enterprise Partnership (2016) Strategic Economic Plan 2016-2030

Natural England (2012) National Character Area profile no. 67: Cannock Chase and Cank Wood

Natural England (2012) National Character Area profile no. 97: Arden

Transport for West Midlands (2017) 2026 Delivery Plan for Transport

Environment Agency (2009) A Water Resources Strategy Regional Action Plan for the West Midlands Region

Forestry Commission (2004) West Midlands Regional Forestry Framework

Peter Brett Associates LLP (2014) GBSLEP Joint Strategic Housing Study

Greater Birmingham and Solihull LEP, Strategic Economic Plan 2016-2030

West Midlands Combined Authority (2017) West Midlands Roadmap to a Sustainable Future in 2020 (Annual Monitoring Report)

West Midlands Combined Authority (2017) Thrive West Midlands – An Action Plan to drive better mental health and wellbeing in the West Midlands

Local

Birmingham City Council (1994) Handsworth, Sandwell and Soho: Areas of Restraint

Birmingham City Council (1996) Shopfronts design guide

Birmingham City Council (1999) Location of advertisement hoardings

Birmingham City Council (1999) Wheelwright Road: Area of Restraint

Birmingham City Council (1999) Regeneration through Conservation SPG

Birmingham City Council (2000) Parking of vehicles at commercial and industrial premises adjacent to residential property

Birmingham City Council (2000) Floodlighting of sports facilities, car parks and secure areas

Birmingham City Council (2001) Specific needs residential uses SPG

Birmingham City Council (2001) Places for living

Birmingham City Council (2001) Places for all

Birmingham City Council (2001) Affordable Housing SPG

Birmingham City Council (2003) High Places

Birmingham City Council (2004) Archaeology Strategy SPG

Birmingham City Council (2005) Developing Birmingham: An Economic Strategy for the City 2005-2015

Birmingham City Council (2006) Air Quality Action Plan

Birmingham City Council (2006) Municipal Waste Management Strategy
 Birmingham City Council (2006) The Future of Birmingham's Parks and Open Space Strategy
 Birmingham City Council (2006) Loss of industrial land SPD
 Birmingham City Council (2006) Access for People with Disabilities SPD
 Birmingham City Council (2006) 45 Degree Code for Residential Extensions
 Birmingham City Council (2007) Extending your home: Home extensions guide
 Birmingham City Council (2007) Public open space in new residential development SPD
 Birmingham City Council (2007) Sustainable Management of Urban Rivers and Floodplains SPD
 Birmingham City Council (2008) Sustainable Community Strategy
 Birmingham City Council (2008) Birmingham Private Sector Housing Strategy 2008+ (updated 2010).
 Birmingham City Council (2008) Telecommunications development mobile phone infrastructure SPD
 Birmingham City Council (2008) Contaminated Land Inspection Strategy for Birmingham Second Edition
 Birmingham City Council (2008) Lighting Places Strategy
 Birmingham City Council (2008) Mature suburbs
 Birmingham City Council (2008) Statement of Community Involvement
 Birmingham City Council (2008) Large format banner advertisements SPD
 Birmingham City Council (2010) Birmingham Climate change action plan 2010+
 Birmingham and Black Country Biodiversity Partnership (2010) Birmingham and the Black Country Biodiversity Action Plan
 Birmingham City Council (2011) Places of worship and Faith-Related Community and Educational Uses SPD
 Birmingham City Council (2011) Air Quality Action Plan
 Birmingham City Council (2011) Multi-agency Flood Plan
 Birmingham City Council (2012) Employment Land Review
 Birmingham City Council (2012) Shopping and Local Centres SPD
 Birmingham City Council (2012) Car Parking guidelines SPD
 Birmingham City Council (2012) Car park design guide
 Birmingham City Council (Jan 2012) Level 1 & 2 Strategic Flood Risk Assessment
 Birmingham City Council (2013) Strategic Housing Market Assessment
 Birmingham City Council (2013) Health and Well-being Strategy (Updated Priorities 2017)
 Birmingham City Council (2013) Employment Land and Office Targets
 Birmingham City Council (2013) Green Living Spaces Strategy
 Birmingham City Council (2013) Birmingham Health and Wellbeing Strategy
 Birmingham City Council (2013) Carbon Roadmap
 Birmingham City Council (2014) Gypsy and Traveller Accommodation Assessment
 Birmingham City Council (2014) Birmingham Connected White Paper
 Birmingham City Council (2014) Protecting the Past – Informing the Present. Birmingham's' Heritage Strategy (2014-2019)
 Birmingham City Council (2014) Planning Policy Document, Houses in Multiple Occupation in the Article 4 Direction Area of Selly Oak, Edgbaston & Harborne wards
 Birmingham City Council (2015) Birmingham Surface Water Management Plan
 Birmingham City Council (2015) Corporate Emergency Plan
 Birmingham City Council (2016) Guide to Protected Trees
 Birmingham City Council (2016) A Road Safety Strategy for Birmingham
 Birmingham City Council (2017) Local Flood Risk Management Strategy
 Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022
 Birmingham City Council (2017) Birmingham Cultural Strategy

Birmingham City Council (2017) Birmingham Development Plan
Birmingham City Council (2018) Council Plan and Budget 2018+
Birmingham City Council (2018) SHLAA 2017
Birmingham City Council (2018) Community Cohesion Strategy (Green Paper)
Birmingham City Council (2018) Air Quality Annual Status Report
Birmingham City Council (February 2019) Draft Clean Air Strategy
Birmingham City Council (2019) Public Health Green Paper
Birmingham City Council (2019) Birmingham Community Cohesion Strategy
Birmingham City Council (2019) Draft Birmingham Walking and Cycling Strategy and Infrastructure Plan

2.2 Environmental, social and economic baseline and evolution without the Plan

- 2.2.1 The SEA Regulations require that information is provided on "... the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan." **Appendix C** contains the updated Scoping Report Baseline.
- 2.2.2 The analysis of the baseline information led to the identification of a number of issues relevant to the Development Management DPD, as set out in **Table 2.2**. These issues are used in combination with the review of plans and programmes and the SA/SEA of the Birmingham Development Plan to inform the development of the Sustainability Objectives and the Assessment Framework as set out in chapter 3.

Table 2.2 Baseline summary and issues relevant to the Development Management DPD

Topic	Summary of Baseline	Issues Arising	Supporting Evidence	Likely evolution without the Plan
Biodiversity and geodiversity	<p>The City has 2 SSSIs and a number of other statutory and non- statutory designated sites which cover approximately 10% of the City. There is one Local Nature Reserve designated in order to protect its geodiversity. The Birmingham and Black Country Nature Improvement Area (NIA) Ecological Strategy provides a landscape-scale framework for action to conserve and enhance biodiversity and geodiversity and to improve ecological networks across the City. The Cannock Chase to Sutton Park Project is another example of landscape-scale action.</p> <p>Biodiversity and Geodiversity is linked to issues related to air quality, water quality, soil quality, health and natural landscape.</p>	<p>Biodiversity and greenspace resources, including locally and nationally important sites, across the City are mapped and managed. Development Management policies will be important in protecting the integrity of biodiversity and geodiversity assets, including designated sites, important habitats and legally protected and notable species both directly and indirectly. For example, continued monitoring of developments on the periphery of designated sites will be important to determine potential indirect and cumulative impacts. Monitoring the potential effects of developments on biodiversity and geodiversity assets more generally is also important because of the potential for these to be influenced by a variety of environmental pathways.</p>	<p>BDP AMR</p> <p>Birmingham and Black Country NIA Ecological Strategy, and BCC and EcoRecord data</p> <p>Birmingham Green Living Spaces Strategy</p> <p>Birmingham and the Black Country Biodiversity Action Plan</p> <p>Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022</p>	<p>In the absence of the DM DPD, there is likely to be less opportunity for the scrutiny of the impacts of specific development in specific locations on biodiversity and geodiversity.</p>
Population and health	<p>Birmingham is the major employment centre for the West Midlands. Birmingham has a high proportion of economically inactive people e.g. students, people caring full-time for relatives. Unemployment is higher than the national average. The economic activity rate for Black and Minority Ethnic residents is far higher than that for white residents.</p>	<p>The population of Birmingham is predicted to grow considerably over the next 20 years and the adopted Birmingham Development Plan is responding to this change through the provision of housing and employment land across the City. The locations of</p>	<p>ONS population estimates</p> <p>BDP</p> <p>Birmingham Health and Wellbeing Strategy</p>	<p>In the absence of the DM DPD, there is likely to be less opportunity for the scrutiny of the impacts of</p>

Topic	Summary of Baseline	Issues Arising	Supporting Evidence	Likely evolution without the Plan
	<p>There is significant disparity in terms of average household income between Birmingham's constituencies. About 40% of Birmingham's residents live in areas that are in the most deprived 10% in England. Concentrations of deprivation are very high in wards to the east, north and west of the City Centre and also in Tyburn and Kingstanding Wards to the north of the M6 motorway. Unemployment rates are above the national average.</p> <p>Economy and equality is linked to issues related to poverty, learning and skills, equality, housing and community involvement.</p> <p>Birmingham faces several issues relating to housing: there are large numbers of homeless people, social housing is in need of updating and relocating, and the number of households is increasing. House prices in Birmingham peaked in January 2008 and sharply declined through to 2010, and now have stabilised. This suggests that the affordability of housing for poorer families and first-time buyers has declined due to other national economic conditions.</p> <p>Housing is linked to issues related to poverty, equality, built and historic environment, natural landscape, sense of place, resource use, energy efficiency and sustainable design, construction and maintenance.</p> <p>The number of residents feeling in poor health is higher than the national average, and people in Birmingham have generally less healthy lifestyles than the English average. Life expectancy in Birmingham is below the England average.</p> <p>Health is linked to issues related to air quality, water quality, biodiversity, natural landscape, culture, sport and recreation, equality and crime.</p> <p>Air quality is an issue as the whole City is designated as an Air Quality Management Area (AQMA); the main source pollutant being nitrogen dioxide as a result of pollution from vehicle emissions. There is a strong correlation between traffic congestion and poor air quality. Given the allocation of an AQMA, and the requirement to maintain an Air Quality Action Plan (AQAP) to direct compliance with national objectives, air quality should improve within the City. In order to deliver compliance, Government has determined the need for Birmingham to introduce a Clean Air Zone (CAZ) to control road transport related emissions particularly Nitrogen Dioxide. A Clean Air Zone feasibility</p>	<p>this development could place greater and different demands on the application of Development Management policies, requiring, for example, that they facilitate development in areas of need and cumulatively do not result in negative effects on specific population groups, areas of the City or key issues such as health through, for example, access to greenspace or reductions in motor transport. Consideration of the wider effects of policy application, such as on health, will also be important through, for example, the control of certain kinds of development in local centres.</p>	<p>Birmingham Air Quality Action Plan</p> <p>Birmingham Air Quality Annual Status Report</p> <p>Birmingham Walking and Cycling Strategy and Infrastructure Plan</p>	<p>specific development in specific locations on the health and well-being of the City's population.</p>

Topic	Summary of Baseline	Issues Arising	Supporting Evidence	Likely evolution without the Plan
	<p>study to determine the type and extent of the zone is underway.</p> <p>Air quality is linked to issues related to biodiversity, health, sustainable transport reducing the need to travel, climate change mitigation and adaptation).</p> <p>Noise pollution is a problem in some parts of the city, with Birmingham airport and traffic being the principal sources. It is anticipated this trend will continue.</p> <p>Noise is linked to issues related to sustainable transport and housing.</p>			
Water resources and quality	<p>New additional water management measures or water resources needed to ensure there is sufficient water for new housing proposed in the Birmingham Plan. New foul drainage infrastructure will also be required to support the proposed level of growth.</p> <p>Resource use is linked to issues related to water quality.</p>	<p>Water resources are under pressure in Birmingham and across the regional generally, with reliance on external sources such as Wales.</p> <p>Development Management policies, in combination with the BDP, should contribute to the protection of water resources and quality through the application of development standards which encourage prudent water resource use and guard against pollution.</p>	<p>Catchment Abstraction Management Strategies (CAMS)</p> <p>Humber River Basin Management Plan</p> <p>Severn Trent Water Resources Management Plan</p> <p>BDP</p>	<p>The BDP contains specific policies on water management measures which development will adhere to.</p>
Climate change	<p>CO₂ emissions and the heat island effect are significant climate related issues which need to be actively managed to avoid their effects becoming more detrimental in the coming decades. Use of the City's Green Infrastructure network will be particularly important in addressing this issue.</p> <p>Reducing carbon emissions and responding to the challenge of climate change is linked to issues related to sustainable transport, reducing the need to travel, air quality, biodiversity health and natural landscape.</p> <p>Recent developments have shown evidence of energy efficiency, but the large number of old properties in the City will need improving to make them more energy efficient, building on current initiatives.</p> <p>Energy efficiency is linked to issues related to renewable energy, sustainable design construction and maintenance, housing and social and environmental responsibility.</p> <p>Although the City has good public transport infrastructure, it needs expanding and upgrading to help minimise the high level of car use in Birmingham. Emphasis will be placed on 'smarter travel', discouraging</p>	<p>Climate change impacts for Birmingham are likely to consist of higher temperatures and more extreme events, including rainfall leading to flooding. Whilst it is challenging for Development Management policies to be specific on climate change adaptation measures, the design of buildings for example will be important, as will the continued encouragement of CO₂ reductions through energy efficiency measures and encouraging pedestrian, cycling and public transport access wherever possible.</p>	<p>UKCP09 predictions</p> <p>Birmingham Climate Change Action Plan 2010, Carbon Roadmap 2013</p> <p>BDP</p> <p>Birmingham Air Quality Action Plan</p> <p>Birmingham Carbon Roadmap</p> <p>Birmingham Walking and Cycling Strategy and Infrastructure Plan</p>	<p>The BDP contains policies (TP1 – TP4) relating to climate change, although the DM DPD allows for the scrutiny of the impacts of specific development on climate change.</p>

Topic	Summary of Baseline	Issues Arising	Supporting Evidence	Likely evolution without the Plan
	<p>unnecessary journeys and encouraging people to use public transport. Congestion is a significant issue at certain times on both road and rail.</p> <p>Sustainable transport is linked to issues related to air quality, reducing the need to travel, health, climate change mitigation and adaptation.</p> <p>A very small proportion of people who work and live in the city (one tenth) work from home and therefore avoid travelling to work. There is little evidence of people being actively encouraged to work from home. More emphasis needs to be placed on 'smarter travel', discouraging unnecessary journeys, encouraging people to use public transport, and the provision of new/enhanced footways and cycleways.</p> <p>Reducing the need to travel is linked to issues related to sustainable transport, air quality, health, climate change mitigation and adaptation and noise.</p>			
Flood risk, incidences of flooding and flood defences	<p>Birmingham City Council has a good record of taking on board Environment Agency comments in terms of permitting development in flood risk areas. It is recognised by the City Council that measures will need to be put in place to manage and where possible reduce flood risk. Use of the City's Green Infrastructure network will be particularly important in addressing this issue.</p> <p>Managing and reducing flood risk is linked to issues related to health and well-being, biodiversity and infrastructure provision.</p>	Sources of flood risk are from river flooding, surface water flooding, sewer flooding and groundwater flooding. There are around 9,000 properties at risk from fluvial flooding and 30,000 from surface water flooding (1 in 100 year event). These risks will be taken into account as part of the assessment of applications for development.	<p>Birmingham Strategic Flood Risk Assessment</p> <p>BCC records</p> <p>Birmingham Local Flood Risk Management Strategy</p> <p>Birmingham Multi-agency Flood Plan</p> <p>Birmingham Surface Water Management Plan</p>	The BDP contains specific policies on water management measures which development will adhere to.
Material assets (housing, economy, key infrastructure, minerals and waste)	<p>Good use is being made of previously developed land as a very high proportion of new housing and office development has taken place on previously developed land. Multifunctional use of land is also important with the City's Green and Blue Infrastructure network having an important role to play in achieving this.</p> <p>Efficient use of land is linked to issues related to soil quality, flood risk, water quality, natural landscape, built and historic environment, biodiversity culture, sport and recreation and sense of place. Use of renewable energy could be significantly improved.</p>	Development Management policies, in combination with those of the BDP, will be influential in promoting the efficient use of material assets through, for example, attention on energy efficiency standards, the use of recycled aggregates and promotion of waste management. The effects are likely to be cumulative and long term in character, associated with the progressive replacement of the City's	<p>ONS data</p> <p>BDP</p> <p>Green Living Spaces Strategy</p> <p>Municipal Waste Management Strategy</p>	In the absence of the DM DPD, there will be less opportunity to monitor and evaluate the specific effects on material assets of developments, and in turn promote more sustainable

Topic	Summary of Baseline	Issues Arising	Supporting Evidence	Likely evolution without the Plan
	<p>Renewable energy is linked to issues related to climate change mitigation and adaptation.</p> <p>Landfill diversion rates are increasing in the City, and past targets for recycling have been met.</p> <p>The percentage of waste sent to landfill within the City has decline to one third of its level ten years ago, whilst recycling has trebled. Given European and national targets, it is likely these trends will continue.</p> <p>Waste reduction and minimisation is linked to issues related to air quality, soil quality, natural landscape and built and historic environment.</p>	<p>housing stock through renewal and new build.</p> <p>There is high demand for housing in Birmingham and not all of it can be met within Birmingham itself and demand for housing is likely to continue to increase with forecast population growth.</p>		management of these.
Cultural heritage	<p>Birmingham has a large amount of land designated as Conservation Areas, some of which are nationally recognised such as the Jewellery Quarter and Bourneville. The City also has an extensive number of archaeological remains Listed Buildings and Registered Parks & Gardens.</p> <p>Built and historic environment is linked to issues related to sense of place, housing, sustainable design, construction and maintenance, crime and poverty.</p>	<p>Cultural heritage is a diverse, City-wide asset which can be vulnerable to the effects of development, both direct and indirect, short-term and cumulative. Criteria guiding Development Management policies will help to avoid immediate impacts, but monitoring will be required to ensure that there are no unintended consequences for example in relation to the wider setting of cultural heritage assets which can be affected by cumulative development.</p>	<p>BDP</p> <p>Birmingham Regeneration through Conservation SPG</p> <p>Birmingham Archaeology Strategy SPG</p> <p>Protecting the Past – Informing the Present.</p> <p>Birmingham's' Heritage Strategy (2014-2019)</p>	<p>In the absence of the DM DPD, there will be less opportunity to monitor and evaluate the specific effects of development on cultural heritage.</p>
Landscape and townscape	<p>Although much of Birmingham is built up, there is a significant amount of open land within the City including areas of agricultural land to the north east and south west of the City. The City falls within the National Character Areas (NCAs) of Arden to the south and Cannock Chase and Cank Wood to the north. The assessment of these areas for the Countryside Quality Counts project for Natural England indicates that they are subject to a high rate of change. Most of Birmingham is built up, but 15% of the City is designated as Green Belt.</p> <p>Natural landscape is linked to issues related to biodiversity, health, soil quality, sense of place, culture, sport and recreation, climate change mitigation and adaptation, managing and reducing flood risk.</p>	<p>Although much of Birmingham is built up, there is a significant amount of open land within the City. Landscape character is a key contributor to regional and local identity, influencing sense of place, shaping the settings of people's lives and providing a critical stimulus to their engagement with the natural environment. The Development Management DPD, in combination with the BDP, will be influential in helping to retain a sense of character across the City in the context of development pressures.</p>	<p>BDP</p> <p>Birmingham Green Living Spaces Strategy</p> <p>Birmingham Health and Wellbeing Strategy</p>	<p>Whilst the BDP (policy PG3) addresses place-making, in the absence of the DM DPD there will be less opportunity to scrutinise specific matters relating to landscape and trees.</p>

3. Methodology

3.1 The SA Framework

- 3.1.1 The SA Framework comprises of 15 objectives and associated guide questions. Broadly, the SA objectives present the preferred environmental, social or economic outcome which typically involves minimising detrimental effects and enhancing positive effects. They have been developed to enable a comprehensive assessment of the likely significant effects of the implementation of the Development Management DPD by covering key environmental, social and economic issues.
- 3.1.2 The development of the SA objectives has been informed by the review of plans and programmes, the analysis of the baseline evidence the consideration of the key sustainability issues for Birmingham (presented in **Table 2.2**) and the SA Objectives developed for the BDP. In addition, they also reflect comments received during the Regulation 18 consultation of the SA Scoping Report (summarised in **Appendices D and E**), the Issues & Options Consultation (**Appendix F**) and the Preferred Options Consultation (**Appendix G**).
- 3.1.3 **Table 3.1** sets out the SA Framework for assessing the sustainability performance of the Development Management DPD, specifically evaluating whether there are likely to be any significant effects associated with implementation of the DPD.

Table 3.1 Sustainability Objectives, Guide Questions and Indicators

SEA Directive Topic Area(s)	Sustainability Objectives	Guide Questions	Potential Indicators
Material assets	ENV1 To encourage development that optimises the use of previously developed land and buildings	Will the use of previously developed land be encouraged? Will development densities be maximised?	Proportion of new development on previously developed land Development densities achieved
Material assets	ENV2 To promote the application of high standards of design, construction and maintenance of buildings	Will development be encouraged to meet and where possible exceed standards for energy efficiency?	Proportion of developments meeting energy efficiency standards for design, construction and maintenance
Material assets	ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	Will development be encouraged to incorporate measures which promote sustainable transport? Will development help to reduce the need to travel?	Work place travel plans Measures to promote sustainable transport such as provision for cyclists
Landscape, cultural heritage, biodiversity, flora and fauna	ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	Will development protect and where possible enhance the City's cultural and natural heritage?	Development affecting historic assets Development affecting natural assets including open space
Climatic factors	ENV5 To promote development which anticipates and responds to the challenges associated with	Will development help to reduce flood risk?	Renewable energy installed

SEA Directive Topic Area(s)	Sustainability Objectives	Guide Questions	Potential Indicators
	climate change, particularly managing and reducing flood risk	Will development take into account and actively mitigate climate change impacts?	Other measures installed such as SUDS Flooding events Approvals made contrary to EA advice
Water, air, material assets	ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	Will development incorporate water efficiency measures? Will development actively avoid creating additional pollution burdens?	Water use and technologies Changes in water quality Change to/within Air Quality Management Areas Noise complaints Sustainable waste management
Population and human health	ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	Will development promote growth in key economic sectors? Will development contribute to encouraging a culture of enterprise and innovation?	Employment creation by area and type Business start-ups
Population and human health	ECON2 To help promote the vitality of local centres	Will development contribute to the maintenance and enhancement of the vitality of local centres?	Local centre health checks
Population and human health	ECON3 To promote the regeneration of areas across the City through appropriate development	Will development contribute to regeneration of areas of the City most in need?	Location and type of development
Population and human health	ECON4 To encourage investment in learning and skills development	Will development contribute to investment in learning and skills?	Local initiatives to promote skills development
Population and human health	SOC1 To help ensure equitable access to community services and facilities	Will development help to promote equitable access to services?	Accessibility indices of key facilities
Population and human health	SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	Will development help to promote access to a range of housing types which meet the needs of residents?	Development types and spatial distribution
Population and human health	SOC3 To encourage development which promotes health and well-being	Will development help to promote a healthier, more active population?	Activity levels by area and sector of the population
Population and human health	SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	Will development help to discourage crime?	Crime levels by area and type
Population and human health	SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	Will public participation be encouraged as part of the planning of new development?	Participation in consultations

3.2 Appraisal Methodology

- 3.2.1 Based on the contents of the Development Management DPD detailed in Section 1.4, the SA Framework has been used to appraise the DPD Objectives and Development Management policies. The approach to the appraisal of each of the elements listed above is set out in the sections that follow.

DPD Objectives

- 3.2.2 It is important that the Objectives of the DPD (which are those of the BDP) are aligned with the SA objectives. The Objectives contained in the DPD (see **Section 1.4**) have therefore been appraised for their compatibility with the objectives that comprise the SA Framework to help establish whether the proposed general approach to the DPD is in accordance with the principles of sustainability. A compatibility matrix has been used to record the appraisal, as shown in **Table 3.2** below.

Table 3.2 Compatibility matrix

SA Objective	DPD Objective			
	Objective 1	Objective 2	Objective 3	Objective 4
ENV1 To encourage development that optimises the use of previously developed land and buildings	0	0	+	?
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	+	+
Etc...	+	0	+	?

Key

+	Objectives are potentially compatible	?	Uncertain if Objectives are related	~	No clear relationship between Objectives	-	Objectives are potentially incompatible
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DPD Policies

- 3.2.3 The proposed Development Management policies have been appraised against each of the SA objectives that comprise the SA Framework using an appraisal matrix. The matrix includes:
- The SA objectives;
 - A score indicating the nature of the effect for each option on each SA objective;
 - A commentary on significant effects (including consideration of the cumulative, synergistic and indirect effects as well as the geography, duration, temporary/permanence and likelihood of any effects) and on any assumptions or uncertainties; and
 - Recommendations, including any mitigation or enhancements measures.
- 3.2.4 The format of the matrix that has been used in the appraisal is shown in **Table 3.3**. A qualitative scoring system has been adopted which is set out in **Table 3.4**. The proposed policies contained in the DPD have been appraised against the SA objectives with a score awarded both for each

constituent policy and for the cumulative effect of each policy. The policy appraisal matrices are presented at **Appendix A**, including reasonable alternatives, where appropriate. Reasonable alternatives comprise combinations of: no policy, retention of the existing UDP Policy or a policy with differing content. In the majority of instances, however, there are no reasonable alternatives as a policy is required by National Policy in order to interpret the intention and requirements of the NPPF at the local level. In each case, reasons for the proposed policy are given.

Table 3.3 Appraisal matrix

SA Objective	Score	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	-	<p><u>Likely Significant Effects</u></p> <p>A description of the likely significant effects of the preferred option on the SA objective has been provided here, drawing on baseline information as appropriate.</p> <p><u>Mitigation</u></p> <ul style="list-style-type: none"> Mitigation and enhancement measures are outlined here. <p><u>Assumptions</u></p> <ul style="list-style-type: none"> Any assumptions made in undertaking the appraisal are listed here. <p><u>Uncertainties</u></p> <ul style="list-style-type: none"> Any uncertainties encountered during the appraisal are listed here.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	<p><u>Likely Significant Effects</u></p> <p>A description of the likely significant effects of the preferred option on the SA objective has been provided here, drawing on baseline information as appropriate.</p> <p><u>Mitigation</u></p> <ul style="list-style-type: none"> Mitigation and enhancement measures are outlined here. <p><u>Assumptions</u></p> <ul style="list-style-type: none"> Any assumptions made in undertaking the appraisal are listed here. <p><u>Uncertainties</u></p> <p>Any uncertainties encountered during the appraisal are listed here.</p>
Etc.		

Table 3.4 Appraisal Scoring system

Score	Description	Symbol
Significant Positive Effect	The proposed option/policy contributes significantly to the achievement of the objective.	++
Minor Positive Effect	The proposed option/policy contributes to the achievement of the objective but not significantly.	+
Neutral	The proposed option/policy does not have any effect on the achievement of the objective	0
Minor Negative Effect	The proposed option/policy detracts from the achievement of the objective but not significantly.	-
Significant Negative Effect	The proposed option/policy detracts significantly from the achievement of the objective.	--
No Relationship	There is no clear relationship between the proposed option/policy and the achievement of the objective or the relationship is negligible.	~

Score	Description	Symbol
Uncertain	The proposed option/policy has an uncertain relationship to the objective or the relationship is dependent on the way in which the aspect is managed. In addition, insufficient information may be available to enable an appraisal to be made.	?

NB: where more than one symbol/colour is presented in a box it indicates that the appraisal has identified both positive and negative effects. Where a box is coloured but also contains a '?', this indicates uncertainty over whether the effect could be a minor or significant effect although a professional judgement is expressed in the colour used. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.

3.3 Geographical and temporal scope

3.3.1 The geographical scope of the SA principally relates to administrative area of the City of Birmingham, but also takes into account sub-regional, regional and national impacts where appropriate. Birmingham's position as the principal settlement of the West Midlands means that its environmental, social and economic role and impact reach far beyond its immediate boundaries, with attendant implications for key sustainability issues such as carbon emissions, housing provision and wealth creation. The assessment considers sustainability issues and effects in relation to the short term (1-5 years), medium term (5-10 years) and longer term, (10-20 years), the latter being the intended lifespan of the Development Management DPD (to 2031).

3.4 Mitigation

3.4.1 Identifying effective mitigation measures will also be an important part of the Environmental Report. **Box 3.1** provides information on types and examples of mitigation measures that might be proposed and includes an overview of the mitigation hierarchy. The mitigation hierarchy is based on the principle that it is preferable to prevent the generation of an impact rather than counteract its effects. It thus suggests that mitigation measures higher up the hierarchy should be considered in preference to those further down the list.

Box 3.1 Mitigation Hierarchy and Example Measures

Mitigation measures should be consistent with the mitigation hierarchy (after DETR 1997¹⁹ and CLG 2006²⁰):

- Avoidance - making changes to a design (or potential location) to avoid adverse effects on an environmental feature. This is considered to be the most acceptable form of mitigation.
- Reduction - where avoidance is not possible, adverse effects can be reduced through sensitive environmental treatments/design.
- Compensation - where avoidance or reduction measures are not available, it may be appropriate to provide compensatory measures (e.g. an area of habitat that is unavoidably damaged may be compensated for by recreating similar habitat elsewhere). It should be noted that compensatory measures do not eliminate the original adverse effect, they merely seek to offset it with a comparable positive one.
- Remediation - where adverse effects are unavoidable, management measures can be introduced to limit their influence.
- Enhancement - where there are no negative impacts, but measures are adopted to achieve a positive move towards the sustainability objectives e.g. through innovative design.

Examples of how mitigation measures could be incorporated into DM DPD proposals could include:

- Ensuring that development management decisions are scrutinised for consistency, cumulative impacts and potential unintended consequences at site, neighbourhood and City-wide levels.
- Monitoring the scope the DM DPD and its relationship with the BDP, and where there could be policy gaps.

¹⁹ Department of the Environment, Transport and the Regions (1997) *Mitigation Measures in Environmental Statements*. London: DETR

²⁰ Department for Communities and Local Government (2006): *Consultation Document - EIA: A guide to good practice and procedures*. London: CLG

Box 3.1	Mitigation Hierarchy and Example Measures
<ul style="list-style-type: none"> Monitoring the impacts of particular policies and their effectiveness, particularly in respect of the criteria used to help define the policy. 	

3.5 Who carried out the appraisal

- 3.5.1 The SA has been undertaken by Wood on behalf of Birmingham City Council.

3.6 Difficulties encountered

- 3.6.1 The SEA Directive requires the identification of any difficulties (such as technical deficiencies or lack of knowledge) encountered during the appraisal process. These uncertainties and assumptions are detailed in the appraisal matrices. Those uncertainties and assumptions common across the appraisal are outlined below.

Uncertainties

- The case-by-case character of individual development proposals which although of a similar type could yield different sustainability outcomes depending on their location.
- The cumulative sustainability impacts of developments in a particular area.
- The trade-offs which might be required between environmental, social and economic sustainability outcomes in light of the specific character of developments.
- Notwithstanding monitoring of various indicators (as part of the BDP as a whole), the difficulty of precisely measuring the sustainability impacts (positive and negative) of specific developments in particular localities and over time.

Assumptions

- That all development proposals will be consistently judged against the policy requirements of the DM DPD and the BDP more widely, including wider statutory measures relating, for example, to energy efficiency in buildings and air pollution.
- That monitoring of the environmental, social and economic impacts of development will enable judgements to be made on the overall sustainability of development in the City, and in turn feed back into policy evolution.
- That policy will be implemented consistently across the City and the results of DM decisions monitored accordingly.

4. Appraisal of the Publication Development Management DPD and Reasonable Alternatives

4.1 Compatibility between the DPD Objectives and the SA Objectives

4.1.1 A matrix has been completed to assess the compatibility of the objectives contained in the Publication Draft Development Management DPD against the SA objectives. It helps to identify at an early stage where there could be conflict between the two sets of objectives, particularly in respect of economic and social objectives which can sometimes be at odds with environmental objectives.

4.1.2 The following Objectives (repeating those of the BDP) have been set for the emerging Development Management DPD:

1. To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character.
2. To make provision for a significant increase in the City's population.
3. To create a prosperous, successful and enterprising economy with benefits felt by all.
4. To promote Birmingham's national and international role.
5. To provide high quality connections throughout the City and with other places including encouraging the increased use of public transport, walking and cycling.
6. To create a more sustainable City that minimises its carbon footprint and waste, and promotes brownfield regeneration while allowing the City to grow.
7. To strengthen Birmingham's quality institutions and role as a learning City and extend the education infrastructure securing significant school places.
8. To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space.
9. To protect and enhance the City's heritage assets and historic environment.
10. To conserve and enhance Birmingham's natural environments, allowing biodiversity and wildlife to flourish.
11. To ensure that the City has the infrastructure in place to support its future growth and prosperity.

4.1.3 **Table 4.1** presents an assessment of the compatibility between these Objectives and the SA Objectives.

Table 4.1 Compatibility between the Development Management DPD Objectives and the SA Objectives

Sustainability Objectives	Plan Objectives										
	1. Sustainable Neighbourhoods	2. Population Growth	3. Prosperity	4. National & International Role	5. Connectivity	6. Sustainable City	7. Education	8. Health & Well-being	9. Heritage	10. Natural Environment	11. Infrastructure
ENV1 To encourage development that optimises the use of previously developed land and buildings	+	+	?	?	~	+	~	+	~	?	~
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	~	~	+	~	+	~	~	+	~	~
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	~	+	?	+	+	~	+	~	~	+
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage, including resilient ecological networks able to meet the demands of current and future pressures	+	?	~	+	+	+	+	+	+	+	
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing flood risk	+	?	?	~	~	+	~	+	?	?	?
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	+	?	?	~	~	+	~	+	~	+	~
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	+	+	+	+	~	+	+	+	?	?	~
ECON2 To help promote the vitality of local centres	+		+	~	~	+	~	~	~	~	~
ECON3 To promote the regeneration of areas across the City through appropriate development	+	+	+	~	+	+	~	+	~	~	+
ECON4 To encourage investment in learning and skills development	~	~	+	~	~	~	+	~	~	~	~
SOC1 To help ensure equitable access to community services and facilities	+	~	+	~	+	+	+	+	~	~	+
SOC2 To help provide decent and affordable housing for all, of the right	+	+	~	~	~	~	~	+	~	~	~

	Plan Objectives										
Sustainability Objectives	1. Sustainable Neighbourhoods	2. Population Growth	3. Prosperity	4. National & International Role	5. Connectivity	6. Sustainable City	7. Education	8. Health & Well-being	9. Heritage	10. Natural Environment	11. Infrastructure
quantity type, tenure and affordability to meet local needs											
SOC3 To encourage development which promotes health and well-being	+	~	~	~	+	+	~	+	~	+	~
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	+	~	~	~	~	~	~	+	~	~	~
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	~	~	~	~	~	~	+	~	~	~
+	Objectives are potentially compatible		?	Uncertain if Objectives are related		~	No clear relationship between Objectives		-	Objectives are potentially incompatible	

4.1.4 The compatibility analysis in **Table 4.1** reveals that the great majority of SA Objectives and Plan Objectives are either compatible or have no direct relationship with one another. No potential incompatibilities between objectives have been identified, although there are a number of uncertain relationships relating to:

- ▶ Plan Objective 2 (population growth);
- ▶ Plan Objective 3 (prosperity);
- ▶ Plan Objective 4 (national and international role);
- ▶ Plan Objective 9 (heritage);
- ▶ Plan Objective 10 (natural environment); and
- ▶ Plan Objective 11 (infrastructure).

4.1.5 The potential uncertainties principally relate to dilemmas in reconciling the need and demand for development with environmental protection (ENV1, 3, 4, 5 and 6 and ECON 1). In many instances, any potential conflicts arising will have to be determined on a case-by-case basis given the particular character and context of development. These uncertainties are not regarded as barriers to development although particular attention will have to be paid to the application of policy in light of these relationships. These are highlighted as issues which could require monitoring.

4.2 Policies and alternatives

4.2.1 The Development Management DPD proposes 16 policies to manage various aspects of development across the City. The policies have emerged through a process of consultation within

Birmingham City Council and with interested parties. In reaching the proposed policies, options have been considered in most cases. This took account of the following factors:

- the extent to which the policy is required in light of the City Council's corporate objectives and national planning policy;
- the extent to which there is a reasonable need to update the existing policy (which is the most common instance);
- the extent to which a potential alternative approach would ensure efficient and effective management of development to meet local needs and priorities to address the specific issues identified;
- the extent to which a potential alternative could be pursued without placing an unreasonable burden on applicants or the decision making process (such as through requirements for supporting information).

4.2.2 In consequence, alternatives that have been considered have included:

- having no policy;
- reliance on national policy (i.e. the NPPF);
- using the existing UDP policy;
- variations on the proposed policy.

4.2.3 The development of such alternatives have been considered on a case by case basis, to ensure only those that are reasonable, realistic and achievable are subject to appraisal. In comes instances when considering individual policies, no reasonable alternatives have been identified.

4.3 Summary of results and the reasons for selecting/rejecting the alternatives

4.3.1 **Table 4.2** summarises the results of the appraisal of policies, drawn from the analysis in **Appendix A** which appraises the proposed policies against reasonable alternatives.

Table 4.2 Summary of the results of the appraisal of the preferred policy option

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
Environment and Sustainability		
DM1 Air Quality	A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance across most indicators, reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. The policy could benefit from the inclusion of examples of measures against	No alternative has been identified to this policy - National policy requires planning to contribute towards compliance with relevant limit values or national objectives for pollutants and take into account local AQMA and Clean Air Zones (CAZ). Therefore in order to comply with national policy it is considered necessary to set policy aimed at improving air quality and mitigating the impacts of development on air quality. Having no air quality policy will risk undermining the AQMA and CAZ and failure to deliver relevant actions within the City's Air Quality Action Plan, transport strategy and the objectives

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
	which the policy will be implemented and measured.	of the BDP in promoting sustainable development, and helping to address climate change.
DM2 Amenity	Good design is important to securing sustainable development through balancing a wide variety of considerations. The detailed criteria within DM01 against which developments will be considered serve as a reference point against which specific proposals can be considered, thereby helping to ensure that development takes account of the specific matters which help to make the City and its neighbourhoods attractive and successful places to live. The specific requirements of DM02 complement the overarching principles set out in DM01. There are no suggested changes to the content of the policies arising from the appraisal. The option of developing a new policy to address design issues yields more positive sustainability outcomes than the reasonable alternatives presented.	No policy on amenity and rely instead on the NPPF and ad hoc considerations of proposals on a case by case basis. Reason for rejection: The Council believes the preferred approach will provide a more transparent, consistent and fairer basis for considering planning proposals than having no policy. To ensure the successful delivery of the BDP, amenity considerations are considered important. The NPPF is clear that planning should seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
DM3 Land affected by Contamination, Instability and Hazardous Substances	A policy which clearly addresses environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance across most indicators, reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal.	No alternative to this policy has been identified - Environmental health legislation requires local authorities to identify contaminated land and ensure it is managed in an appropriate manner. The NPPF also stresses the need for policies to ensure that new development is compatible with its location. The NPPF makes clear that developers and landowners are responsible for securing safe development where a site is affected by contamination.
DM4 Landscaping and Trees	Trees and landscaping are fundamental to a high quality and ultimately sustainable environment, contributing aesthetically and functionally to the quality of life across the City. Specification of expectations for design and use of trees and landscaping as part of new development will ensure that, in combination with other policies, high quality design is realised and wider sustainability enhancements are secured. There are no suggested changes to the content of the policy arising from the appraisal, other than cross-referencing Council Strategies relating to Green Infrastructure, for example.	No alternative to this policy has been identified - The NPPF and BDP provide strong support for protecting and enhancing valued landscapes. Local planning authorities are advised to set criteria based policies against which proposals for any development on or affecting protected wildlife or landscape areas will be judged.
DM5 Light Pollution	A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance across most indicators, reflecting greater certainty for developers in respect of both minimum	No alternative to this policy has been identified - The NPPF is clear that planning policy should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The draft policy provides a detailed approach for achieving this.

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
	standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal.	
DM6 Noise and Vibration	A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance across most indicators, reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal.	No alternative has been identified to this policy - National planning policy requires development to contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. In addition, the BDP seeks to create well designed, healthy and safe environments. It is therefore considered necessary to include this policy.
Economy and Network of Centres		
DM7 Advertisements	A specific policy which clearly controls the siting and design of advertisements will provide an important reference point for ensuring that a range of sustainability benefits are secured, focused on enhancing economic development in the City whilst ensuring that residential amenity and City-wide amenity is protected. In all cases, the greater certainty and precision associated with an updated policy is likely to yield positive sustainability effects. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented.	No policy on advertisements Reasons for rejection: Not having a policy and relying upon applications being considered against the National Planning Policy Framework would not be favoured since there would be no safeguard against inappropriate advertisements and signs.
DM8 Places of Worship and other faith related community facilities	Ensuring the appropriate location and design of these uses will help to ensure that sustainable development is promoted, particularly having regard to equitable access through public transport and sensitive design ensuring that impacts on local amenity are minimised. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented.	Retain the wording of existing policy in paragraphs 8.31 - 8.35 of the Saved Unitary Development Plan 2005 and Places for Worship and Faith-related Community and Educational Facilities SPD (2011) Reasons for rejection: This policy needs to be updated to reflect Policy TP21 of the BDP which states that the preferred location for community facilities (e.g. health centres, education and social services and religious buildings) is within the network of defined centres. No policy on places of worship and faith related community uses. Reasons for rejection: Birmingham has a diverse mix of faiths and cultures. A policy is required to ensure that development for places of worship and faith related

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
		community uses takes place in the appropriate locations and their impacts on the local area are managed.
DM9 Day nurseries and early years provision	A policy which ensures the consistent provision of educational facilities of various kinds across the City will help to ensure that there is equitable access (for example through sustainable locations) and in a fashion which maintains and enhances local amenity. The precise effects of the policy will have to be monitored to determine whether the policy objectives are being realised in practice. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address education-related development issues yields more positive sustainability outcomes than the reasonable alternatives presented.	<p>Retain existing UDP policy</p> <p>Reasons for rejection: The policy requires updating as it refers to out of date policies. The existing policy does not reflect the Policy TP21 in the BDP which states that the preferred location for community facilities (e.g. health centres, education and social services and religious buildings) is within the network of defined centres.</p> <p>No policy on day nurseries and child care provision</p> <p>Reasons for rejection: Without a policy on the development of day nurseries and childcare provision, development may result in adverse impacts on the vitality of local centres, residential amenity and character of an area.</p>
Homes and Neighbourhoods		
DM10 Standards for Residential Development	This policy will yield a range of sustainability benefits, associated with ensuring that there is high quality residential development throughout the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal. The option of developing new policy to address residential design matters yields more positive sustainability outcomes than the reasonable alternatives presented.	<p>Retain existing UDP policy in paragraph 8.39-8.44 of the Saved Unitary Development Plan regarding house extensions. There is no existing policy on housing technical standards for internal space, outdoor amenity space or accessible and adaptable housing.</p> <p>Reasons for rejection: The policy requires updating to achieve good standards of amenity for the occupiers of new residential buildings and protect the amenity of nearby occupiers and residents. The general thrust of the existing policy regarding residential extensions is taken forward into the new policy.</p> <p>No minimum space standards or policy on separation distances, outdoor amenity space and accessible and adaptable housing.</p> <p>Reasons for rejection: Having no such policy would risk developments not achieving a reasonable level of amenity therefore impacting on quality of life. Minimum space standards will help to ensure that there is sufficient space, privacy and storage facilities to ensure the long-term sustainability and usability of homes. DM9 is consistent with the NPPF requires local planning authorities to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.</p>
DM11 Houses in Multiple Occupation (HMO)	The sustainability effects of a clear policy which seeks to control Houses in Multiple Occupation (HMO) is likely be positive, reflecting the potential issues associated with them. The sustainability effects relate to ensuring that local amenity and design quality is appropriately protected, whilst providing for the needs of those in need. No likely significant negative effects have been identified. There are no suggested changes to	<p>Retain existing UDP policy</p> <p>Reasons for rejection: This policy requires updating as it refers to out of date UDP policies, but the main thrust of the policy remains unchanged in DM11.</p> <p>No policy on HMO</p> <p>Reasons for rejection: Without a HMO policy, development could result in concentrations of HMOs which can lead to a number of negative impacts on local communities, for example more frequent noise nuisance,</p>

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
	the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented.	depopulation of neighbourhoods during academic vacations, and increased pressure on parking due to higher population densities. Less prescriptive policy Reasons for rejection: Defining cumulative impact by using a threshold against which applications will be assessed will aid in transparency and consistency in decision-making.
DM12 Residential conversions and specialist accommodation	Promoting sensitive residential conversions and the development of appropriate specialist accommodation is likely to result in significant positive effects through the provision of appropriate accommodation for those in particular need. The option of having no specific policy could result in some minor adverse effects relating to social indicators.	No policy on Residential Conversions Reasons for rejection: Without a policy on residential conversions and specialist accommodation there are likely to be a range of negative effects relating to poor quality living environments and negatives impacts on local amenity arising from over-concentrations of such uses.
DM13 Self and Custom-build Housing	Promoting self- and custom-build housing through a specific policy is likely to yield positive sustainability effects City-wide with no adverse effects identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of having no specific policy could result in some minor adverse effects relating to social indicators.	No policy on self and custom build housing. Reasons for rejection: The Council wishes to take a proactive approach to supporting individuals or groups of individuals that wish to build their own homes as a more affordable means by which to access home ownership. It is also a duty upon local authorities to have regard to the Self and Custom Build Register in carrying out their planning, housing, land disposal and regeneration functions.
Connectivity		
DM14 Highway Safety and Access	Ensuring that there is a rounded approach to transport planning across the City should yield a broad range of sustainability benefits, notably in respect on enhancing the City's economic performance through ensuring more efficient and effective movement. In turn and more broadly, the well-being of residents is enhanced through the greater opportunities for efficient travel within the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal.	No alternative to this policy has been identified - the NPPF requires development to provide for safe and suitable access to the site for all users. It states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
DM15 Parking and Servicing	Ensuring that there is a rounded approach to transport planning across the City should yield a broad range of sustainability benefits, notably in respect on enhancing the City's economic performance through ensuring more efficient and effective movement. In turn and more broadly, the well-being of residents is enhanced through the greater opportunities for efficient travel within the City. No likely	No policy Reasons for rejection: National policy makes clear that parking standards should be determined at the local level in response to local circumstances. The proposed policy supports the implementation of the BDP in developing a sustainable, high quality, integrated transport system. It is considered essential that appropriate parking is provided to contribute to traffic

Policy	Summary of Appraisal of the Proposed Policy	Alternatives Considered
	significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented.	reduction and ensure safety, inclusive development and manage any impact on amenity.
DM16 Telecommunications	Ensuring that the City has an up-to-date telecommunications infrastructure will ensure sustainability benefits across a range of objectives, notably the contribution to the City's economic performance, creating opportunities for travel reduction and ensuring that all residents have equitable access to high quality services that enable them to fulfil their economic and social potential. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing new policy to address telecommunications siting matters yields more positive sustainability outcomes than the reasonable alternatives presented.	No policy Reasons for rejection: policy supports the implementation of the Policy TP46 Digital Communications of the BDP. The Council supports well-designed and located high quality communications infrastructure and this policy is intended to facilitate provision in line with this aspiration.

- 4.3.2 **Table 4.3** summarises the scores, by SA Objective, attributed to the preferred policy option and then provides an overall assessment of the cumulative effects of the 15 preferred policies against each SA Objective.
- 4.3.3 The results set out in Tables 4.2 and 4.3 demonstrate the overwhelming likely positive or significantly positive effects resulting from implementation of the policies. This reflects their positive intent and the need to deal systematically and objectively with planning issues arising day-to-day across the City, as well as the experience accumulated through implementation of previous Development Management policies through the UDP. More generally, the Development Management policies represent the lowest tier in a hierarchy of planning policies, adding local detail to implement the broader principles of policies within the NPPF and the Birmingham Development Plan. As such they specifically address local issues and are designed to mitigate potential adverse effects associated with development.
- 4.3.4 No significant negative effects, either associated with specific sustainability objectives or cumulatively have been identified. This contrasts with the scores attributed to the absence of a policy which are typically significantly negative (see **Appendix A**), reflecting the clear need to systematically control development and the likely consequences of the absence of such a local policy framework whose presence is to the benefit of applicants, residents and the City as a whole.
- 4.3.5 Some policies have been identified as holding some uncertainty as to their precise effects in respect of meeting sustainability objectives. These apply principally to whether significant positive effects are likely to be fully realised in respect of matters such as sustainable travel and construction, or enhanced access by local communities to skills enhancement from the construction of education facilities, reflecting the case-by-case nature of individual developments and their particular circumstances. Nevertheless, the potential for the realisation of significant positive or positive effects exists.

Table 4.3 Summary of scores attributed to the Publication Plan Policies

	ENV1 optimise use of previously developed land	ENV2 apply high standards of design, construction and maintenance	ENV3 encourage sustainable methods of transport and reduce the need to travel	ENV4 protect and enhance Birmingham's cultural and natural heritage	ENV5 anticipate and respond to the challenges associated with climate change, particularly managing and reducing flood risk	ENV6 make best use of water resources, reduce pollution and encourage sustainable waste management	ECON1 improve the performance of the local and City-wide economy to provide opportunity for all	ECON2 promote the vitality of local centres	ECON3 promote the regeneration of areas across the City	ECON4 encourage investment in learning and skills development	SOC1 ensure equitable access to community services and facilities	SOC2 provide decent and affordable housing for all meet local needs	SOC3 promotes health and well-being	SCO4 reduce crime, the fear of crime and antisocial behaviour	SOC5 enable communities to influence the decisions that affect their neighbourhoods and quality of life
DM1 Air Quality	~	++?	+	~	~	++?	+	~	+	~	~	~	++	~	~
DM2 Amenity	~	++	~	++	~	~	++	++	++	~	~	~	++	~	~
DM3 Land affected by contamination, instability and hazardous substances	++	~	~	~	~	++?	+	~	+	~	~	~	++	~	~
DM4 Landscaping and trees	~	++	~	++	++	++	++	++	++	~	~	~	++	++	~
DM5 Light Pollution	~	+	~	++	~	~	~	+	~	~	~	~	~	+	~

	ENV1 optimise use of previously developed land	ENV2 apply high standards of design, construction and maintenance	ENV3 encourage sustainable methods of transport and reduce the need to travel	ENV4 protect and enhance Birmingham's cultural and natural heritage	ENV5 anticipate and respond to the challenges associated with climate change, particularly managing and reducing flood risk	ENV6 make best use of water resources, reduce pollution and encourage sustainable waste management	ECON1 improve the performance of the local and City-wide economy to provide opportunity for all	ECON2 promote the vitality of local centres	ECON3 promote the regeneration of areas across the City	ECON4 encourage investment in learning and skills development	SOC1 ensure equitable access to community services and facilities	SOC2 provide decent and affordable housing for all meet local needs	SOC3 promotes health and well-being	SCO4 reduce crime, the fear of crime and antisocial behaviour	SOC5 enable communities to influence the decisions that affect their neighbourhoods and quality of life
DM6 Noise and Vibration	~	++?	~	~	~	~	~	~	~	~	~	~	++	~	~
DM7 Advertisements	~	++?	~	++?	~	~	++?	++?	~	~	~	~	~	~	+
DM8 Places of worship and other faith related community facilities	++?	++?	++?	++?	~	~	~	++?	++?	~	++?	~	++?	~	++?
DM9 Day nurseries and early years provision	~	+	++?	~	~	~	++?	+	~	++?	++?	~	++?	~	~
DM10 Standards for residential development	~	++?	~	~	~	~	++?	++?	~	~	~	~	++?	~	~
DM11 Houses in multiple occupation (HMO)	++?	~	~	++?	~	~	~	~	~	~	~	++?	~	++?	++?

	ENV1 optimise use of previously developed land	ENV2 apply high standards of design, construction and maintenance	ENV3 encourage sustainable methods of transport and reduce the need to travel	ENV4 protect and enhance Birmingham's cultural and natural heritage	ENV5 anticipate and respond to the challenges associated with climate change, particularly managing and reducing flood risk	ENV6 make best use of water resources, reduce pollution and encourage sustainable waste management	ECON1 improve the performance of the local and City-wide economy to provide opportunity for all	ECON2 promote the vitality of local centres	ECON3 promote the regeneration of areas across the City	ECON4 encourage investment in learning and skills development	SOC1 ensure equitable access to community services and facilities	SOC2 provide decent and affordable housing for all meet local needs	SOC3 promotes health and well-being	SCO4 reduce crime, the fear of crime and antisocial behaviour	SOC5 enable communities to influence the decisions that affect their neighbourhoods and quality of life
DM12 Residential conversions and specialist accommodation	++?	++	~	++?	~	~	~	~	~	~	~	++?	~	++?	++?
DM13 Self and custom-build housing	+?	+?	~	~	~	~	~	~	+	++?	~	++	+?	~	++?
DM14 Highway Safety and Access	~	+	++	+	~	~	~	++	~	~	+	~	+	~	++?
DM15 Parking	~	+	++?	+	~	~	~	++	~	~	+	~	+	~	++
DM16 Telecommunications	~	+	+	+	~	~	+	+	+	+	+	~	+	~	+
Cumulative Effect of all Policies	~/+/++?	+/++?	~/+/++?	+/++?	~/++	~/++	~/+/++?	+/++?	~/+/++?	~/++	~/++	~/++?	+/++?	~/++?	~/+/++?

Sustainability Appraisal Scoring

Score Key:	++ Significant positive effect	+ Minor positive effect	0 No overall effect	- Minor negative effect	-- Significant negative effect	? Score uncertain	~ No clear relationship
NB: where more than one symbol is presented in a box it indicates that the appraisal has found more than one score for the category. Where a box is coloured but also contains a '?', this indicates uncertainty over whether the effect could be a minor or significant effect although a professional judgement is expressed in the colour used. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.							

4.4 Summary of the Habitats Regulations Assessment (HRA)

4.4.1 BCC has reviewed the DM DPD against the requirements of Regulation 105 of the Habitats Regulations; this review has drawn on the evidence gathered by the 2013 HRA²¹ undertaken for the Birmingham Development Plan and a technical review, taking into account the scope and content of the Development Management DPD. The 2013 HRA established that there were unlikely to be any significant adverse effects on any European site as follows:

E1 This HRA report has carefully considered the effects that might be associated with development as part of the Pre-Submission Version of the BDP. Having previously screened the BDP options, this report has revisited assessments made during November 2012 and assessed new content in the latest version of the plan.

E2 There are no European sites in the City of Birmingham. Of those that have been identified from a 20km area of search and others that have been included through hydrological pathways that lie beyond this search zone, none are expected to experience adverse effects from proposals in the BDP. Earlier assessment in November 2012 recommended that the issues of air quality, disturbance from recreation, water supply and treatment be explored as part of further HRA work. These issues have been appraised along with several other identified vulnerabilities of European sites.

E3 The following 14 sites were included in this HRA report:

• Cannock Chase SAC; • Cannock Extension Canal SAC; • Elan Valley Woodlands SAC; • Elenydd SAC; • Elenydd-Mallaen SPA; • Ensor's Pool SAC; • Fens Pools SAC; • Humber Estuary SAC; • Humber Estuary SPA; • Humber Estuary Ramsar; • River Mease SAC; • Severn Estuary SAC; • Severn Estuary SPA; and • Severn Estuary Ramsar.

E4 The Pre-Submission Version of the BDP is not likely to lead to adverse effects on any European sites alone or in-combination with other plans. There is no requirement to prepare an appropriate assessment.

4.4.2 The technical review has determined that the significant effects considered in the 2013 HRA remain relevant, valid and can be relied upon, when considering the effects of the Development Management DPD. It is noted that the Development Management DPD will not introduce any new effect pathways. The review has concluded that the Development Management DPD will have no significant effects on any European sites as a result of its implementation as it is an expansion and clarification of the strategic policies of the BDP, which itself was determined not to have any likely significant effects on European sites, either alone, or in combination with other plans.

4.5 Proposed mitigation measures

4.5.1 When considering planning policies, mitigation can usually be in the form of policy amendments. For the Development Management DPD preferred policies, there are no recommendations for the modification of the range of policies. This reflects the positive scores, the absence of negative effects and the intention to use the policies in combination with the policies of the BDP, which for each policy are cross-referenced.

²¹ Lepus Consulting (October 2013) Habitats Regulations Assessment of the Birmingham Development Plan: Pre-Submission Version https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf

4.5.2

Whilst there are no recommendations for the amendment of policy wording, the following general points can be made in respect of the presentation of the policies in order to make clearer how they will be implemented:

- ▶ Ensure that, wherever possible, the specific criteria against which the policy will be implemented and monitored are included.
- ▶ For each DM policy, provide further detail against the cited BDP policies on how these will work together.
- ▶ Set out more clearly in paragraph 1.10 of the DPD which matters are covered by the BDP, such as the control of various forms of retail development.

4.6 Uncertainties and risks

4.6.1

The principal uncertainties centre on the implementation of the policies and the inevitable variability associated with case-by-case judgements. However, any unintended sustainability effects are likely to be localised, and monitoring of implementation is an important part of development management. It is through this mechanism that consistency of implementation and unintended consequences (and hence potential effects on sustainability) should be identified. Monitoring activity has been undertaken for policies applied as part of the Unitary Development Plan and lessons learnt in the development of new policies. It can be assumed therefore that the new policies are more sophisticated and should therefore yield more sustainable effects. Nevertheless, many of the scores retain a '?' to indicate that there is uncertainty associated with their effects.

5. Next steps

5.1 Preparation of the Submission Development Management DPD

- 5.1.1 Following consultation and an analysis of the responses, the Council will revise the Publication Draft Development Management DPD which will be subject to a statutory period of public consultation. Following this, a Submission Development Management DPD will be produced. This will be submitted for consideration by an independent planning inspector.

5.2 Finalising the SA Report and Post Adoption Statement

- 5.2.1 Following EiP, and subject to any significant changes to the draft DPD that may require appraisal, the Council will issue a Post Adoption Statement (PAS) as soon as reasonably practicable after the adoption of the DPD. The PAS will set out the results of the consultation and SA processes and the extent to which the findings of the SA have been accommodated in the adopted DPD.

5.3 Monitoring Requirements

- 5.3.1 Following adoption of the Development Management DPD, there will need to be monitoring of any significant effects identified. Monitoring the sustainability effects of implementing the Development Management DPD should be conducted as part of an overall approach to monitoring the sustainability effects of the BDP and various SPDs across the City. An Authority Monitoring Report is already produced for the BDP. This does not currently cover DM-related matters and this could be refined to reflect the content of the Development Management DPD and combined with the monitoring of potential sustainability effects.
- 5.3.2 **Table 5.1** sets out a number of potential indicators for monitoring the potential significant sustainability effects of implementing the Development Management DPD, drawing on those set out in Table 3.1 above which relate to sustainability objectives. Note that the indicators proposed are included as suggestions at this stage, as it is recognised that many datasets may not be available for monitoring some of the sustainability effects of the Development Management DPD, and that the indicators included may change once the City Council finalises the monitoring framework for the DPD itself. The data used for monitoring could be provided by outside bodies.

Table 5.1 Potential monitoring indicators for the Development Management DPD

Policy	Potential Indicator(s)
DM1 Air Quality	BDP AQ monitoring Change to/within Air Quality Management Areas Effects on human health and biodiversity
DM2 Amenity	Development Management (DM) statistics on applications refused as contrary to policy Development affecting natural assets including open space Effects on heritage assets and biodiversity

Policy	Potential Indicator(s)
DM3 Land affected by contamination, instability and hazardous substances	DM statistics on applications with contamination/stability issues Proportion of new development on previously developed land
DM4 Landscaping and trees	BDP monitoring of city-greening DM statistics on conditions attached to applications
DM5 Light Pollution	DM statistics on applications refused as contrary to policy Effects on heritage assets and biodiversity
DM6 Noise and Vibration	DM statistics on applications refused as contrary to policy Noise complaints Effects on heritage assets and biodiversity
DM7 Advertisements	DM statistics on applications refused as contrary to policy Effects on heritage assets
DM8 Places of worship and other faith related community facilities	DM statistics on applications Accessibility indices of key facilities
DM9 Day nurseries and early years provision	DM statistics on applications refused as contrary to policy Accessibility indices of key facilities
DM10 Standards for residential development	DM statistics on applications refused as contrary to policy
DM11 Houses in Multiple Occupation (HMO)	DM statistics on applications refused as contrary to policy
DM12 Residential conversions and specialist accommodation	DM statistics on applications refused as contrary to policy
DM13 Self and custom-build housing	DM statistics on applications
DM14 Highway Safety and Access	DM statistics on applications refused as contrary to policy
DM15 Parking and Servicing	DM statistics on applications refused as contrary to policy
DM16 Telecommunications	DM statistics on applications Effects on heritage assets and biodiversity

5.4 Quality Assurance Checklist

- 5.4.1 The Government's Guidance on SEA²² contains a quality assurance checklist to help ensure that the requirements of the SEA Directive are met. This has been completed for the Development Management DPD in **Table 5.2**.

Table 5.2 Completed Quality Assurance Checklist for the Development Management DPD

Objectives and Context	
<ul style="list-style-type: none"> The plan's purpose and objectives are made clear. 	Section 1.4
<ul style="list-style-type: none"> Sustainability issues, including international and EC objectives, are considered in developing objectives and targets. 	Key sustainability issues identified through a review of relevant plans and programmes (see Section 2) and analysis of baseline conditions (see Section 2) have informed the development of the SA Framework presented in Section 3.
<ul style="list-style-type: none"> SEA objectives are clearly set out and linked to indicators and targets where appropriate. 	Section 3.1 presents the SA objectives and guide questions.
<ul style="list-style-type: none"> Links with other related plans, programmes and policies are identified and explained. 	A review of related plans and programmes is presented in Section 2 of this SA Report.
Scoping	
<ul style="list-style-type: none"> The environmental consultation bodies are consulted in appropriate ways and at appropriate times on the content and scope of the Environmental Report. 	The environmental bodies were consulted on the Scoping Report in March 2015 and August 2018.
<ul style="list-style-type: none"> The assessment focuses on significant issues. 	Sustainability issues have been identified in the baseline analysis contained in Section 2 of this SA Report on a topic-by-topic basis. Section 2.2 summarises the key sustainability issues identified.
<ul style="list-style-type: none"> Technical, procedural and other difficulties encountered are discussed; assumptions and uncertainties are made explicit. 	Section 3.6 of this SA Report sets out the difficulties, uncertainties and assumptions.
<ul style="list-style-type: none"> Reasons are given for eliminating issues from further consideration. 	No issues have been knowingly eliminated from this SA Report.
Baseline Information	
<ul style="list-style-type: none"> Relevant aspects of the current state of the environment and their likely evolution without the plan are described. 	Section 2 and Appendix B of this SA Report presents the baseline analysis of the City's social, economic and environmental characteristics including their likely evolution without the Local Plan.
<ul style="list-style-type: none"> Characteristics of areas likely to be significantly affected are described, including areas wider than the physical boundary of the plan area where it is likely to be affected by the plan where practicable. 	Throughout Section 2 of this SA Report, reference is made to areas which may be affected by the Local Plan.
<ul style="list-style-type: none"> Difficulties such as deficiencies in information or methods are explained. 	Section 3.6 of this SA Report sets out the difficulties, uncertainties and assumptions.
Prediction and evaluation of likely significant effects	
<ul style="list-style-type: none"> Likely significant social, environmental and economic effects are identified, including those listed in the SEA Directive (biodiversity, population, human health, fauna, flora, soil, water, air, climate factors, material assets, cultural heritage and landscape), as relevant. 	Section 4 summarises the appraisal of the sustainability performance of the Pre-Submission Local Plan in terms of the Local Plan Vision and Spatial Principles, preferred development requirements and Spatial Strategy, site allocations and policies. Detailed appraisal matrices are

²² (Former) Office of the Deputy Prime Minister (2005) *A Practical Guide to the Strategic Environmental Assessment Directive*.

<ul style="list-style-type: none"> Both positive and negative effects are considered, and where practicable, the duration of effects (short, medium or long-term) is addressed. Likely secondary, cumulative and synergistic effects are identified where practicable. Inter-relationships between effects are considered where practicable. Where relevant, the prediction and evaluation of effects makes use of accepted standards, regulations, and thresholds. Methods used to evaluate the effects are described. 	<p>set out in Appendix A that have been developed to meet the requirements of the SEA Directive.</p> <p>Positive and negative effects are considered within the appraisal matrices and within Section 4. Potential effects are identified in the short, medium and long-term.</p> <p>The cumulative effects of the Plan are considered in Appendix A and summarised in Section 4 where relevant.</p> <p>Inter-relationships between effects are identified in the assessment commentary, where appropriate.</p> <p>These are identified in the commentary, where appropriate.</p> <p>These are described in Section 3.</p>
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Mitigation measures

<ul style="list-style-type: none"> Measures envisaged to prevent, reduce and offset any significant adverse effects of implementing the plan are indicated. Issues to be taken into account in development consents are identified. 	<p>These are identified within the appraisal matrices.</p> <p>These are identified within the appraisal matrices.</p>
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The SA Report

<ul style="list-style-type: none"> Is clear and concise in its layout and presentation. Uses simple, clear language and avoids or explains technical terms. Uses maps and other illustrations where appropriate. Explains the methodology used. Explains who was consulted and what methods of consultation were used. Identifies sources of information, including expert judgement and matters of opinion. Contains a non-technical summary 	<p>The SA Report is clear and concise.</p> <p>Maps and tables have been used to present the baseline information in Appendix B where appropriate.</p> <p>Section 3 presents the proposed methodology to be used for assessment whilst consultation arrangements are discussed in Section 1.</p> <p>Information is referenced throughout the SA Report.</p> <p>Included.</p>
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Consultation

<ul style="list-style-type: none"> The SEA is consulted on as an integral part of the plan-making process. The consultation bodies, other consultees and the public are consulted in ways which give them an early and effective opportunity within appropriate time frames to express their opinions on the draft plan and SA Report. 	<p>This SA Report is being consulted upon along with the Publication Draft Development Management DPD.</p> <p>The emerging Plan and SA have been made available for consultation in line with planning regulations.</p>
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Decision-making and information on the decision

<ul style="list-style-type: none"> The SA Report and the opinions of those consulted are taken into account in finalising and adopting the plan. An explanation is given of how they have been taken into account. Reasons are given for choices in the adopted plan, in the light of other reasonable options considered. 	<p>Responses received to this SA Report will inform the preparation of the Submission Draft Development Management DPD. They will also be summarised in the Post Adoption Statement.</p> <p>This information will be provided in subsequent reports.</p> <p>These will be present in the Post Adoption Statement.</p>
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Appendix A

Policy Appraisal

Sustainability Appraisal Scoring

Score Key:	++ Significant positive effect	+ Minor positive effect	0 No overall effect	- Minor negative effect	-- Significant negative effect	? Score uncertain	~ No clear relationship
<p>NB: where more than one symbol is presented in a box it indicates that the appraisal has found more than one score for the category. Where a box is coloured but also contains a '?', this indicates uncertainty over whether the effect could be a minor or significant effect although a professional judgement is expressed in the colour used. A conclusion of uncertainty arises where there is insufficient evidence for expert judgement to conclude an effect.</p> <p>Potential cumulative, synergistic and temporal effects reflect the likely city-wide application of the policy over the short, medium and longer term (short term (0 - 10 years), medium term (between 10 and 25 years) and long term (>25 years))</p>							

Policy	Reasonable Alternatives
DM1 Air Quality	<ul style="list-style-type: none"> None – a policy is required by National Policy
DM2 Amenity	<ul style="list-style-type: none"> No policy – rely on National Policy
DM3 Land affected by contamination, instability and hazardous substances	<ul style="list-style-type: none"> None – a policy is required by Legislation
DM4 Landscaping and Trees	<ul style="list-style-type: none"> None – a policy is required by National Policy
DM5 Light Pollution	<ul style="list-style-type: none"> None – a policy is required by National Policy
DM6 Noise and Vibration	<ul style="list-style-type: none"> None – a policy is required by National Policy

Policy	Reasonable Alternatives
DM7 Advertisements	<ul style="list-style-type: none"> No policy
DM8 Places of Worship and Faith-related Community Facilities	<ul style="list-style-type: none"> Retain existing UDP policy No policy
DM9 Day Nurseries and Childcare Provision	<ul style="list-style-type: none"> Retain existing UDP policy No policy
DM10 Standards for Residential Development	<ul style="list-style-type: none"> Retain existing UDP policy No minimum space standards or policy
DM11 Houses in Multiple Occupation	<ul style="list-style-type: none"> Retain existing UDP policy No policy Less prescriptive policy
DM12 Residential conversions and specialist accommodation	<ul style="list-style-type: none"> No policy
DM13 Self and Custom-Build Housing	<ul style="list-style-type: none"> No policy
DM14 Highway safety and access	<ul style="list-style-type: none"> None – a policy is required by National Policy
DM15 Parking and Servicing	<ul style="list-style-type: none"> No policy
DM16 Telecommunications	<ul style="list-style-type: none"> No policy

Policy DM1 Air Quality

Policy Content	Options Considered
<ol style="list-style-type: none"> Development proposals will need to contribute to the management of air quality and support the objectives of the local Air Quality Action Plan and Clean Air Zone. Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* in air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide, or increase exposure to unacceptable levels of air pollution, will not be considered favourably. Mitigation measures such as low and zero carbon energy, green infrastructure and sustainable transport can help to reduce and/ or manage air quality impacts and will be proportionate to the background air quality in the vicinity, including Clean Air Zone designations. The development of fuelling stations for low emission and electric vehicles will be supported in principle where they establish a network of facilities to support the City's transport and air quality objectives. New or extended fuelling stations for petrol and diesel vehicles would need to be justified on the basis of addressing clear gaps in existing provision, demonstrate compliance with Part 1 of this policy and provide fuelling for low emission and electric vehicles. <p>* As defined in paragraph 2.7</p>	<ul style="list-style-type: none"> None – a policy is required by National Policy

SA Objective	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	++?	Consistent application of standards which encourage high environmental quality will help to secure better quality buildings across the city to the benefit of sustainability over the longer term. The speed and depth of this change is uncertain, however.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	Measures to reduce air pollution through the use of Travel Plan will help to promote sustainable transport, contributing sustainability across the City. However, these measures are unlikely to significantly address air quality issues generated by road traffic.
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	No clear relationship

SA Objective	New Policy	Commentary
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	++?	Consistent application of standards which encourage high environmental quality will help to secure better quality buildings across the city to the benefit of sustainability over the longer term. The speed and depth of this change is uncertain, however.
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	+	Enhancement of the City's environmental quality will make a contribution to the City's economic success.
ECON2 To help promote the vitality of local centres	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	+	Enhancement of the City's environmental quality will make a contribution to the City's economic success.
ECON4 To encourage investment in learning and skills development	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	++	Clear, consistent policies which seek high environmental standards in new development and in turn will contribute to health and well-being.

SA Objective	New Policy	Commentary
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	No clear relationship

Commentary

A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes and the wider objectives and policies established in the BDP for the enhancement of air quality across the City through various means. The outcome of policy implementation is likely to be enhanced sustainability performance, reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. The policy could benefit from the inclusion of examples of measures against which the policy will be implemented and measured. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM1 Air Quality:

Government has determined the need for Birmingham to introduce a Clean Air Zone (CAZ) to control road transport related emissions particularly NO₂. The Council's Cabinet has approved the preferred measures for a Birmingham Clean Air Zone that will seek to achieve air quality compliance with UK and EU statutory NO₂ limits in the shortest time possible, as part of a longer term air quality programme. The positive management of air quality is a priority for the City, and it is imperative that development does not undermine the objectives of the CAZ, specifically that compliance within the CAZ is maintained and that no other areas become subject to requiring the declaration of a CAZ.

The AQAP, BDP and Birmingham Connected (the City Council's transport strategy) provide the framework to improve air quality in the city, including measures to encourage walking, cycling and the use of public transport, together with the support for the uptake of cleaner vehicle technologies through infrastructure provision, fleet transition and travel behaviour changes. New developments have the potential to adversely affect air quality or be affected by air quality. This particularly relates to development that would trigger an Air Quality Assessment (AQA) as set out in the Local Validation Requirements. The assessment and mitigation approach contained within the West Midlands Low Emissions Towns and Cities Programme: Good Practice Air Quality Planning Guidance (2014) (or any subsequent future replacement) should be utilised to assess where relevant exposure may arise, calculate the emission damage costs and identify mitigation. 'Unacceptable' deterioration is defined as where the development would result in exposure to pollutant concentrations close to the limit values.

AQAs must outline the current and predicted future pollutant concentrations at, and in the vicinity of, the development site. The AQA should also consider any potential cumulative impacts on air quality arising from planned development in the vicinity of the development site. The AQA should set out the planned mitigation measures to address any negative impacts. Mitigation measures should be provided on-site, however where this is impractical the AQA should demonstrate that it is possible to include measures in the local area which have equivalent air quality benefits. Mitigation measures may be secured either by planning condition or legal agreement where appropriate. Any impacts upon air quality will be considered in the context of the benefits the development brings to the City.

Mitigation measures will include ensuring that developments are designed to ensure walking and cycling is an obvious choice for short trips and that there is good public transport access to contribute towards the reduction in emissions, particularly nitrogen oxides and particulate matter. Where appropriate, new development should include low emission vehicle charging points as part of their parking provision, and consideration should be given to options to introduce car clubs as an alternative model of car ownership.

Birmingham City Council; Air Quality Annual Status Report (November 2017) (2018 version now also available via the same link)

https://www.birmingham.gov.uk/downloads/download/1488/air_quality_annual_status_report

Birmingham City Council; Clean Air Zone - Full Business Case & Cabinet Report (December 2018)

https://www.birmingham.gov.uk/info/20076/pollution/1763/a_clean_air_zone_for_birmingham/8

Environmental Protection UK & Institute of Air Quality Management; Guidance on land-use planning and development control: Planning for air quality (Jan 2017) <https://iaqm.co.uk/guidance/>

HM Government; Road to Zero Strategy (July 2018) <https://www.gov.uk/government/publications/reducing-emissions-from-road-transport-road-to-zero-strategy>

Low Emissions Towns and Cities Programme; Good Practice Air Quality Planning Guidance (May 2014)

https://go.walsall.gov.uk/low_emissions_towns_and_cities_programme

Birmingham City Council, Draft Clean Air Strategy (February 2019)

<https://www.birminghambeheard.org.uk/economy/clean-air-strategy-consultation/>

Birmingham City Council, Air Quality Action Plan (2011) (pdf)

Department of Chemical Engineering, School of Chemistry, University of Murcia, Spain; Assessing the impact of petrol stations on their immediate surroundings (2010) (pdf)

Policy DM2 Amenity

Policy Content	Options Considered
<p>All development will need to be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:</p> <ol style="list-style-type: none"> Visual privacy and overlooking; Sunlight, daylight, overshadowing; Aspect and outlook; Access to high quality and useable amenity space; Noise, vibration, odour, fumes, dust, air or artificial light pollution; Safety considerations, crime, fear for crime and anti-social behaviour; Compatibility of adjacent uses; and The individual and cumulative impacts of development proposals in the vicinity on amenity. 	<ul style="list-style-type: none"> No policy – rely on National Policy

SA Objective	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	-	++	Clear design and environmental quality expectations will help to ensure that there is a strong reference point against which development proposals can be assessed for their quality and contribution to achieving sustainable neighbourhoods and design quality across the City.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	-	++	Implicit in the criteria-based approach of the policies is sensitivity towards the context into which new development will be placed.

SA Objective	No policy	New policy	Commentary
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	-	++	Attractive and sustainable design will contribute to the City's image as a progressive and responsible place in which to invest.
ECON2 To help promote the vitality of local centres	-	++	Attractive and sustainable design will contribute to the success and rejuvenation of local centres.
ECON3 To promote the regeneration of areas across the City through appropriate development	-	++	Attractive and sustainable design will contribute to the regeneration of the City through helping to produce attractive and successful places.
ECON4 To encourage investment in learning and skills development	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	-	++	Good design, by its nature, promotes health and well-being, through the promotion of amenity and local environmental quality.

SA Objective	No policy	New policy	Commentary
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	~	No clear relationship

Commentary

Good design is important to securing sustainable development through balancing a wide variety of environmental and social considerations. The detailed criteria within DM2 against which developments will be considered serve to ensure that development takes account of the specific matters which help to make the City and its neighbourhoods attractive and successful places to live. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address design issues yields more positive sustainability outcomes than the reasonable alternative presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM2 Amenity:

The built-up nature of Birmingham presents opportunities for new uses to address and improve the amenity of the City. This can be achieved by ensuring that all developments are suitably located, well designed, adequately separated from neighbouring uses and operate in an appropriate way for the area in which they are located.

The protection of amenity covers both living and working conditions. This means firstly that new development should provide for adequate day to day living and working conditions for those who will be occupying it. Secondly, it means that development should not have undesirable amenity impacts on the living conditions of neighbouring residents or compromise the continued operation of uses and activities which are already established in the locality. The NPPF is clear (with particular reference to noise) that businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established.

It may be necessary to apply planning conditions to new developments to ensure amenity standards are maintained such as hours of operation, requirements for ventilation equipment to be properly maintained, and delivery times.

Birmingham City Council; Birmingham Design Guide Vision Document (2015) <https://www.birminghambeheard.org.uk/economy/birmingham-design-guide-vision/>



Birmingham Design Guide SPD (in preparation)

Birmingham City Council, Places for All

https://www.birmingham.gov.uk/directory_record/682/places_for_all

Birmingham City Council, Places for Living

https://www.birmingham.gov.uk/directory_record/683/places_for_living

Policy DM3 Land affected by contamination, instability and hazardous substances

Policy Content	Options Considered
<ol style="list-style-type: none"> Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area and/ or groundwater. Proposals for development of new hazardous installations, or development located within the vicinity of existing hazardous installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the Control of Major Accidents Hazards (COMAH) competent authority, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan. 	<ul style="list-style-type: none"> None – a policy is required by National Policy

SA Objective	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	++	Redevelopment of brownfield land is a priority of the BDP and environmental quality policies will be an important part of realising this key objective through ensuring that the development process and its outputs are undertaken with reference to clear standards. A specific policy on contamination and stability is particularly important in respect of use the previously developed land.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	~	No clear relationship
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	No clear relationship

SA Objective	New Policy	Commentary
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	++?	Consistent application of standards which encourage high environmental quality will help to secure better quality buildings across the city to the benefit of sustainability over the longer term. The speed and depth of this change is uncertain, however.
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	+	Enhancement of the City's environmental quality will make a contribution to the City's economic success.
ECON2 To help promote the vitality of local centres	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	+	Enhancement of the City's environmental quality will make a contribution to the City's economic success.
ECON4 To encourage investment in learning and skills development	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	++	Clear, consistent policies which seek high environmental standards in new development will contribute to health and well-being.

SA Objective	New Policy	Commentary
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	No clear relationship

Commentary

A policy which clearly addresses environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance, reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM3 Land affected by contamination, instability and hazardous substances:

Where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner. When development is proposed on or adjacent to land that is known or suspected to be affected by contamination and/ or instability, or where development is proposed that would be sensitive to these risks, proposals for development should be accompanied by an appropriate level of supporting information. Early engagement with the local planning authority and environmental health, particularly if the land is determined as contaminated land under Part 2A of the Environmental Protection Act 1990, will clarify what assessment is needed to support the application and issues that need to be considered in the design of a development.

A preliminary risk assessment will be required to identify the nature and extent of contamination and/or instability. Where the assessment identifies significant harmful risk to human health or the environment, the Council will require a full ground investigation and a risk assessment management and remediation strategy. The Environment Agency will also have an interest in the case of 'special sites' designated under Part 2A of the Environmental Protection Act 1990 and all sites where there is a risk of pollution to controlled waters. Remediation will need to meet their requirements. The developer should also check whether an environmental permit is required before development can start. See also BDP Policy TP6 Management of flood risk and water resources.

Remedial measures will need to be carried out in line with current legislation, guidelines and best practice, including applying the Environment Agency's principles in managing risks to groundwater (the precautionary principle, risk based approach and groundwater protection hierarchy).

Environment Agency; Land Contamination: Technical Guidance (2014, updated 2016) <https://www.gov.uk/government/collections/land-contamination-technical-guidance>

Health & Safety Executive; Land Use Planning Methodology Guidance <http://www.hse.gov.uk/landuseplanning/>

MHCLG, Planning Practice Guidance, Land affected by Contamination (July 2019)
<https://www.gov.uk/guidance/land-affected-by-contamination>.

MHCLG, Planning Practice Guidance, Land instability (July 2019)
<https://www.gov.uk/guidance/land-stability>

MHCLG, Planning Practice Guidance, Hazardous substances (March 2019)
<https://www.gov.uk/guidance/hazardous-substances>

Policy DM4 Landscaping and Trees

Policy Content	Options Considered
<p>Landscaping</p> <ol style="list-style-type: none"> All developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places and a coherent and resilient ecological network. The composition of the proposed landscape should be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions. <p>Trees, woodland and hedgerow protection</p> <ol style="list-style-type: none"> Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees. Where trees and/or woodlands are proposed to be lost as a part of development this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application. Where a proposed development retains existing trees or hedgerows on site, or where there is an incursion into a tree root protection area, provision must be made for their protection during the demolition and construction phase of development with monitoring and mitigation measures being put in place to ensure that development works do not have an adverse impact on retained trees, hedgerows and associated wildlife. To ensure that the benefits of proposed development outweigh the harm resulting from the loss of any trees, woodlands or hedgerows, adequate replacement planting will be required to the satisfaction of the Council. Replacement should be provided on-site unless the developer can justify why this is not achievable. Where on-site replacement is not achievable, contributions to off-site tree planting will be sought through a Section 106 Agreement. <p>* see the adopted Local Validation Criteria</p>	<ul style="list-style-type: none"> None – a policy is required by National Policy

SA Objective	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	No clear relationship

SA Objective	New Policy	Commentary
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	++	Tress and landscaping are very often a critical aspect of good design.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	++	Trees and landscaping can very often be central to achieving high quality development which contributes to its context.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	++	Trees and landscaping will be increasingly important in ensuring that climate change is managed, such as through shading and part of wider flood risk management for vulnerable locations.
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	++	Trees and landscaping are central to assisting pollution reduction and mitigation through filtration of air and water, for example.
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	++	Trees and landscaping contribute to a high quality environment which is attractive to investors, in turn enhancing prosperity.
ECON2 To help promote the vitality of local centres	++	Trees and landscaping contribute to a high quality environment which is attractive to investors, in turn enhancing prosperity.
ECON3 To promote the regeneration of areas across the City through appropriate development	++	Trees and landscaping contribute to a high quality environment which is attractive to investors, in turn enhancing prosperity.
ECON4 To encourage investment in learning and skills development	~	No clear relationship

SA Objective	New Policy	Commentary
SOC1 To help ensure equitable access to community services and facilities	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	++	Trees and landscaping contribute to a high quality environment which contributes to health and well-being through aesthetic, pollution control and climate regulation functions.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	++	Trees and landscaping contribute to a high quality environment in which people can take pride.
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	No clear relationship

Commentary

Trees and landscaping are fundamental to a high quality and ultimately sustainable environment, contributing aesthetically and functionally to the quality of life across the City. Specification of expectations for design and use of trees and landscaping as part of new development will ensure that, in combination with other policies, high quality design is realised and wider sustainability enhancements are secured. There are no suggested changes to the content of the policy arising from the appraisal, other than cross-referencing Council Strategies relating to Green Infrastructure, for example. The option of developing a new policy to address trees and landscape issues yields more positive sustainability outcomes than the reasonable alternative presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM4 Landscaping and Trees:

New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in

appropriate ways reflecting the site context and location. The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.

Trees and other vegetation make an important contribution to delivering sustainable development and high quality design. Protected trees, woodland and hedgerows should be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or there are exceptional circumstances such as, where the tree is considered to be imminently dangerous or its loss is significantly outweighed by the benefits of the proposed scheme and there are no viable development alternatives. Sufficient consideration must be given to retained trees and the proposed new use of the land around them, especially in respect of their long term viability, beneficial or adverse shade to buildings, perceived threat and building distances.

New trees, including trees on the highways should be provided with sufficient above and below ground planting space requirements (soil volumes, water supply and drainage) to allow for healthy growth to maturity without creating conflicts with buildings, pavements and utility infrastructure. Where appropriate a Landscape Management Plan will be required through a planning condition. Planting should be maintained in accordance with the plan and follow Secured by Design principles.

Birmingham City Council; Guide to Protected Trees (2016) https://www.birmingham.gov.uk/downloads/download/275/a_guide_to_tree_preservation_orders

Natural England; Green Infrastructure Guidance (2009) <http://publications.naturalengland.org.uk/publication/35033>

[Arboricultural Journal, Kerion J. Doick et al, CAVAT \(Capital Asset Value for Amenity Trees\): valuing amenity trees as public assets \(April 2019\)](https://www.tandfonline.com/doi/full/10.1080/03071375.2018.1454077)
<https://www.tandfonline.com/doi/full/10.1080/03071375.2018.1454077>

Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022
<https://www.bbcwildlife.org.uk/sites/default/files/2018-10/NIA%20Ecological%20Strategy%202017-22%20Summary.pdf>

Technical Report of the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022
<https://www.bbcwildlife.org.uk/sites/default/files/2018-10/NIA%20Ecological%20Strategy%202017-22%20Technical%20Report.pdf>

Birmingham City Council, Green Living Spaces Plan (2013)
<https://www.birmingham.gov.uk/greenlivingspaces>

Birmingham City Council, Sustainable Management of Urban Rivers & Floodplains SPD (2007)
https://www.birmingham.gov.uk/downloads/file/1166/sustainable_management_of_urban_rivers_and_floodplains_supplementary_planning_document

Policy DM5 Light Pollution

Development incorporating external lighting should make a positive contribution to the environment of the city and must seek to avoid or mitigate any potential adverse impacts from such lighting on amenity and public safety. Proposals for external lighting will need to demonstrate that the lighting is:

1. Appropriate for its purpose in its setting;
2. Designed to avoid or limit its impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation;
3. Designed to preserve or enhance the character or appearance of any heritage assets which are affected;
4. Designed to a high standard and well integrated into the proposal; and
5. Energy efficient

- None – a policy is required by National Policy

SA Objective	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	Well designed, low maintenance lighting will be encouraged as part of this policy.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	++	Sensitively designed lighting should ensure the protection and enhancement of the City's cultural heritage.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	No clear relationship

SA Objective	New Policy	Commentary
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	No clear relationship
ECON2 To help promote the vitality of local centres	+	Ensuring appropriate lighting design will contribute to the overall character of local centres.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	~	No clear relationship
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	+	Ensuring appropriate lighting design will contribute to crime reduction.

SA Objective	New Policy	Commentary
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	No clear relationship

Commentary

A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance of developments reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM5 Light Pollution:

Lighting associated with new developments should be designed in accordance with established industry standard guidance which is currently set out the Institute of Lighting Professionals. In particular, the use of low energy light sources will be encouraged. Detailed guidance on the design of lighting proposals will be included in the Birmingham Design Guide. The Planning Practice Guidance on Light Pollution also provides detailed guidance on how light pollution should be managed.

In applying the policy the Council will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure). Proposals involving or adjacent to designated and undesignated historic assets, must apply a lighting design appropriate to the asset, considering the architecture of the building to be illuminated and the impact this may have on the character of its surroundings.

BDP policy TP11 Sports facilities provides policy on sports facilities lighting. Advice and guidance is provided by and should be sought from Sport England on sports lighting proposals.

A Lighting Assessment Report/ Strategy (as set out in the Local Validation Requirements) could be required to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light and retain dark landscapes to protect wildlife. Planning conditions may be imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.

Birmingham City Council; Lighting Places Strategy (2008)

https://www.birmingham.gov.uk/directory_record/678/lighting_places_a_lighting_strategy_for_the_city_centre_and_local_centres_of_birmingham

Policy DM6 Noise and Vibration

Development should be designed, managed and operated to reduce exposure to noise and vibration. The following will be taken into account when assessing development proposals:

- a. The location, design, layout and materials;
- b. Positioning of building services and circulation spaces;
- c. Measures to reduce or contain generated noise (e.g. sound insulation);
- d. Existing levels of background noise;
- e. Hours of operation and servicing; and
- f. the need to maintain adequate levels of natural light and ventilation to habitable areas of the development.

- None – a policy is required by National Policy

Noise and/or vibration-generating development must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.

Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development including transport infrastructure, entertainment/ cultural/ community facilities and commercial activity. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.

SA Objective	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	Consistent application of standards which encourage high environmental quality will help to secure better quality buildings across the city to the benefit of sustainability over the longer term. The speed and depth of this change is uncertain, however.

SA Objective	New Policy	Commentary
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	No clear relationship
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	No clear relationship
ECON2 To help promote the vitality of local centres	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	No clear relationship

SA Objective	New Policy	Commentary
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	++	Clear, consistent policies which seek high environmental standards in new development will contribute to health and well-being.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	No clear relationship

Commentary

A policy which clearly address environmental protection issues will help to reinforce existing regulatory regimes. The outcome is likely to be enhanced sustainability performance of developments reflecting greater certainty for developers in respect of both minimum standards and good practice. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM6 Noise and Vibration:

Noise and vibration can have a significant impact on amenity of noise sensitive uses and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase. Sources of vibration include transportation (especially railways) and industrial processes.

As far as is practicable, noise sensitive developments should be located away from major sources of existing and/ or planned sources of noise unless an appropriate and robust scheme of mitigation is provided and the benefits of the proposal in terms of regeneration are considered to outweigh the impacts on

amenity and biodiversity. 'Planned' sources of noise mean sites in the nearby vicinity that are under construction; extant consents; sites that have planning consent which are not yet started; and sites which are allocated in the development plan.

The design of mitigation measures should have regard to the need to provide a satisfactory environment for future occupiers and take account of other material planning considerations such as urban design. Good design of developments, along with other actions, can help to mitigate any noise or vibration impacts. These include:

- Reduction and/or containment of the source of impact, and/ or protection of surrounding sensitive buildings.
- Layout to provide adequate distance between the source and sensitive buildings or areas, and/ or screening/buffers.
- Limiting operating times or activities of sources allowed on the site, and/or specifying acceptable limits.

Department for Environment, Food and Rural Affairs (DEFRA); Noise Policy Statement for England (2010) <https://www.gov.uk/government/publications/noise-policy-statement-for-england>

[Birmingham City Council, Planning Consultation Guidance Note Noise and Vibration \(pdf\)](#)

Policy DM7 Advertisements

Policy Content	Options Considered
<p>Proposals for advertisements should be designed to a high standard and meet the following criteria:</p> <ol style="list-style-type: none"> Suitably located, sited and designed having no detrimental impact on public safety or amenity, taking into account cumulative impact; Sympathetic to the character and appearance of their location, adjacent buildings and the building on which they are displayed having regard to their size, materials, construction, location and level of illumination; and Avoid proliferation or clutter of signage on the building and in the public realm. Not obscure architectural features of a building or extend beyond the edges or the roofline of buildings and respect the building's proportions and symmetry; Not create a dominant skyline feature when viewed against the immediate surroundings; and Designed to preserve or enhance the character or appearance of any heritage assets which are affected <p>Illuminated advertisement and signs should seek to avoid or mitigate any potential adverse impact on uses/ areas sensitive to light such as nearby residential properties and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation.</p> <p>The siting of advertisements hoardings will be resisted where visible from the M6 motorway or A38 Aston Expressway and purposefully designed to be read from the roadway and where the attention of drivers is likely to be distracted.</p>	<ul style="list-style-type: none"> No policy – allow the market to select the location of such uses and use Environmental and Highway Regulations to control any nuisance. Develop a new policy

SA Objective	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	-?	++?	Clear specification of locational, siting and design expectations will serve to enhance standards of implementation across the City.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	No clear relationship

SA Objective	No policy	New policy	Commentary
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	-?	++?	Clear specification of locational, siting and design expectations will serve to enhance standards of implementation across the City.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	-?	++?	Well controlled and sited advertising plays an important role in promoting the City's commercial vibrancy and image at local and City-wide scales.
ECON2 To help promote the vitality of local centres	-?	++?	Well controlled and sited advertising plays an important role in promoting the City's commercial vibrancy and image at local and City-wide scales.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	~	No clear relationship

SA Objective	No policy	New policy	Commentary
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	~	~	No clear relationship
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	-	+	An updated policy will provide the reference point for the consideration of likely effects on local amenity.

Commentary

A specific policy which clearly controls the siting and design of advertisements will provide an important reference point for ensuring that a range of sustainability benefits are secured, focused on enhancing economic development in the City whilst ensuring that residential amenity and City-wide amenity is protected. In all cases, the greater certainty and precision associated with an updated policy is likely to yield positive sustainability effects. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM7 Advertisements:

The display of advertisements is subject to a separate planning consent process as set out in The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). Through the planning system, advertisements are subject to the consideration of impacts in the interests of amenity and public safety. The Planning Practice Guidance: Advertisement explains the control of the advertisement regime and provides detail in relation to

consideration affecting public safety and amenity. Detailed guidance on the design of advertisements, signs and shop fronts will be updated and included in the emerging Birmingham Design Guide SPD.

The Town and Country Planning (Control of Advertisements) (England) Regulations 2007: <http://www.legislation.gov.uk/uksi/2007/783/made>

MHCLG, Planning Practice Guidance, Advertisements (July 2019): <https://www.gov.uk/guidance/advertisements>

Policy DM8 Places of Worship and Faith-related Community Facilities

Policy Content	Options Considered
<p>The Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres will be considered favourably where:</p> <ol style="list-style-type: none"> 1. It is well located to the population the premises is to serve or is well served by means of walking, cycling and public transport; 2. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety; and 3. The site is appropriate for its purpose in its setting, suitable for the scale of the development and number of users proposed. 	<ul style="list-style-type: none"> • Retain existing UDP policy • No policy

* means suitable for the development proposed.

SA Objective	Existing Policy	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	++	-?	+++	There are opportunities to make productive re-use of buildings for these uses and a clear policy establishes the reference point for how this might best be achieved.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	++	-?	+++	A clear policy establishes the reference point for how design of these uses might best be achieved.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	++	-?	+++	Location of these uses will be considered in respect of their relationship with public transport network, thus encouraging sustainable travel patterns.
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	++	-?	+++	
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship

SA Objective	Existing Policy	No policy	New policy	Commentary
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	++?	-?	+++?	Potential beneficial effects on local centres, particularly outside commercial hours.
ECON3 To promote the regeneration of areas across the City through appropriate development	++?	-?	+++?	Potential beneficial effect resulting from the re-use of buildings and the creation of a focus of activity.
ECON4 To encourage investment in learning and skills development	~	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	++?	-?	+++?	Having regard to the location of these facilities will help to promote equitable access.
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	++?	-?	+++?	Part of the creation of a community focus wider beneficial effects.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship

SA Objective	Existing Policy	No policy	New policy	Commentary
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	-	++	The policy sets out a clear reference point for how the location of these facilities will be considered.

Commentary

Ensuring the appropriate location and design of these uses will help to ensure that sustainable development is promoted, particularly having regard to equitable access through public transport and sensitive design ensuring that impacts on local amenity are minimised. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM8 Places of Worship and Faith-related Community Facilities:

The most appropriate locations for places of worship and faith related community uses is in the network of centres as is defined in Policy TP21 of the BDP. These are the most sustainable locations in terms of transport accessibility and parking. Other locations outside of the network of town centres will be considered favourably where the criteria outlined in the policy can be satisfactorily met. Proposals for places of worship and faith related community uses should also comply with other relevant local plan policies and guidance.

Development should be designed, managed and operated to reduce and/ or mitigate any potential adverse impact from noise on nearby residents. Consideration will be given to attaching conditions to any planning permission granted, which would help to reduce or eliminate such problems.

Proposals will need to include travel plans where appropriate and management plans to reduce the risk of vehicles parking inappropriately and causing an obstruction or having a detrimental impact on highway safety.

Additional ancillary activities such as weddings, funerals, and other special occasions are likely to lead to higher volumes of people and increased noise levels, traffic movements and parking demand. These can have an adverse impact on local amenity and public safety and will need to be carefully considered having regard to their frequency and the number of additional people that would be attracted to the premises. Applications will be expected to be supported by a travel plan and/or management plan where appropriate to address such issues.

Good design can help to mitigate noise and promote sustainable development. Good design can also ensure that places of worship respect the local context and character of an area and contribute to a high quality environment.

Birmingham City Council; Places of Worship and Faith-Related Community and Educational Uses SPD (May 2011):

https://www.birmingham.gov.uk/directory_record/73724/places_of_worship

Home Office; Fire safety risk assessment: small and medium places of assembly (2006): <https://www.gov.uk/government/publications/fire-safety-risk-assessment-small-and-medium-places-of-assembly>

Home Office; Fire safety risk assessment: large places of assembly (2006): <https://www.gov.uk/government/publications/fire-safety-risk-assessment-large-places-of-assembly>

Monitoring of planning applications for places of worship and faith related community uses (to be prepared)

Policy DM9 Day Nurseries and Childcare Provision

Policy Content	Options Considered
<p>The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. Proposals for development outside of the network of centres will only be considered favourably where:</p> <ol style="list-style-type: none"> 1. It is well served by means of walking, cycling and public transport; 2. It will not have an unacceptable adverse impact on local amenity, parking public and highway safety; 3. The site is appropriate for its purpose in its setting, suitable for the scale of the development and the number of children proposed; and 4. Sufficient useable outdoor play space to meet the needs of the children is provided. 	<ul style="list-style-type: none"> • Retain existing UDP policy • No policy

SA Objective	No change	No policy	New policy	Commentary
ENV1 Encourage development that optimises the use of previously developed land and buildings	~	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	+	Complementing wider development management policies which encourage high quality design, these policies will help to ensure that there is consistent application across the City for these particular uses.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	-	++	Consideration of the location of these uses should ensure that matters such as catchment areas are considered with attendant positive effects through travel reduction. The extent of the benefits is uncertain however, reflecting parental choice and wider catchment planning issues.
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	~	~	No clear relationship

SA Objective	No change	No policy	New policy	Commentary
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	+	-	+	Provision of consistent policy on the location of such facilities will help to ensure that there is access for all, although the precise effects are uncertain.
ECON2 To help promote the vitality of local centres	+	-	+	Control of such uses should be of benefit to local centres, helping to produce balanced property uses which complement one another.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	~	No clear relationship
ECON4 To encourage investment in learning and skills development	+	-	+	Provision of consistent policy on the location of such facilities will help to ensure that there is access for all, although the precise effects are uncertain.
SOC1 To help ensure equitable access to community services and facilities	+	-	+	Provision of consistent policy on the location of such facilities will help to ensure that there is access for all, although the precise effects are uncertain.
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	+	-	+	Provision of consistent policy on the location of such facilities will help to ensure that there is access for all, although the precise effects are uncertain.

SA Objective	No change	No policy	New policy	Commentary
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	~	~	No clear relationship

Commentary

A policy which ensures the consistent provision of day nurseries and facilities for the care, recreation and education of children across the City will help to ensure that there is equitable access (for example through sustainable locations) and in a fashion which maintains and enhances local amenity. The precise effects of the policy will have to be monitored to determine whether the policy objectives are being realised in practice. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address education-related development issues yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM9 Day Nurseries and Childcare Provision:

Early years facilities bring benefits to the community by reducing barriers to work for parents and carers and can provide an environment conducive to the development of the children who attend. Investment in the expansion and improvement of educational facilities is supported, in accordance with the BDP (Policy TP36 Education). However, such facilities must be provided in appropriate locations and suitable premises to ensure high standards of provision and prevent harm to the amenity of neighbours.

The network of centres as defined by Policy TP21 of the Birmingham Development Plan is considered the most appropriate location, but locations outside of centres will be considered appropriate where the policy criteria are met. Where nurseries are proposed in residential areas it is important to ensure that they would not give rise to unacceptable adverse impacts on local amenity. In these cases it may be necessary to ensure that there is sufficient distance between buildings and/ or that mitigation measures will be put in place to minimise the impact from noise and disturbance.

The Council will expect all planning applications for day nurseries and child care facilities in residential buildings and other non-residential buildings to outline: the numbers of staff and other visitors expected to attend the facility; the days of the week and the hours when the facility will operate; the nature of the activity; car parking and transport patterns, including servicing of the use; disabled access; and steps taken to minimise the noise impact of such uses.

Birmingham City Council, Education Services Delivery and Improvement Plan 2017 – 2018

https://www.birmingham.gov.uk/downloads/file/4340/education_services_delivery_and_improvement_plan_2016_to_2017_v20_26_may_2016

Birmingham City Council, Changing Times Report (2016)

https://www.birmingham.gov.uk/downloads/download/925/changing_times_report

Education Development Plan 2014-19 (2014) (pdf)

Monitoring of planning applications for day nurseries and childcare provision (to be prepared).

Policy DM10 Standards for Residential Development

Policy Content	Options Considered
<ul style="list-style-type: none"> All residential development will be required to meet the minimum Nationally Described Space Standards (Appendix 1). Proposals for major residential development, should seek to include a proportion of OR 7% on new affordable housing should be accessible and adaptable dwellings in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance. All new residential development must provide sufficient private useable outdoor amenity space appropriate to the scale, function and character of the development and adequate provision for recycling/ refuse storage and collection*. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected. Exceptions to the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished. 	<ul style="list-style-type: none"> Retain the existing UDP Policy No policy

* Standards are set out in the Birmingham Design Guide SPD.

SA Objective	Retain UDP Policy	No policy	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	++	Clear policies for residential design will help to ensure a consistent and progressive approach across the City.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	~	No clear relationship

SA Objective	Retain UDP Policy	No policy	New Policy	Commentary
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	~	~	No clear relationship
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	++?	-?	+++?	A clear policy for residential amenity and design will help to ensure a consistent and progressive approach across the City, contributing to its economic success through the provision of high quality development.
ECON2 To help promote the vitality of local centres	++?	-?	+++?	Where residential development is encouraged in local centres, clear policy will help to ensure that it is part of good quality mixed uses.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	~	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship

SA Objective	Retain UDP Policy	No policy	New Policy	Commentary
SOC3 To encourage development which promotes health and well-being	+	-	++	The policy will help to ensure that residential development of whatever kind is well-designed and constructed.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	~	~	~	No clear relationship

Commentary

This policy will yield a range of sustainability benefits, associated with ensuring that there is consistent high quality residential development throughout the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policies arising from the appraisal. The option of developing a new policy to address residential design matters yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM10 Standards for Residential Development:

The Government's Technical Housing Standards - Nationally Described Space Standards (March 2015 as updated) applies to new residential development in Birmingham. This will ensure that all homes are highly functional, meeting occupiers' typical day to day needs at a given level of occupation. It is based on being able to accommodate a basic set of furniture, fittings, storage, activity and circulation space appropriate to the design and occupancy level of the dwelling. When Government amends these standards, the City Council will prepare technical notes to demonstrate how the update is applied within Birmingham.

All new development, including extensions of properties within residential areas, has the potential to affect adjoining dwellings. Daylight and outlook are important to create pleasant spaces and support everyday activities. The size and layout of windows in new residential development should be maximised and the layout and design of development must consider levels of sunlight reaching residential properties and take opportunities to benefit from passive solar gain whilst preventing overheating of indoor spaces.

The '45 Degree Code' is a well-established approach in Birmingham to protect daylight levels and outlook for occupiers, particularly for existing houses. In applying the code the main considerations include:

- If the extension/building is single storey, the line is drawn from the midpoint of the nearest habitable room ground floor window of the adjoining premises.
- If the extension/building is two storey or taller, the measurement is taken from the quarter point of the nearest habitable room ground floor window.
- If the neighbouring property has already been extended, the measurement is normally taken from the nearest habitable room window of that extension. • If the neighbouring property has an extension which is made mainly of glass, the policy is applied to the original window opening in the wall where the extension has been added.

Outdoor private space is highly valued and it is important for both children and adults to have access to some private outdoor space for play and relaxation. The amount and type of outdoor space should relate to the potential occupancy of the dwelling and should be useable, with consideration from a number of factors, including shape, orientation, landform and shading. Outdoor amenity spaces should receive sunlight for at least part of the day, with garden sizes increased where necessary to take account of overshadowing. Existing guidance on outdoor amenity space and separation distances is set out in Places for Living SPD, which will be updated through the forthcoming Birmingham Design Guide SPD.

Across the UK as a whole, more people are living longer. Birmingham is following that national trend, and it is predicted that the percentage of those aged over 65 within the Birmingham will increase from 12.9% (145,865 people) to 16% (210,906 people) of the population. This represents a 58% increase to 2031 and a 45% increase to 2041 of people within this group. Despite increasing life expectancy, there remains a gap in healthy life expectancy. This in turn presents series of health and care challenges for older people and people with mobility impairments as it means they will be living longer with impairments and life-limiting conditions.

There will be a larger elderly population who will living longer and are likely to be living with disabilities in their later years. A requirement of 30% of new homes to meet the optional building regulation for accessible and adaptable homes is considered appropriate.

- Birmingham's older population makes up 12.9% of the total Birmingham population. Population forecasts show that this will increase to 16% in 2041. (ONS 2016 sub national population projections).
- The number of households headed by those aged 65+ has been increasing in Birmingham and is projected to increase to 28% of total households in the city.
- The Census 2011 shows that 18.4% of people currently report themselves as having a long term health problem or disability (being limited a little and a lot).
- Healthy life expectancy of men and women in Birmingham is much lower than the national average. The gap between healthy life expectancy and life expectancy indicates that the older population will therefore spend more years in poor health.
- In terms of those 65+, there is predicted to be 30.6% increase in people with a limiting long term illness whose day-to-day activities will be limited a little and 31.8% increase in people whose day-to-day activities will be limited a lot by 2035.

Birmingham City Council; 45 Degree Code for Residential Extensions (March 2006):

https://www.birmingham.gov.uk/directory_record/669/45_degree_code_for_residential_extensions

Department for Communities and Local Government; Technical Housing Standards – Nationally Described Space Standard (March 2015):

<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

Ministry of Housing, Communities and Local Government; Access to and use of buildings: Approved Document M (2016):

<https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m>

Strategic Housing Land Availability Assessment (SHLAA) (2018)

Birmingham City Council, Standards for Residential Development Topic Paper (September 2019)

Policy DM11 Houses in Multiple Occupation (HMO)

Policy Content	Options Considered
<p>Proposals for the conversion of existing dwellinghouses or the construction of new buildings to be used as Houses in Multiple Occupation (HMO) should protect the residential amenity and character of the area and will be permitted where they:</p> <ol style="list-style-type: none"> would not result in this type of accommodation forming over 10% of the number of residential properties* within a 100 metre radius of the application site**; and would not result in a family dwellinghouse being sandwiched between two non-family residential uses***; and would not lead to a continuous frontage of three or more non-family residential uses***; and it would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies; and would not give rise to unacceptable adverse cumulative impacts on amenity, character, appearance, highway safety and parking; and provide high quality accommodation with adequate living space including: <ol style="list-style-type: none"> bedrooms of at least 7.5 sq.m. (single) and 11.5 sq.m. (double); and communal living space comprising lounge, kitchen and dining space either as distinct rooms or in an open plan format; and washing facilities; and outdoor amenity space; and recycling/ refuse storage. <p>Where a) and c) has already been breached, planning permission will only be granted in exceptional circumstances****.</p> <p>Proposals for the intensification or expansion of an existing HMO should provide high quality accommodation in accordance with (e) and (f) above and have regard to the size and character of the property.</p> <p>* Paragraph 4.17 below sets out the residential properties identified for the purposes of calculating the percentage concentration of HMOs and the data sources for the purposes of identifying HMOs.</p> <p>** Measured from the centre point of the property</p> <p>*** For the purposes of this policy a non-family residential use is defined as a HMO, student accommodation, residential accommodation within C1 and C2 Use and self-contained flats.</p> <p>****Exceptional circumstances are set out in paragraph 4.18 below.</p>	<ul style="list-style-type: none"> Retain existing UDP policy No policy Less prescriptive policy

SA Objective	Existing UDP policy	No policy	Less prescriptive Policy	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	+	-	+	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	~	~	~	~	No clear relationship
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	~	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	+	-	+	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	~	~	~	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	~	~	No clear relationship

SA Objective	Existing UDP policy	No policy	Less prescriptive Policy	New Policy	Commentary
ECON4 To encourage investment in learning and skills development	~	~	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	~	~	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	+	-	+	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
SOC3 To encourage development which promotes health and well-being	~	~	~	~	No clear relationship
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	+	-	+	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	-	+	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.

Commentary

The sustainability effects of a clear policy which seeks to control HMOs is likely be positive, reflecting the potentially contentious issues associated with them. The sustainability effects principally relate to ensuring that local amenity and design quality is appropriately protected, whilst meeting demand and need. No likely significant negative effects have been identified although there is uncertainty relating to implementation, the outcomes of which will require monitoring. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing a new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM11 Houses in Multiple Occupation (HMO):

Public consultation was undertaken on the city-wide Article 4 Direction between 6 June and 18 July 2019. A total of 251 individual comments were received in response to the publicity period. 151 (60%) of these comments expressed support for the city-wide Article 4 Direction, 89 (36%) were opposed to it and 10 (4%) did not express a view. A petition was also received in support of the city-wide Article 4 Direction which was signed by 323 individuals. The main issues raised by those who support the city-wide direction are summarised as follows:

- Low levels of maintenance of HMO properties, resulting in poor quality living environments for occupants and neighbours;
- High amounts of litter and rubbish generated due to people occupying HMO properties;
- Noise generated from HMO properties;
- Incidences of crime and anti-social behaviour associated with some occupants of HMOs;
- Problems caused by parking and subsequent impacts on highway safety;
- Transient population and less community cohesion.

The main issues raised by those who object to the City-wide Direction are summarised as follows:

- The effect it will have on limiting the availability of different types of housing in the city;
- Knock-on effects that it will have on the affordability of housing and potential increases in homelessness as a result;
- That it will discriminate against students and younger age groups, who typically occupy such properties;
- That the case put forward to justify the Article 4 Direction was based on anecdotal and not factual evidence;
- That other mechanisms should be used instead to control the negative impacts associated with HMOs (e.g. Anti-Social Behaviour Orders and enforcing HMO Management Regulations)

More generally, concentrations of HMOs can impact upon residential amenity and can, in some cases, create particular issues with regard to:

- increased levels of crime and the fear of crime;
- poorer standards of property maintenance and repair;
- littering and accumulation of rubbish;
- noises between dwellings at all times and especially at night;
- decreased demand for some local services;

- increased parking pressures; and
- lack of community integration and less commitment to maintain the quality of the local environment.

Wider impacts on infrastructure and services created by a high concentration of HMOs and arising from the changing demography of the neighbourhood include:

- decline in owner occupied stock;
- increased population densities can place a strain on existing services, refuse disposal and street cleansing;
- reduction in demand for some local services;
- the decline of local school enrolment;
- underuse of community facilities; and
- increased demand for other services such as takeaway food, bars.

The BDP recognises that different types of residential accommodation are important to meeting the wide ranging housing needs of people in the City. All developments should achieve a high quality design contributing to a strong sense of place (BDP Policy PG3), and new homes should contribute towards achieving mixed and balanced communities (BDP policy TP30). The City Council will seek to prevent the loss to other uses of housing which is in good condition (BDP Policy TP35).

The conversion and reuse of existing buildings for housing can help to meet the changing housing on the surrounding area. Over-concentrations of certain types of accommodation can have a number of negative impacts on the local communities, including the loss of family housing, effects to the residential character, appearance, and amenity of an area as a result of excessive noise and disturbance to residents and levels of parking. The National HMO lobby and National Organisation of Residents Associations consider a 10% concentration of HMOs, equating to a 20-30% population as the tipping point to an unbalanced community. The Council's Strategic Housing Market Assessment (2013) identifies a need for market accommodation of all sizes but shows that the highest net change in the number of homes needed to 2031 is in the 3 and 4 or more bedroom category. A high proportion of 3 and 4 person households are also inadequately housed.

The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. In the right location, good design of development and its future operation can help to limit any negative impacts. This includes ensuring the proposal can be delivered in line with best practice and Government guidance, and setting residential institution developments within their own grounds.

Birmingham City Council; Planning Policy Document, Houses in Multiple Occupation in the Article 4 Direction Area of Selly Oak, Edgbaston & Harborne wards (Nov 2014) https://www.birmingham.gov.uk/downloads/file/3232/planning_policy_document_final_17_november_2014

Birmingham City Council, Houses in Multiple Occupation Topic Paper (2019) (in draft)

Birmingham City Council, 45 Degree Code for Residential Extensions (March 2006):
https://www.birmingham.gov.uk/directory_record/669/45_degree_code_for_residential_extensions

National HMO Lobby - Balanced Communities and Studentification (2008): <http://www.hmolobby.org.uk/lobbybalancedcomms.htm>

Planning Inspectorate; Appeal Decision APP/P4605/W/14/3001406 (23/03/2015): <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3001406>

Planning Inspectorate; Appeal Decision APP/P4605/W/15/3024057 (11/08/2015): <https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3024057>

Strategic Housing Market Assessment (SHMA) (2013)

Policy DM12 Residential Conversions and Specialist Accommodation

Policy Content

This policy applies to the subdivision or conversion of properties into self-contained dwelling units and the development of specialist accommodation. Proposals will be supported where:

- high quality accommodation is provided that complies with Policy DM10 Standards for Residential Development and other relevant Local Plan policies; and
- it would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies;
- it will not lead to an adverse impact on the amenity, character and appearance of the area, taking into account the cumulative effects of similar uses in the area;
- the accommodation and facilities, including provision for safety and security, is suitable for the intended occupiers; and
- they have good access to local shops, services, public transport and facilities appropriate to the needs of the intended occupiers.

Options Considered

- No policy
- New policy

SA Objective	No policy	New Policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	-	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	~	++	Development will accord with design standards set out in policy DM10.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	-	++?	Positive policies on siting and design will help to ensure re-use of buildings is appropriately undertaken.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	No clear relationship

SA Objective	No policy	New Policy	Commentary
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	~	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	~	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	-	++?	The policy is designed to meet the specific housing needs of sectors of the population.
SOC3 To encourage development which promotes health and well-being	~	++?	The policy is designed to meet the specific housing needs of sectors of the population.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	-	++?	A positive policy will assist with local decision making on appropriate accommodation for specific needs and sectors of the population.

Commentary

Promoting the sensitive conversion of properties for specific needs is likely to result in significant positive effects through the provision of appropriate accommodation for those in particular need. The option of having no specific policy could result in some minor adverse effects relating to social indicators. In particular, no likely significant negative effects have been identified although there is uncertainty relating to implementation, the outcomes of which will require monitoring. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM12 Residential Conversions and Specialist Accommodation

Specialist residential accommodation is a generic description used to describe housing that meets the needs of specific groups of people. This can comprise hostels, shared housing, care homes and supported accommodation for older people and people with mental health, learning disabilities, dementia, physical and sensory impairment, ex-offenders and drugs and alcohol dependency. It does not include age-restricted general market housing, retirement living or sheltered housing.

The Council's Strategic Housing Market Assessment (SHMA) (2013) indicates a need for market accommodation of all sizes it also shows that the highest net change in the number of homes needed to 2031 is in the 3 and 4 or more bedroom categories. Increasing the amount of general housing that is suitable for older and less able people (e.g. smaller homes, bungalows and serviced flats), together with more specialist housing, can have the added benefit of freeing up larger homes in communities that are required by families, of which there is a high level of demand for in Birmingham (SHMA 2013).

The recognition of the need and demand for specialist residential accommodation reflects a movement away from institutional care and studio accommodation into the provision of self-contained accommodation respecting individual choice and independence and offering the chance to remain integrated in the community. However, it is difficult to quantify the exact types of development, or numbers of bedspaces that will be required to meet hostel and other supported housing needs which arise as this can vary on a weekly basis.

There is a significant amount of older person's specialist housing in Birmingham at present, the majority of which is within the affordable sector. The vast majority of both the affordable and market supply is sheltered housing. There are relatively small amounts of other types of specialist older person's housing, and this is especially true for the Council's own stock.

The quality as well as the quantity of accommodation is crucial to the ongoing health and wellbeing of older people. While there is specialist housing that meets current best practice and design standards, other dwellings were developed or converted under historic standards and are now unable to meet the expectations of citizens. The conversion of a single dwelling house into several separate units may result in an increased intensity of use and possible adverse effects on the adjacent properties, including increased amount of traffic, on-street parking and poor waste management.

Birmingham City Council, Standards for Residential Development Topic Paper (September 2019)

Policy DM13 Self and Custom Build Housing

Policy Content	Options Considered
<ol style="list-style-type: none"> The Council will actively support the development of self and custom-build homes in suitable locations where they support the delivery of the Birmingham Development Plan and do not conflict with other policies in the Local Plan. The Council will encourage developers to consider whether an element of self-build plots can be incorporated into development schemes as part of the housing mix. The Council's self-build register will be used as a source of evidence of the demand for self-build and custom build housing locally, and the level of demand will be a material consideration in determining proposals. Affordable self-build plots will be considered and encouraged as a suitable product within the affordable housing requirement on larger sites. 	<ul style="list-style-type: none"> No policy

SA Objective	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	-?	+	Self-build could be part of land and building re-use where traditional solutions have failed.
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	-?	+	A policy on self-build should encourage innovation in design standards.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	~	~	No clear relationship
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	~	~	No clear relationship
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	No clear relationship

SA Objective	No policy	New policy	Commentary
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	~	~	No clear relationship
ECON3 To promote the regeneration of areas across the City through appropriate development	-?	++	Self-build could be part of the wider solution to realising housing development in regeneration areas.
ECON4 To encourage investment in learning and skills development	-?	+++	Self-build can be the focus for individual training and skills development.
SOC1 To help ensure equitable access to community services and facilities	~	~	No clear relationship
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	-?	++	A proactive approach to self-build should contribute to providing more diverse routes to housing provision which meet individual circumstances.
SOC3 To encourage development which promotes health and well-being	-?	++	A proactive approach to self-build should contribute to realising individual ambitions and needs.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	-?	+++	A proactive approach to self-build should contribute to helping communities realise aspirations for more diverse housing delivery models.

Commentary

Promoting self- and custom-build housing through a specific policy is likely to yield positive sustainability effects City-wide with no adverse effects identified. No likely significant negative effects have been identified although there is uncertainty relating to implementation, the outcomes of which will require monitoring. There are no suggested changes to the content of the policy arising from the appraisal. The option of having no specific policy could result in some minor adverse effects relating to social indicators. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM13 Self and Custom Build Housing:

Councils are required to adopt a proactive and positive approach to encouraging and supporting self-build, in light of:

- The National Planning Policy Framework requires local planning authorities to clearly understand need, and plan for a mix of housing, including for people wishing to build their own homes.
- The Self-Build and Custom Housebuilding Act 2015 places a duty on local authorities to keep a register of those seeking to acquire a plot for self-building and to have regard to the register in carrying out their planning, housing, land disposal and regeneration functions.
- The Housing and Planning Act introduced a duty on local authorities to “give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority’s area arising in each base period”.

Birmingham City Council has been operating its self-build register since November 2014. The number of entries on the register at present is relatively low but increasing. The number of new homes granted exemptions from the Community Infrastructure Levy due to their self/custom build status also indicates that there is considerable self-build activity in the city. Applications for this type of housing will be judged against the same relevant policies in the Plan, particularly standards for residential development (DM10).

Self-build and Custom Housebuilding Act 2015 <https://www.legislation.gov.uk/ukpga/2015/17>

Birmingham City Council Self Build Register https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/1052/apply_to_be_on_the_self-build_and_custom_housebuilding_register

Birmingham City Council, Standards for Residential Development Topic Paper (September 2019)

Policy DM14 Highway Safety and Access

Policy Content	Options Considered
<ol style="list-style-type: none"> 1. Development must ensure that the safety of highway users is properly taken into consideration and that any new development would not have an adverse impact on highway safety. 2. Development must ensure that safe, convenient and appropriate access arrangements are in place for all users, including the needs of people with disabilities and reduced mobility within the development and onto the highway network, both during the construction and operation stages of the development. Priority shall be given to the needs of sustainable transport modes. 3. Developments should provide for the efficient delivery of goods and access by service and emergency service vehicles. Where it is demonstrated that this is not feasible, an appropriate alternative solution must be agreed with the City Council and secured. 4. Development proposals that will generate significant amounts of traffic should be accompanied by a Transport Assessment and should be located where the need to travel will be minimised, and is in a location that is readily accessible by a variety of transport modes. Development proposals that generate significant amounts of traffic will be required to provide a Travel Plan that sets out the means by which the developer will encourage users to adopt more sustainable modes of travel. 5. Vehicle access points (including private driveways) will be supported where it would not result in: <ul style="list-style-type: none"> • a reduction in pedestrian or highway safety; • detrimental impact on public transport, cycling and walking routes; • adverse impact on the quality of the street scene and local character of the area; • the loss of important landscape features, including street trees and significant areas of green verge; and • the prevention or restriction of the implementation of necessary or future transport improvements. 5. On Birmingham's strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes). Any new access point must allow for access and egress in a forward gear. 	<ul style="list-style-type: none"> • Retain the existing UDP Policy • No policy

SA Objective	No change	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	+	Attention to the design of transport infrastructure complements that applied to other aspects of the built environment.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	-	++	An efficient and effective transport system contributes enhancing sustainable travel, through the requirements for production of Travel Plans, for example.
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	+	-	+	Attention to the design of transport infrastructure complements that applied to other aspects of the built environment.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	+	-	++	An efficient and effective transport system contributes significantly to economic growth and thereby the well-being of residents through job opportunities.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	~	No clear relationship

SA Objective	No change	No policy	New policy	Commentary
ECON4 To encourage investment in learning and skills development	~	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	+	-	+	An efficient and effective transport system enables access to services and facilities by residents.
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship
SOC3 To encourage development which promotes health and well-being	+	-	+	An efficient and effective transport system contributes significantly to economic growth and thereby the well-being of residents through job opportunities.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	-	++	The policy could assist local neighbourhoods in realising greater control over highway-related issues.

Commentary

Ensuring that there is a rounded approach to transport planning across the City should yield a broad range of sustainability benefits, notably in respect on enhancing the City's economic performance through ensuring more efficient and effective movement. In turn and more broadly, the well-being of residents is enhanced through the greater opportunities for efficient travel within the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM14 Highway Safety and Access:

Highway Safety is fundamental to the design of the highway network and no development should have a negative impact on highway safety. Effective traffic management is essential to the safe and free flow of movement on the highway network. It can improve accessibility and potentially reduce congestion by understanding flows of traffic at peak and non-peak periods. This is to be secured through:

- Ensuring that development proposals that will generate significant amounts of traffic are accompanied by a Transport Assessment or Statement and will be required to provide a Travel Plan. Applications for development with significant transport implications should demonstrate the measures they are taking to minimise the impact of the development on highway users.
- Travel Plans which have measurable outputs, which might relate to targets in the local transport plan, and set out the arrangements for monitoring the progress of the plan, as well as the arrangements for enforcement, in the event that agreed objectives are not met.
- Travel Plans which include clear, viable proposals for monitoring of travel patterns post occupation.
- Consideration of the existing network and proposed access points to the site will need to be suitable for future traffic levels.
- Any new or amended access arrangements need to be carefully considered to ensure the efficient, effective and safe operation of the highway infrastructure across the City in view of the main parts of the highway network within Birmingham, including the strategic highway network and the West Midlands key route network, which are more sensitive to traffic impacts from development.

These measures complement the Road Safety Strategy for the City (2016) which is part of the Birmingham Connected vision for the future of transport in Birmingham, working towards a safer, healthier, greener city with a reliable integrated transport system which supports the City's growing population and economy, including through:

Safer roads

- Considering all road users and providing for the most vulnerable (pedestrians, cyclists, motorcyclists, 16 to 24 year-olds and children) when maintaining or making changes to our road network.
- Understanding where accidents are happening in the city and seeking to address problems.
- Addressing speeding by reducing speed limits and trialling digital speed cameras.

Safer people

- Providing education, training and campaigns on key road safety issues including walking, cycling, driver behaviour, motorcycle safety and large vehicle/HGV awareness.
- Targeting the delivery of road safety information to the people and places where it is most needed.

The emerging walking and cycling strategy for the City proposes a ten year plan to ensure that walking and cycling become popular choices for short journeys and for recreational activities and to increase opportunities for walking and cycling and reduce dependence on the motor car. Key objectives are to enable, develop and inspire walking and cycling, with proposals for a city-wide cycle route network and walking investment are set out in the Local Cycling and Walking Infrastructure Plan.

Birmingham City Council, Birmingham Connected (2014)

https://www.birmingham.gov.uk/downloads/download/552/birmingham_connected

Birmingham City Council, Draft Birmingham Walking and Cycling Strategy and Infrastructure Plan (June 2019)

https://www.birmingham.gov.uk/info/20013/roads_travel_and_parking/1942/walking_and_cycling_strategy_and_infrastructure_plan

Birmingham City Council; A Road Safety Strategy for Birmingham (October 2016)

https://www.birmingham.gov.uk/info/20163/safer_greener_healthier_travel/361/birmingham_road_safety_strategy

Birmingham City Council; Birmingham Connected Business Travel Network guidance

https://www.birmingham.gov.uk/info/20013/roads_travel_and_parking/1020/business_travel_network

Birmingham City Council; STARSfor guidance https://www.birmingham.gov.uk/info/20013/roads_travel_and_parking/1020/business_travel_network/2

CLG, DfT, Manual for Streets (2007)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/341513/pdfmanforstreets.pdf

Policy DM15 Parking and Servicing

Policy Content	Options Considered
<ol style="list-style-type: none"> 1. All development proposals will be required to follow the standards in the Parking SPD (and any subsequent revisions). This includes provision for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles. 2. Proposals for parking and servicing shall avoid highway safety problems and protect local amenity and character of the area. 3. For development where no standards exist, parking shall be provided to ensure that the operational needs of the development are adequately met, having regard to the need to points above. 4. Development should include transport infrastructure that improves equality of access to travel and supports the efficient use of space, such as cycle hire and car club schemes. 5. Parking proposals should have regard to the Birmingham Design Guide and be designed to be fully accessible to all users. 6. Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems. 	<ul style="list-style-type: none"> • Retain the existing UDP Policy • No policy

SA Objective	No change	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	+	Attention to the design of transport infrastructure complements that applied to other aspects of the built environment.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	-	++	An efficient and effective transport system contributes enhancing sustainable travel, through provision for cycle parking and infrastructure, for example.

SA Objective	No change	No policy	New policy	Commentary
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	+	-	+	Attention to the design of transport infrastructure complements that applied to other aspects of the built environment.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	~	~	~	No clear relationship
ECON2 To help promote the vitality of local centres	+	-	++	Efficient and effective parking policy can have a significant effect on local centre viability.
ECON3 To promote the regeneration of areas across the City through appropriate development	~	~	~	No clear relationship
ECON4 To encourage investment in learning and skills development	~	~	~	No clear relationship
SOC1 To help ensure equitable access to community services and facilities	+	-	+	An efficient and effective transport system enables access to services and facilities by residents.
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship

SA Objective	No change	No policy	New policy	Commentary
SOC3 To encourage development which promotes health and well-being	+	-	+	An efficient and effective transport system contributes significantly to economic growth and thereby the well-being of residents through job opportunities.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	-	++	The policy could assist local neighbourhoods in realising greater control over highway-related issues.

Commentary

Ensuring that there is a rounded approach to transport planning across the City should yield a broad range of sustainability benefits, notably in respect of enhancing the City's economic performance through ensuring more efficient and effective movement. In turn and more broadly, the well-being of residents is enhanced through the greater opportunities for efficient travel within the City. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing new policy to address siting and design of these uses yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM15 Parking and Servicing:

Growth in the city's population will result in 1.2million additional daily trips across the network by 2031 (by all transport modes). It is not possible or indeed desirable to accommodate all these by private car due to existing constraints on our highway capacity and because of the significant detrimental impact of traffic on our environment. Local parking policies, alongside other planning and transport measures, should act to promote sustainable transport choices and reduce reliance on the private car for work and other journeys. Careful and appropriate management of parking is a key element of Birmingham's transport strategy. The Council is currently consulting on a new Parking Supplementary Planning Document (SPD). The approach to the provision of parking aims to promote sustainable transport, reduce congestion, improve road safety and reduce pollution. The Parking SPD will set out how the city will manage on-street (public highway) and off-street parking provision across the city. This will be through:

- Support for and promotion of the provision of charging points for ultra-low emission vehicles and car clubs which would contribute to sustainable development in the City.

- Accepting garages as contributing towards parking provision for development if they have adequate functional space, contributing to parking needs and residential amenity by creating a more secure environment, and reducing the potential for unsocial parking and visual impacts.
- Ensuring a design led approach is adopted to ensure parking functions satisfactorily for all users including disabled drivers, pedestrians, cyclists and service vehicles and does not impact negatively on the surrounding streetscape.
- Encouraging new hotel developments in locations where bike hire schemes are established to provide publicly accessible bike hire facilities on site in liaison with the city bike hire provider.

Birmingham City Council, Birmingham Connected (2014)

https://www.birmingham.gov.uk/downloads/download/552/birmingham_connected

Birmingham City Council; Car Park Design Guide SPD (2012) https://www.birmingham.gov.uk/directory_record/673/car_park_design_guide

Birmingham City Council; Car Parking Guidelines SPD (2012)

https://www.birmingham.gov.uk/directory_record/646/car_parking_guidelines_supplementary_planning_document

Birmingham City Council; Parking of Vehicles at Commercial and Industrial Premises Adjacent to Residential Property Guidance

https://www.birmingham.gov.uk/directory_record/680/parking_of_vehicles_at_commercial_and_industrial_premises_adjacent_to_residential_property

Movement for Growth; West Midlands Strategic Transport Plan

<https://www.wmca.org.uk/what-we-do/transport/>

Policy DM16 Telecommunications

Policy Content	Options Considered
<p>The Council will promote the development of advanced, high quality communications infrastructure to support economic growth and more accessible, inclusive communities. This will be achieved by requiring new development proposals to:</p> <ol style="list-style-type: none"> Demonstrate opportunities have been explored for sharing of masts or sites. Such evidence should accompany any application made to the local planning authority; Demonstrate that there are no suitable alternative sites for telecommunications development available in the locality including the erection of antennae on existing buildings or other suitable structures Be sited and designed in order to minimise impact on the visual and residential amenity, character and appearance of the surrounding areas; If on a building, apparatus and associated structures to be sited and designed in order to minimise impact to the external appearance of the building; Not have unacceptable harm on areas of ecological interest, areas of landscape importance, or heritage assets and their setting; and Conform to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators' equipment located on the mast / site. 	<ul style="list-style-type: none"> Retain the existing UDP Policy No policy

SA Objective	No change	No policy	New policy	Commentary
ENV1 To encourage development that optimises the use of previously developed land and buildings	~	~	~	No clear relationship
ENV2 To promote the application of high standards of design, construction and maintenance of buildings	+	-	+	The policy should promote the efficient use of shared facilities, for example, and more widely help to realise good design.
ENV3 To encourage the use of sustainable methods of transport and reduce the need to travel	+	-	+	Modern telecommunications infrastructure is an important part of helping to reduce the need to travel through home-working and teleconferencing, for example.

SA Objective	No change	No policy	New policy	Commentary
ENV4 To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage	+	-	+	Attention to the impacts on cultural and natural heritage will help to protect their interests.
ENV5 To promote development which anticipates and responds to the challenges associated with climate change, particularly managing and reducing floodrisk	~	~	~	No clear relationship
ENV6 To promote development which makes best use of water resources, reduces pollution and encourages sustainable waste management	~	~	~	No clear relationship
ECON1 To help improve the performance of the local and City-wide economy to provide opportunity for all	+	-	+	Modern telecommunications infrastructure is an important part of promoting the City's economic performance.
ECON2 To help promote the vitality of local centres	+	-	+	Modern telecommunications infrastructure is an important part of promoting the City's economic performance.
ECON3 To promote the regeneration of areas across the City through appropriate development	+	-	+	Modern telecommunications infrastructure is an important part of promoting the City's economic performance.
ECON4 To encourage investment in learning and skills development	+	-	+	Modern telecommunications infrastructure is an important part of promoting the City's economic performance.
SOC1 To help ensure equitable access to community services and facilities	+	-	+	Modern telecommunications infrastructure is an important part of basic community services.
SOC2 To help provide decent and affordable housing for all, of the right quantity type, tenure and affordability to meet local needs	~	~	~	No clear relationship

SA Objective	No change	No policy	New policy	Commentary
SOC3 To encourage development which promotes health and well-being	+	-	+	Modern telecommunications infrastructure helps to develop economic performance, employment opportunities and thereby the well-being of residents.
SOC4 To encourage development which helps to reduce crime, the fear of crime and antisocial behaviour	~	~	~	No clear relationship
SOC5 To enable communities to influence the decisions that affect their neighbourhoods and quality of life	+	-	+	Modern telecommunications infrastructure contributes to the development of advances in e-democracy.

Commentary

Ensuring that the City has an up-to-date telecommunications infrastructure will ensure sustainability benefits across a range of objectives, notably the contribution to the City's economic performance, creating opportunities for travel reduction and ensuring that all residents have equitable access to high quality services that enable them to fulfil their economic and social potential. No likely significant negative effects have been identified. There are no suggested changes to the content of the policy arising from the appraisal. The option of developing new policy to address telecommunications siting matters yields more positive sustainability outcomes than the reasonable alternatives presented. The cumulative and temporal effects of the policy are likely to be City-wide and be determined over the short, medium and longer term, reflecting the consistent and early application of the policy.

BCC Background - DM16 Telecommunications:

Evidence to justify the proposed development should support applications for telecommunications development and include:

- the outcome of consultations with organisations with an interest in the proposed development.
- a statement that self-certifies the cumulative exposure will not exceed the International Commission on non-ionising radiation protection guidelines is needed, or evidence that the applicant has explored the possibility for erecting antennas on an existing building, mast or other structure and a statement certifying International Commission guidelines will be met.
- consideration of the design which minimises the visual impact of the development which may relate to the form of structure, to colour and to material.
- ensuring that masts, as far as possible, blend in with the natural landscape. This includes the associated equipment such as underground cable, service routes and means of enclosure should be designed such that there is minimal loss or damage to trees and other natural vegetation.

Birmingham City Council; Telecommunications development mobile phone infrastructure SPD (March 2008)

https://www.birmingham.gov.uk/directory_record/690/telecommunications_development_mobile_phone_infrastructure_supplementary_planning_document

Mobile UK; Code of Best Practice on Mobile Network Development in England (2016) <https://www.gov.uk/government/publications/code-of-best-practice-on-mobile-phone-network-development>

International Commission on Non-Ionizing Radiation Protection; Guidelines for Limiting Exposure to Non-Ionizing Radiation (1998)

<https://www.icnirp.org/en/publications/article/icnirp-publications-1992-2004.html>

West Midlands Local Industrial Strategy (2019)

<https://www.gov.uk/government/publications/west-midlands-local-industrial-strategy>

West Midlands Strategic Economic Plan

<https://www.wmca.org.uk/what-we-do/strategy/>



Appendix B

Review of Plans, Policies and Strategies and their use in the Sustainability Objectives

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
International		
Council of Europe (2006) European Landscape Convention	Aims to promote the protection, management and planning of Europe's landscapes, both rural and urban, and to foster European co-operation on landscape issues.	Incorporated in Sustainability Objective ENV4
Council of Europe (1985) Convention on the Protection of the Architectural Heritage of Europe	This convention commits signatories to protect their architectural heritage by means of identifying monuments, buildings and sites to be protected; preventing the disfigurement, dilapidation or demolition of protected properties; providing financial support by the public authorities for maintaining and restoring the architectural heritage on its territory; and supporting scientific research for identifying and analysing the harmful effects of pollution and for defining ways and means to reduce or eradicate these effects.	Incorporated in Sustainability Objective ENV4
EU (2007) Floods Directive	The Floods Directive aims to provide a consistent approach to managing flood risk across Europe. The approach is based on a 6 year cycle of planning which includes the publication of Preliminary Flood Risk Assessments, hazard and risk maps and flood risk management plans. The Directive is transposed into English law by the Flood Risk Regulations 2009.	Incorporated in Sustainability Objective ENV5
EU (1991) Urban Waste Water Treatment Directive.	<p>The Directive aims to protect the environment from the adverse effects of urban waste water discharges and discharges from certain industrial sectors and concerns the collection, treatment and discharge of:</p> <ul style="list-style-type: none"> • Domestic Waste Water; • Mixture of Waste Water; and • Waste Water from Certain Industrial Sectors. <p>There are four main principles: planning, regulation, monitoring, and information and reporting.</p>	Incorporated in Sustainability Objective ENV6
EC (2007) Together for Health: A Strategic Approach for the EU 2008-2013	The Strategy aims to provide an overarching strategic framework spanning core issues in health as well as health in all policies and global health issues.	Incorporated in Sustainability Objective SOC3
The Pan-European Biological and Landscape Diversity Strategy (1995)	The strategy aims to address degradation of biological and landscape diversity across Europe reinstating these assets where possible.	Incorporated in Sustainability Objective ENV4
EU Directive on the Conservation of Wild Birds (79/409/EEC)	<p>Identifies 181 endangered species and sub-species for which the Member States are required to designate Special Protection Areas.</p> <p>Makes it a legal requirement that EU countries make provision for the protection of birds. This includes the selection and designation of Special Protection Areas.</p> <p>Target Actions include:</p> <ul style="list-style-type: none"> • Creation of protected areas; • Upkeep and management; and • Re-establishment of destroyed biotopes. 	Incorporated in Sustainability Objective ENV4.
EU Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora	Directive seeks to conserve natural habitats. Conservation of natural habitats requires member states to identify special areas of conservation and to maintain, where necessary landscape features of importance to wildlife and flora.	Incorporated in Sustainability Objective ENV4.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
(92/43/EEC) & Subsequent Amendments	<p>The amendments in 2007:</p> <ul style="list-style-type: none"> Simplify the species protection regime to better reflect the Habitats Directive; Provide a clear legal basis for surveillance and monitoring of European protected species (EPS); Toughen the regime on trading EPS that are not native to the UK; and Ensure that the requirement to carry out appropriate assessments on water abstraction consents and land use plans is explicit. 	
EU Directive on Waste (Directive 75/442/EEC, 2006/12/EC 2008/98/EC as amended)	<p>Promotes the development of clean technology to process waste, promoting recycling and re-use.</p> <p>The Directive contains a range of provision including:</p> <ul style="list-style-type: none"> The setting up of separate collections of waste where technically, environmentally and economically practicable and appropriate to meet the necessary quality standards for the relevant recycling sectors – including by 2015 separate collection for at least paper, metal, plastic and glass. Household waste recycling target – the preparing for re-use and the recycling of waste materials such as at least paper, metal, plastic and glass from households and possibly other origins as far as these waste streams are similar to waste from households, must be increased to a minimum of 50% by weight by 2020. <p>Construction and demolition waste recovery target – the preparing for re-use, recycling and other material recovery of non-hazardous construction and demolition waste must be increased to a minimum of 70% by weight by 2020.</p>	Incorporated in Sustainability Objective ENV6.
EU Packaging and Packaging Waste Directive (94/62/EC)	<p>This Directive aims to harmonize national measures concerning the management of packaging and packaging waste in order, on the one hand, to prevent any impact thereof on the environment of all Member States as well as of third countries or to reduce such impact, thus providing a high level of environmental protection, and, on the other hand, to ensure the functioning of the internal market and to avoid obstacles to trade and distortion and restriction of competition within the Community.</p> <p>To this end this Directive lays down measures aimed, as a first priority, at preventing the production of packaging waste and, as additional fundamental principles, at reusing packaging, at recycling and other forms of recovering packaging waste and, hence, at reducing the final disposal of such waste.</p> <p>No later than five years from the date by which this Directive must be implemented in national law (1996), between 50 % as a minimum and 65 % as a maximum by weight of the packaging waste will be recovered.</p> <p>Within this general target, and with the same time limit, between 25 % as a minimum and 45 % as a maximum by weight of the totality of packaging materials contained in packaging waste will be recycled with a minimum of 15 % by weight for each packaging material.</p>	Incorporated in Sustainability Objective ENV6.
EU (1996) Ambient Air Quality Assessment and Management (96/62/EC, Air Quality Framework Directive).	<p>The Directive ensures that where pollutants exceed certain limit values, Member States take action to reduce pollution down to the limit values. The list of atmospheric pollutants to be considered includes: sulphur dioxide, nitrogen dioxide, particulate matter, lead, ozone, benzene, carbon monoxide, poly-aromatic hydrocarbons, cadmium, arsenic, nickel and mercury.</p> <p>Objectives:</p> <ul style="list-style-type: none"> Obtain adequate information on ambient air quality; and Maintain ambient air quality where it is good and improve air quality where it is bad. 	Incorporated in Sustainability Objective ENV6
EU (1998) Aarhus Convention	<p>The Aarhus Convention establishes a number of rights of the public (individuals and their associations) with regard to the environment. The Parties to the Convention are required to make the necessary provisions so that public authorities (at national, regional or local level) will contribute to these rights to become effective. The Convention provides for:</p> <ul style="list-style-type: none"> The right of everyone to receive environmental information that is held by public authorities ("access to environmental information"). This can include information on the state of the environment, but also on policies or measures taken, or on the state of human health and safety where this can be affected by the state of the environment. Applicants are entitled to obtain this information within one month of the request and without having to say why they require it. In addition, public authorities are obliged, under 	Incorporated in Sustainability Objective SOC5

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>the Convention, to actively disseminate environmental information in their possession;</p> <ul style="list-style-type: none"> The right to participate in environmental decision-making. Arrangements are to be made by public authorities to enable the public affected and environmental non-governmental organisations to comment on, for example, proposals for projects affecting the environment, or plans and programmes relating to the environment, these comments to be taken into due account in decision-making, and information to be provided on the final decisions and the reasons for it ("public participation in environmental decision-making"); The right to review procedures to challenge public decisions that have been made without respecting the two aforementioned rights or environmental law in general ("access to justice"). 	
EU Drinking Water Directive (98/83/EC)	<p>Provides for the quality of drinking water.</p> <p>The standards are legally binding.</p>	Incorporated in Sustainability Objective ENV6.
EU Directive on the Landfill of Waste (99/31/EC)	<p>Sets out requirements to ensuring that where landfilling takes place the environmental impacts are understood and mitigated against.</p> <p>By 2006 biodegradable municipal waste going to landfills must be reduced to 75% of the total amount (by weight) of biodegradable municipal waste produced in 1995 or the latest year before 1995 for which standardised Eurostat data is available.</p>	Incorporated in Sustainability Objective ENV6.
EU (2000) Directive on Establishing a Framework for Community Action in the Field of Water Policy (2000/60/EC, The Water Framework Directive).	<p>The Directive establishes an integrated approach to protection, improvements and sustainable use of water bodies, introducing a statutory system of analysis and planning based upon the river basin.</p> <p>The Directive imposes a statutory responsibility on Member States to ensure all water bodies meet certain water quality standards. The four main stages of implementation are:</p> <ul style="list-style-type: none"> Environmental and economic assessment ('Characterisation') of river basin districts including identification of pressures and impacts; Environmental monitoring based on river basin district characterisation; Setting of environmental objectives; and Designing and carrying out a programme of measures to achieve these environmental objectives. <p>Targets:</p> <p>All water bodies in all Member States are to reach 'Good Ecological Status' by 2015. Good ecological status applies to natural water bodies and is defined as a slight variation from undisturbed natural conditions.</p> <p>Some water bodies are designated as 'artificial' or 'heavily modified'. This is because they may have been created or modified for a particular use such as water supply, flood protection, navigation or urban infrastructure. By definition, artificial and heavily modified water bodies are not able to achieve natural conditions. Instead the classification and objectives for these water bodies, and the biology they represent, are measured against 'ecological potential' rather than status. For an artificial or heavily modified water body to achieve good ecological potential, its chemistry must be good. In addition, any modifications to the structural or physical nature of the water body that harm biology must only be those essential for its valid use. All other such modifications must have been altered or managed to reduce or remove their adverse impact, so that there is the potential for biology to be as close as possible to that of a similar natural water body.</p>	Incorporated in Sustainability Objectives ENV5 and ENV6
EU 2001/42/EC on the Assessment of the Effects of Certain Plans and Programmes on the Environment (SEA Directive)	<p>The SEA Directive provides the following requirements for consultation:</p> <ul style="list-style-type: none"> Authorities which, because of their environmental responsibilities, are likely to be concerned with the effects of implementing the plan or programme, must be consulted on the scope and level of detail of the information to be included in the Environmental Report. These authorities are designated in the SEA Regulations as the Consultation Bodies (Consultation Authorities in Scotland). The public and the Consultation Bodies must be consulted on the draft plan or programme and the Environmental Report, and must be given an early and effective opportunity within appropriate time frames to express their opinions. 	Directive sets the basis for SEA as a whole and therefore Indirectly covers all objectives.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> Other EU Member States must be consulted if the plan or programme is likely to have significant effects on the environment in their territories. 	
EU (2005) Clean Air Strategy.	The strategy aims to extend clean air laws into new sectors - agriculture and transport - that were not covered before, targeting five main pollutants including fine-dust particles which are most harmful to human health.	Incorporated in Sustainability Objective ENV6
EU (2010) The Industrial Emissions Directive	<p>The Johannesburg Declaration on Sustainable Development was adopted at the World Summit on Sustainable Development (WSSD), sometimes referred to as Earth Summit 2002, at which the Plan of Implementation of the World Summit on Sustainable Development was also agreed upon.</p> <p>The Johannesburg Declaration builds on earlier declarations made at the United Nations Conference on the Human Environment at Stockholm in 1972, and the Earth Summit in Rio de Janeiro in 1992. While committing the nations of the world to sustainable development, it also includes substantial mention of multilateralism as the path forward.</p> <p>In terms of the political commitment of parties, the Declaration is a more general statement than the Rio Declaration. It is an agreement to focus particularly on <i>"the worldwide conditions that pose severe threats to the sustainable development of our people, which include: chronic hunger; malnutrition; foreign occupation; armed conflict; illicit drug problems; organized crime; corruption; natural disasters; illicit arms trafficking; trafficking in persons; terrorism; intolerance and incitement to racial, ethnic, religious and other hatreds; xenophobia; and endemic, communicable and chronic diseases, in particular HIV/AIDS, malaria and tuberculosis."</i> Johannesburg Declaration</p>	The principles of sustainable development are included in all of the sustainability objectives.
UNFCCC (1997) Kyoto Protocol to the UN Framework Convention on Climate Change.	The protocol shares the Convention's objective (to achieve stabilisation of greenhouse gas concentrations in the atmosphere at safe levels, so that ecosystems can adapt naturally, and food supply is not threatened) but strengthens the convention by committing Countries to legally-binding targets to limit or reduce their greenhouse gas emissions.	Incorporated in Sustainability Objective ENV5
UNFCCC (2009) Copenhagen Accord (Climate Change).	<p>The Copenhagen Accord is a treaty that is to take over from the Kyoto Protocol's targets, as of when it expires in 2012, for curbing the growth in greenhouse gas emissions sufficiently to avoid climate change impacts projected by the IPCC. The Copenhagen Accord commits Countries to legally binding targets including:</p> <ul style="list-style-type: none"> To reduce global emissions so as to hold the increase in global temperature below 2°C; Commit developed countries to reducing greenhouse gas emissions; Projects to reduce greenhouse gas emissions in developing countries will be subject to international monitoring if they are internationally funded; Provide developing countries with financial incentives to preserve forests; and Implementation of the Accord to be reviewed in 2015 and an assessment to be made on whether the goal of keeping global temperature rise within 2°C needs to be strengthened to 1.5°C. 	Incorporated in Sustainability Objective ENV5
National		
National Planning Policy Framework (NPPF) (2019)	<p>The 2012 NPPF was the adopted NPPF at the outset of the plan making process. The NPPF was updated in 2018 and the revised NPPF was updated in February 2019. Key points from the updated document are summarised under the sub-headings below.</p> <p>Section 2 of the NPPF states that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):</p> <ol style="list-style-type: none"> an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and 	

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>improved productivity; and by identifying and coordinating the provision of infrastructure;</p> <p>b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and</p> <p>c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p> <p>These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.</p> <p>The NPPF is supported by National Planning Practice Guidance which expands upon and provides additional guidance in respect of national planning policy.</p> <p>Biodiversity, Geodiversity & Soil:</p> <ul style="list-style-type: none"> Protecting and enhancing valued landscapes, geological conservation interests and soils; Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; Minimising impacts on biodiversity and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures including Nature Recovery Networks (paragraph 174); Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in the Framework, take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries. <p>Landscape:</p> <ul style="list-style-type: none"> Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; 	<p>Incorporated in Sustainability Objectives ENV1, ENV4 and ENV6</p> <p>Incorporated in Sustainability Objective ENV4</p>

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> Minimising impacts on and providing net gains in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; Remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Plans and decisions should encourage effective use of brownfield sites and take into account the economic benefits of agricultural land when assessing development, seeking to utilise areas of poorer quality land. <p>The NPPF includes strong protections for valued landscapes and townscapes as well as recognising the intrinsic character and beauty of the countryside. Planning policies and decisions are expected to be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. The Framework states (at paragraph 130) that: <i>“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions”</i>.</p> <p>The Framework has a number of specific requirements relating to planning and landscape including a clear expectation that the planning system should contribute to, and enhance, the natural and local environment by protecting and enhancing valued landscapes. Local planning authorities are expected to set criteria based policies against which proposals for any development on or affecting protected landscape areas will be judged. In doing so, distinctions should be made between the hierarchy of international, national and locally designated sites and <i>“great weight”</i> should be given to <i>“conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty”</i>. It is also expected that the scale of development in these areas will be limited, with planning permission refused for major developments <i>“other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest”</i> (paragraph 172).</p> <p>Historic Environment:</p> <ul style="list-style-type: none"> One of the NPPF’s core planning principles for plan and decision making is conserving and enhancing the historic environment. Local planning authorities are required to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. The desirability of sustaining and enhancing the significance of the heritage assets, and putting them to viable uses consistent with their conservation; The wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; The desirability of new development making a positive contribution to local character and distinctiveness; and Opportunities to draw on the contribution made by the historic environment to the character of a place. <p>Paragraph 188 of the NPPF states that Local Planning Authorities should make information about the historic environment, gathered as part of policy-making or development management, publicly accessible.</p>	Incorporated in Sustainability Objective ENV4

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>Paragraph 194 of the NPPF identifies that non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.</p> <p>Water:</p> <p>Among the NPPF's core principles are '<i>conserving and enhancing the natural environment</i>' and '<i>meeting the challenge of climate change, flooding and coastal change</i>'; In fulfilling these objectives, the planning system should contribute to and enhance the natural and local environment by: preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability.</p> <p>In preparing plans to meet development needs, the aim should be to minimise pollution and other adverse effects on the local and natural environment.</p> <p>Strategic Policies should make sufficient provision for water supply and wastewater.</p> <p>Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.</p> <p>Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (where existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Local Plans should be supported by Strategic Flood Risk Assessment and develop policies to manage flood risk from all sources, taking account of advice from the Environment Agency and other relevant flood risk management bodies, such as lead local flood authorities and internal drainage boards. Local Plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change – so as to avoid where possible flood risk to people and property and manage any residual risk by:</p> <ul style="list-style-type: none"> • applying the Sequential Test; • if necessary, applying the Exception Test; • safeguarding land from development that is required, or likely to be required for current or future flood management; • using opportunities provided by new development to reduce the causes and impacts of flooding (where appropriate through the use of natural flood management techniques); and • Where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations. <p>Climate Change:</p> <p>One of the core principles of the NPPF is meeting the challenge of climate change, flooding and coastal change and encourages the adoption of proactive strategies to mitigate and adapt to climate change in line with the objectives and provisions of the Climate Change Act 2008, taking full consideration of flood risk, coastal change and water supply and demand. The NPPF also supports low carbon future by helping to increase the use of renewable and low carbon sources in line with the National Policy Statement for Renewable Energy Infrastructure. It seeks to ensure that all types of flood risk are taken into account over the long term at the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk.</p> <p>Plans are expected to take a proactive approach to mitigating and adapting to climate change in light of its long term implications including changes to flood risk and water supply. New development should both avoid increased</p>	<p>Incorporated in Sustainability Objectives ENV5 and ENV6</p> <p>Incorporated in Sustainability Objective ENV5</p>

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>vulnerability to the range of impacts arising from climate change and help to reduce greenhouse gas emissions, such as through its location, orientation and design.</p> <p>To help increase the use and supply of renewable and low carbon energy and heat, plans should:</p> <ul style="list-style-type: none"> • Provide a positive strategy for energy from these sources, that maximises the potential for suitable development, while ensuring that adverse impacts are addressed satisfactorily (including cumulative landscape and visual impacts); • Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure their development; and • Identify opportunities for development to draw its energy supply from decentralized, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers. <p>Air Quality:</p> <p>Planning policies and decisions should sustain and contribute towards compliance with relevant limits or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified.</p> <p>Mineral and Waste:</p> <p>One of the core principles of the NPPF is facilitating the sustainable use of minerals. Policy guidance suggests the need to: Identify policies for the extraction of mineral resources of local and national importance, but not identify new sites or extensions to existing sites for peat extraction; so far as practicable take account of contribution secondary and recycled materials and minerals waste would make to the supply of materials before considering extraction of primary materials, whilst aiming to source minerals supplies indigenously; the definition of Mineral Safeguarding Areas so that locations of mineral sources are not sterilised by other developments; set out policies to encourage the prior extraction of minerals, where practicable and environmentally feasible, if it is necessary for non-mineral development to take place; safeguarding of existing and planned mineral infrastructure (rail links, wharfage, storage, processing etc), environmental criteria to ensure there is not an unacceptable environmental impact; when developing noise limits, recognise that some noisy short-term activities, which may otherwise be regarded as unacceptable, are unavoidable to facilitate minerals extraction; and policies for reclaiming land and site aftercare.</p> <p>Minerals planning authorities are expected to provide for the extraction of mineral resources of local and national importance and safeguard mineral resources by defining Mineral Safeguarding Areas; and adopt appropriate policies so that known locations of specific minerals resources of local and national importance are not sterilised by non-mineral development. The NPPF defines 'mineral resources of local and national importance' as minerals which are necessary to meet society's needs, including aggregates, brickclay, silica sand, cement raw materials, gypsum, salt, fluorspar, coal, oil and gas (including conventional and unconventional hydrocarbons) tungsten, kaolin, ball clay, potash, polyhalite and local minerals of importance to heritage assets and local distinctiveness.</p> <p>Economy:</p> <p>One of the NPPF's core planning principles for plan and decision making is building a strong competitive economy. The NPPF highlights the Government's commitment to securing economic growth to create jobs and prosperity, ensuring the planning system does everything it can to support sustainable economic growth.</p>	<p>Incorporated in Sustainability Objective ENV6</p> <p>Incorporated in Sustainability Objective ENV6</p> <p>Incorporated in Sustainability Objectives ECON1 – ECON4</p>

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>Local planning authorities are required to proactively meet development needs recognising potential barriers to invest (including infrastructure, housing and services) and regularly review land allocations. Economic growth in rural areas should be supported to create jobs and sustainable new developments, including expansion of all types of businesses, diversification of agriculture, supporting tourism and retention of local services.</p> <p>In drawing up local plans, local authorities should;</p> <ul style="list-style-type: none"> • Set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration; • Set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period; • Seek to address potential barriers to investment, such as inadequate infrastructure, services or housing or a poor environment; and • Be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances. <p>Planning policies should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.</p> <p>Planning policies should support a prosperous rural economy and should enable:</p> <ul style="list-style-type: none"> • The sustainable growth of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; • The development and diversification of agricultural and other land-based rural business; • Sustainable rural tourism and leisure developments which respect the character of the countryside; and • The retention and development of accessible local services and community facilities. <p>Housing:</p> <p>To determine the minimum number of homes needed strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals.</p> <p>The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.</p> <p>Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:</p> <ul style="list-style-type: none"> • Off-site provision or an appropriate financial contribution in lieu can be robustly justified; and • The agreed approach contributes to the objective of creating mixed and balanced communities. <p>For major developments involving the provision of housing, planning policies should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area.</p> <p>Strategic policy making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified</p>	<p>Incorporated in Sustainability Objective SOC2</p>

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>housing ended (and any needs that cannot be met within neighbouring areas) can be met over the plan period.</p> <p>Planning policies should identify a supply of:</p> <ul style="list-style-type: none"> • Specific, deliverable sites for years 1-5 of plan period; and • Specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15 of the plan. <p>Strategic policy making authorities should identify suitable locations for large scale housing development.</p> <p>Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement.</p> <p>In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.</p> <p>Planning policies should avoid the development of isolated homes in the countryside except in special circumstances.</p> <p>Healthy and Safe Communities:</p> <p>Amongst the planning principles of the NPPF is the promotion of healthy and safe communities.</p> <p>Planning policies should:</p> <ul style="list-style-type: none"> • Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other; • Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion; • Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs. <p>To provide the social, recreational and cultural facilities and services the community needs, planning policies should:</p> <ul style="list-style-type: none"> • Plan positively for the provision and use of shared spaces, community facilities and other local services to enhance the sustainability of communities and residential environments; • Take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community; • Guard against the unnecessary loss of valued facilities and services; • Ensure established shops, facilities and services are able to develop and modernize, and are retained for benefit of the community; and • Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services. <p>Open Space and Recreation:</p> <p>The framework sets out open space, sport and recreation considerations for neighbourhood planning bodies which include an assessment of needs and opportunities. Information gained from the assessments should be used to determine what open space, sport and recreation provision is needed, which plans should then seek to accommodate.</p> <p>Transport & Accessibility:</p> <p>Amongst the planning principles of the NPPF are:</p> <ul style="list-style-type: none"> • Promoting sustainable transport. 	<p>Incorporated in Sustainability Objective SOC3</p> <p>Incorporated in Sustainability Objectives SOC2 – SOC5</p> <p>Incorporated in Sustainability Objective ENV3</p>

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</p> <ul style="list-style-type: none"> • The potential impacts of development on transport networks can be addressed; • Opportunities from existing or proposed transport infrastructure, and changing transport and usage are realized; • Opportunities to promote walking, cycling and public transport use are identified and pursued; • The environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account; and • Patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. <p>Planning policies should:</p> <ul style="list-style-type: none"> • Support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities; • Be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned; • Identify and protect, where there is robust evidence, sites and routes which could be crucial in developing infrastructure to widen transport choice and realise opportunities for large scale development; • Provide for high quality walking and cycling networks and supporting facilities such as cycle parking; • Provide for any large scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy; and • Recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time. <p>Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance.</p>	
DCLG (2011) The Localism Act	<p>The Localism Bill includes five key measures that underpin the Government's approach to decentralisation.</p> <ul style="list-style-type: none"> • Community rights; • Neighbourhood planning; • Housing; • General power of competence; and • Empowering cities and other local areas. 	Incorporated in Sustainability Objectives SOC1 - SOC5
DCLG (2011) The Community Infrastructure Levy Regulations	<p>The Community Infrastructure Levy is a new levy that local authorities in England and Wales can choose to charge on new developments in their area. The money can be used to support development by funding infrastructure that the council, local community and neighbourhoods want - for example new or safer road schemes, park improvements or a new health centre. The system applies to most new buildings and charges are based on the size and type of the new development.</p>	Incorporated in Sustainability Objectives 11 - 15
DCLG (2014) Planning Policy for Traveller Sites (updated August 2015)	<p>This document sets out the Government's planning policy for Traveller sites. It identifies the following aims:</p> <ul style="list-style-type: none"> • That local planning authorities should make their own assessment of need for the purposes of planning; 	Incorporated in Sustainability Objective SOC2.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> To ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites; To encourage local planning authorities to plan for sites over a reasonable timescale; That plan-making and decision-taking should protect Green Belt from inappropriate development; To promote more private Traveller site provision while recognising that there will always be those Travellers who cannot provide their own sites; That plan-making and decision-taking should aim to reduce the number of unauthorised developments and encampments and make enforcement more effective; For local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies; To increase the number of Traveller sites in appropriate locations with planning permission, to address under provision and maintain an appropriate level of supply; To reduce tensions between settled and Traveller communities in plan making and planning decisions; To enable provision of suitable accommodation from which Travellers can access education, health, welfare and employment infrastructure; and For local planning authorities to have due regard to the protection of local amenity and local environment. 	
DCLG (2019) Planning Practice Guidance	Planning Practice Guidance is designed to support the NPPF. It reflects the objectives of the NPPF which are not repeated here.	All of the Objectives reflect NPPF and PPG.
DCLG (2014) National Planning Policy for Waste	<p>This document sets out detailed waste planning policies for local authorities. States that planning authorities need to:</p> <ul style="list-style-type: none"> Use a proportionate evidence base in preparing Local Plans. Identify sufficient opportunities to meet the identified needs of their area for the management of waste streams. Identify suitable sites and areas. <p>The overall objective of the document is to work towards a more sustainable and efficient approach to resource use and management. Planning plays a pivotal role e.g. by ensuring the design and layout of new development and other infrastructure complements sustainable waste management.</p>	Incorporated in Sustainability Objective ENV6
DCLG (2014) Written Statement on Sustainable Drainage Systems	This statement sets out that it is the Government's expectation that sustainable drainage systems will be provided in new developments wherever this is appropriate.	Incorporated in Sustainability Objective ENV6.
DCLG (2017) Fixing Our Broken Housing Market	<p>The White Paper makes the following proposals as 'step 1':</p> <ul style="list-style-type: none"> Making sure every part of the country has an up-to-date, sufficiently ambitious plan so that local communities decide where development should go; Simplifying plan-making and making it more transparent, so it's easier for communities to produce plans and easier for developers to follow them; Ensuring that plans start from an honest assessment of the need for new homes, and that local authorities work with their neighbours, so that difficult decisions are not ducked; Clarifying what land is available for new housing, through greater transparency over who owns land and the options held on it; Making more land available for homes in the right places, by maximising the contribution from brownfield and surplus public land, regenerating estates, releasing more small and medium-sized sites, allowing rural communities to grow and making it easier to build new settlements; Maintaining existing strong protections for the Green Belt, and clarifying that Green Belt boundaries should be amended only in exceptional circumstances when local authorities can demonstrate that they have fully examined all other reasonable options for meeting their identified housing requirements; Giving communities a stronger voice in the design of new housing to drive up the quality and character of new development, building on the success of neighbourhood planning; and 	Incorporated in Sustainability Objective SOC2.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> • Making better use of land for housing by encouraging higher densities, where appropriate, such as in urban locations where there is high housing demand; and by reviewing space standards. 	
DECC (2008) UK Climate Change Act 2008.	<p>The 2008 Climate Change Act seeks to manage and respond to climate change in the UK, by:</p> <ul style="list-style-type: none"> • Setting ambitious, legally binding targets; • Taking powers to help meet those targets; • Strengthening the institutional framework; • Enhancing the UK's ability to adapt to the impact of climate change; and • Establishing clear and regular accountability to the UK Parliament and to the devolved legislatures. 	Incorporated in Sustainability Objective ENV5
DCMS (2007) Heritage Protection for the 21 st Century.	<p>This White Paper responds to the public call for change, and to this changing policy context. It sets out a vision for a new heritage protection system. The proposals in the White Paper reflect the importance of the heritage protection system in preserving heritage for people to enjoy now and in the future. They are based around three core principles:</p> <ul style="list-style-type: none"> • Developing a unified approach to the historic environment; • Maximising opportunities for inclusion and involvement; and • Supporting sustainable communities by putting the historic environment at the heart of an effective planning system. 	Incorporated in Sustainability Objective ENV4
DCMS (2013) <i>Scheduled Monuments & Nationally Important but Non-Scheduled Monuments</i>	<p>This policy statement sets out Government policy on the identification, protection, conservation and investigation of nationally important ancient monuments, under the provisions of the Ancient Monuments and Archaeological Areas Act 1979. It includes principles relating to the selection of scheduled monuments and the determination of applications for scheduled monument consent.</p>	Incorporated in Sustainability Objective 4.
DCMS (2016) The Culture White Paper	<p>The White Paper is structured around four core themes:</p> <ul style="list-style-type: none"> • Everyone should enjoy the opportunities culture offers, no matter where they start in life; • The riches of our culture should benefit communities across the country; • The power of culture can increase our international standing; and • Cultural investment, resilience and reform. 	Incorporated in Sustainability Objective ENV4
DCMS (2017) Heritage Statement	<p>This statement sets out how the government will support the heritage sector and help it to protect and care for our heritage and historic environment in the coming years.</p> <p>There are no formal targets or objectives in this statement.</p>	Incorporated in Sustainability Objective ENV4
Defra (2007) Guidance for Local Authorities on Implementing Biodiversity Duty	<p>The Duty is set out in Section 40 of the Natural Environment and Rural Communities Act (NERC) 2006, and states that: "<i>Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity</i>". Particular areas of focus include: Policy, Strategy and Procurement; Management of Public Land and Buildings; Planning, Infrastructure and Development; and Education, Advice and Awareness.</p>	Incorporated in S Sustainability Objective ENV4
Defra (2007) The Air Quality Strategy for England, Scotland, Wales and Northern Ireland (Volume 2).	<p>The Strategy sets out standards and objectives for the 8 main health-threatening air pollutants in the UK. The standards are based on an assessment of the effects of each pollutant on public health. They are based on recommendations by the Expert Panel on Air Quality Standards, The European Union Air Quality Daughter Directive and the World Health Organisation. Local Authorities are responsible for seven of the eight air pollutants under Local Air Quality Management (LAQM). National objectives have also been set for the eighth pollutant, ozone, as well as for nitrogen oxides and sulphur dioxide.</p>	Incorporated in Sustainability Objective ENV6
Defra (2007) The Air Quality Strategy for	<p>The Strategy:</p> <ul style="list-style-type: none"> • Sets out a way forward for work and planning on air quality issues; • Sets out the air quality standards and objectives to be achieved; 	Incorporated in Sustainability

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
England, Scotland, Wales and Northern Ireland	<ul style="list-style-type: none"> Introduces a new policy framework for tackling fine particles; and Identifies potential new national policy measures which modelling indicates could give further health benefits and move closer towards meeting the Strategy's objectives. <p>The Air Quality Strategy sets out objectives for a range of pollutants. As these are quite extensive they have not been reproduced here.</p>	Objectives ENV3 and SOC2.
Defra (2007) Strategy for England's Trees, Woods and Forests	<p>Key aims for government intervention in trees, woods and forests are:</p> <ul style="list-style-type: none"> To secure trees and woodlands for future generations; To ensure resilience to climate change; To protect and enhance natural resources; To increase the contribution that trees, woods and forests make to our quality of life; and To improve the competitiveness of woodland businesses and products. <p>These aims will form the basis on which the Delivery plan will be developed by Natural England and the Forestry Commission England (FCE). The strategy provides a national policy direction, which can be incorporated alongside regional priorities within regional forestry frameworks.</p> <p>Strategy aims to create 2,200 hectares of wet woodland in England by 2010.</p>	Incorporated in Sustainability Objective ENV4.
Defra (2008) Future Water, the Government's Water Strategy for England	<p>Objectives: By 2030 at the latest, we have:</p> <ul style="list-style-type: none"> Improved the quality of our water environment and the ecology which it supports, and continued to provide high levels of drinking water quality from our taps; Sustainably managed risks from flooding and coastal erosion, with greater understanding and more effective management of surface water; Ensured a sustainable use of water resources, and implemented fair, affordable and cost reflective water charges; Cut greenhouse gas emissions; and Embedded continuous adaptation to climate change and other pressures across the water industry and water users. <p>Targets: Key targets are within the objectives above and further a number of sub-targets are included within the document.</p>	Incorporated in Sustainability Objectives ENV5 and ENV6
Defra (2009) Safeguarding our Soils: A Strategy for England	<p>The Soil Strategy for England provides a vision to guide future policy development across a range of areas and sets out the practical steps that are needed to take to prevent further degradation of our soils, enhance, restore and ensure their resilience, and improve understanding of the threats to soil and best practice in responding to them. The Strategy is underpinned by the following vision:</p> <p>By 2030, all England's soils will be managed sustainably and degradation threats tackled successfully. This will improve the quality of England's soils and safeguard their ability to provide essential services for future generations.</p> <p>Achieving this vision will mean that:</p> <ul style="list-style-type: none"> Agricultural soils will be better managed and threats to them will be addressed; Soils will play a greater role in the fight against climate change and in helping us to manage its impacts; Soils in urban areas will be valued during development, and construction practices will ensure vital soil functions can be maintained; and <p>Pollution of our soils is prevented, and our historic legacy of contaminated land is being dealt with.</p> <p>Key objectives of the strategy include:</p> <ul style="list-style-type: none"> Better protection for agricultural soils; Protecting and enhancing stores of soil carbon; Building the resilience of soils to a changing climate; Preventing soil pollution; 	Incorporated in Sustainability Objective ENV4.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> Effective soil protection during construction and development; and Dealing with the legacy of contaminated land. 	
Defra (2011) Natural Environment White Paper; The natural choice: securing the value of nature	<p>The Natural Environment White paper sets out the Government's plans to ensure the natural environment is protected and fully integrated into society and economic growth. The White Paper sets out four key aims:</p> <ul style="list-style-type: none"> (i) protecting and improving our natural environment; (ii) growing a green economy; (iii) reconnecting people and nature; and (iv) international and EU leadership, specifically to achieve environmentally and socially sustainable economic growth, together with food, water, climate and energy security and to put the EU on a path towards environmentally sustainable, low-carbon and resource-efficient growth, which is resilient to climate change, provides jobs and supports the wellbeing of citizens. 	Incorporated in Sustainability Objectives ENV4 and ECON1
Defra (2011) Biodiversity 2020: A strategy for England's wildlife and ecosystem	<p>This biodiversity strategy for England that builds on the Natural Environment White Paper and provides a comprehensive picture of the Government is implementing the international and EU commitments. It sets out the strategic direction for biodiversity policy for the next decade on land (including rivers and lakes) and at sea. The Strategy has as its mission to halt overall biodiversity loss, support healthy well-functioning ecosystems, and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. The Strategy is designed to help to deliver the Natural Environment White Paper and includes the following priorities:</p> <ul style="list-style-type: none"> Creating 200,000 hectares of new wildlife habitats by 2020; Securing 50% of SSSIs in favourable condition, while maintaining at least 95% in favourable or recovering condition; Encouraging more people to get involved in conservation by supporting wildlife gardening and outdoor learning programmes; and Introducing a new designation for local green spaces to enable communities to protect places that are important to them. 	Incorporated in Sustainability Objective ENV4
Defra (2011) Review of Waste Policy in England	<p>Building on waste reduction targets established in the 2007 Waste Strategy, the Review sets out a range of commitments relating to:</p> <ul style="list-style-type: none"> Sustainable use of materials; Waste prevention, re-use and recycling; Regulation and enforcement; Householders and local authorities working together; Business waste collection; Energy recovery; Landfill; and Infrastructure and planning. 	Incorporated in Sustainability Objective ENV2
Defra & HM Government (2011) Water White Paper; Water for Life	<p>Water for Life describes a vision for future water management in which the water sector is resilient, in which water companies are more efficient and customer focused, and in which water is valued as the precious and finite resource it is.</p>	Incorporated in Sustainability Objective ENV5
Defra & Environment Agency (2001) National Flood and Coastal Erosion Risk	<p>The strategy describes what needs to be done by all organisations involved in flood and coastal erosion risk management. The strategy sets out a statutory framework that will help communities, the public sector and other organisations to work together to manage flood and coastal erosion risk.</p>	Incorporated in Sustainability Objective ENV5

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
Management Strategy for England		
DfT (2008) Delivering a Sustainable Transport System (DaSTS).	<p>Objectives:</p> <ul style="list-style-type: none"> To support national economic competitiveness and growth, by delivering reliable and efficient transport networks; To reduce transport's emissions of carbon dioxide and other greenhouse gases, with the desired outcome of tackling climate change; To contribute to better safety and health and longer life-expectancy by reducing the risk of death, injury or illness arising from transport and by promoting travel modes that are beneficial to health; To promote greater equality of opportunity for all citizens, with the desired outcome of achieving a fairer society; and To improve quality of life for transport users and non-transport users, and to promote a healthy natural environment. 	I Incorporated in Sustainability Objectives ENV3, ECON1 – 3, SOC3
English Heritage (2008) Conservation Principles, Policies and Guidance	<p>A framework for the sustainable management of the historic environment based on the following principles:</p> <ul style="list-style-type: none"> The historic environment is a shared resource; Everyone should be able to participate in sustaining the historic environment; Understanding the significance of places is vital; Significant places should be managed to sustain their values; Decisions about change must be reasonable, transparent and consistent; and Documenting and learning from decisions is essential. 	Incorporated in Sustainability Objective ENV3
English Nature (2006) Climate Change Space for Nature	Context for the next 80 years in terms of the likely effects of climate change on biodiversity. Prescribes suggested actions to be taken in preparation for change.	Incorporated in Sustainability Objective ENV3 and ENV5
Environment Agency (2009) Water for people and the environment - Water resources strategy for England and Wales.	<p>Objectives:</p> <ul style="list-style-type: none"> Enable habitats and species to adapt better to climate change; Allow the way we protect the water environment to adjust flexibly to a changing climate; Reduce pressure on the environment caused by water taken for human use; Encourage options resilient to climate change to be chosen in the face of uncertainty; Better protect vital water supply infrastructure; Reduce greenhouse gas emissions from people using water, considering the whole life-cycle of use; and Improve understanding of the risks and uncertainties of climate change. <p>Target: In England, the average amount of water used per person in the home is reduced to 130 litres each day by 2030.</p>	Incorporated in Sustainability Objective ENV3 and ENV6
Environment Agency (2011) The National Flood and Coastal Erosion Risk Management Strategy for England	<p>The strategy encourages more effective risk management by enabling people, communities, businesses, infrastructure operators and the public sector to work together to:</p> <ul style="list-style-type: none"> Ensure a clear understanding of the risks of flooding and coastal erosion, nationally and locally, so investment risk can be prioritised more effectively; Set out clear and consistent plans for risk management so that communities and business can make informed decisions about the management of the remaining risk; Manage flood and coastal erosion risks in an appropriate way, taking account of the needs of communities and the environment; 	Incorporated in Sustainability Objective ENV5.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> Ensure that emergency plans and responses to flood incidents are effective and that communities are able to respond effectively to flood forecasts, warnings and advice; and Help communities to recover more quickly and effectively after incidents. 	
Forestry Commission (2005): Trees and Woodlands Nature's Health Service	An advisory document which provides detailed examples of how the Woodland Sector (trees, woodlands and green spaces) can significantly contribute to people's health, well-being (physical, psychological and social) and quality of life. Increasing levels of physical activity is a particular priority.	Incorporated in Sustainability Objective ENV4 and SOC3
HM Government (1979) Ancient Monuments and Archaeological Areas Act	The Act defines sites that warrant protection as ancient monuments. They can be a Scheduled Ancient Monuments or <i>"any other monument which in the opinion of the Secretary of State is of public interest by reason of the historic, architectural, traditional, artistic or archaeological interest attaching to it"</i> . There are no specific targets or objectives identified.	Incorporated in Sustainability Objective ENV4.
HM Government (1981) Wildlife and Countryside Act	The main UK legislation relating to the protection of named animal and plant species includes legislation relating to the UK network of nationally protected wildlife areas: Site of Special Scientific Interest (SSSIs). There are no specific targets or objectives identified.	Incorporated in Sustainability Objective ENV4.
HM Government (1990) Planning (Listed Building and Conservation Areas) Act	The Planning (Listed Buildings and Conservation Areas) Act 1990 provides specific protection for buildings and areas of special architectural or historic interest. There are no specific targets or objectives identified.	Incorporated in Sustainability Objective ENV4.
HM Government (2000) Countryside and Rights of Way Act 2000	This Act: <ul style="list-style-type: none"> Gives people greater freedom to explore open country on foot; Creates a duty for Highway Authorities and National Park Authorities to establish Local Access Forums; Provides a cut-off date of 1 January 2026 for the recording of certain rights of way on definitive maps and the extinguishment of those not so recorded by that date; Offers greater protection to wildlife and natural features, better protection for Sites of Special Scientific Interest (SSSIs) and more effective enforcement of wildlife legislation; and Protects Areas of Outstanding Natural Beauty with legislation similar to that for National Parks. There are no specific objectives or targets in the Act.	Incorporated in Sustainability Objective ENV4.
HM Government (2003) Sustainable Energy Act	The Act aims to promote sustainable energy development and use and report on progress regarding cutting the UK's carbon emissions and reducing the number of people living in fuel poverty. Specific targets are set by the Secretary of State as energy efficiency aims.	Incorporated in Sustainability Objective ENV4.
HM Government (2003) The Water Environment (Water Framework Directive) (England and Wales) Regulations	Requires all inland and coastal waters to reach "good status" by 2015. This is being done by establishing a river basin structure with ecological targets for surface waters.	Incorporated in Sustainability Objective ENV6
HM Government (2004 and revised 2006) Housing Act	Energy efficiency must be at least 20% greater in properties by 2010 than compared with 2000.	Incorporated in Sustainability Objective ENV4.
HM Government (2005) Securing the Future – the UK Sustainable Development Strategy	The Strategy contains a new set of indicators to monitor progress towards sustainable development in the UK. Those most relevant at the local authority level include: <ul style="list-style-type: none"> Greenhouse gas emissions Road freight (CO2 emissions and tonne km, tonnes and GDP) Household waste (a) arisings (b) recycled or composted Local environmental quality 	Incorporated in Sustainability Objectives ENV1 - 4, and ENV6.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
HM Government (2006) The Natural Environment and Rural Communities Act 2006	<p>The Act is primarily intended to implement key aspects of the Government's Rural Strategy published in July 2004; it also addresses a wider range of issues relating broadly to the natural environment.</p> <p>The Act established an independent body – Natural England – responsible for conserving, enhancing and managing England's natural environment for the benefit of current and future generations.</p> <p>The Act also established the Commission for Rural Communities ("the Commission"). The Commission will be an independent advocate, watchdog and expert adviser for rural England, with a particular focus on people suffering from social disadvantage and areas suffering from economic under-performance. It will provide information, advice, monitoring and reporting to Government and others on issues and policies affecting rural needs.</p> <p>The Act also reconstitutes the Joint Nature Conservation Committee and renames and reconstitutes the Inland Waterways Amenity Advisory Council (which becomes the Inland Waterways Advisory Council).</p> <p>In line with the 2004 Rural Strategy, the Act extends both the Secretary of State's funding powers for functions within Defra's remit, and the ability to authorise other bodies to carry out those functions. Public bodies for which Defra is responsible are given the power to enter agreements to enable various other designated bodies to perform functions on their behalf. These various powers are intended to be used to simplify and devolve delivery arrangements and to improve their effectiveness and efficiency.</p> <p>The Act makes provision in respect of biodiversity, pesticides harmful to wildlife and the protection of birds, and in respect of invasive non-native species. It alters enforcement powers in connection with wildlife protection, and extends time limits for prosecuting certain wildlife offences. It addresses a small number of gaps and uncertainties which have been identified in relation to the law on sites of special scientific interest. It amends the functions and constitution of National Park authorities, the functions of the Broads Authority and the law on rights of way.</p>	Incorporated in Sustainability Objectives ENV4, ECON1 - 3
HM Government (2006) The Natural Environment and Rural Communities (NERC) Act 2006	<p>The Act:</p> <ul style="list-style-type: none"> • Makes provision about bodies concerned with the natural environment and rural communities; • Makes provision in connection with wildlife, Sites of Special Scientific Interest (SSSIs), National Parks and the Broads; • Amends the law relating to rights of way; • Makes provision as to the Inland Waterways Amenity Advisory Council; and • Provides for flexible administrative arrangements in connection with functions relating to the environment and rural affairs and certain other functions; and for connected purposes. <p>There are no specific objectives or targets in the Act.</p>	Incorporated in Sustainability Objective 4.
HM Government (2008) The Climate Change Act 2008	<p>The Act sets:</p> <ul style="list-style-type: none"> • Legally binding targets - greenhouse gas emission reductions through action in the UK and abroad of at least 80% by 2050, and reductions in CO2 emissions of at least 26% by 2020, against a 1990 baseline. The 2020 target will be reviewed soon after Royal Assent to reflect the move to all greenhouse gases and the increase in the 2050 target to 80%. <p>Further, the Act provides for a carbon budgeting system which caps emissions over five year periods, with three budgets set at a time, to set out our trajectory to 2050.</p>	Incorporated in Sustainability Objective ENV5.
HM Government (2008) The Planning Act	<p>Introduces a new system for nationally significant infrastructure planning, alongside further reforms to the Town and Country Planning system. A major component of this legislation is the introduction of an independent Infrastructure Planning Commission (IPC), to take decisions on major infrastructure projects (transport, energy, water and waste). To support decision-making, the IPC will refer to the Government's National Policy Statements (NPSs), which will provide a clear long-term strategic direction for nationally significant infrastructure development.</p> <p>There are no specific objectives or targets in the Act.</p>	This act is not specifically relevant to any of the objectives.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
HM Government (2009) The UK Renewable Energy Strategy	A vision is set out in the document whereby by 2020: <ul style="list-style-type: none"> • More than 30% of our electricity is generated from renewables; • 12% of our heat is generated from renewables; and • 10% of transport energy is generated from renewables. 	Incorporated in Sustainability Objective ENV5.
HM Government (2010) The Government's Statement on the Historic Environment for England	The Vision of the Statement is <i>"that the value of the historic environment is recognised by all who have the power to shape it; that Government gives it proper recognition and that it is managed intelligently and in a way that fully realises its contribution to the economic, social and cultural life of the nation."</i> This vision is supported by six aims: <ol style="list-style-type: none"> 1 Strategic Leadership: Ensure that relevant policy, guidance, and standards across Government emphasize our responsibility to manage England's historic environment for present and future generations. 2 Protective Framework: Ensure that all heritage assets are afforded an appropriate and effective level of protection, while allowing, where appropriate, for well managed and intelligent change. 3 Local Capacity: Encourage structures, skills and systems at a local level which: promote early consideration of the historic environment; ensure that local decision makers have access to the expertise they need; and provide sufficiently skilled people to execute proposed changes to heritage assets sensitively and sympathetically. 4 Public Involvement: Promote opportunities to place people and communities at the centre of the designation and management of their local historic environment and to make use of heritage as a focus for learning and community identity at all levels. 5 Direct Ownership: Ensure all heritage assets in public ownership meet appropriate standards of care and use while allowing, where appropriate, for well managed and intelligent change. 6 Sustainable Future: Seek to promote the role of the historic environment within the Government's response to climate change and as part of its sustainable development agenda. <p>No key targets.</p>	Incorporated in Sustainability Objective ENV4
HM Government (2010) The Air Quality Standards 2010	The Regulations largely implement Directive 2008/50/EC on ambient air quality and cleaner air for Europe.	Incorporated in Sustainability Objective ENV6
HM Government (2010) Flood and Water Management Act	The Act takes forward a number of recommendations from the Pitt Review into the 2007 floods and places new responsibilities on the Environment Agency, local authorities and property developers (among others) to manage the risk of flooding. <ul style="list-style-type: none"> • The Environment Agency is responsible for developing and applying a flood risk management strategy for England and Wales. Every other agency with a flood risk management function across England and Wales must take account of this strategy. • Local authorities across England and Wales are required to develop, maintain, apply and monitor a strategy for local flood risk management in their areas. These local strategies must include the risk of flooding from surface water, watercourse and groundwater flooding. • Lead local authorities must establish and maintain a register of structures which have an effect on flood risk management in their areas. • The Act introduces a requirement to improve the flood resistance of existing buildings by amending the Building Act 1984. • The Act introduces the provision for residential landlords to be charged the cost of their tenant's unpaid water bills should the landlord fail to pass on the tenants details to the respective water company for the local area. • The Act introduces the requirements for developers of property to construct Sustainable Drainage Systems (SUDS). • Local authorities have a duty to adopt these SUDS once completed. By adoption, the Act means that they become responsible for maintaining the systems. 	Incorporated in Sustainability Objective ENV5

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>Those key targets related to water resources, include:</p> <ul style="list-style-type: none"> To widen the list of uses of water that water companies can control during periods of water shortage, and enable Government to add to and remove uses from the list. To encourage the uptake of sustainable drainage systems by removing the automatic right to connect to sewers and providing for unitary and county councils to adopt SUDS for new developments and redevelopments. To reduce 'bad debt' in the water industry by amending the Water Industry Act 1991 to provide a named customer and clarify who is responsible for paying the water bill. <p>To make it easier for water and sewerage companies to develop and implement social tariffs where companies consider there is a good cause to do so, and in light of guidance that will be issued by the Secretary of State following a full public consultation.</p>	
HM Government (2010) White Paper: Healthy Lives, Healthy People: Strategy for Public Health in England	<p>Aims to create a 'wellness' service (Public Health for England) and to strengthen both national and local leadership.</p> <p>No formal targets or objectives.</p>	Incorporated in Sustainability Objective SOC3.
HM Government (2011) The Localism Act	<p>The Localism Bill includes five key measures that underpin the Government's approach to decentralisation.</p> <ul style="list-style-type: none"> Community rights; Neighbourhood planning; Housing; General power of competence; and Empowering cities and other local areas. <p>No key targets or indicators.</p>	Incorporated in Sustainability Objective SOC5.
HM Government (2011) Water for Life: White Paper	<p><i>Water for Life</i> describes a vision for future water management in which the water sector is resilient, in which water companies are more efficient and customer focused, and in which water is valued as the precious and finite resource it is.</p> <p><i>Water for Life</i> includes several proposals for deregulating and simplifying legislation, to reduce burdens on business and stimulate growth. Ofwat's proposals for reducing its regulatory burdens complement these.</p> <p>No key targets or objectives.</p>	Incorporated in Sustainability Objective ENV6.
HM Government (2011) Carbon Plan: Delivering our Low Carbon Future	<p>This sets out how the UK will achieve decarbonisation within the framework of energy policy:</p> <ul style="list-style-type: none"> To make the transition to a low carbon economy while maintaining energy security, and minimising costs to consumers, particularly those in poorer households. <p>There are no formal objectives or targets.</p>	Incorporated in Sustainability Objective ENV5.
HM Government (2013) The Community Infrastructure Levy (Amendment) Regulations 2013	<p>The Community Infrastructure Level (CIL) is a charge which may be applied to new developments by local authorities. The money can be used to support development by funding infrastructure that the council, local community and neighbourhoods want.</p> <p>There are no formal objectives or targets.</p>	Not specifically applicable to any of the objectives.
HM Government (2014) Water Act 2014	<p>The provisions in the Act enable the delivery of Government's aims for a sustainable sector as set out in the Water White Paper in a way that this is workable and clear. This Act aims to makes steps towards reducing regulatory burdens, promoting innovation and investment, giving choice and better service to customers and enabling more efficient use of scarce water resources.</p> <p>There are no formal objectives or targets.</p>	Incorporated in Sustainability Objective ENV6.
HM Government (2015) Water Framework Directive (Standards and Classification) Directions	<p>The regulations implement provisions of the Water Framework Directive (Directive 2000/60/EC), the Environmental Quality Standards Directive (Directive 2008/105/EC) and the priority substances amendment of these directives (Directive 2013/39/EU). This includes directions for the classification</p>	Incorporated in Sustainability Objective ENV6.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
(England and Wales) 2015.	of surface water and groundwater bodies, monitoring requirements, standards for ecological and chemical status of surface waters, and environmental quality standards for priority substances. There are no formal objectives or targets.	
HM Government (2015) Government Response to the Committee on Climate Change.	In June 2015 the Committee on Climate Change and the Adaptation Sub-Committee published the seventh progress report on Government's mitigation activity and the first statutory assessment of the National Adaptation Programme. This included five recommendations and it is those recommendations that are responded to within this response. There are no formal objectives or targets.	Incorporated in Sustainability Objective ENV5.
HM Government (2016) Environmental Permitting (England and Wales) Regulations 2016.	The Regulations provide a consolidated system of environmental permitting in England and Wales, and transpose the provisions of 15 EU Directives. It provides a system for environmental permits and exemptions for industrial activities, mobile plant, waste operations, mining waste operations, water discharge activities, groundwater activities, flood risk activities and radioactive substances activities. It also sets out the powers, functions and duties of the regulators. Certain flood risk activities are now regulated under the Environmental Permitting Regulations, with environmental permits required for some activities. There are slight variations between England and Wales. There are no formal objectives or targets.	Not specifically relevant to any of the objectives.
HM Government (2016) Housing and Planning Act 2016	This Act makes widespread changes to housing policy and the planning system. It introduces legislation to allow the sale of higher value local authority homes, introduce starter homes and "Pay to Stay" and other measures intended to promote home ownership and boost levels of housebuilding. The Act introduces numerous changes to housing law and planning law: <ul style="list-style-type: none"> • A proposal to abolish secure and assured tenancies for new tenancies, and replace them with fixed term tenancies lasting between two and five years. However, following an amendment, this was later extended to tenancies of up to 10 years with the possibility of for longer tenancies for families with children.[3] The Act requires where there is a succession to the tenancy that unless they are a spouse or civil partner the new tenancy has to be fixed term rather than secure. Housing associations are not affected by this change. • The promotion of self-build and custom build housebuilding. • The building of 200,000 starter homes which will be obtainable to first time buyers between 23 and 40 for sale at 20% below market prices. • The extension of right to buy to include housing association properties. Due to a deal with the National Housing Federation right to buy will be extended to housing association tenants on a voluntary basis with the Government making payments to housing associations to compensate for the discounts on offer. • A policy dubbed "pay to stay" that would see some council tenants pay higher rent. Income of £31,000 or £40,000 in London would see someone hit by "Pay to Stay". Tenants in receipt of housing benefit would not be affected by this change and neither would housing association tenants. • The forced sale of high value empty local authority properties. The stated aim of this policy was to fund right-to-buy for housing associations in order to promote home ownership. The Act states that lost social housing will be replaced with "affordable housing" which could be a starter home. In London two properties will be built for every one sold. • The speeding up of the planning system so as to deliver more housing. A concept called "permission in principle" is being introduced which is "an automatic consent for sites identified in local plans and new brownfield registers subject to further technical details being agreed by authorities". It is hoped that this will speed up house building. • Powers to force local authorities to have a Local Plan where they do not have one. • Changes to banning orders on "rogue landlords" The Act allows a local authority to apply for a banning order when a landlord or letting agent 	Incorporated in Sustainability Objective SOC2.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>commits certain offences. The Act also creates a database of rogue landlords that will be maintained by local authorities.</p> <ul style="list-style-type: none"> Changes relating to Rent Repayment Orders allowing a local authority to apply for one where a landlord has committed certain offences. A law allowing recovery of abandoned properties. A private landlord will be allowed to do this without serving a section 21 notice and without serving a court order. 	
HM Government (2017) The Conservation of Habitats and Species Regulations 2017	The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations place a duty on the Secretary of State to propose a list of sites which are important for either habitats or species (listed in Annexes I and II of the Habitats Directive respectively) to the European Commission. Once the Commission and EU Member States have agreed that the sites submitted are worthy of designation, they are identified as Sites of Community Importance (SCIs).	Incorporated in Sustainability Objective ENV4.
HM Government (2006) Climate Change The UK Programme	<p>The Climate Change Programme aims to tackle climate change by setting out policies and priorities for action in the UK and internationally.</p> <p>Aims and Objectives:</p> <ul style="list-style-type: none"> To reduce carbon dioxide emissions by 20% below 1990 levels by 2010 (more than is required by the Kyoto Agreement); Make agreements with other countries as to how they will tackle climate change together; Report annually to Parliament on UK emissions, future plans and progress on domestic climate change; and Set out the adaptation plan for the UK, informed by additional research on the impacts of climate change. 	Incorporated in Sustainability Objective ENV5
Regional		
Severn Trent Water Resources Management Plan (2019)	<p>Guidance on the approach to water management over the period 2020-2025, focused on achieving and maintaining the level of headroom necessary to ensure we can deliver our target levels of service at least cost to customers, whilst minimizing the impact on the environment. WRMP we forecast a significant deficit will develop between supply and demand for water over the medium term unless we act. One key difference from our previous plans is the need to prevent the risk of future environmental deterioration, which is a fundamental requirement of the Water Framework Directive. This means that, in order to protect our environment for future customers, some of our current sources of water cannot be relied upon in the future and we need to find alternative ways of meeting demand.</p> <p>Our plan aims to respond to this, and other strategic challenges, and ensure that we:</p> <ul style="list-style-type: none"> Preserve our current level of resilience against droughts; Tackle unsustainable abstraction and prevent future environmental deterioration; Appropriately plan for climate change; Meet future population growth; Improve the resilience of customers' supplies; Meet our customers' and stakeholders' needs and expectations; Meet our wider regulatory obligations; and Understand and allow for future uncertainty. 	Incorporated in Sustainability Objectives ENV2 and ENV5
Energy Capital (2018) a Regional Approach to Clean Energy Innovation	The report states the main focus of the (Energy Improvement Zones) EIZs will be to integrate low carbon technologies, to develop the business models and infrastructure needed to support new approaches to clean energy as well as overcome the regulatory barriers necessary for them to flourish. They will be	Incorporated in sustainability objective ENV5.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>designed to stimulate local clean energy innovation and drive productivity within the region, exports and growth.</p> <p>The EIZs aim to demonstrate new technologies, and to turn them into fully commercial propositions, breeding regional markets and supply chains that provide a platform for exports and growth. They will also offer a controlled environment in which innovators of all types can trial new services, technologies and business models.</p>	
Environment Agency Humber River Basin Management Plan (2015)	<p>A strategic document summaries key issue by river catchment. For the Tame, Anker and Mease these are to:</p> <ul style="list-style-type: none"> • Improve sewage treatment works at a number of locations to reduce the levels of phosphate, for the River Trent designation. • Target pollution prevention campaigns around industrial areas in the urban areas, particularly around Birmingham and the Black Country. • Improve sewage treatment works at a number of locations in the River Mease catchment to reduce the levels of phosphate in the SAC site. 	Incorporated in Sustainability Objectives ENV5 and ENV6
Environment Agency The Tame, Anker and Mease Management Catchment (2017)	<p>Catchment Vision</p> <p>Our catchment has a sustainable and diverse water environment that is valued for the benefits it brings to people, the economy of the region and the natural environment. It has improved resilience to climate change, flooding and pollution events, and is in good ecological condition. People from many sectors and disciplines across the catchment are committed to caring for the catchment by working together, and using innovation, to capitalise on the opportunities presented and solutions to the challenges faced.</p> <p>Catchment Objectives</p> <ul style="list-style-type: none"> • To promote the value of rivers, streams and wetlands and to increase their natural capacity to ameliorate the impacts of flooding and pollution. • To create a more sustainable and diverse water environment that is a valued asset for the economy, people and the natural environment • To work with local stakeholders to harness their support and enthusiasm to address the opportunities and challenges faced by the water environment and to optimise the benefits. • To enhance the quality of the natural environment for the benefit of people's health and wellbeing, giving access to aesthetic and enjoyable landscapes which are rich in wildlife. 	Incorporated in Sustainability Objectives ENV5 and ENV6
Environment Agency Trent Catchment Flood Management Plan (2010)	A strategic planning document that provides an overview of the main sources of flood risk in the Trent catchment and how these can be managed in a sustainable framework for the next 50 to 100 years. The CFMP covers Birmingham and the Black Country and identifies that Birmingham should "take further action to reduce flood risk".	Incorporated in Sustainability Objective ENV5
Environment Agency (2015) Severn River Basin District River Basin Management Plan	This River Basin Management Plan seeks to protect the River Severn so that it can be enjoyed by different Districts the river runs through without each District affecting the others ability to enjoy the river. It also seeks to conserve and enhance the quality of the River Severn environment and maintain its high water quality and habitats, as the River Severn benefits from having particularly rich and diverse wildlife and habitats.	Incorporated in Sustainability Objective ENV6.
The Greater Birmingham and Solihull Local Enterprise Partnership Strategy (2013)	<p>The Greater Birmingham & Solihull LEP is a partnership of businesses, local authorities and universities which supports private sector growth and job creation. Set up to strengthen local economies, encourage economic development and enterprise, and improve skills across the region. The LEP has set out plans to:</p> <ul style="list-style-type: none"> • Increase economic output (GVA) in the area by £8.25 billion by 2020; • Create 100,000 private sector jobs by 2020; • Stimulate growth in the business stock and business profitability; • Boost indigenous and inward investment; 	Incorporated in Sustainability Objectives ECON1 - 4

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> • Become global leaders in key sectors, including: automotive assembly, low carbon R&D, business and professional services, clinical trials, creative and digital sectors; and • Increase the proportion of adults with appropriate qualifications to meet employment needs. 	
Greater Birmingham & Solihull Local Enterprise Partnership (2016) Strategic Economic Plan 2016-2030	<p>This Strategic Economic Plan sets out a mission for the West Midlands Region: <i>'To create jobs and grow the economy of Greater Birmingham and in so doing raise the quality of life for all of the LEP's population.'</i></p> <p>This plan includes the following targets:</p> <ul style="list-style-type: none"> • Create 250,000 private sector jobs by 2030 and be the leading Core City LEP for private sector job creation; • Increase GVA by £29bn by 2030; • Decrease unemployment to the National Average by 2020 and to have the lowest unemployment amongst the LEP Core Cities by 2030; • GBSLEP to be the leading Core City by 2030 for GVA per head; • Increase % of working age population with NVQ3+ to the National Average by 2025; • Increase productivity rates to the National Average by 2030; and • GBSLEP to be the Leading Core City LEP for Quality of Life by 2030. 	Incorporated in Sustainability Objectives ECON1 - 4
Natural England (2012) National Character Area profile no. 67: Cannock Chase and Cank Wood	Cannock Chase and Cank Wood National Character Area (NCA) extends north of the Birmingham and Black Country conurbation and includes a major area of this city. It is situated on higher land consisting of sandstone and the South Staffordshire Coalfield. The NCA principally coincides with the historical hunting forest of Cannock Chase, with major remnants surviving within the Cannock Chase Area of Outstanding Natural Beauty (AONB), which supports internationally important heathland Special Areas of Conservation (SAC) and the Sutton Park National Nature Reserve.	Incorporated in sustainability objective ENV4.
Natural England (2012) National Character Area profile no. 97: Arden	Arden National Character Area (NCA) comprises farmland and former wood-pasture lying to the south and east of Birmingham, including part of the West Midlands conurbation. Traditionally regarded as the land lying between the River Tame and the River Avon in Warwickshire, the Arden landscape also extends into north Worcestershire to abut the Severn and Avon Vales. To the north and northeast it drops down to the open landscape of the Mease/Sence Lowlands. The eastern part of the NCA abuts and surrounds Coventry, with the fringes of Warwick and Stratford-upon-Avon to the south. This NCA has higher ground to the west, the Clent and Lickey Hills and to the east, the Nuneaton ridge.	Incorporated in sustainability objective ENV4.
Transport for West Midlands (2017) 2026 Delivery Plan for Transport	<p>Movement for Growth sits alongside the WMCA Strategic Economic Plan as a complementary critical set of policies and plans - providing the overarching approach to the development a transport system into one which is fit for the challenges of economic & housing growth, social inclusion and environment change.</p> <p>A modern effective, efficient and reliable transport system as envisioned by Movement for Growth forms one of the pillars underpinning the delivery of the WMCA's key objectives, namely closing the GVA gap in the West Midlands and creating 500,000 new jobs. The plan is based on improvements, year in year out, over the long term to an integrated transport system and is made up of four tiers:</p> <ul style="list-style-type: none"> • National and Regional • Metropolitan (Metropolitan Rail and Rapid Transit Network including Sprint, Key Route Network, Strategic Cycle Network) • Local • Smart Mobility <p>To support the delivery of Movement for Growth, the WMCA approved the 2026 Delivery Plan for Transport in September 2017. The plan comprises the Delivery Plan and two supporting sets of documents:</p> <ul style="list-style-type: none"> • The 2026 Delivery Plan for Transport • 16 Corridor Strategies 	Incorporated in Sustainability Objective ENV3

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
<ul style="list-style-type: none"> Four Dashboards of Schemes. 		
Environment Agency (2009) A Water Resources Strategy Regional Action Plan for the West Midlands Region	<p>The EA Water Resources Strategy for England and Wales, <i>Water for People and the Environment</i>, sets out a number of actions that are reflected in the Regional Action Plan. This Plan takes the aims and objectives of the strategy and identifies Regional actions that will enable:</p> <ul style="list-style-type: none"> Water to be abstracted, supplied and used efficiently; The water environment to be restored, protected and improved so that habitats and species can better adapt to climate change; Supplies to be more resilient to the impact of climate change, including droughts and floods; Water to be shared more effectively between abstractors; Improved water efficiency in new and existing buildings; Water to be valued and used efficiently; Additional resources to be developed where and when they are needed in the context of a twin-track approach with demand management; Sustainable, low carbon solutions to be adopted; and Stronger integration of water resources management with land, energy, food and waste. 	Incorporated in Sustainability Objective ENV2
Forestry Commission (2004) West Midlands Regional Forestry Framework	<p>The Framework sets out priorities for activity across the private, public and voluntary sector, and includes priorities and actions based around the following themes:</p> <ul style="list-style-type: none"> Tree and Woodland Cover; Trees Woodland and Forestry Industry; Wood Energy and Recycling; Recreation and Tourism; Health and Wellbeing; Fostering Social Inclusion; Enhancing Biodiversity; Climate Change; and Green Infrastructure. 	Incorporated in Sustainability Objectives ENV4 - 6 and SOC3
Peter Brett Associates LLP (2014) GBSLEP Joint Strategic Housing Study.	<p>This study outlined the oversights of past population projections for the Birmingham area and its surrounding districts/regions. It highlights a need for a considerable amount of housing building needed each year and a need for more housebuilding in the regions and districts surrounding Birmingham.</p> <ul style="list-style-type: none"> Preferred scenario 2011-31 – 165,000 dwellings. 	Incorporated in Sustainability Objective SOC2.
West Midlands Combined Authority (2017) West Midlands Roadmap to a Sustainable Future in 2020 (Annual Monitoring Report)	<p>This report is an annual monitoring report of the progress the West Midlands Roadmap to Sustainability and includes the following objective:</p> <ul style="list-style-type: none"> Reverse the rise in health inequalities for women 	Incorporated in Sustainability Objective SOC3.
West Midlands Combined Authority (2017) Thrive West Midlands – An Action Plan to drive better mental health and wellbeing in the West Midlands	<p>This Action Plan forms an agreement between the key organisations of the West Midlands to work together to improve the mental health and wellbeing of the residents of the West Midlands:</p> <ul style="list-style-type: none"> Improve the accessibility of jobs for people with mental health issues and their general wellbeing. 	Incorporated in Sustainability Objective SOC3.
Local		
Birmingham City Council (1994) Handsworth,	Restricts non-family dwelling house uses in Handsworth, Sandwell and Soho Wards.	Incorporated in Sustainability

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
Sandwell and Soho: Areas of Restraint		Objectives ECON3 and SOC5.
Birmingham City Council (1996) Shopfronts design guide	These guidelines set out the principles of good shopfront design. They help establish the ground rules for the design of shop fronts and advertisements.	Incorporated in sustainability objective ENV2, ECON2 and ECON3.
Birmingham City Council (1999) Location of advertisement hoardings	Guidelines for outdoor advertisement hoardings, including those with mechanically changing displays, ranging from 96 sheet size to smaller 12 sheet panels, and will be used to control the display of existing and proposed hoardings. States that applications must be treated on their own individual merits, with regards to the general characteristics of the locality in which they will be displayed. Also provides specific guidance on location and land use guidelines.	Incorporated in sustainability objectives ENV2 and ECON1.
Birmingham City Council (1999) Wheelwright Road: Area of Restraint	Restricts non-family dwelling house uses in Wheelwright Road.	Incorporated in Sustainability Objectives ECON3 and SOC5
Birmingham City Council (1999) Regeneration through Conservation SPG	Sets out how the historic buildings and townscapes of the City play a central role in prompting sustainable regeneration. The strategy sets out eight priority objectives for securing this aim, including: <ul style="list-style-type: none"> - Placing conservation at the heart of policies for regeneration - Relating conservation decisions to evolving policies for a sustainable environment - Maximising financial support - Focusing on buildings at risk - Producing Conservation Area appraisals 	Incorporated in Sustainability Objective ENV4
Birmingham City Council (2000) Parking of vehicles at commercial and industrial premises adjacent to residential property	These guidelines apply to car parking proposals relating to commercial and industrial premises which could cause noise and disturbance to occupants in adjoining residential accommodation.	Incorporated in sustainability objective ENV2.
Birmingham City Council (2000) Floodlighting of sports facilities, car parks and secure areas	Supplementary planning guidance for the installation of flood lighting. Flood lighting should: <ul style="list-style-type: none"> • Point downwards. • Minimise the flood of light near to or above the horizontal to reduce potential glare. • The main floodlight beam should, where possible, be directed towards below a 70° arc from a vertical column. • Use asymmetrical beams that permit the front glazing to be kept at or near parallel to the surface being lit. 	Not specifically relevant to any single objective but covered in general terms by the majority of the Objectives.
Birmingham City Council (2001) Specific needs residential uses SPG	Guidance relating to the use of land and buildings for residential accommodation, and in certain cases associated care, to people whose housing needs may be termed 'specific'. Targets: <ol style="list-style-type: none"> 1 Parking space per 3 beds. <ol style="list-style-type: none"> a) Single room used for living/sleeping/cooking – 15.0sq.m. b) Two room letting as living/sleeping room and separate kitchen One individual: 12.50sq.m (135 sq.ft.) floor area Two individuals: 18.0sq.m (190sq.ft.) <ol style="list-style-type: none"> c) Two room letting with kitchen/living room and separate bedroom One individual bedroom: 6.50.sq.m (70sq.ft.) floor area 	Incorporated in sustainability objectives ENV2 and SOC2.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<p>One individual kitchen/living area: 11.50sq.m (120sq.ft) floor area</p> <p>Two individual's bedroom: 12.50sq.m. (135 sq.ft.) floor area</p> <p>Two individual's kitchen/living room: 15.0sq.m. (160sq.ft.) floor area</p>	
Birmingham City Council (2001) Places for living	<p>Residential development is the major land use in Birmingham and the majority of new development proposals within the city will continue to be for new homes. It is important that residential areas are desirable, sustainable and enduring. They should provide good quality accommodation in a safe and attractive environment, which people.</p> <ol style="list-style-type: none"> 1. Places not estates - Successful developments must address wider issues than simply building houses and create distinctive places that offer a choice of housing and complementary activities nearby 2. Moving around easily - Places should be linked up with short, direct public routes overlooked by frontages. 3. Safe places, private spaces - Places must be safe and attractive with a clear division between public and private space 4. Building for the future - Buildings and spaces should be adaptable to enhance their long-term viability and built so they harm the environment as little as possible. 5. Build on local character - Developers must consider the context and exploit and strengthen the characteristics that make an area special. 	Incorporated in sustainability objectives ENV2, ENV3, ENV5, ENV6, ECON3 and SOC2.
Birmingham City Council (2001) Places for all	<p>The guide was produced as a response to the lack of general design guidance that relates to all types of development throughout the city. Good design should apply everywhere not just in key locations such as the city centre and conservation areas.</p> <p>The main targets are:</p> <ol style="list-style-type: none"> 1. Creating diversity - The aim must be to create or build within places that have an accessible choice of closely mixed complementary activities. 2. Moving around easily - Places should be linked up with short, direct public routes overlooked by frontages. 3. Safe places, private spaces - Places must be safe and attractive with a clear division between public and private space. 4. Building for the future - Buildings and spaces should be adaptable to enhance their long-term viability and built so they harm the environment as little as possible. 5. Build on local character - Development must consider the context and exploit and strengthen the characteristics that make an area special. 	Incorporated in sustainability objectives ENV2, ENV5, ENV6, ECON3 and SOC3.
Birmingham City Council (2001) Affordable Housing SPG	The purpose of this supplementary planning guidance is to provide an additional, complementary mechanism for securing affordable homes in response to recent government advice.	Incorporated in sustainability objectives ECON2, ECON3 and SOC2.
Birmingham City Council (2003) High Places	<p>This supplementary planning guidance provides policy and design guidance for tall buildings in Birmingham. It provides guidance on the location, form and appearance of tall buildings. It provides information on:</p> <ul style="list-style-type: none"> • The location of tall buildings. • The design of tall buildings. • Conservation Areas and Listed Buildings where tall buildings are inappropriate • The sustainability of proposals. 	Incorporated in sustainability objectives ENV2, ENV5
Birmingham City Council (2004) Archaeology Strategy SPG	Describes Birmingham's archaeological remains and national, regional and local policies on archaeological remains affected by new development. The Strategy explains the process when proposed new development is likely to affect archaeological remains. It stresses the importance of early consultation about the archaeological implications of a proposed development and the	

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	process of assessment and evaluation to inform decision making on requirements for preservation or recording of archaeological remains. The Strategy also describes particular archaeological requirements for different parts of the city.	
Birmingham City Council (2005) Developing Birmingham: An Economic Strategy for the City 2005-2015.	<p>The vision of the Economic Strategy is: <i>"To build on Birmingham's renaissance and secure a strong and sustainable economy for our people."</i></p> <p>The strategy identifies four key areas to focus on:</p> <ol style="list-style-type: none"> 1) development and Investment; 2) creating a skilled workforce; 3) fostering business development and diversification; and 4) creating sustainable communities and vibrant urban villages. 	Incorporated in Sustainability Objectives ECON7, 8, 9 and 10.
Birmingham City Council (2006) Air Quality Action Plan.	<p>The Action Plan sets out 41 actions which follow the objectives below:</p> <ul style="list-style-type: none"> • Reducing vehicle emissions; • Improving public transport to reduce traffic volumes; • Improving the road network to reduce congestion; • Using area planning measures to reduce traffic volumes; • Reducing air pollution from industry, commerce and residential areas; and • Changing levels of travel demand/promotion of alternative modes of transport. 	Incorporated in Sustainability Objective ENV6.
Birmingham City Council (2006) Municipal Waste Management Strategy.	<p>The Strategy sets out the following vision for delivering its municipal waste management services:</p> <p><i>"To run a city that produces the minimum amount of waste that is practicable, and where the remainder is re-used, recycled or recovered to generate energy. The material recovered through composting, recycling, re-use and from the energy recovery process will replace the need for extraction of virgin materials.</i></p> <p><i>The waste management strategy will be sensitive to local needs and will provide a service to help Birmingham become as clean and green a city as it can be. Birmingham City Council and the Constituency partners will provide a service that citizens are pleased to support, and where there is malpractice or deliberate misuse of the service, that this is dealt with efficiently to maintain a clean, safe and healthy environment."</i></p> <p>The Strategy has the following objectives:</p> <ul style="list-style-type: none"> • The Council will explore ways of reducing the amount of waste sent to landfill to an absolute minimum, recovering value from waste wherever economically and environmentally practicable through energy recovery and measures to increase re-use, recycling and composting; • The City Council and its partners will raise awareness among the wider community to view waste as a resource and will deliver communications activities and work with relevant stakeholders (such as community groups and schools) to promote the cultural change needed to significantly increase recycling and re-use and reduce the overall quantity of waste requiring treatment or disposal; • The City Council will develop recycling and composting system that meet the targets set out in this strategy through methods that are acceptable and accessible to the residents of Birmingham; • the City Council will explore ways of working with other local authorities and will expand its partnership activities with the private voluntary sectors to assist in delivery of this strategy; and • The City Council will work with its partners and other agencies to provide efficient and effective enforcement of its services to contribute to a clean, green, safe and healthy environment. 	Incorporated in Sustainability Objective ENV6.
Birmingham City Council (2006) The Future of Birmingham's Parks and Open Space Strategy	This Strategy is intended to protect and guide the planning, design, management, maintenance and provision of parks and public open spaces in the city over the next 10-15 years. Contains 30 policies around the provision and use of green spaces and parks.	Incorporated in sustainability objectives ENV4, ENV6, ECON2 and SOC3.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
Birmingham City Council (2006) Loss of industrial land SPD	This document provides guidance on the information required by the City Council where a change of use from industrial to an alternative use is being proposed. The SPD applies to all industrial land.	Incorporated in sustainability objectives ENV1 and ECON2.
Birmingham City Council (2006) Access for People with Disabilities SPD	Provides guidance under Part M of the Building Regulations and their obligations under the Disability Discrimination Act around: <ul style="list-style-type: none"> • Works in the Public Realm • Approaches to buildings and open areas within an application site • Entrances into buildings used by the public • Signage • Access onto upper floors 	Incorporated in SOC1, SOC3 and SOC5.
Birmingham City Council (2007) Extending your home: Home extensions guide	A guide to tell the public about the council's policies on good design and explain what we are looking for when we assess planning applications for home extensions. Outlines three main principles: <ol style="list-style-type: none"> 1. Respect the appearance of the local area and your home. 2. Ensure the extension does not adversely affect your neighbours. 3. Minimise the impact on the environment. Provides detailed guidance on the three principles, as well as specific guidance on types of extensions, for example back extensions and dormers.	Incorporated in sustainability objectives ENV 2, ENV 4 and ECON 3.
Birmingham City Council (2007) Public open space in new residential development SPD	<ul style="list-style-type: none"> • An amount of open space equivalent pro rata, to 2 ha per 1000 population will be required. • As part of the overall requirement, a children's play area will be required where there is no existing provision within walking distance of the new development (defined as 400m, taking into account barriers such as main roads, railways and canals, which restrict access). • Public open space should be sited where it will be overlooked, safe, useable and accessible to all residents and designed to local authority criteria. It should take into account the needs of people with disabilities and any cultural needs identified in consultation with local residents. • The key aim of large scale redevelopments is to achieve a good quality environment overall coupled with a good housing stock. 	Incorporated in sustainability objectives ENV2, ECON2, ECON3, SOC1, SOC3 and SOC4.
Birmingham City Council (2007) Sustainable Management of Urban Rivers and Floodplains SPD	A Supplementary Planning Document which responds to the demands of the Water Framework Directives and sets out policies for development near to river corridors relating to: <ul style="list-style-type: none"> • Water Quality; • Water Pollution Prevention; • Sustainable Urban Drainage Systems (SUDS) and Surface Water Run-Off; • Character of the River Corridors; • The Floodplain; • Nature Conservation and Landscaping; • The Historic Environment; • Design of Developments; • Access; • Education and Recreation; • Safety and Litter; and • Community Involvement. 	Incorporated in Sustainability Objective ENV5.
Birmingham City Council (2008) Sustainable Community Strategy	The document's vision is to make Birmingham the first sustainable global city in modern Britain. It will be a great place to live, learn, work and visit: a global city with a local heart.	Incorporated in Sustainability Objectives ENV2, ENV6, SOC3,

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	Five outcomes Birmingham people will be enabled to: 1. Succeed economically 2. Stay safe in a clean, green city 3. Be healthy 4. Enjoy a high quality of life 5. Make a contribution	ECON2, SOC4, SOC5.
Birmingham City Council (2008) Birmingham Private Sector Housing Strategy 2008+ (updated 2010).	The strategy details priority issues and actions to increase levels of decent homes in owner-occupied and private rented sector housing; promote domestic energy efficiency and affordable warmth; and address the growing demand from elderly and disabled residents for assistance to live independently in their own homes. It also set out how the council will fulfil its regulatory role in the licensing and inspection of Houses in Multiple Occupation (HMOs) as prescribed by the Housing Act (2004) and promote better standards of management within the private rented sector (PRS).	Incorporated in Sustainability Objective SOC 12.
Birmingham City Council (2008) Telecommunications development mobile phone infrastructure SPD	This Supplementary Planning Document (SPD) is intended to provide guidance to the public, licensed telecommunications operators and planners on the process for the control of telecommunications development and for its siting and appearance within Birmingham.	Incorporated in sustainability objective ENV4.
Birmingham City Council (2008) Contaminated Land Inspection Strategy for Birmingham Second Edition	<ul style="list-style-type: none"> To identify any contaminated land as defined by the legislation. To take steps to control any risk from any contaminated land identified using voluntary or enforcement action. To liaise with the Environment Agency regarding sites that may be polluting controlled waters or other special sites. 	Incorporated in Sustainability Objective ENV6.
Birmingham City Council (2008) Lighting Places	<p>A supplementary planning document detailing how Birmingham's city centre should be lit. The objectives are as follows:</p> <ul style="list-style-type: none"> To foster multilateral exchange of experience, ideas, creations, technologies and expertise. To encourage exchange of technical experts. To organise theme based meetings. To help public authorities undertake concerted action to promote illumination projects. To provide a structure for this exchange within the scope of an international network of local public authorities. To create arenas for research and experimentation and/or operations. To include lighting issues within a perspective that is both environmentally friendly and in favour of sustainable development. To enable the cities to develop an identity by means of their artistic or technical choices. To impose lighting as a tool for promotion of the cities. 	Incorporated in sustainability objectives ENV2, ENV6, ECON1 and ECON2.
Birmingham City Council (2008) Mature suburbs	<p>The purpose of these guidelines is to set out the City Council's aspirations for such types of development within the City's mature suburbs and residential areas. It sets out key design issues for housing intensification and what is expected from developers and designers when submitting planning applications. Aims for buildings in mature suburbs to be assessed against:</p> <ul style="list-style-type: none"> Plot Size Building Form and Massing Building Siting Landscape and Boundary Treatment Plot Access Parking Provision and Traffic Impact Design Styles Public Realm Archaeology, Statutorily Listed and Locally Listed Buildings Design Out Renewable Energy and Climate Cumulative Impact 	Incorporated in sustainability objectives ENV6, ECON3, and SOC2.

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Birmingham City Council (2008) Statement of Community Involvement	<p>The Statement of Community Involvement (SCI) sets out how we will encourage more people to participate in decision-making in Planning. The document sets out our minimum standards for consultation on new policies and planning applications. The key objectives are:</p> <p>a) We will consult early in the development process - this will help to ensure that the views of the community, specific consultation bodies, developers and businesses are fed into the process at the outset. Early engagement is one of the government's objectives in reviewing the planning system.</p> <p>b) Use appropriate consultation methods for each document and for each community.</p> <p>c) Use plain English for all documents.</p> <p>d) Be prepared to experiment with a wide range of innovative consultation methods. e) Ensure that everyone, including people from under-rep</p>	Incorporated in Sustainability Objective SOC5.
Birmingham City Council (2008) Large format banner advertisements SPD	<p>A supplementary planning document detailing the policy around large banners. States that:</p> <ul style="list-style-type: none"> • A large format banner will only normally be permitted where a building is to be scaffolded for building or related work, and that such scaffolding covers an entire elevation. • A commercial advertisement element should occupy no more than 40% of the extent of the scaffolded elevation. No elevation should normally contain an advertisement element greater than 500sq.m in area or 40% of the scaffolded elevation, whichever is the lesser. • Within sensitive areas such as conservation areas, or on, facing or in close proximity to a listed building, the entire scaffolding mesh must be covered by a 1:1 scale image of the building being constructed/refurbished, or other similar appropriate image. The use of 1:1 scale images will be encouraged in other locations. • Scaffolded elevations shall have the whole elevation covered by mesh to a good quality of workmanship, and shall have any commercial element sitting within, and framed by, the mesh. • The scaffold and associated banner advert(s) should be removed as soon as the relevant work, as described in 3.1 above, is complete. The advertisement consent will last no longer than the agreed building programme or one year, whichever is the shorter. Consent for continued display in accordance with this policy would not be unreasonably withheld. • Such adverts will not normally be permitted in predominantly residential areas. 	Incorporated in sustainability objective ENV2.
Birmingham City Council (2010) Birmingham Climate change action plan 2010+	<ul style="list-style-type: none"> • Birmingham becoming a 'Low Carbon Transition' city; • Improving the energy efficiency of the city's 'Homes and Buildings'; • Reducing the city's reliance on unsustainable energy through 'Low Carbon Energy Generation'; • Reducing the city's impact on the non-renewable resources through 'Resource Management'; • Reducing the environmental impact of the city's mobility needs through 'Low Carbon Transport'; • Making sure the city is prepared for climate change through 'Climate Change Adaptation'; and • Making sure that this action plan 'Engages with Birmingham Citizens and Businesses'. 	Incorporated in Sustainability Objective ENV5.
Birmingham and Black Country Biodiversity Partnership (2010) Birmingham and the Black Country Biodiversity Action Plan	<p>Objectives are to:</p> <ul style="list-style-type: none"> • Maintain and increase biodiversity of key sites and landscapes through appropriate protection and management; • Restore degraded habitats and key species populations by restoring key areas; • Link key areas with ecological corridors to reconnect wildlife populations and make them less vulnerable; 	Incorporated in Sustainability Objectives ENV4 and 5.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	<ul style="list-style-type: none"> Promote and support the use of the natural environment to mitigate against, and adapt to the effects of climate change; Enable the sustainable use of the natural environment to benefit health and wellbeing of residents, workers and visitors as well as improving the local economy. 	
Birmingham City Council (2011) Places of worship	The document provides clear and proactive guidance to communities seeking to establish a place of worship and looking to submit applications for planning permission. Its main aim is to ensure a consistent approach to planning applications, not only for places of worship, but also for faith-related community and educational use.	Incorporated in sustainability objectives ENV4 and SOC1.
Birmingham City Council (2011) Multi-agency Flood Plan	A plan outlining flood risk, warnings mechanisms, the actions, roles and responsibilities of those organisations and communities with a key response role in the event, or threat of flooding in the Birmingham local authority area.	I Incorporated in Sustainability Objective ENV5.
Birmingham City Council (2012) Employment Land Review	<p>The Employment Land Review (ELR) provides an analysis of the employment land supply position in Birmingham, recent completions, key conclusions and recommendations for future action.</p> <p>As the supply of best urban employment land has declined over recent years. There is a need to identify new employment land opportunities to ensure that an adequate supply of land is maintained.</p> <ul style="list-style-type: none"> The Washwood Heath sites be excluded from the potential best urban supply at present due to the proposed HS2 route safeguarding. Given that the supply of good urban land is low and the scope for new opportunities is limited, existing good urban employment land be retained in industrial use and new opportunities safeguarded. That the approach for the Protection of Employment land set out in the Supplementary Planning Document on the 'Loss of Industrial Land to Alternative Uses' be maintained. This aims to protect good quality sites whilst recognising that poor quality and outdated sites should either be upgraded or used for new development where appropriate Maximise the use of available funding sources to promote the delivery of key employment sites such as the Regional Investment Site at East Aston. The City Council continues to work proactively with property agents, major companies, landowners and developers to bring sites forward for development. The use of Compulsory Purchase Orders to assemble land to facilitate employment development be considered where necessary. Where developments involve the loss of employment land an appropriate Section 106 contribution should be secured and utilised to improve other 5 industrial sites. When the Community Infrastructure Levy is adopted a proportion of the monies raised should also be used to improve existing industrial sites. The Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) consider the supply of land for strategic sites such as Major Investment Sites and Regional Logistic Sites and the mechanism for delivery. 	Incorporated in Sustainability Objectives ECON1 and ECON3.
Birmingham City Council (2012) Shopping and Local Centres SPD	<p>This expands on policies for shopping and local centres in the UDP and to bring Birmingham's policies for shopping and local centres up to date and in line with national planning policy.</p> <ul style="list-style-type: none"> Within the Primary Shopping Areas at least 55 % of all ground floor units in the Town and District Centres should be retained in retail (Class A1 use) and 50% of all ground floor units in the Neighbourhood Centres should be retained in retail (Class A1) use. Applications for change of use out of A1 will normally be refused if approval would have led to these thresholds being lowered, unless exceptional circumstances can be demonstrated in line with Policy 3. No more than 10% of units within the centre or frontage shall consist of hot food takeaways. Applications for new A3, A4 and A5 uses are encouraged within the Centre Boundary of Town, District and Neighbourhood Centres, 	Incorporated in sustainability objectives ENV2, ECON1, ECON2 and ECON3.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
	subject to avoiding an over concentration or clustering of these uses that would lead to an adverse impact on residential amenity.	
Birmingham City Council (2012) Car Parking guidelines SPD	A Development Plan Document providing detail on car parking standards. The parking standards guidance is intended to be considered alongside a number of other local policies. Encourages the use of sustainable travel, including electric vehicles, car clubs and cycling.	Incorporated in sustainability objectives ENV2, ENV3 and SOC1.
Birmingham City Council (Jan 2012) Level 1 & 2 Strategic Flood Risk Assessment	Assesses and maps all known sources of flood risk, including fluvial, surface water, sewer, groundwater and impounded water bodies, taking into account future climate change predictions, to allow the Council to use this as an evidence base to locate future development primarily in low flood risk areas. The outputs from the SFRA will also assist in preparing sustainable policies for the long term management of flood risk.	Incorporated in Sustainability Objective ENV5.
Birmingham City Council (2013) Strategic Housing Market Assessment	<p>This evidence based document was commissioned by Birmingham City Council in March 2012 to enable the Council to develop planning and housing policies and take decisions which encourage the provision of the most appropriate mix of housing (in terms of type, size, tenure, and affordability)</p> <p>The study bears directly on two areas of Council policy, housing and planning. It should inform affordable housing policies, by assessing both the total need for affordable housing and the profile of that need in terms of household sizes and types. It should also inform planning policies in the emerging Core Strategy, in particular the housing target, showing how much housing development the Council should provide land for in the next 20 years, in both the market and affordable sectors.</p> <p>The study established that for the housing market area (comprising Birmingham, the Black Country, Bromsgrove, Coventry, Lichfield and Solihull), the best available estimate of objectively assessed housing need to 2031 is for some 9,300 net new homes per annum.</p>	Incorporated in Sustainability Objective SOC2.
Birmingham City Council (2013) Health and Well-being Strategy (Updated Priorities 2017)	<ul style="list-style-type: none"> • Improve the wellbeing of children •Detect and prevent Adverse Childhood Experiences (ACEs). • Improve the independence of adults. • Improve the wellbeing of the most disadvantaged. • Make Birmingham a Healthy City. 	Incorporated in Sustainability Objective SOC3.
Birmingham City Council (2013) Employment Land and Office Targets	This evidence based document provides robust evidence in relation to future requirements for industrial land and office space up to the year 2031. The study helped to inform TP17-TP21 in the Birmingham Development Plan.	Incorporated in Sustainability Objectives ECON1, ECON3 and ECON4.
Birmingham City Council (2013) Green Living Spaces Strategy	Includes seven green living spaces principles but no formal objectives or targets.	Incorporated in Sustainability Objectives ENV4 and SOC3.
Birmingham City Council (2013) Birmingham Health and Wellbeing Strategy	<p>Identifies priorities and delivery mechanisms for addressing acute and chronic health and well-being issues across the City, some of which are closely related to spatial planning. These include aspirations to:</p> <ul style="list-style-type: none"> • Create fair employment and good work for all; • Ensure Healthy Standard of living for all; and • Create and develop healthy sustainable homes and communities 	Incorporated in Sustainability Objectives SOC1, SOC2, ECON4
Birmingham City Council (2013) Carbon Roadmap	60% reduction in CO2 emissions by 2027.	Incorporated in sustainability objective ENV5.
Birmingham City Council (2014) Gypsy and Traveller Accommodation Assessment	Estimates a need for 4 additional pitches during the period 2014-2031.	Incorporated in Sustainability Objective SOC2.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
Birmingham City Council (2014) Birmingham Connected White Paper	<p>Birmingham Connected is directly linked to the strategies and policies of the BDP. Investing in a radically improved integrated transport system will realise the city's potential to support sustainable economic growth, job creation and linking communities.</p> <p>As well as the above Birmingham Connected covers a number of other agendas. Its vision is to create a transport system which puts the user first and delivers the connectivity that people and businesses require. We will improve people's daily lives by making travel more accessible, more reliable, safer and healthier and using investment in transport as a catalyst to improve the fabric of our city. We also want to use the transport system as a way of reducing inequalities across the city by providing better access to jobs, training, healthcare and education as well as removing barriers to mobility.</p>	Incorporated in Sustainability Objectives ENV 3, ENV6, ECON2, SOC1 and SOC3.
Birmingham City Council (2014) Protecting the Past – Informing the Present. Birmingham's Heritage Strategy (2014-2019)	<p>The strategy sets a direction for the City's heritage sector for the next 5 years and is a partnership document for the city as a whole, not a Council strategy and reflects the need to attract funding and other kinds of support from a wider constituency of interest and the opportunity to work with partners outside the authority in promoting the city's heritage tourism assets.</p> <p>The strategy contains no formal objectives or targets.</p>	Incorporated in Sustainability Objective ENV4
Birmingham City Council (2015) Birmingham Surface Water Management Plan	A study undertaken in consultation with key local partners who are responsible for surface water management and drainage in their area. Partners work together to understand the causes and effects of surface water flooding and agree the most cost effective way of managing surface water flood risk for the long term. The process of working together as a partnership is designed to encourage the development of innovative solutions and practices.	Incorporated in Sustainability Objective ENV5.
Birmingham City Council (2015) Corporate Emergency Plan	<p>Aim of the plan delivered through the following objectives:</p> <ul style="list-style-type: none"> To provide an overview of the civil emergency risks which can give rise to emergencies / major business disruptions requiring activation of this plan; To outline emergency management and business continuity responsibilities of the Council at a corporate and directorate level, including specialist capabilities, such as emergency welfare provision, information and communication systems; To provide a summary of equipment and facilities available for corporate emergency response actions; To clarify wider resilience structures for both planning and response; and To summarise corporate training and exercises and other assurance processes. 	Not specifically relevant to anyone objective but covered in general terms by the majority of the Objectives.
Birmingham City Council (2017) Local Flood Risk Management Strategy	<p>Includes the following objectives:</p> <ul style="list-style-type: none"> Identify all stakeholders with a role in flood risk management , set out their responsibilities and work with them to adopt a partnership approach to managing local flood risk; Develop a clear understanding of flood risk from surface water, groundwater and ordinary watercourses and set out how this information will be communicated and shared; Outline how flood risk assets are identified, managed and maintained and develop a clear understanding of riparian responsibilities; Define the criteria and for responding to and investigating flooding incidents, and set out the role of emergency planning, flood action groups and individual property owners; Define the criteria for how and when flood risk management measures will be promoted to ensure that they provide value for money whilst minimising long-term revenue costs and maximising external funding contributions; Minimise the impact of development on flood risk by developing guidance, policies and standards that manage flood risk and reduce the risk to existing communities; and Adapt a sustainable approach to managing local flood risk by ensuring actions deliver wider environmental benefits. 	Incorporated in Sustainability objective ENV5.

Plan, Programme or Strategy	Objectives and Targets identified in the Document	Use in the Sustainability Objectives
Birmingham City Council (2017) Birmingham Cultural Strategy	<p>Our strategy 'Imagination, Creativity and Enterprise' represents the cultural fabric of Birmingham. It was developed in partnership with many cultural sector organisations, businesses, educational institutions and individuals. Multiple agencies use it to deliver the agreed actions and outcomes and advocate on behalf of the cultural sector.</p> <p>The strategy has five themes through which the vision will be delivered:</p> <ol style="list-style-type: none"> 1. Culture on Our Doorstep Becoming a leader in cultural democracy where people come together to co-create, commission, lead and participate in a wide range of locally relevant, pluralistic and community driven cultural ventures. 2. Next Generation Ensuring that all children and young people have opportunities to engage with a diverse range of high quality arts and cultural experiences at every stage of their development and which they value as worth it. 3. A Creative City Supporting and enabling the growth of creative and cultural SMEs and micro-businesses and individuals through business support, skills and talent development and access to finance. 4. Our Cultural Capital Cementing Birmingham's role and reputation as a centre of imagination, innovation and enterprise, with local roots and international reach. 5. Our Cultural Future Adapting our business models to ensure they are capable of sustaining and growing the sector into the future through collaboration, diversification, rebalancing and devolution 	Incorporated in Sustainability Objectives ENV4, SOC1, and ECON4 .
Birmingham City Council (2017) Birmingham Development Plan	A Development Plan Document which sets the long-term spatial planning vision and objectives for Birmingham. It contains a set of strategic policies that are required to deliver the vision including the broad approach to development.	Incorporated in all Sustainability Objectives
Birmingham City Council (2018) Council Plan and Budget 2018+	Birmingham City Council's Council Plan and Budget for 2018/19 – 2021/22 setting the objectives, priorities and spending plans of the City Council and the tough decisions that have been made for the 2018/19 financial year ensure a balanced financial position and long-term financial sustainability.	Incorporated in all Sustainability Objectives
Birmingham City Council (2018) SHLAA 2017	The SHLAA is a study of sites within Birmingham that have the potential to accommodate housing development. Its purpose is to provide evidence to support the Local Development Framework, in particular the Birmingham Development Plan. It is a key component of the evidence base to support the delivery of land to meet the need for new homes within the city. It is not a decision making document and it does not allocate land for development.	Incorporated in Sustainability Objective SOC2.
Birmingham City Council (2018) Community Cohesion Strategy (Green Paper)	<p>The Birmingham Community Cohesion Strategy (Green Paper) sets out proposals for a collaborative approach in which the City Council works alongside residents, local organisations and city partners to ensure Birmingham is a place where people from different backgrounds can come together to improve things for themselves and their communities. This is a draft (Green Paper) document at present but is expected to be adopted during 2019.</p> <p>https://www.birminghambeheard.org.uk/economy/community-cohesion-strategy/</p>	Incorporated in Sustainability Objectives ENV4, SOC1, and ECON4 .
Birmingham City Council (n.d.) Car park design guide	A design guide providing detail on the design objectives and components of car park design required by the council. Includes a provision for those with mobility difficulties and takes into account issues around safety and security.	Incorporated in sustainability objectives ENV2, ECON3, SOC1 and SOC4.



Appendix C

Scoping Report Baseline

Birmingham is the United Kingdom's second largest urban conurbation and neighboured by several other large conurbations, such as Solihull, Wolverhampton, and the towns of the Black Country. It is situated just to the west of the geographical centre of England on the Birmingham Plateau - an area of relatively high ground, ranging around 150-300 metres above sea level. With the Clent, Waseley and Lickey Hills towards the south-west of the City, Birmingham slopes gently to the east of the conurbation. Birmingham is at the heart of the West Midlands Region which also contains the city of Coventry and the Black Country city region. It is the major centre for economic activity and is the major contributor to the regional economy. The City has a vibrant city centre, a strong cultural mix and contains many prosperous areas. The continued urban renaissance of Birmingham, as the regional capital, has been crucial to the Region. This period of renaissance has brought about the successful delivery of key infrastructure projects such as the development of extended public transport networks. These have been vital to improving the City's local, regional and national accessibility. The city also has an international airport acting as a key gateway to the region and is well served by the M5, M6 and M40 providing access to a number of key cities across the UK.

Material Assets

Resource Use

There are no active mineral workings in Birmingham, and no extant planning permissions for mineral extraction. This is due to the lack of naturally-occurring minerals in Birmingham for which there is a demand. As a result, Secondary Aggregates are derived from a very wide range of materials that may be used as aggregates. Secondary aggregates include by-product waste, synthetic materials and soft rock used with or without processing. According to the Study²³, in 2003, about 4.29 million tonnes of recycled aggregate and about 0.65 million tonnes of recycled soil were produced in the West Midlands.

Most of Birmingham is in the area served by Severn Trent Water with a small area to north served by the South Staffordshire Water Company. In 2004 domestic water consumption was 137 litres/head/day²⁴. This was lower than the national average in 2007/08 of 14 litres/head/day (Audit Commission²⁵).

The current Water Resources Plan²⁶, prepared by Severn Trent Water for the Birmingham Water Resource Zone includes the development of four significant new water resources. These developments mean that the growth identified in the Water Resources Plan can be accommodated without the zone going into deficit. This zone requires new water resource developments to keep the zone in surplus without which the zone will go into a significant deficit by 2030. Abstraction is licensed by the Environment Agency on a catchment basis²⁷ which set show they will manage water resources in the Tame, Anker and Mease catchments. It provides information on how existing abstraction is regulated and whether water is available for further abstraction. The strategy details delivery commitments under the Water Framework Directive, ensuring no ecological deterioration of rivers. New additional water management measures or water resources will be

²³ Communities and Local Government (2007) Survey of Arisings and Use of Alternatives to Primary Aggregates in England, 2005: Construction, Demolition and Excavation Waste

²⁴ <http://www.defra.gov.uk/sustainable/government/progress/regional/summaries/16.htm>

²⁵ <http://www.defra.gov.uk/sustainable/government/progress/national/16.htm>

²⁶ Severn Trent Water (2013) Water Resources Management Plan

²⁷ Environment Agency (2013) Tame, Anker and Mease Licensing Strategy at: <https://www.gov.uk/government/publications/cams-tame-anker-and-mease-abstraction-licensing-strategy>

needed to ensure water is available to meet the needs of new housing. New foul drainage infrastructure will also be required to support the proposed level of growth.

Sustainable Design, Construction and Maintenance

Environmental improvements by the City Council during the late 1980s and early 1990s have improved the overall quality of the environment within the City Centre. There have been notable successes in relation to improving the quality of design and the environment, particularly in the City Centre. This was recognised by the award to the city of the RTPI Silver Jubilee Cup in 2004. Good design continues to be evident in recent and ongoing developments, such as the Birmingham High Performance Centre at the Alexander Stadium, the Attwood Green Area and Brindley Place.

Eastside was conceived as a demonstration of sustainable development principles. In addition to the CHP network, renewable energy technology like wind and solar power will be placed on site along with green roofs and sustainable urban drainage systems. Several large building schemes in Birmingham have achieved high BREEAM Buildings and Ecohomes/Code for Sustainable Homes ratings, exemplifying sustainable building practice. There are currently 39 BREEAM Excellent buildings within Birmingham. There are no BREEAM Outstanding buildings. Commercial buildings include 19 George Road (Excellent), Calthorpe House (Excellent) and Baskerville House (Excellent). The homes at Attwood Green received Excellent Ecohomes standard.

Renewable Energy

Birmingham imports in the region of 22,800GWhr of energy per year costing the City's population and businesses over £1.5bn, with costs predicted to rise along with fuel prices over the coming years.²⁸ The city currently produces just 1% of the £1.3bn of energy that its residents and businesses purchase and consume each year. This not only represents a significant loss of money from the local economy, more critically, it leaves the city exposed to threats from energy security, low levels of resilience, as well as price fluctuations in global energy trading which affect energy bills, having a significant impact upon fuel poverty. BCC has therefore committed to developing energy activity in the city to bring about a more decentralised energy system, and to improve the social and economic opportunities of its residents by addressing fuel poverty and decarbonisation of energy. BCC has begun to tackle this through a focus on energy, and understanding where and how decentralised energy systems could provide major opportunities for the city to produce, control and distribute heat and power networks.

The Climate Change Strategic Framework²⁹ identifies that 46% of Birmingham's CO₂ emissions come from industry, 33% from domestic energy and 21% from road transport. The Framework outlines that Birmingham has limited scope for large-scale renewable energy projects; however, energy users can support developments elsewhere through their purchasing decisions. Furthermore, it is acknowledged in the Annual Monitoring Report¹ that the City Council currently does not monitor the provision of new renewable energy capacity although consideration is being given by the Council to ways of monitoring additional renewable energy capacity installed through new development. Photovoltaic panels are currently fitted to some buildings as part of the 'Birmingham Energy Savers Scheme' BES resulted in the construction of 3,000 (5%) of its planned energy saving measures.

The largest renewable energy scheme currently operating in Birmingham is the Tyseley Energy from Waste Plant facility which produced a total of over 95,030.50 tonnes of ash between April 2010 and March 2011 and generates 25MWh per annum, from the thermal treatment of waste. A total of 80,241.22 tonnes of bottom ash that was produced was sent for recycling in Castle Bromwich where metals are removed and recycled with the remaining material used within the construction industry. This is substantially short of the target for renewable energy to account for 15% of energy produced by 2020 in the Climate Change Strategy and

²⁸ Birmingham City Council website 'Renewable Energy'

²⁹ Birmingham City Council (2009) Cutting CO₂ for a Smarter Birmingham Strategic Framework

Action Plan Consultation 2007. The City has a number of operational 'Combined Heat and Power' (CHP) facilities, such as Birmingham Children's Hospital and Aston University which are part of an award-winning CHP scheme, which are able to generate and supply heat and electricity for local consumption. Birmingham District Energy Scheme is a co-joint co-operation between ENGIE and Birmingham City Council. The scheme is the fastest growing in the UK, with the Council House, ICC, Aston University and Birmingham Children's Hospital among the buildings benefitting from more efficient energy. It incorporates three district energy networks, all built and operated by ENGIE through the Birmingham District Energy Company (BDEC):

1. Broad Street – a tri-generation (heat, power and cooling) system;
2. Aston University – CHP (combined heat and power) system; and
3. Birmingham Children's Hospital – CHP system.

The Council signed a 25-year energy supply agreement in 2006. The scheme helps Birmingham to save more than 15,000 tonnes of CO₂ emissions every year. Two residential towers are connected to the District Heat network - Crescent and Cambridge towers, situated at the rear of the ICC. The secondary delivery to these blocks is owned by BCC. The 'total cost of ownership' of access to heat and power infrastructure, servicing, maintenance, as well as heating and power costs are currently estimated at around 5% less per year. Developers have also shown an interest in bringing forward Anaerobic Digestion (AD) energy generating schemes. As set out in the AMR 2013, the Council will work positively with developers to realise the opportunities that AD hold and emphasise the potential of AD technology for use within Birmingham City Centre as it is a technology seen by the Government as a sustainable and viable waste management solution which utilises waste as a valuable resource.

The city also has a number of district heat networks. An energy network feasibility study is currently in progress to help with the development of up to 3 potential energy network opportunities. The Langley Sustainable Urban Extension (SUE) is currently underway and will deliver approximately 6,000 new homes, with a focus on family housing. As stated in the Birmingham Development Plan, adopted January 2017, the new neighbourhood will provide for a mix of housing sizes, types and tenures, including affordable housing in line with the requirements in Policy TP31 (35%). The site is adjacent to a BCC owned site called Peddimore; a large industrial development location; and energy networks are currently being considered in both locations with a potential interconnection at a new junction on the A38. BCC has recently secured feasibility funding from HNDU to further refine this significant network opportunity and consider the potential to deliver affordable and low carbon heat to businesses and residents alike. Selly Oak's large energy demands of the acute care NHS sites in Selly Oak has been under consideration for some time as a potential connection since HNDU funding was secured in 2016. BCC owned housing blocks Thirlmere House and Windemere House are in close proximity to the hospital trust site and are currently heated via electric storage heaters. As this study continues, the potential to convert these buildings to wet heating systems and adopt them onto a local network will be assessed.

Energy Use

There are 100,000 dwellings in the city which are more than 80 years old according to the Birmingham Sustainability Strategy and Action Plan 2000-2005. As a result, the construction form is intrinsically energy-poor. Recent developments, such as the Birmingham High Performance Centre at the Alexander Stadium, have incorporated innovative, energy-efficient design. Although they are not referred to as 100% sustainable energy systems, CHP can be a more efficient energy system generating and supplying heat and electricity for local consumption. Heating is by far the largest domestic use of energy in Birmingham. Space heating accounts for 62% of use, while water heating accounts 22%. This is exacerbated by a large number of homes that do not meet Decent Homes standards, including 49,250 Council-owned homes and an estimated 35,000 private sector dwellings.

Only a very small fraction of Birmingham's building stock is built new each year, so new building standards will take decades to have a significant impact on resource use across the city, making the condition of the existing building stock very important. There are no indicators of the age or quality of the building stock as a whole in Birmingham, but energy use data suggest there are a large number of homes of poor quality that

contribute to high energy usage. The Sustainable Community Strategy sets out a vision for Birmingham in 2026 to become the first sustainable global city in Britain. The strategy envisages that in 2026 Birmingham will lead on Climate Change with local energy generation from CHP and cooling schemes will reduce CO₂ emissions. If Birmingham is to become the first sustainable global city it needs to dramatically increase deployment in low carbon energy generation technologies. The UK has signed up to the European Renewable Energy Directive, which sets a target of 15% of all energy generated to be sourced from renewable sources by 2020.

The Climate Change Framework aims that by 2026 Birmingham will provide an improved quality and choice of housing and 'decent' standard for virtually all housing, with efficient heating systems and insulation in line with the best UK cities.

Sustainable Transport

Rail and Metro

The BDP sets out the transport improvements required to deliver the growth agenda to support development and attract investment. Birmingham Connected provides the long-term strategy for improving the City's transport system. This includes measures challenging the car culture, significant investment in walking and cycling and new high quality public transport routes such as Metro, 'Sprint' (the bus rapid transit system) and heavy rail. This is being supplemented by a number of proposals including the Birmingham Cycle Revolution, 20mph zones and the West Midlands Bus Alliance.

The proposed High Speed 2 (HS2) rail link, initially between Birmingham and London, will bring radically improved rail connections into the City Centre when it opens in 2026, as well as a significant number of new jobs and visitors to the City. This will be supported by the HS2 Connectivity Programme to ensure that the wider region has access to the benefits that HS2 will bring.

Birmingham is at the heart of the rail network and in easy reach of millions of people. The £600m redevelopment of New Street Station was opened in 2016 providing a bright modern transport hub and enhanced facilities. There is also a network of suburban and freight rail services.

The Midland Metro is a light-rail/tram line in the county of West Midlands, England, operating between the cities of Birmingham and Wolverhampton via the towns of West Bromwich and Wednesbury. The Midland Metro extension from Snow Hill to New Street Station was completed in 2016. Upwards of £300 million is being invested in extending the network that will link key city centre destinations - New Street Station with HS2 at Birmingham Curzon, the business district at Snow Hill, the civic areas around Victoria Square and Centenary Square, Digbeth and Birmingham Smithfield.

The line has potential to extend across a wider area running from Birmingham Smithfield to the south of the City to the University of Birmingham, Life Sciences Campus and Queen Elizabeth Hospital. And also from Birmingham through east Birmingham to Birmingham Airport.

Road

Birmingham has a complex road network with around 12 major radial roads and ring roads traversing the city. There are also three busy motorways: the M5, M6 and M42, located towards the west, north and east of the city respectively. Although there has been a recent rise in the use of the car, there has been a reduction in average travel speeds. Much of this is due to outward migration of people, which has in turn led to longer car journeys; there have also been a number of out-of-town developments in recent years which have encouraged additional car journeys to be made. Increased congestion has however resulted in lower average vehicle speeds. Congestion is a significant issue and demand exceeds available capacity at certain times and in some locations, both on road and rail. Congestion has indirect and cumulative effects on the economy, on people's health and well being and on air quality. Congestion can make deliveries less reliable and deter investment. Congestion also affects the wider transport of goods and services via the M5 and M6 and whilst the opening of the M6 Toll has provided an alternative for some trips, there are still significant peak hour demands that require management.

The Highways Agency (HA) Midlands Motorway Box (MMB) Route Management Strategy highlights a number of problems and issues that affect both the HA and the local authority networks. The MMB network caters for a mixture of commuter and long distance strategic traffic, the M5 and M6 form part of the Trans-European Network, with a peak hour period of around 18 hours. The route has a high regularity of junctions, 13 miles of the route is elevated making it difficult to plan and carry out maintenance and the MMB is sensitive to changes in demand and flow when large scale events are held such as those at the National Exhibition Centre (West Midlands Local Transport Plan 2006). Casualties are disproportionately higher in deprived areas. The West Midlands Metropolitan Area is on course to reduce the number of people killed or seriously injured by 2010 by 40%, reduce the number of children killed or seriously injured by 50%. This good progress is reflected in the area's designation as a Centre of Excellence for Integrated Transport specialising in road safety.

Bus and Coach

Approximately 85% of all public transport trips in Birmingham are handled by the city's buses. The bus network is operated by a number of companies, with services along the main radial routes providing good coverage to the City Centre. There are priority measures in place on a number of these routes, such as Digbeth High Street, while others are planned. Pedestrianisation limits bus traffic to a few key corridors in the City Centre, which reduces capacity and creates significant environmental problems along these routes. Coach travel is also important, particularly in providing an inexpensive means of longer distance travel for those on low incomes. The city has a number of on-street coach set down and pick up points around the City Centre. The Brewery Street Lorry and Coach Park has capacity for up to 32 18.5m/14m vehicles.

Travel Behaviour

Birmingham has a relatively high percentage of households without a car – 35.8% compared to the English average of 25.6%³⁰. However, despite this fact, just over half of people who both live and work in the City use their car to get to work, only a fifth use the bus, and a tenth walk or work from home¹⁸. In contrast, over three quarters of people commuting into the city use a car, about a tenth use the train, and a further tenth travel by bus. Table 4.2 shows statistics for people travelling to work in Birmingham.

Table 4.2 Means of Travel to Work in Birmingham, 2001 (Census 2001)

Travel to Work - Method	% of those working		
	Live in Birmingham, works outside	Live and work in Birmingham	Work in Birmingham, live outside
Work at/from home	0	9.5	0
Train	2.9	2.4	10.3
Bus	12.8	22.1	10.2
Car	78.3	52.4	75.5
Walk	2.7	10.4	1.2
Other	3.3	3.2	2.8
Total (100%)	79,000	288,000	162,000

Source: ONS 2001 Census

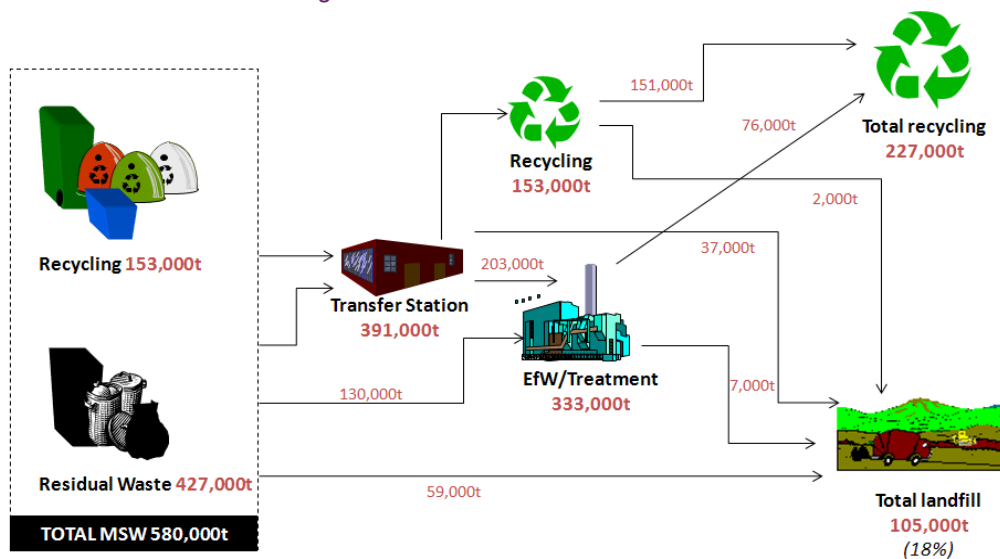
The picture is different for trips to the city centre with over 60% of trips arriving by non-car modes. According to the Birmingham Cordon Surveys, the total number of car trips entering Birmingham City Centre during the morning peak hours (07:30-09:30 hrs) has decreased in the past ten years. However, the number of bus trips remained relatively constant with a slight decrease since 2005, while the number of rail trips has

³⁰ Birmingham City Council (2014) Annual Monitoring Report 2013

increased since 2001. In 2006/7 some 62.7% of bus users in the West Midlands metropolitan areas were satisfied with services which already exceeds the target of 60% by 2009/10 (West Midlands Local Transport Plan Delivery Report 2006-2008). Bus punctuality³¹ in 2006/7 was about 65%, marginally below the target. Performance has tended to vary from year to year and from corridor to corridor (West Midlands Local Transport Plan Delivery report 2006-2008). In 2011, 8 out of 10 journeys made by public transport were made by bus. The Bus Alliance is committed to ensuring that all buses in the region are a minimum of Euro V by 2020 (West Midlands Local Transport Plan Delivery Report 2017/18). The Transportation and Street Services Overview and Scrutiny Committee set a target of 83% by 2010/11.

Waste Management. In 2012/13 there was 488,867 tonnes of municipal waste collected of which 70.48% was used to recover heat and power from the Tyseley EfW facility. Municipal waste is a significant part of the waste stream, but only represents a small proportion of the total amount of waste produced in Birmingham (Figure 4.1).

Figure 4.1 Destination of Birmingham's Waste Stream



Note: Tonnage figures are rounded to nearest '000 & are based on calendar year 2008 in order to cross match figures with data in the Environment Agency waste data interrogator 2008

Source: http://www.bebirmingham.org.uk/documents/Birmingham_Total_Waste_Strategy_Final_Report_24.11.10.pdf

Birmingham's recycling and composting rates have been improving over the past ten years and the current performance (for 2012/13) is 32%. The percentage of waste sent to landfill is 7.48% for the 2012/13. Both rates represent a significant improvement in performance over the past decade (Table 4.3).

According to the Municipal Waste Management Strategy, the amount of household waste generated per person is lower in Birmingham than in other metropolitan authorities, and its rate of growth has also been lower than the national growth. Birmingham City Council recovers energy from the majority of its 'residual' municipal waste through the Tyseley Energy from Waste Plant (EfW)³². This reduces reliance on landfill as a disposal option. The Strategy identifies that the City Council has sufficient municipal waste treatment capacity up to 2019.

³¹ Birmingham City Council (2007) Building Bus Use: A Report from Overview & Scrutiny

³² Birmingham City Council (2006) Municipal Waste Management Strategy 2006-2026

Table 5.3 Municipal Waste Arising in Birmingham and Methods of Management 2002 - 2013

Year	Waste Arising (tonnes)	Waste Recycled/Composted		Waste Recovered EFW		Waste sent to Landfill		% of 2001 level sent to landfill
		Tonnes	%	Tonnes	%	Tonnes	%	
2002/3	536,191	50,519	9.42	352,535	72.80	123,347	23.00	63.08
2003/4	551,691	58,442	10.70	337,491	61.20	126,778	22.97	64.83
2004/5	568,035	69,924	12.30	340,127	59.87	112,726	19.84	57.65
2005/6	557,810	77,744	13.93	338,605	60.70	102,588	18.39	52.46
2006/7	570,591	96,929	18.39	313,775	47.92	101,372	17.76	51.82
2007/8	565,548	123,572	26.43	325,167	51.96	107,699	19.04	55.05
2007/8	543,645	140,541	30.59	335,346	61.68	77,763	14.30	39.75
2008/9	527,207	138,589	31.78	334,409	63.47	64,748	12.28	33.10
2010/11	508,884	131,001	32.00	341,684	67.15	52,800	10.37	26.94
2011/12	484,099	124,537	31.28	348,157	71.92	23,804	4.92	12.18
2012/13	488,867	130,035	32.31	344,526	70.48	36,584	7.48	18.72

Source: BCC AMR 2013

Efficient Use of Land

Since 2002/03, the proportion of new housing developed on previously developed land (PDL) has been high (at over 90%) and generally increasing with the exception of 2008/9 when slightly less housing completions (89%) took place on PDL. No housing completions taking place on greenfield land in 2009/10. The density of new housing completions over the decade to 2011/12 has been 65% for 50+ dwellings per ha, 28% for 30-50 dph and 7% for less than 30 dph. The average density of development over the decade to 2011/12 is 59.6 dph, falling from a peak of 80dph in 2008/09 reflecting the fall in apartment development.

Soil Quality

As most of Birmingham is built-up, there is very little soil of a high quality. There is agricultural land situated to north-east of the City at Sutton Coldfield and a lesser amount is to be found at Woodgate Valley to the south-west. In terms of agricultural land classification, almost the whole of Birmingham is classified as Urban and just a small area in the north and north east are classified as Grade 3 agricultural land (MAGIC website).

There are a number of sites which could be subject to land contamination within Birmingham. This includes a total of 67 former known landfill sites that have been identified in the City since the 1960s although risk and remediation schemes have already been carried out on many of these sites. The majority of identified landfill sites are situated next to housing and some are located on Birmingham's major aquifer. Public open space within the city, except for the 85ha that former landfills, this land is not likely to be affected by contamination³³.

Historically, Birmingham has had a very broad spectrum of manufacturing industries. Many of these have the potential to leave a legacy of land contamination. As with many industrial cities, energy requirements have changed as new technologies have become available. Birmingham is no exception. The production of energy from coal to produce town gas or electricity has obvious contamination issues and there are several areas of Birmingham where historically such activities have been undertaken. At the heart of the United Kingdom's

³³ Birmingham City Council (2008) Contaminated Land Inspection Strategy for Birmingham Second Edition

road and rail network Birmingham has considerable areas of land which may be contaminated due to transportation activities. These include roads, canals, railways and airports.

Waste disposal activities in Birmingham range from complex waste treatment plants dealing with highly hazardous waste to waste transfer stations handling inert building waste and soil. The potential land contamination issues in respect of landfill sites have been considered previously, but all waste disposal activities will be the subject of assessment.

The Council is required under Section 78R of Part IIA of the Environmental Protection Act 1990 to maintain a Public Register of Contaminated Land of which there are 121 entries.

Influence of the DM DPD on Material Assets

The DM DPD is likely to have a mixed and indirect influence on material assets through the granting of planning permission which will entail additional resource use. However, the requirements for increasingly demanding standards of energy efficiency and waste management in the construction and running of buildings will bring about improved resource use overall as will the maintenance of the preference for the use of previously developed land. Detailed design requirements and conditions associated with the granting of planning permission could also be influential in encouraging more sustainable travel, for example in restricting parking spaces.

Climatic Factors

Climate Change

UK Climate Change Projections (UKCP09)³⁴ suggest that mean summer temperatures could rise by 2.6°C, summer rainfall could decrease by 17% and winter rainfall could increase by 13% in the West Midlands by the 2050s. These are the central estimates for a medium emissions scenario. By the 2050s central England could have irrigation needs similar to those currently seen in central and southern Europe. Mean monthly river flows could decrease by 50% to 80%. However, by the 2080s, the latest UK climate projections (UKCP09) are that there could be around three times as many days in winter with heavy rainfall (defined as more than 25mm in a day). It is plausible that the amount of rain in extreme storms (with a 1 in 5 annual chance, or rarer) could increase locally by 40%³⁵. The impact of wetter winters and more of this rain falling in wet spells may increase river flooding. More intense rainfall causes more surface runoff, increasing localised flooding and erosion. In turn, this may increase pressure on drains, sewers and water quality. Storm intensity in summer could increase even in drier summers.

More generally, according to the UK's Climate Change Risk Assessment³⁶ the following key impacts associated with climate change are likely:

- ▶ Flood risk is projected to increase across the UK. Expected annual damages increase from a current baseline of £1 billion to between £1.8 and £5.6 billion by the 2080s for England (not including the effects of projected population growth);
- ▶ Risk of increased pressure on the country's water resources. The current public water supply surplus of around 900MI/day on average is projected to turn into a water supply deficit of around 1,250MI/day by the 2020s and 5,500MI/day by the 2050s, with large regional variations;
- ▶ Potential health risks related to hotter summer conditions, but potential benefits from milder winters;

³⁴ UKCP09 <http://ukclimateprojections.defra.gov.uk/content/view/515/499/>

³⁵ Birmingham City Council (2011) Preliminary Flood Risk Assessment

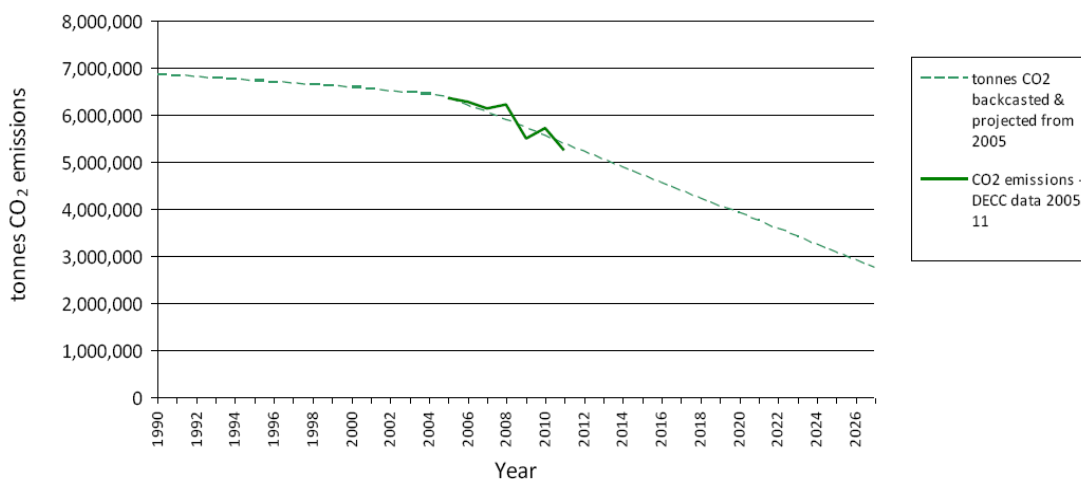
³⁶ http://www.sustainabilitywestmidlands.org.uk/media/resources/adaptation_sub-committee_report.pdf

- ▶ There are projected to be between 580 to 5,900 additional premature deaths per year by the 2050s in hotter summer conditions. Conversely, between 3,900 and 24,000 premature deaths are projected to be avoided per year with milder winters by the 2050s;
- ▶ Sensitive ecosystems that have already been degraded by human activity may be placed under increasing pressure due to climate change. The main direct impacts relate to changes in the timing of life-cycle events, shifts in species distributions and ranges, and potential changes in hydrological conditions. While some species would benefit from these changes, many more would suffer; and
- ▶ Some climate changes projected for the UK provide opportunities to improve sustainable food and forestry production. Some agri-businesses may be able to increase yields of certain types of crops and introduce new crops in some parts of the country, as long as pests and diseases are effectively controlled and sustainable supplies of water are available.

The UK is at risk of both water supply deficits (too little water) and greater risk of flooding (too much water). While this can seem counterintuitive, it arises due to changes in the timing and extent of when rain falls. Water supplies (groundwater and reservoirs) need sustained rainfall over a period of time, particularly in winter, to remain at required levels. The intense rain that can lead to flooding from rivers and surface water does not necessarily replenish these large stores, as the water may flow rapidly downstream before it is captured, and not fall in sufficient quantity over a prolonged period.

Birmingham imports in the region of 22,800GWhr of energy per year costing the city's population and businesses over £1.5bn, with costs predicted to rise along with fuel prices over the coming years³⁷. The Climate Change Strategic Framework³⁸ identifies that 46% of Birmingham's CO₂ emissions come from industry, 33% from domestic energy and 21% from road transport. Between 2005 and 2011, there was a 12.5% decrease in per capita carbon emissions (Figure 4.2). The Birmingham Climate Change Framework provides a key target to produce a 60% reduction in carbon dioxide (CO₂) emissions produced in the City by 2026. The overall actual and projected reduction in CO₂ emissions is illustrated in Figure 4.2 where a halving of emissions over the next ten years is anticipated.³⁹

Figure 4.2 CO₂ Emissions Progress and Required Reduction Path

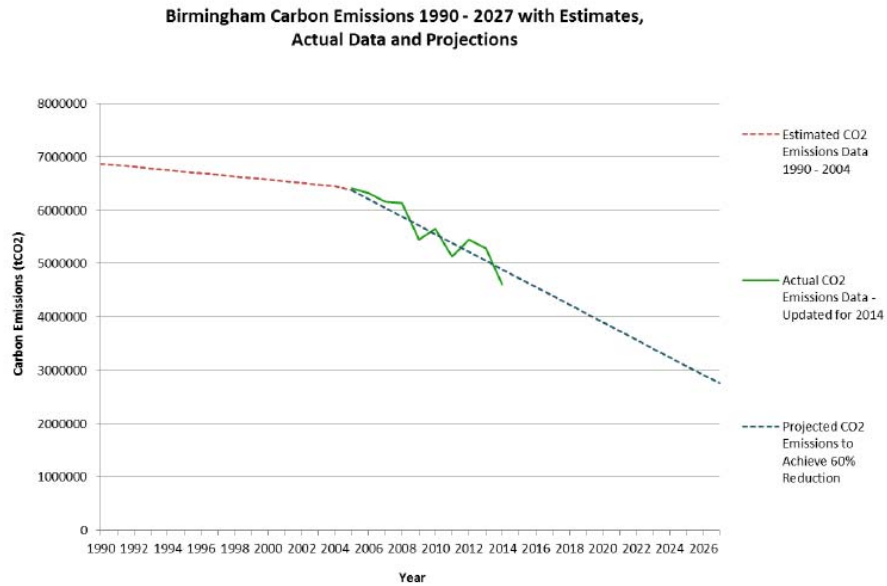


³⁷ Birmingham City Council website 'Renewable Energy'

³⁸ Birmingham City Council (2009) Cutting CO₂ for a Smarter Birmingham Strategic Framework

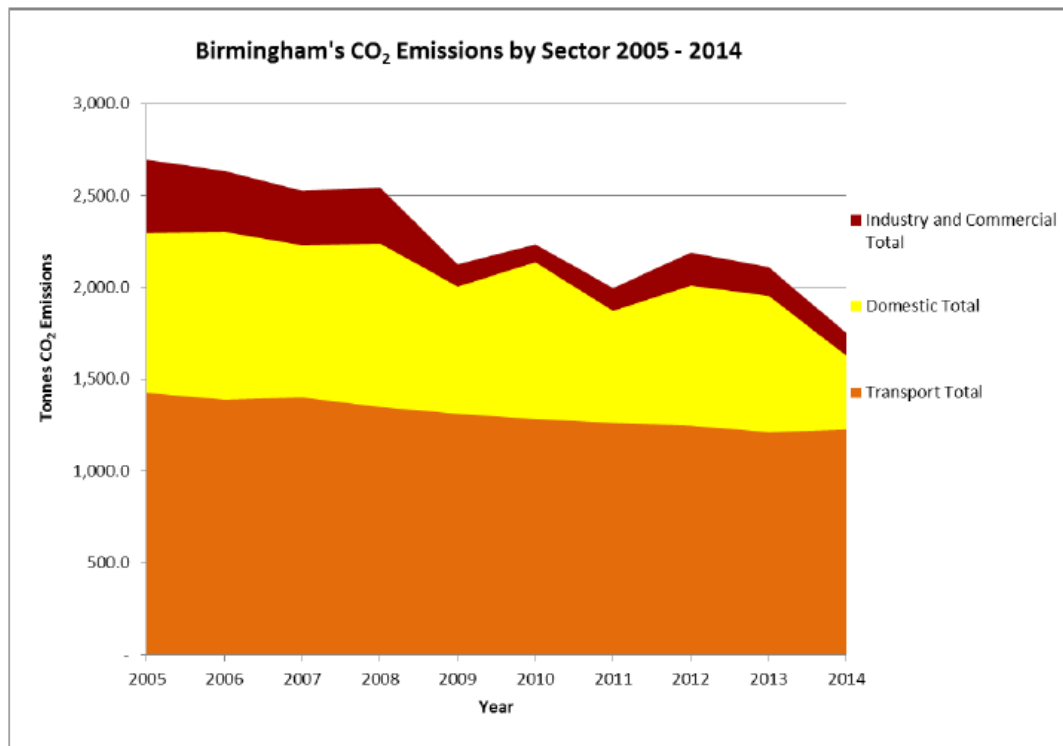
³⁹ Birmingham's Green Commission (September 2013) Report on Birmingham's Carbon Emissions Progress

<http://greencity.birmingham.gov.uk/wp-content/uploads/2013/11/Birmingham-CO2-Emissions-Progress-September-2013.pdf>



In terms of sectoral emissions (Figure 4.3), the clearest contributions to overall reductions are associated with the industrial and domestic sectors, with transport proving to be more stubborn.

Figure 4.3 Birmingham's CO₂ Emissions by Sector 2005 – 2014



Birmingham's CO₂ Framework suggests that the City has limited scope for large-scale renewable energy projects; however, energy users can support developments elsewhere through their purchasing decisions. The largest renewable energy scheme currently operating in Birmingham is probably the Tyseley Energy from Waste Plant facility which produced a total of over 95,030.50 tonnes of ash between April 2010 and March 2011 and generates 25MWh per annum, from the thermal treatment of waste. A total of 80,241.22 tonnes of

bottom ash that was produced was sent for recycling in Castle Bromwich where metals are removed and recycled with the remaining material used within the construction industry. This is substantially short of the target for renewable energy to account for 15% of energy produced by 2020 in the Climate Change Strategy and Action Plan Consultation 2007. The City has a number of operational 'Combined Heat and Power' (CHP) facilities, such as Birmingham Children's Hospital and Aston University which are part of an award-winning CHP scheme, which are able to generate and supply heat and electricity for local consumption. The connection of Birmingham Children's Hospital to the CHP scheme has allowed for the supply of heat to Lancaster Circus.

Whilst it is acknowledged in the Annual Monitoring Report¹ that the Birmingham City Council currently does not monitor the provision of new renewable energy capacity, it is understood that further consideration is being given by Birmingham City Council to ways of monitoring additional renewable energy capacity installed through new development.

There are 100,000 dwellings in the city which are more than 80 years old according to the Birmingham Sustainability Strategy and Action Plan 2000-2005. As a result, the construction form is intrinsically energy-poor. Recent developments, such as the Birmingham High Performance Centre at the Alexander Stadium, have incorporated innovative, energy-efficient design. Although they are not referred to as 100% sustainable energy systems, CHP can be a more efficient energy system generating and supplying heat and electricity for local consumption.

Heating is by far the largest domestic use of energy in Birmingham. Space heating accounts for 62% of use, while water heating accounts 22%. This is exacerbated by a large number of homes that do not meet Decent Homes standards, including 49,250 City Council-owned homes and an estimated 35,000 private sector dwellings. The Climate Change Framework aims that by 2026 Birmingham will provide an improved quality and choice of housing and 'decent' standard for virtually all housing, with efficient heating systems and insulation in line with the best UK cities.

The Sustainable Community Strategy sets out a vision for Birmingham in 2026 to become the first sustainable global city in modern Britain. The strategy envisages that in 2026 Birmingham will lead on Climate Change with local energy generation from CHP and cooling schemes will reduce CO₂ emissions. If Birmingham is to become the first sustainable global city it needs to dramatically increase deployment in low carbon energy generation technologies. The UK has signed up to the European Renewable Energy Directive, which sets a target of 15% of all energy generated to be sourced from renewable sources by 2020.

Managing and Reducing Flood Risk

Many of Birmingham's rivers and streams are susceptible to flooding (whether due to climate change or otherwise) and Birmingham City Council is required to consult the Environment Agency on all planning applications within the floodplain zones defined by the Agency.

Since 2011 the Environment Agency has provided advice on 212 approved planning applications including 97 in 2015/16. All of these applications were approved with no outstanding objection from the Environment Agency. In a number of cases an objection was raised to a proposal as initially submitted but, through amendments and discussions during the consideration of the application, issues were resolved and objections removed prior to the applications being approved.

The Level 1 revised Strategic Flood Risk Assessment was published in January 2012 by the City Council which assesses and maps all known sources of flood risk including fluvial, surface water, sewer, groundwater and impounded water bodies, taking into account future climate change predictions, to be used as an evidence base to locate future development, primarily in low flood risk areas. The Level 2 Strategic Flood Risk Assessment (April 2012) assesses possible development locations identified in the Strategic Housing Land Assessment in terms of flood zones and the sequential test. The results of the SFRA should be incorporated into the SA process once they become available.

One factor that can help to manage and adapt to the impact if climate change is the development and enhancement of Green Infrastructure (GI) (also including 'blue infrastructure'). GI is the interconnected network of open spaces and natural areas, such as greenways, waterway and waterbodies, parks, forest preserves and native plant vegetation, that can help naturally manage storm water, reduce flooding risk and improve water quality, helping to reduce the City's 'heat island effect'.

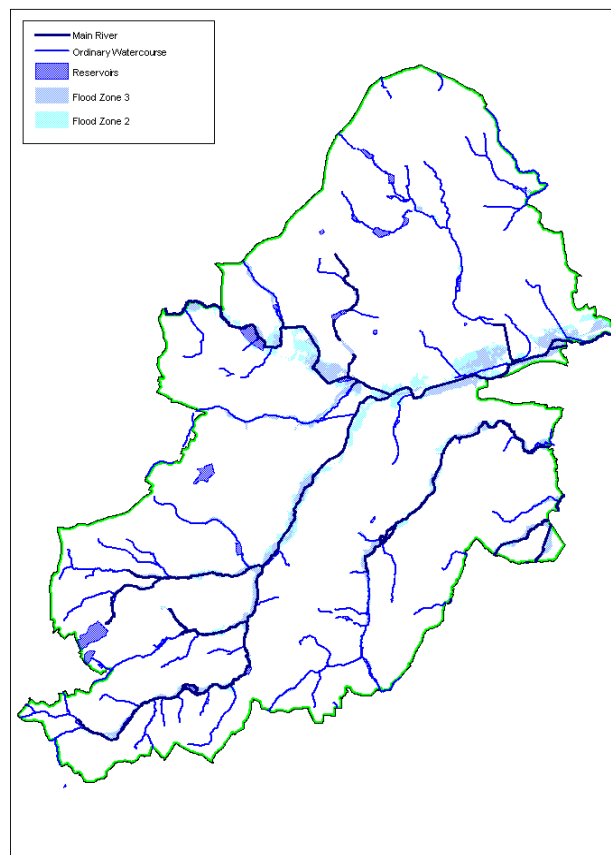
Birmingham is at risk of flooding from Main Rivers, ordinary watercourses, surface water, sewer flooding and groundwater. There is also the potential for canal and reservoir breach and overtopping. It is estimated that there are 11,365 at risk of fluvial flooding and 24,600 properties at risk of surface water flooding.

The Level 1 revised Strategic Flood Risk Assessment (SFRA) was published in January 2012 by Birmingham City Council. The SFRA assesses and maps all known sources of flood risk including fluvial, surface water, sewer, groundwater and impounded water bodies, taking into account future climate change predictions, and these are to be used as an evidence base to locate future development, primarily in low flood risk areas. The Level 2 Strategic Flood Risk Assessment (April 2012) assesses possible development locations identified in the Strategic Housing Land Assessment in terms of flood zones and the sequential test. Emerging strategies at the City-wide level to manage flood risk include the Surface Water Management Plan and the Local Flood Risk Management Strategy.

Fluvial Flood Risk

Fluvial flooding occurs when water draining from the surrounding land exceeds the capacity of a watercourse. The Environment Agency produced Flood Zones show the areas potentially at risk of flooding from rivers, ignoring the presence of defences. Figure 4.4 shows the flood zones in Birmingham showing 1 in 100 and 1 in 1,000 year risks associated with Birmingham's rivers and their tributaries.

Figure 4.4 Flood Zones across Birmingham



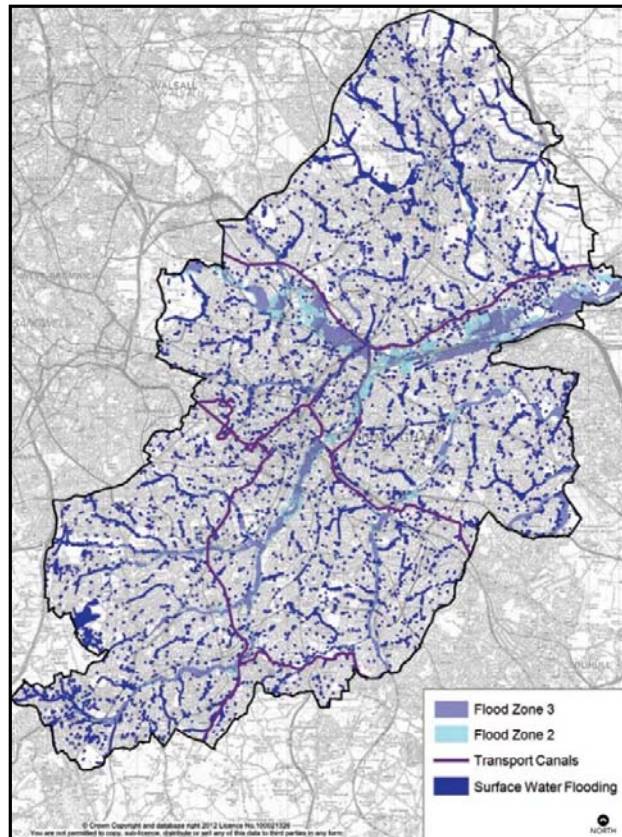
Surface Water Flooding

Surface water flooding describes flooding from sewers, drains, small watercourses and ditches that occurs during heavy rainfall in urban areas. It includes:

- ▶ Pluvial flooding - flooding as a result of high intensity rainfall when water is ponding or flowing over the ground surface (surface run-off) before it enters the underground drainage network or watercourse, or cannot enter it because the network is full to capacity;
- ▶ Sewer flooding⁴⁰ - flooding which occurs when the capacity of underground systems is exceeded, resulting in flooding inside and outside of buildings. Normal discharge of sewers and drains through outfalls may be impeded by high water levels in receiving waters;
- ▶ Flooding from small open-channel and culverted urban watercourses⁴¹ which receive most of their flow from inside the urban area; and
- ▶ Overland flows from the urban/rural fringe entering the built-up area, including overland flows from groundwater springs.

Birmingham City Council has developed a Surface Water Management Plan⁴². The SWMP process is a framework through which key local partners with responsibility for surface water and drainage in their area work together to understand the causes and effects of surface water flooding and agree the most cost-effective way of managing surface water flood risk for the long term. The process of working together as a partnership is designed to encourage the development of innovative solutions and practices. The purpose is to make sustainable urban surface water management decisions that are evidence based, risk based, future proofed and inclusive of stakeholder views and preferences. Figure 4.5 illustrates the areas susceptible to surface water flooding across the City.

Figure 4.5 Areas Susceptible to Surface Water Flooding



Source: Birmingham City Council (May 2013) Green Spaces Living Plan

⁴⁰ Consideration of sewer flooding in 'dry weather' resulting from blockage, collapse, or pumping station mechanical failure is excluded from SWMPs as this is for the sole concern of the sewerage undertaker

⁴¹ Interactions with larger rivers and tidal waters can be an important mechanisms controlling surface water flooding

⁴² <https://www.birmingham.gov.uk/downloads/file/2561/surface-water-management-plan-for-birmingham-final-report>

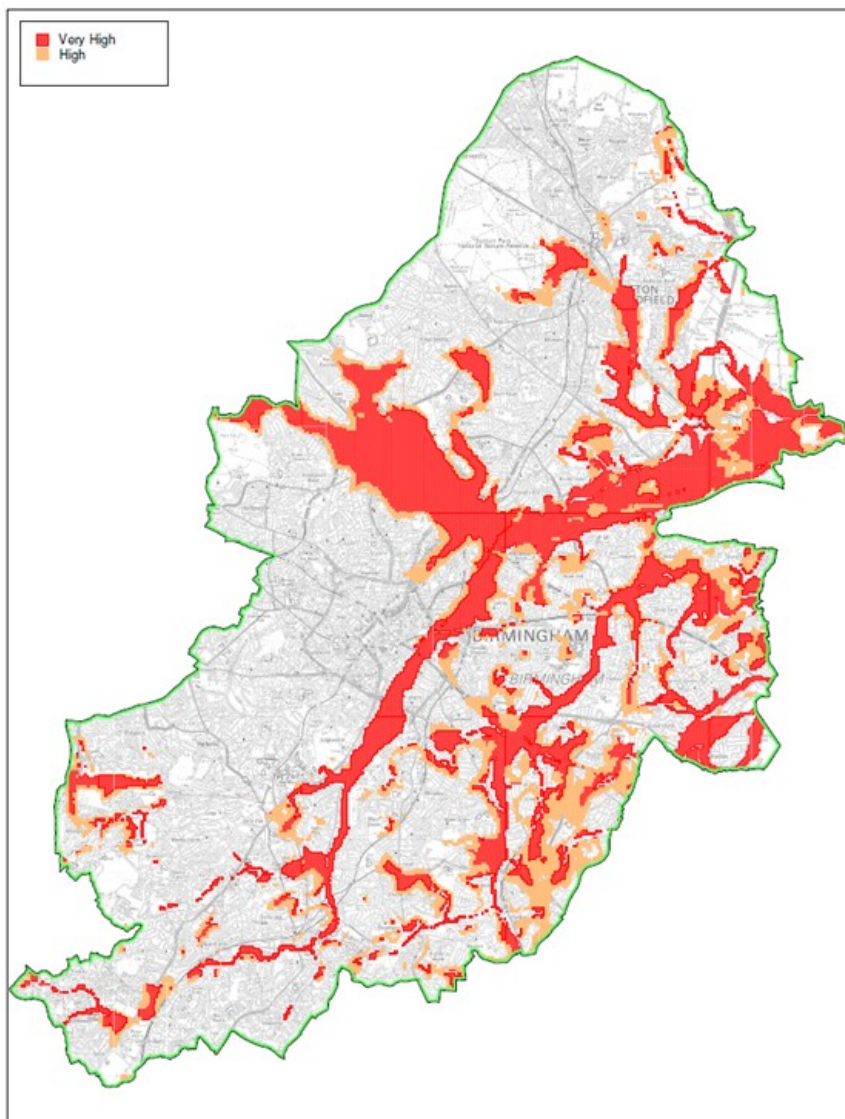
Groundwater Flood Risk

In response to the need for more information on groundwater flooding, the British Geological Society (BGS) has produced the first national hazard or susceptibility data set of groundwater flooding. The data is based on geological and hydrogeological information and can be used to identify areas where geological conditions could enable groundwater flooding to occur and where groundwater may come close to the ground surface.

Although this is not a risk data set in that it does not provide information about the likelihood of a groundwater flood occurring, it can be used to provide an understanding of groundwater flooding.

Areas susceptible to groundwater flooding are shown Figure 4.6.

Figure 4.6 Areas Susceptible to Groundwater Flooding



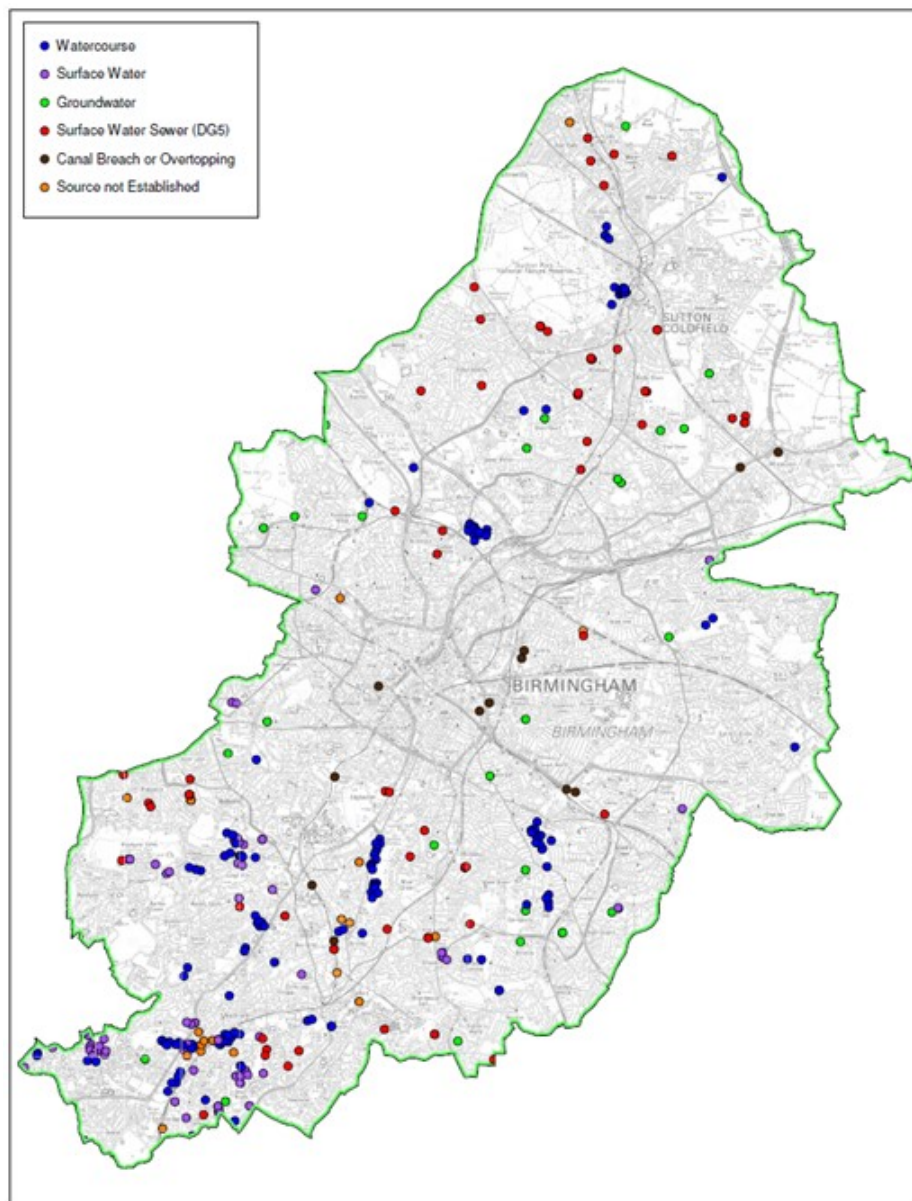
Source: Birmingham City Council (May 2011) Preliminary Flood Risk Assessment

Historic Flood Risk in Birmingham

A number of datasets have been collated to assess the local historic flood risk in Birmingham; this includes flooding from watercourses, surface water and groundwater. However due to the urbanised nature of the Birmingham catchment there are often significant interactions between sources of flooding and it is not always possible to ascertain the source of the flooding.

Historical flooding records provide a source of data that directly indicates both areas and sources of flooding. Recent years have seen a number of flooding events affecting Birmingham (September 1998, April 1999, June 1999, July 2000, June 2005, June 2007, July 2007, September 2008 and more recently in June 2016 and in May 2018), all historical flooding data has been collected from BCC, Severn Trent Water and British Waterways. The PFRA mapped historic flood locations across the City, shown in Figure 4.7.

Figure 4.7 Historic Flood Locations across Birmingham by Flooding Source



Source: Birmingham City Council (May 2011) Preliminary Flood Risk Assessment

Influence of the DM DPD on Climate Change and Managing and Reducing Flood Risk

There are opportunities to adopt more sustainable approaches to directly address potential increases in extreme weather events which may arise through climate change. Scrutiny of building design could include climate-proofing measures such as passive ventilation and opportunities to enhance energy efficiency which will indirectly assist in mitigating climate change. The extension and enhancement of Green Infrastructure across the City will be important in providing necessary resilience against the likely impacts of climate change. The DM DPD will directly influence where development takes place through guiding development away from flood risk areas, requiring appropriate adaptation measures where this is not possible, and enhancing the City's capacity to mitigate and adapt to the likely effects of climate change.

Biodiversity and Geodiversity

The City has a number of areas that are protected for their nature conservation value. The City's nature conservation sites include two Sites of Special Scientific Interest (SSSIs): Sutton Park and Edgbaston Pool. Sutton Park is also designated as a National Nature Reserve (NNR). There are 12 Local Nature Reserves (LNRs), over 50 Sites of Importance for Nature Conservation (SINCs) and over 120 Sites of Local Importance for Nature Conservation (SLINCs) covering various ancient woodlands, grasslands, lakes, streams, and other important wildlife habitats or examples of natural landscape. Within the City Centre there are a number of sites of local importance for nature conservation (SLINCs), essentially the canal network and the River Rea. These areas, as well as the linear corridors along main rail and Metro lines, are key wildlife corridors. Together these form the City's green and blue infrastructure network through a series of corridors and stepping stones which, in accordance with the NPPF (para 109) should be protected and enhanced to increase their resilience to current and future pressures. Table 4.4 shows the total area covered by different types of nature conservation sites, Figure 4.8 maps these assets.

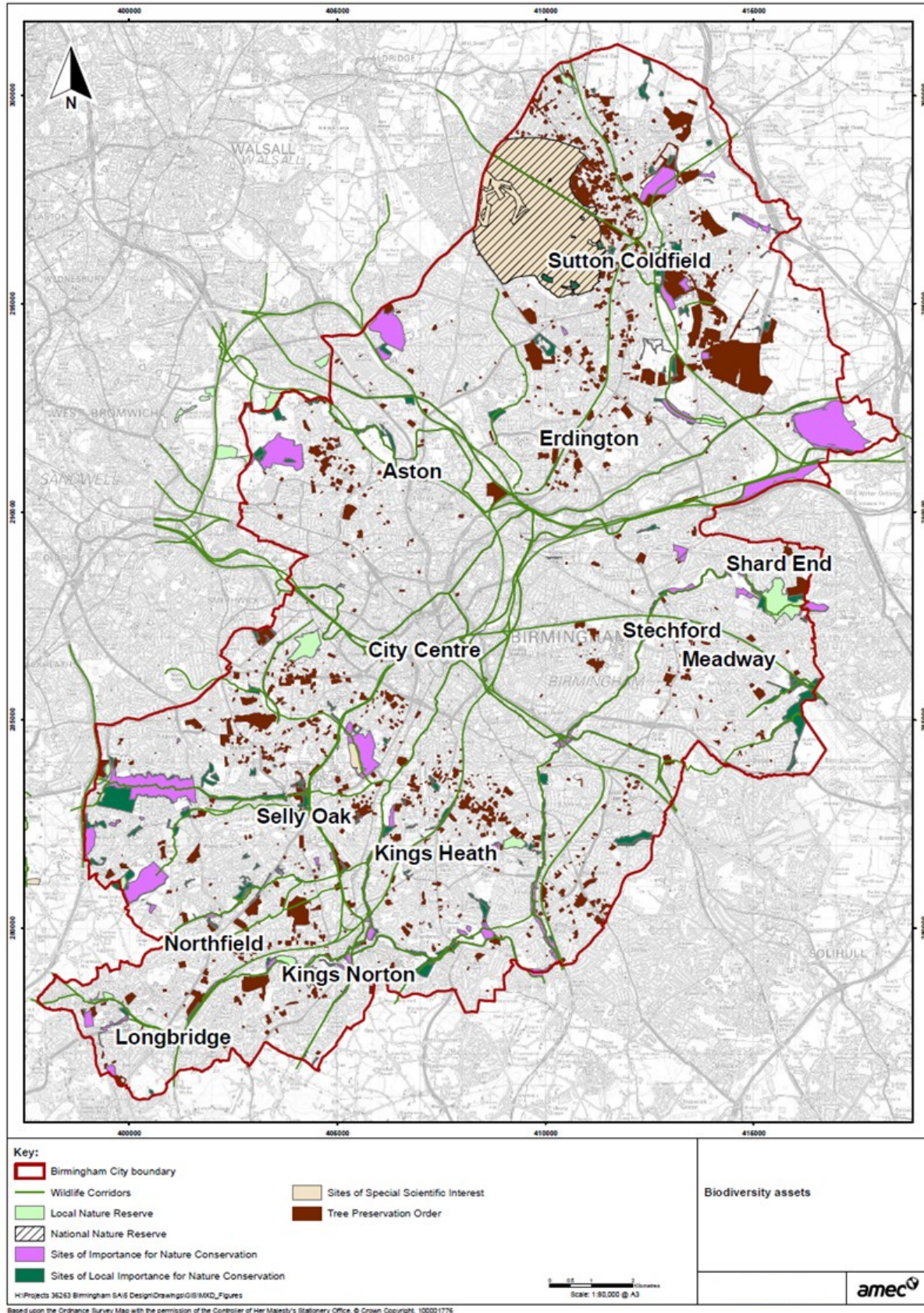
Table 4.4 Birmingham's Designated Nature Conservation Sites

Type of Area	Number of Sites	Total Area (Hectares)	% of City's Area
SSSIs	2	896.59	3.35
NNRs	1	811.73	3.03
LNRs	12	316.73	1.16
SINCs	55	828.03	3.09
SLINCs	121	698.96	2.62

Source: Birmingham City Council, AMR (2013 and 2014)

The 2016-2017 AMR reports only very limited changes to designated sites as a result of planning applications, with one application approved for development within designated sites of national importance (SSSIs or NNRs). Some 43 applications for development were approved for development in or adjacent to SINCs: for these schemes where adverse impacts on sites' nature conservation interests were anticipated, appropriate mitigation and compensation were secured to satisfactorily address these impacts.

Figure 4.8 Birmingham's Biodiversity Assets



Green Infrastructure (GI) refers to the living network of green spaces, water and other environmental features in both urban and rural areas. It is often used in an urban context to cover benefits provided by trees, parks, gardens, road verges, allotments, cemeteries, woodlands, rivers and wetlands⁴³. GI can provide a number of benefits including:

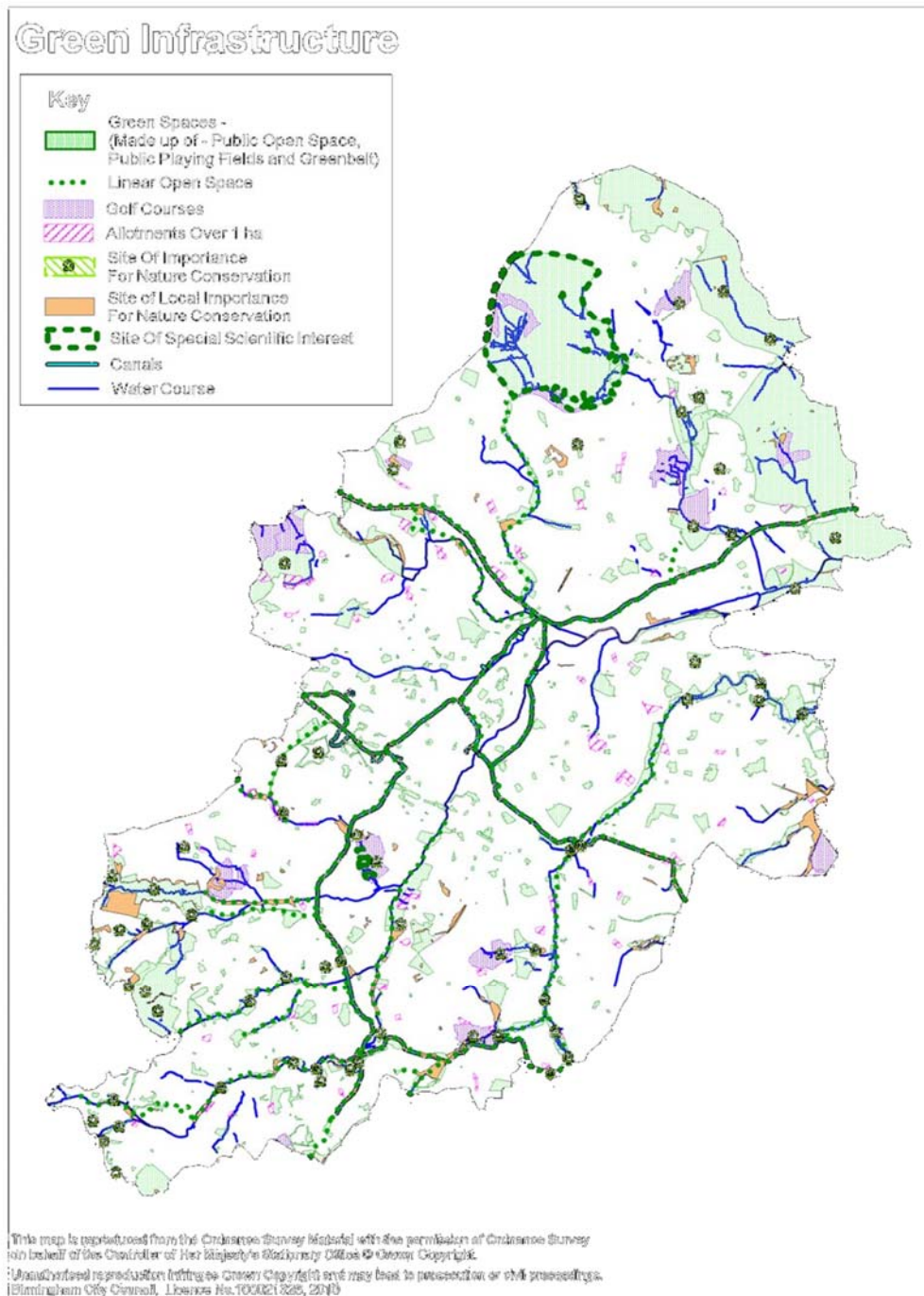
- ▶ Safeguarding and enhancing natural and historic assets;
- ▶ Increasing contact between people and nature;
- ▶ Protecting and enhancing landscape character and local distinctiveness;
- ▶ Providing for climate change mitigation and adaptation;
- ▶ Creating a focus for social inclusion, education, training, health and well-being;
- ▶ Increasing property and land values; and
- ▶ Attracting and retaining people ensuring stable populations and labour supply.

The Birmingham and Black Country Nature Improvement Area (NIA) Ecological Strategy provides a landscape-scale framework for action to conserve and enhance biodiversity and geodiversity and to improve ecological networks across the City. The approach set out in the Strategy reflects ecological principles set out in *Making Space for Nature* (Lawton *et al* 2010) and national policy and guidance relating to the natural environment and green infrastructure. The Cannock Chase to Sutton Park Project encompasses an area of approximately 670 square km extending from the edge of Birmingham northwards into Staffordshire. The Project area is characterised by two core areas of semi-natural habitat: Cannock Chase and Sutton Park. These areas support significant amounts of lowland heath habitat along with a range of additional habitats including acidic and neutral grasslands, scrub, woodland and wetlands. The City's ecological networks are a fundamental component of Birmingham's Green Infrastructure and in accordance with paragraphs 91, 150 and 171 of the NPPF should inform policy and its implementation to ensure that development that may affects them is compatible with their purpose and can contribute to their enhancement. The Council's Green Living Spaces Plan recognises the essential role of the green infrastructure network in securing a resilient and healthy city and provides a framework for increasing natural capital and the ability of green infrastructure assets to deliver environmental and socio-economic benefits.

Figure 4.9 illustrates the City's GI network

⁴³ Defra (2011) The Natural Choice: securing the value of nature.

Figure 4.9 Birmingham's Green Infrastructure Network



Source: <http://consult.birmingham.gov.uk/portal/ps/csd/csdraft?pointId=d2670232e7333>

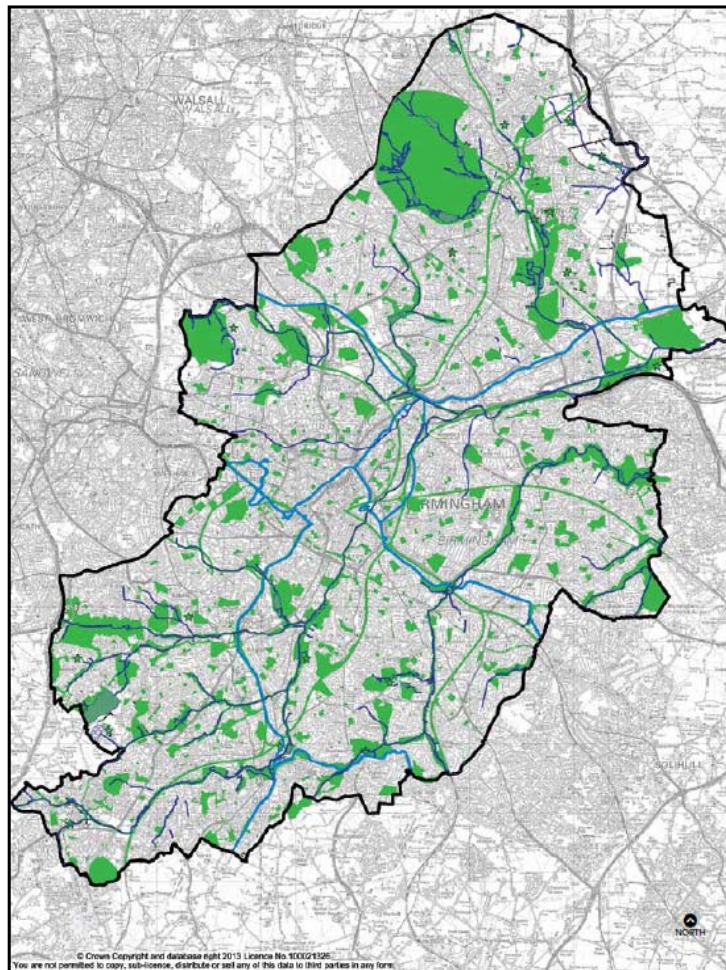
Birmingham is characterised by a large number of well-established parks, many of which were created in the 19th century. The City's greenspace is supplemented by a large linear open space network, which is based primarily on the Rivers Cole and Rea and the City's extensive canal network. The extent of green spaces (excluding areas designated for nature conservation) is shown in Table 4.5 and are mapped in Figure 4.10.

Table 4.5 Green Spaces in Birmingham

Open Space Category	Area (ha)	% of City Council Area
Public Open Space	3,069.77	11.46
Public Playing Fields	296.9	1.11
Private Playing Fields	268.11	1.0
Private Open Space	67.19	0.25
Educational Playing Fields	166.33	0.62
Golf Courses	657.78	2.46
Statutory Common Land	11.25	0.04
Allotments	243.8	0.91
Green Belt	4,154.77	15.52

Source: Birmingham City Council, AMR (2015)

Figure 4.10 Green Spaces in Birmingham

Source: <http://consult.birmingham.gov.uk/portal/ps/csd/csdraft?pointId=d2670232e7333>

Geodiversity

The term geodiversity incorporates all the variety of rocks, minerals and landforms and the processes which have formed these features throughout geological time. The geology of the West Midlands is dominated by the South Staffordshire Coalfield, the exploitation of which has contributed greatly to the industrial and economic development of the area⁴⁴. Upper Carboniferous Coal Measures underlie the main conurbation of Wolverhampton, Walsall, West Bromwich and Dudley. Surrounding these shales, sandstones and mudstones are Triassic aged rocks which comprise red mudstones and sandstones. These underlie much of Birmingham and form the solid geology up to Sutton Coldfield. Within the main mass of the Coal Measures are a number of isolated outcrops of older Silurian rock. These shallow water limestones and shales contain a wide range of marine fossils and form the famous outcrops at Wren's Nest and Dudley Castle Hill. There are also a number of igneous intrusions into the Coal Measures. Much of the area has been mantled in thick deposits of boulder clay and sands and gravel deposited by ice sheets and meltwaters during the Ice Ages of the last two million years⁴⁵.

The geology underlying the City has a significant influence over the use of SuDS which include a variety of techniques including swales and basins, permeable pavements and ponds and wetlands to mimic natural drainage processes and mitigate the impacts that development has on surface water runoff rates and volumes. The SFRA for Birmingham (2011) notes that the geology beneath Birmingham, is essentially divided into two due to a fault, known as the 'Birmingham Fault', running approximately north-east to south-west and consists of Permian and Triassic sandstones and mudstones. To the west of the fault line the rock strata predominantly consists of red and red-orange sandstones and is indicative of high permeability soils (good to very good drainage), and to the east the rock strata predominately consists of red and red-brown mudstones which are inter-bedded by several silt and sandstone bands and are typically representative of low permeability soils (poor drainage to practically impervious). The SFRA encourages that these characteristics should be considered in the development process where large increases in impermeable area for a site could contribute to a significant and resulting increase in surface water runoff peak flows and volumes. In turn this could contribute to an increase in flood risk elsewhere unless adequate SuDS techniques are implemented as part of a development. Additionally, indirect impacts on the water table and source protection zones need to be taken into account.

Influence of the DM DPD on Biodiversity and Geodiversity

Policies and proposals pursued in the DM DPD could include a range of direct and indirect impacts, all having the potential to adversely affect biodiversity. Careful scrutiny of development proposals will be required to ensure that direct impacts are avoided where possible and indirect impacts (such as downstream effects) are anticipated and appropriately mitigated. If well managed, development can benefit wildlife and recreational interests, through habitat improvement or creation using the Green and Blue infrastructure multifunctional network as a starting point. This accords with guidance in the NPPF (para 118) which requires the application of the 'avoid, then mitigate and, (as a last resort) compensate for adverse impacts on biodiversity' principle. Given the need to minimise impacts on biodiversity, DM DPD policies and their application should promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets (in accordance with the NPPF para 117). For geodiversity, there is a need to conserve, interpret and manage geological sites and features in the wider environment, and not just designated sites.

⁴⁴ http://www.naturalengland.org.uk/ourwork/conservation/geodiversity/englands/counties/area_ID38.aspx

⁴⁵ http://www.naturalengland.org.uk/ourwork/conservation/geodiversity/englands/counties/area_ID38.aspx

Population and Human Health

Housing

Birmingham's 2017 housing strategy states that: *"Every citizen should have the opportunity to live in a safe and warm home within a neighbourhood they are proud of"*. The strategy outlines the importance of tackling fuel poverty to improve health, well-being and financial inclusion. This is highlighted as a cross-cutting issue within the Council's Vision and Priorities statement. The strategy also makes reference to the well-established "Stay Warm Stay Well" (SWSW) programme that delivers practical solutions to vulnerable people affected by fuel poverty. This programme is delivered through a network of third sector partners. The Council has an ambition to extend an offer of affordable warmth works to private sector households within the areas where ECO-funded improvement works are being carried out on Council-owned homes.

The City covers an area of 26,779ha (267.8km²), of which 15,200ha is residential. According to the Housing Development Plan⁴⁶ Birmingham's residents live in 406,000-410,000 households. The City has about 414,000 self-contained properties. In April 2018, there were about 61,000 Council owned properties and an estimated 37,650 owned by registered social landlords. In addition to this there are also 3,000 shared ownership properties. Since 2001, the City's population has grown after experiencing declines between 1991 and 2001 due to net out-migration. The current population of the City (according to ONS population estimates) is 1,218,100. If recent trends continue the population of Birmingham is projected to grow from 1,101,400 in 2014 to 1,189,600 (+8.0%) in 2024 and to 1,268,100 (+15.1%) in 2034 (sub national population projections)⁴⁷. Substantial growth is expected among pensioners particularly those aged 85 years or more. This age group is expected to increase by almost 25% by 2024. The gains reflect a shift in the overall balance of migration from negative to positive, coupled with greater natural increases. The main reason for this has been the high levels of international immigration in recent years. The growth in the ageing population is reflective of national trends. These statistics have implications for housing provision. Table 4.6 shows that the number of households in the City increased in the period from 2001 to 2011. Despite the above, the rate of increase in households in Birmingham has been less than the national and regional rates.

Table 4.6 Change in Households in Birmingham, the West Midlands Region and England, 2001 and 2011

Area	2001 Households	2011 Households
Birmingham	390,800	410,700
West Midlands Region	2,153,700	2,294,900
England	20,451,400	22,063,400
Index of Change		
Birmingham		+0.95
West Midlands Region		+0.93
England		+0.92

Source: Census of Population, 2001 and 2011, Office of National Statistics

⁴⁶ Source:

<http://www.birmingham.gov.uk/cs/Satellite?c=Page&childpagename=Housing%2FPageLayout&cid=1223092723273&pagename=BCC%2FCommon%2FWrapper%2FWrapper>

⁴⁷ Statistics from https://www.birmingham.gov.uk/info/50065/population_and_census/1003/population_in_birmingham/6 [Accessed April 2018]

If recent trends continue the population of Birmingham is projected to grow from 1,101,400 in 2014 to 1,189,600 (+8.0%) in 2024 and to 1,268,100 (+15.1%) in 2034. Substantial growth is expected among pensioners particularly those aged 85 years or more. This age group is expected to increase by almost 25% by 2024.

Forecast organic population growth equates to just under 40,000 new residents over the next five years. Birmingham is forecast to see growth in the number of households from 422,022 in 2014 to 440,529 – a rise of around 18,500 households. This equates to an average annual increase of approximately 3,680⁴⁸ households each year. Longer term forecasts⁴⁹ show that the number of households will increase by over 100,000 over the next 20 years.

The average household size in Birmingham is greater than the national average and is greatest in the West Midlands Region according to the 2011 Census with an average household size of 2.6 people. Birmingham has relatively high proportions of households containing one person or with five or more people. Average household size reduced from 2.54 in the period 1991 to 2001, largely as a result of growing numbers of one-person households. However, for the period of 2011 to 2011 the average household size (persons) has increased to 2.56⁵⁰. The City has a relatively low proportion of detached housing, and higher proportions of terraced housing and flats.

According to the 2011 Census, Birmingham was the most densely populated local authority within the West Midlands region with 4,000 people per square kilometre. This is an increase on the 2011 population density of 3,677 people per square kilometre which equates to an increase of 0.9%. The average housing density has decreased from over 74 dwellings in 2009/10 to just over 40.6 dwellings per hectare in 2014/15. This could be attributed to factors such as the reluctance of the development industry to commit to apartment schemes at the present time.

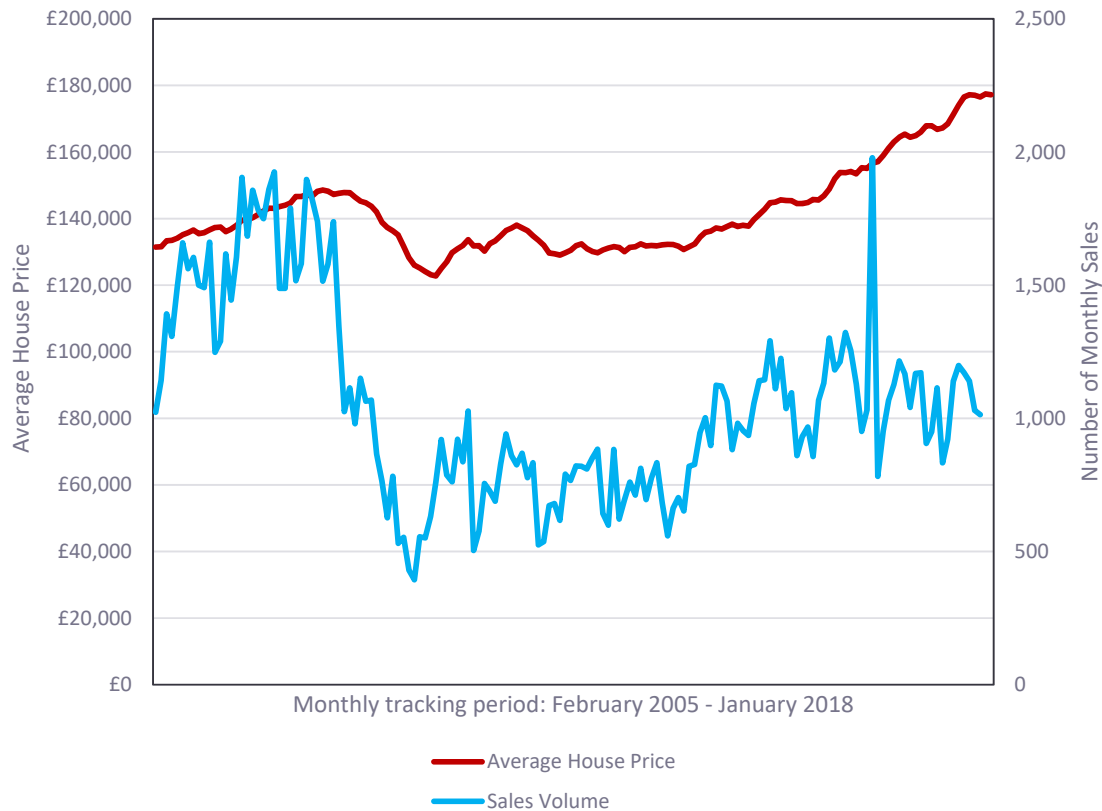
In recent years there have been political concerns over high density suburban development. This has manifested itself in a *'Mature Suburbs: Guidelines to Control Residential Intensification - Supplementary Planning Document'* and away from the City Centre this has led to decreasing densities over the past five years.

The mean house price in the City is below the regional average, particularly at the cheaper end of the market. Figure 4.11 indicates that house prices in Birmingham peaked in January 2008 and sharply declined through to 2010, and now have recovered strongly to over one third higher in 2018 than 15 years ago at almost £180,000. Over the same period sales volumes initially declined but have recovered to levels of 15 years previously. Overall, the figures suggest that the affordability of housing for poorer families and first-time buyers has declined. 89,000 new homes are needed from 2011 to 2031. Whilst it is not possible to deliver all of this new housing within the city boundary, Birmingham council have ambitious but achievable plans to build at least 51,000 new homes in this period.

⁴⁸ Figures from ONS

⁴⁹ ONS 2039 Household Projections

⁵⁰ Office for National Statistics 2011 Census: Population and household estimates for England and Wales – supplementary figures Pt 2

Figure 4.11 Average House Prices and Sales Volume in Birmingham 2005-2018⁵¹

Birmingham has a relatively high proportion of households renting from Birmingham City Council. Statistics from the Housing Strategy Statistical Appendix 2011 show that within Birmingham the number of local authority rented housing is 61,000 and Registered Social Landlord housing is 37,650 which collectively equates to 25.6% of the total housing supply or the local authority.

There is a mismatch between the existing supply of affordable housing and the location of demand. There is continued demand for affordable housing in Birmingham. The most recent City wide Strategic Housing Market Assessment (SHMA)⁵² found that approximately 38% of the City's overall housing requirement is for affordable housing. The Birmingham Development Plan will help to address some of this demand.

The Birmingham Housing Plan (2010 Review) identifies that the vast majority of Birmingham's City Council housing meets the Decent Homes standard. In the private sector, Birmingham has a substantial number of older homes that are in need of repair and modernisation. As of April 2018, the new minimum energy efficiency standard (MEES) regulations will come into action. The new standard requires landlords of privately rented domestic (PRS) and non-domestic property in England or Wales to ensure that their properties reach at minimum Energy Performance Certificate (EPC) rating of E before granting a new tenancy to new or existing tenants⁵³. If a property does not meet EPC standard E, landlords are obligated to carry out any works under the value of £2,500 to bring the property up to standard. Special exemptions may apply, for example if the building is listed. There are clear links between the condition of housing and human health. For

⁵¹ Land Registry (2018) <http://www.landregistry.gov.uk/public/house-prices-and-sales/search-the-index>

⁵² Available at https://www.birmingham.gov.uk/downloads/download/359/strategic_housing_market_assessment_2013 [Accessed April 2018]

⁵³

example, research⁵⁴ undertaken by Birmingham University showed that there is a clear relationship between excess winter deaths, especially of older people, cold housing and low energy efficiency.

Birmingham has benefitted from 1,944 net dwelling completions and 111 vacant dwellings being returned to use in 2016/17 which totalled over 2,000⁵⁵ new dwellings being added to the housing stock. This was lower than the 2015/16 period (3,113) but higher than the four preceding years.

Historically, homeless applications in Birmingham have been twice the national average; although they are declining. There were 19,496 applicants for housing on the Local Authority Housing Register as at 01 April 2013. Increasingly, older and disabled people

Birmingham City Council understands that Trading Standards will be leading on the primary delivery and prosecution process associated with MEES. BCC's Private Rented Services Regulation & Enforcement team have a good working relationship with the people who wish to remain in their own homes. This results in strong demand for property adaptations, and an implication of need for to build homes to 'lifetime' standards. There were 1,899 referrals for assistance from Birmingham City Council in 2011/12. Demand for housing still remains strong albeit that there was a fall from over 28,000 households on the register to just over 20,000 in 2015/16. The overall total as at April 2016 stood at 20,292.

Every year, housing partners across the city ensure that thousands of households who are homeless, or at high risk of homelessness, are provided with shelter and a pathway into settled accommodation. For 2015/16 this included 5,578 households assisted through the statutory homeless system as well an additional 7,824 households whose homelessness was prevented or relieved by Council delivered services or commissioned services delivered by partners. In addition, there are many other agencies active in the city who provide advice and assistance to people in housing crisis.

In 2016 Birmingham undertook a homelessness review⁵⁶ which included examining the extent, nature and causes of homelessness in the City. One of the key findings from this review is that there are an estimated 20,000 households in Birmingham each year who are homeless. This study also highlighted that there are more than 20,000 households on the BCC housing register (as at April 2016) so there is significant demand for Council housing.

Birmingham still manages its own stock and, notwithstanding Right to Buy, there remain very significant areas of predominantly local authority housing. These areas are however clustered and there are indeed significant pockets of the City (e.g. Edgbaston and Sutton) where affordable housing is in lesser supply and average houses prices are the highest in the City.

Economy

Birmingham's economic prosperity was originally built on manufacturing, but changes in the 1970s and 1980s led to a massive decline in this sector. However, highly-skilled, specialist manufacturing remains important to the city. Birmingham has since developed a substantial business and financial services sector through the transformation and growth of the City Centre and has become a major employment centre drawing in workers from across the West Midlands. It is an economic cluster with a particular focus on the banking, finance and insurance and distribution, hotels and restaurants and public service sectors. Birmingham is now a major centre for business conferences.

Despite declines in manufacturing, Birmingham is still a major employment centre drawing in workers from across the West Midlands region. Table 4.7 shows the number of economically active people within

⁵⁴ <https://www.birmingham.ac.uk/Documents/college-social-sciences/social-policy/SPSW/Housing/2016/good-housing-better-health-2016.pdf> [Accessed April 2018]

⁵⁵ All figures from 2016/17 Authority Monitoring Report [Accessed April 2018]

⁵⁶ Birmingham City Council Homelessness Review 2016/17 Available at https://www.birminghambeheard.org.uk/people-1/birmingham-homelessness-prevention-strategy-2017/supporting_documents/Birmingham%20Homelessness%20Review%202016%20FINAL.pdf [Accessed April 2018]

Birmingham, and Table 4.8 shows the number of employed residents in Birmingham by Gender and Ethnic Group.

Table 4.7 Economically Active Residents (2017)⁵⁷

	Birmingham (numbers)	Birmingham (%)	West Midlands (%)	Great Britain (%)
All People				
Economically active	500,900	69.4	76.4	78.4
In employment	458,900	63.6	72.4	74.9
Employees	391,500	54.3	62.4	64.0
Self employed	65,900	9.1	9.7	10.6
Unemployed	42,100	8.4	5.4	4.5
Males				
Economically active	275,000	76.9	82.0	83.4
In employment	250,000	69.9	77.5	79.6
Employees	200,900	56.2	63.9	65.2
Self employed	49,100	13.7	13.4	14.1
Unemployed	25,000	9.1	5.5	4.6
Females				
Economically active	225,900	62.1	70.9	73.4
In employment	208,900	57.4	67.2	70.3
Employees	190,600	52.4	60.9	62.7
Self employed	16,800	4.6	6.0	7.2
Unemployed	17,100	7.6	5.2	4.3

Table 4.8 Employed Residents in Birmingham by Gender and Ethnic Group⁵⁸

	2013		2014		2015		2016		2017	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate	Number	Rate
Male	228,100	66.4	236,000	68.2	240,500	68.8	256,000	72.1	250,000	69.9
Female	179,700	51.6	198,500	55.9	194,500	54.3	197,200	54.8	208,900	57.4
White	261,100	67.4	290,600	67.5	306,200	69.1	272,400	73.1	283,400	71.7
Ethnic Minority	145,300	48.1	143,900	53.4	128,700	48.8	180,800	52.8	174,700	54.0

At 63.6%, Birmingham's employment rate is well below both the corresponding regional (72.4%) and national rate (74.9%). The female employment rate for Birmingham (57.4%) is much lower than the male rate (66.9%)

⁵⁷ [ONS Annual Population Survey](#)

⁵⁸ ONS Annual Population Survey

and both are lower in Birmingham than the national averages; for women there is a 12.9 point difference from the rate for Great Britain.

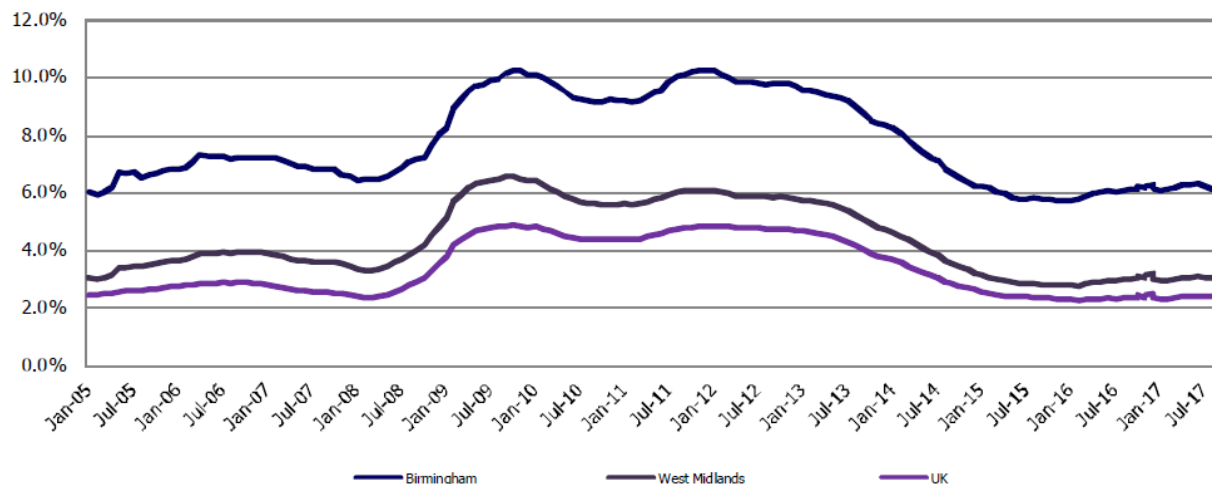
Nearly a third (30.6%) of Birmingham's working age population is economically inactive (neither working nor seeking work). This is 9.0 percentage points higher than the national rate. The female economic inactivity rate in the city is 11.3 percentage points higher than the male rate. Table 4.9 summarises economic inactivity for those aged 16-64 in Birmingham. This shows that the highest proportion of economically inactive residents are full time students (39.6%), which is 12.6 percentage points higher than the national average of 27.0%. The non-white economic inactivity rate is 39%, significantly higher than the white rate of 24%. Both rates are above the GB averages of 30% and 20% respectively.

Table 4.9 Economic Inactivity in Birmingham 2017²

	Birmingham (level)	Birmingham (%)	West Midlands (%)	Great Britain (%)
Student	87,400	39.6	28.2	27.0
Looking after family/home	61,500	27.9	26.1	24.4
Temporary sick	4,300	2.0	2.3	2.1
Long-term sick	36,800	16.7	20.9	22.1
Discouraged	!	!	0.3	0.4
Retired	11,300	5.1	11.8	13.2
Other	18,500	8.4	10.5	10.8
Total Economically Inactive	220,600	30.6	23.6	21.6
Male Economic inactivity	82,700	23.1	16.6	18.0
Female Economic inactivity	137,900	37.9	26.6	29.1
White Economic inactivity	93,900	23.7	20.9	20.2
BME Economic inactivity	125,300	38.8	34.8	29.9

Birmingham has seen persistently higher levels of unemployment over the past decade, compared to the West Midlands and the UK, as can be seen from Figure 4.12.

Figure 4.12 Unemployment Rates in Birmingham, the West Midlands and the UK, 2005-2017



Source: Birmingham Labour Market Update (January 2018)

Employment growth in the city as a whole is set to be relatively subdued over the period 2010-2025 as the economy recovers from the recession and adjusts to a decline in public sector employment. Indeed, the forecast level of employment in the city in 2025 is only just returning to the levels seen prior to the recession.

The Greater Birmingham & Solihull LEP is a partnership of businesses, local authorities and universities which supports private sector growth and job creation. It was set up to strengthen local economies, encourage economic development and enterprise, and improve skills across the region. The City Deal between the Government and the Partnership was announced in July 2012 which consists of a package of measures that are to be implemented to drive economic growth designed to exploit the area's economic assets and address its challenges⁵⁹. The first phase of the City Deal is to focus on the delivery of a range of economic benefits for the Greater Birmingham and Solihull area. These include:

- ▶ 10,000 additional direct jobs, building on the 40,000 created by the vanguard Enterprise Zone in Birmingham City Centre;
- ▶ Leveraging in over £15bn of private sector investment over 25 years from £1.5bn of public funding;
- ▶ A Single Settlement to cover all economic development funding;
- ▶ A world-class skills system which meets the needs of employers and fulfils the expectations of employees;
- ▶ 3,560 apprenticeships (AGE) grants to be delivered by March 2013;
- ▶ Improvements to employers' perceptions of 'work readiness' year-on-year;
- ▶ In excess of 2,800 additional new homes through the use of public assets;
- ▶ At least 100% capital return on current market value of public assets;
- ▶ An Institute of Translational Medicine to respond to national unmet need, unlock growth potential in the NHS and create a portal for SMEs and international pharmaceutical companies;
- ▶ £35M of largely private sector clinical trial investment and £50M of free drugs;
- ▶ 15,000 homes refurbished delivering savings in domestic energy usage of 26 ktonnes pa of CO₂ and at least 40 public buildings refurbished delivering savings in energy usage of 10 ktonnes pa of CO₂; and
- ▶ Retrofitting to the properties of 1,500 people on pension or disability premium and 2,250 people in fuel poverty.

The City Deal comprises five elements: GBS Finance; Skills; Public Assets; Life Sciences and Green Deal, each of which includes specific commitments from the LEP and Government. Progress against these will be monitored to ensure they are delivered.

Median gross weekly pay for workers in Birmingham in 2015 was £488.20. This figure is a 1.9% increase on 2014 but it is below the UK figure of £527.70 which saw a 1.8% increase from 2014. However, people who work in the city earn more than the residents (£538.70 compared to £488.20). Workplace earnings in the city are similar to the figure for the UK. The difference between resident and workplace earnings reflects Birmingham's position as the regional capital and the large numbers of people who commute into the city to work. It also highlights that not all Birmingham residents are able to access the better paid jobs in the city.

Education and Skills

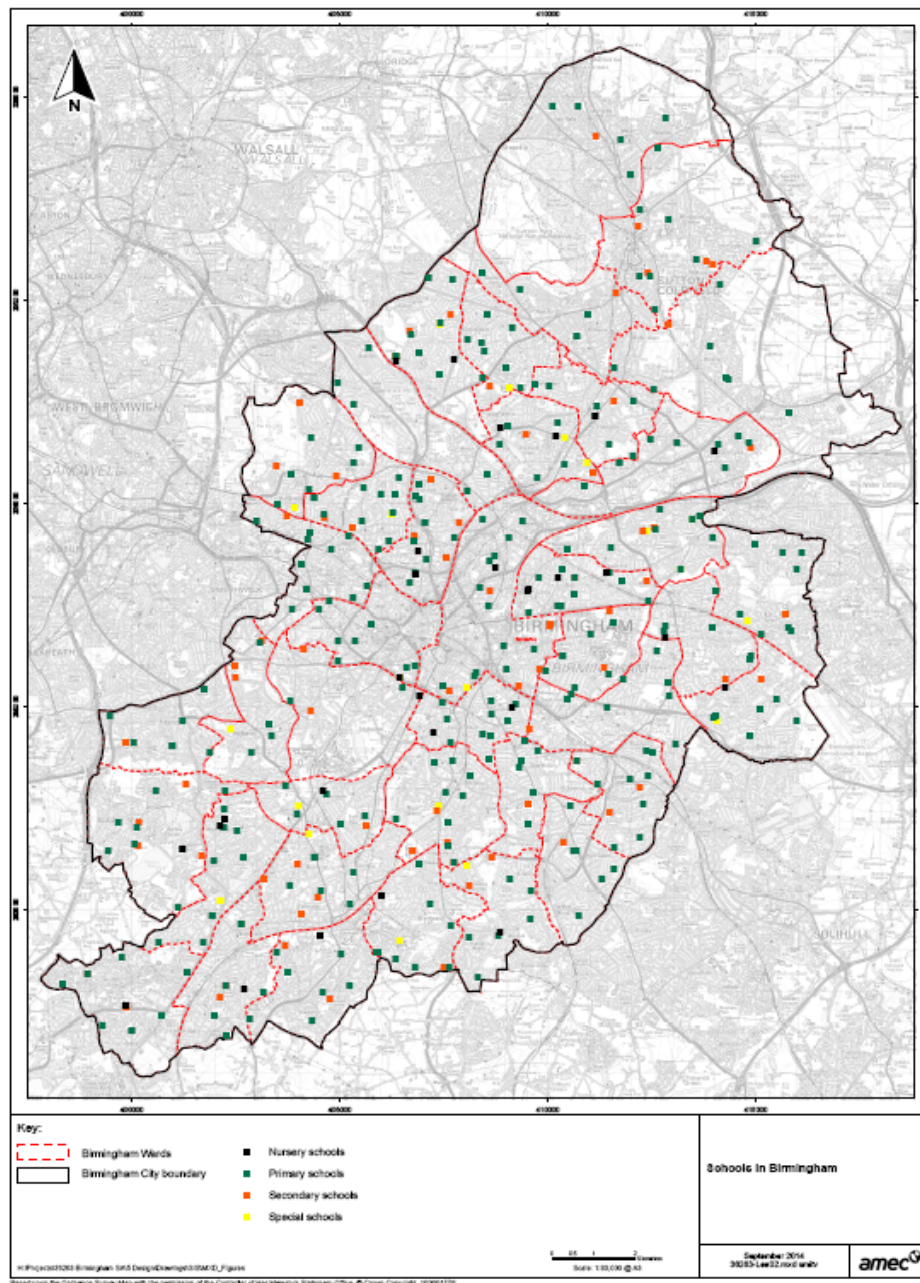
The City has a substantial education sector, from early years and schools through to colleges, universities and adult education. According to the Education Services Delivery and Improvement Plan (2017/18), the City has 445 state-funded schools. In addition, there are five colleges, five universities and a thriving independent school sector. The City Council itself is a major provider of adult and community learning through its Adult Education Service. (Figure 4.13). Birmingham is one of the youngest cities in Europe with around 46% of the population aged under 30. Based on 2014 levels, by 2022 the population aged between 0 to 4 is due to grow by 3.8% to 88,100 children; the 5 to 9 population is expected to grow by 4.5% to 84,000 but the largest growth rate in Birmingham's children will be the 10 to 14 age group – increasing by 14.6% to 82,600. The demographic makeup of Birmingham's young people has also changed significantly over recent years and is becoming increasingly diverse. For example, according to the 2011 census over 60% of the under 18 population is now from a non-white British background, compared to around 44% in

⁵⁹ <http://centreofenterprise.com/about-the-lep/key-projects-and-issue/>

2001. Approximately, 43% of Birmingham's school children have a first language that is other than English. This equated to 38,089 pupils, which is 1.3% more than in 2014.

According to the Annual Population Survey (2017), the City has a substantial education sector (Figure 4.13). The pupils and students of the City's schools and colleges have made major improvement in educational achievement, closing the gap on national averages. The percentage of Birmingham's population achieving NVQ Level 3 or above in 2011 was 43.5%, and this has increased to 50.4% in 2017. However, this remains marginally below the Regional average (50.8%) and significantly below the National average (57.2%). The proportion of the population educated to degree level was 31.4% compared to 31.8% regionally and 38.6% nationally. As a result, nearly half the high-skilled jobs in Birmingham are currently taken by people who live outside of the City.

Figure 4.13 Nursery, Primary and Secondary Education Resources across Birmingham



Birmingham's 2016 GCSE results were very positive. 2016 saw the introduction of a new accountability system for schools with the new measure of Progress 8 – "the progress a pupil makes from the end of Key Stage 2 to Key Stage 4, compared with pupils nationally with similar attainment". The national average performance is therefore zero. A positive score indicates out-performing the national average. Birmingham's provisional result is zero, second best out of core cities.

Birmingham Adult Education Service (BAES) runs a number of adult education courses in the City and these can be undertaken in a variety of locations across the city and cover a wide variety of topics to help improve education and skills levels in the city. The Birmingham Education and Development Plan 2015-2020 includes a vision that by 2013 Birmingham will be:

'Renowned as an enterprising, innovative and green city that has delivered sustainable growth meeting the needs of its population and strengthening its global competitiveness.'

To deliver the vision the plan includes a number of objectives including to ensure sufficient school places for young people; that additional places are provided where needed at the right time to meet needs; and to ensure young people participate fully in the school education offer and beyond into further education and training.

Worklessness and long term unemployment is a key issue for Birmingham's residents and can lead to poor economic performance. Table 4.10 shows the total number of residents currently claiming Job Seekers Allowance (JSA). JSA is payable to people who are available for, and actively seeking work. The number of claimants steadily rose to over 50,000 in 2012 but had dropped to 30,685 by 2017. However, the claimant rate of 6.1% was higher than other cities in the UK – Newcastle was the next highest at 5.1%⁶⁰.

Table 4.10 Total JSA Claimants 2007 - 2017⁶¹

	Birmingham (number)	Birmingham (%)	West Midlands (%)	UK
2007	35,058	7.7	3.9	2.7
2008	35,154	7.7	4.0	2.9
2009	49,011	10.7	6.6	4.8
2010	48,074	10.5	6.2	4.7
2011	49,319	10.8	6.2	4.8
2012	50,123	11.0	6.2	5.0
2013	47,278	10.4	5.8	4.6
2014	41,955	5.9	3.7	3.0
2015	31,605	4.4	2.5	2.1
2016	29,030	4.0	2.2	1.8
2017	30,660	4.2	2.3	1.8
2018	31,405	4.3	2.5	2.0

Birmingham's Local Centres

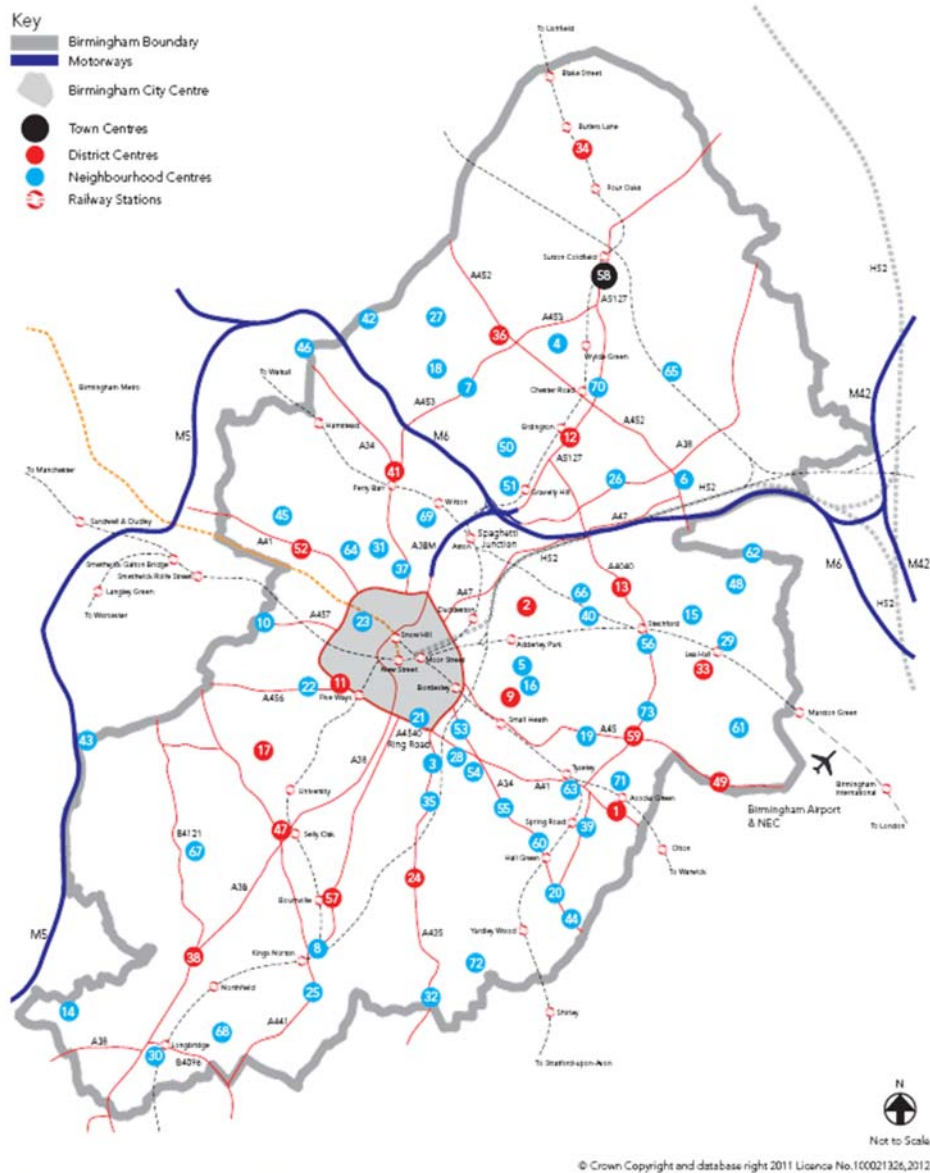
Birmingham's network of 73 local centres provides the focal points for much day-to-day shopping and community activity. Uses of buildings within local centres have been surveyed by Birmingham City Council

⁶⁰ Figures from Birmingham Labour Market Update January 2018

⁶¹ ONS claimant count with rates and proportions and Birmingham Labour Market profile 2018.

during 2013 and 2014 in order to help track of changes in use which can affect their vitality and require a policy response. Figure 4.14 below maps the local centres across the City.

Figure 4.14 Birmingham's Local Centres

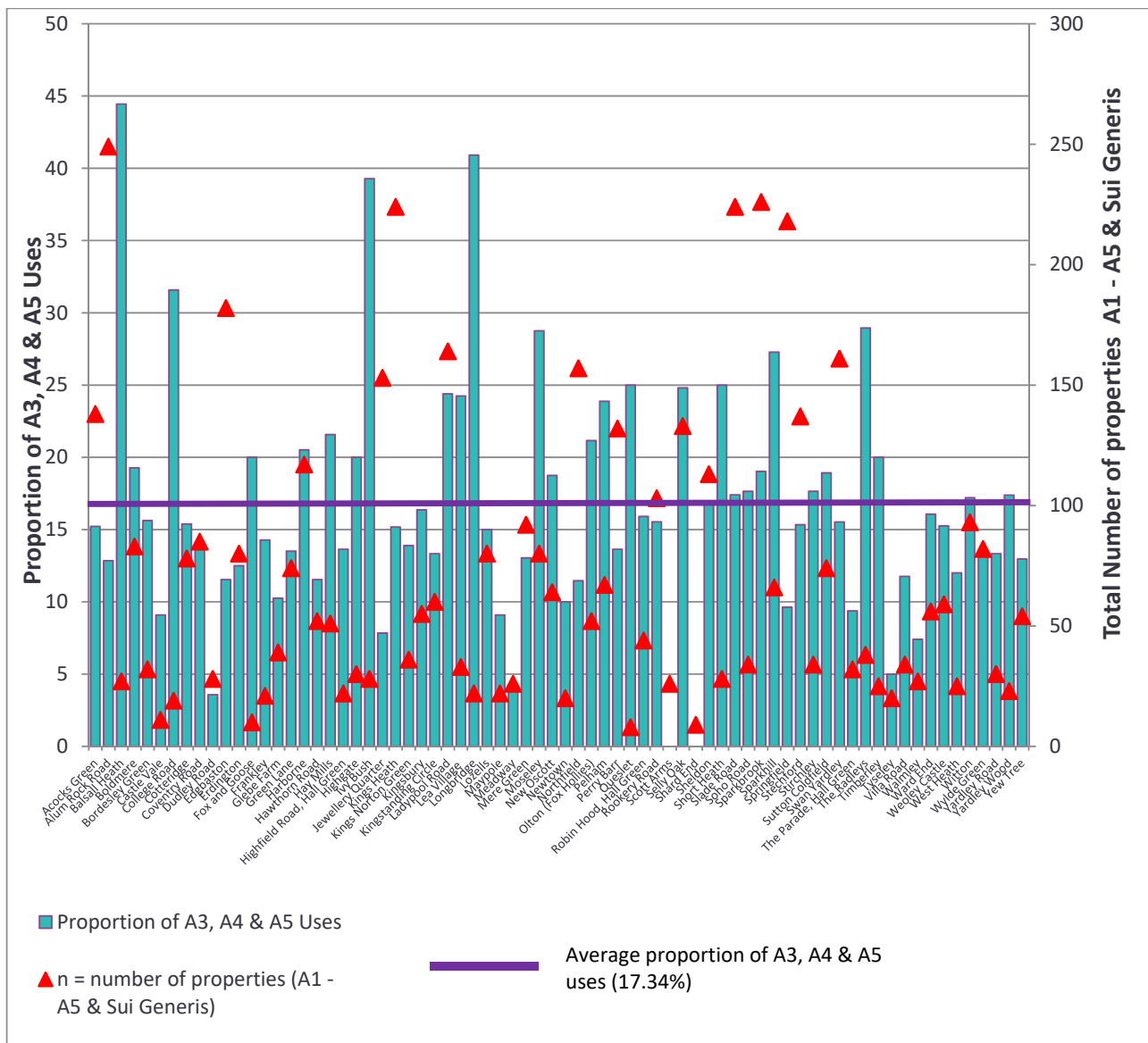


Source: BCC (2012) Shopping and Local Centres SPD

- | | | |
|--------------------------------|-----------------------------------|----------------------------|
| 1. Acocks Green | 26. Kingsbury | 51. Slade Road |
| 2. Alum Rock Road | 27. Kingstanding Circle | 52. Soho Road |
| 3. Balsall Heath | 28. Ladypool Road | 53. Sparkbrook |
| 4. Boldmere | 29. Lea Village | 54. Sparkhill |
| 5. Bordesley Green | 30. Longbridge | 55. Springfield |
| 6. Castle Vale | 31. Lozells | 56. Stechford |
| 7. College Road | 32. Maypole | 57. Stirchley |
| 8. Cotteridge | 33. Meadway | 58. Sutton Coldfield |
| 9. Coventry Road | 34. Mere Green | 59. Swan |
| 10. Dudley Road | 35. Moseley | 60. The Parade, Hall Green |
| 11. Edgbaston | 36. New Oscott | 61. The Radleys |
| 12. Erdington | 37. Newtown | 62. Timberley |
| 13. Fox and Goose | 38. Northfield | 63. Tyseley |
| 14. Frankley | 39. Olton Boulevard (Fox Hollies) | 64. Villa Road |
| 15. Glebe Farm | 40. Pelham | 65. Walmley |
| 16. Green Lane | 41. Perry Barr | 66. Ward End |
| 17. Harborne | 42. Queslett | 67. Weoley Castle |
| 18. Hawthorn Road | 43. Quinton | 68. West Heath |
| 19. Hay Mills | 44. Robin Hood, Hall Green | 69. Witton |
| 20. Highfield Road, Hall Green | 45. Rookery Road | 70. Wylde Green |
| 21. Highgate | 46. St. Andrew's | 71. Yardley Road |
| 22. Ivy Bush | 47. Short Heath | 72. Yardley Wood |
| 23. Jewellery Quarter | 48. Shard End | 73. Yew Tree |
| 24. Kings Heath | 49. Sheldon | |
| 25. Kings Norton Green | 50. Short Heath | |

Analysis of the proportion of three use classes – A3 (restaurants), A4 (pubs and drinking establishments) and A5 (hot food takeaways) – which are likely to be a particular focus for policy, reveals significant variation across centres, and some disproportionately high occurrences above the mean of 17.34% (Figure 4.15). The significance of some of these relatively high proportions of A3/A4/A5 uses in terms of their relationship to issues such as health is unproven. Section 4.6.8 below explores the spatial pattern of health across Birmingham.

Figure 4.15 Proportion of Use Classes A3, A4 and A5 by centre and total units



Culture/Sport/Recreation

Birmingham is internationally known for sports and exhibitions, with well-known venues including the National Indoor Arena and the National Exhibition Centre. Developments in arts, sports and leisure have played a key part in the City's renaissance over the past twenty years. Birmingham has many strengths including world-class performance, arts, sports and exhibition facilities, and internationally recognised companies of cultural excellence. Many of these facilities are located in the City Centre, including the International Convention Centre; Birmingham Symphony Hall, home of Birmingham Symphony Orchestra, the

National Indoor Arena, a major concert and sporting venue; Birmingham Hippodrome; Birmingham Royal Ballet and Birmingham Museum & Art Gallery. These are complemented by smaller venues such as the IKON Gallery, Jam House and Electric Cinema.

The proportion of leisure development that has taken place in centres has varied considerably year on year, and there appears to be no clear trend or pattern. This is probably in part due to the fact that there are various types of leisure development and some (e.g. sports facilities associated with playing fields or pitches), would not necessarily be expected to be located in centres. The relatively high proportion of out-of-centre leisure development overall since 1991 (61%) is skewed by a small number of very large developments, such as 'Star City' (Nechells), Birmingham Great Park and Longbridge which were committed before the current national planning policy guidance came into effect. There has also been a significant amount of leisure development based around existing sports facilities in out-of-centre locations. During 2010/11 88% was built out-of-centre including an indoor sports arena at the Tenby building, Great King Street (Aston). Also out-of-centre, but under construction, included the erection of a 5,000 seat stand at the Alexander Stadium in Perry Barr. Birmingham will host the 2020 Commonwealth Games which will prompt a significant amount of construction activity.

Investment in new hotels continues e.g. the Radisson and Etap. Other recent leisure developments in the City Centre include Millennium Point and the Five Ways Leisure complex. A significant amount of leisure development that has taken place in Birmingham since 1991 has been tourism related, for example, the National Sea Life Centre and Millennium Point. The number of overseas visitors to the City has increased from 520,000 in 2000, to 713,000 in 2012 and 1,110,000 in 2015⁶². Birmingham is now the fourth most popular destination in the UK among overseas residents after London, Edinburgh and Manchester. Birmingham welcomed the highest number of visitors on record in 2016, with tourist numbers reaching 39 million, and tourism revenue hitting an all-time high of £6.5 billion.

Culture and leisure facilities both attract people to Birmingham and serve local residents. According to the Community Strategy, surveys show that 45% of Birmingham residents had been to the theatre or a concert in the city in the last year, while 36% had visited a museum or gallery.

Community Involvement

Community involvement can be measured by a number of indicators, including election turnout. Table 4.11 shows the election turnout in Birmingham for the 2017 General Election by constituency. It can be seen that the turnout varies between some of the different constituencies.

Table 4.11 General Election Turnout in Birmingham for the 2017 General Election

Constituency	% Turnout
Sutton Coldfield	70.06
Hall Green	69.63
Selly Oak	66.05
Edgbaston	64.21
Perry Barr	63.28
Northfield	61.53
Hodge Hill	61.50
Yardley	61.46
Ladywood	59.21
Erdington	57.37

⁶² Source: <http://birminghamtoolkit.com/files/downloads/VisitorEconomyHeadlines2016withupdatedSTEAMfigures.pdf>

Constituency	% Turnout
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Source:

https://www.birmingham.gov.uk/info/20097/elections_and_voting/1273/parliamentary_general_election_results_june_2017/5

Erdington constituency had the lowest turnout, which was the third lowest turnout in the UK. Conversely, Sutton Coldfield had the highest turnout, but this was only the 217th highest turnout in the UK.

One important aspect of community involvement is the extent to which people feel involved in the development of their local area. As part of the Government's Big Society, new legislation has been introduced to encourage local people to have more say in how their area looks. Neighbourhood Planning is a process by which communities can come together and prepare land use plans that will guide the type of developments they would wish to see in their area.

The Sustainable Community Strategy indicates that in 2006, 40% of people agreed that they can influence decisions that affect their local area, an improvement of 22% from 2004. Furthermore, the Birmingham Community Strategy (Strategic Assessment Update November 2006) found over half those asked felt that people together can influence decisions in their constituency (most apparent in areas of Ladywood and Sparkbrook), compared to just over a quarter who felt that people collectively had little or no influence (most apparent in Perry Barr and Selly Oak).

Equality

Birmingham's residents are from a range of national, ethnic and religious backgrounds, as Birmingham is one of the most ethnically diverse cities in Europe. Table 4.12 summarises the proportion of the main ethnic groups present. Almost 10% are Pakistani, with the next largest groups being Indian and Black Caribbean. Between 1991 and 2001, the Black and Minority Ethnic (BME) population increased, particularly the Pakistani and Bangladeshi groups. BME groups are mainly concentrated in the inner parts of the City. BME groups vary in terms of housing, the labour market, health and age structure. Most established BME groups are growing through natural change and immigration. Since 2001 the city has attracted migrants from a widening range of countries, including Eastern Europe, Africa and the Middle East.

Table 4.12 Largest Ethnic Groups in Birmingham and England, 2010

Ethnic Group	% of Population Birmingham	% of Population England
White British	63.3	82.8
Pakistani	9.7	1.9
Indian	5.8	2.7
Black Caribbean	4.0	1.2
White Irish	2.1	1.1
White Other	2.6	3.6
Mixed Groups	3.2	1.8
Bangladeshi	2.5	0.7
All other groups	6.8	4.1

Source: Experimental Estimates, National Statistics, Crown Copyright 2010

Birmingham has a fairly youthful population. Approximately 46% of residents are younger than 30, compared with the national (England) average of 38%⁶³.

⁶³ Source: Mid Year Population Estimates, ONS

Inequalities are reflected in statistics relating to people without a car. Birmingham has a relatively high percentage of households without a car, 38%, compared to the English average of 27%. The percentages without a car are high in the inner parts of the city and in some more peripheral areas. About two thirds of those in social-rented housing live in households without a car, as do nearly half of unemployed people and those not working because of long term sickness or disability. Percentages are particularly high among households containing lone pensioners and lone parents. Percentages are also high among Black, Bangladeshi and White Irish households.

Work undertaken for the West Midlands Local Transport Plan showed that there is generally good accessibility in most places at most times for the 33.7% (2001) of households without a car, due to the extensive bus network. However, two particular problems were identified with access for unemployed people to attend job interviews and with access to major NHS hospitals by public transport.

Further detail on equality has been covered in the section on Economy and Equality.

Health

Information on health for Birmingham can be found in the NHS Health Profile for the area 2017⁶⁴, which gives a snapshot of health in Birmingham. According to the NHS, life expectancy in Birmingham for males is 77.1 years which is 'significantly worse' when compared to an average across England of 79.5 years. Furthermore, life expectancy for females is 81.9 years compared to an average across England of 83.1 years.

Adults in Birmingham are less likely than average to follow healthy eating guidelines, but the proportion of obese adults is not vastly different to the England average. A survey undertaken by Sport England⁶⁵ reveals that there is a low rate of participation in sport and other physical activity in Birmingham compared with other local authorities within the West Midlands. The 2017 health profile reflects this trend with the percentage of physically active adults lower (51.1%) than the national average (57%).

Teenage pregnancy rates are 'significantly worse' for Birmingham (47.4 per 1,000) than the England average (38.1 per 1,000). Binge drinking is lower than the England average; however, hospital stays for alcohol-related harm were 'significantly worse' in Birmingham for 2017 with 6,786 per 100,000 rate of admission episodes for alcohol attributable conditions compared to the national average of 1,163⁶⁶. Rates of sexually transmitted infections are better than the England average. The incidence of malignant melanoma is lower than average (2017). Estimated levels of adult 'healthy eating' and obesity are worse than the England average.

People in routine and manual occupations have poorer health than those in more highly-skilled jobs, and these people are also more likely to smoke. The infant death rate is greater than the England average in this group. Birmingham has a higher than average number of people working in lower grade jobs such as process plant and machine operatives than in the rest of the West Midlands and England.

Local health priorities for Birmingham include childhood obesity, statutory homelessness and reducing the numbers of vulnerable children and adults

Poverty

According to the Index of Deprivation, in 2015 about 40% of Birmingham's residents lived in areas that were in the most deprived 10% in England. Concentrations are very high in wards to the east, north and west of the City Centre and also in the Tyburn and Kingstanding Wards to the north of the M6 motorway (Figure

⁶⁴ Available at <http://fingertipsreports.phe.org.uk/health-profiles/2017/e08000025.pdf> [Accessed April 2018]

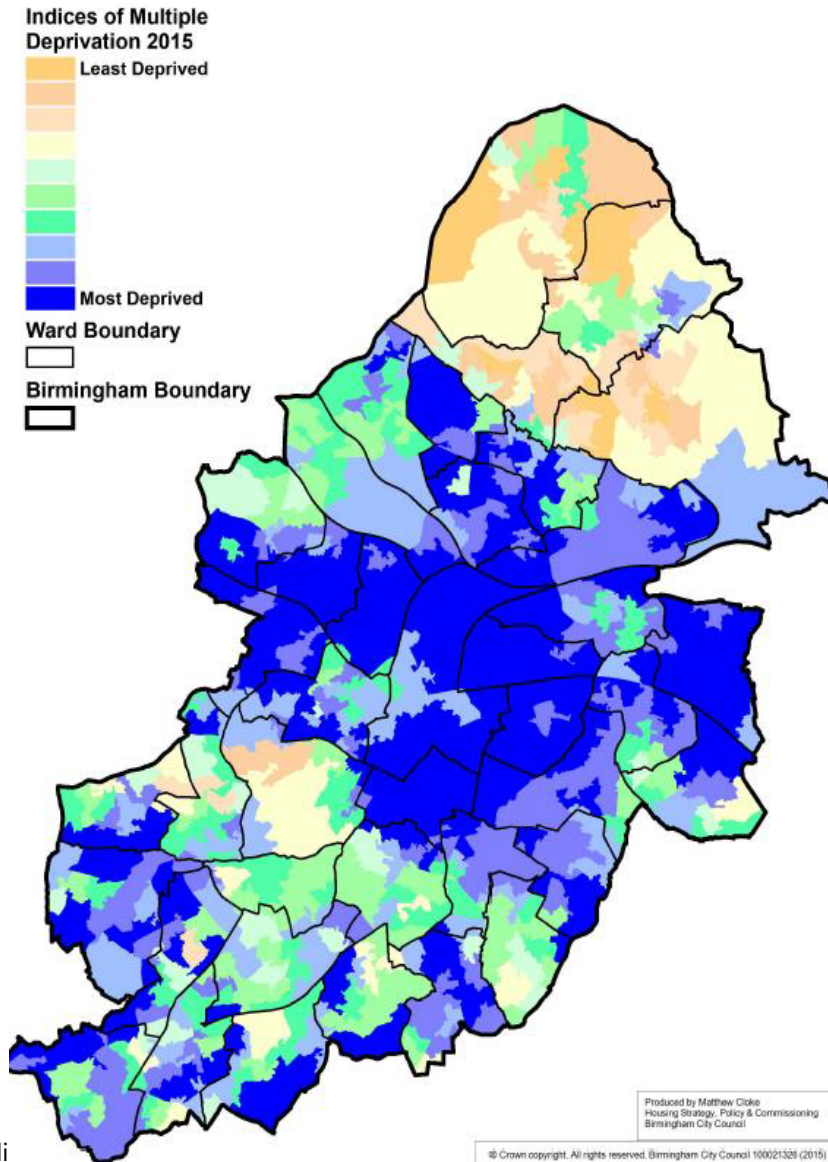
⁶⁵ http://www.sportengland.org/research/active_people_survey/active_people_survey_2/regional_results.aspx

⁶⁶ Public Health Organisations (2017) Hospital stays for alcohol related harm from 2017 Birmingham Health Profile

4.16). In 2014 (the most recent figures available) the proportion of child living in poor households in Birmingham was 32.9%, compared to 20.3% for England and 20% for the UK.⁶⁷

In Birmingham there are over 100,000 children living in poverty, the equivalent of 37% of all children in the city (after housing costs). Nearly half of Birmingham's children live in the 10% most deprived areas in the country – with nearly 8,000 living in the 1% most deprived areas. Birmingham Ladywood Constituency has the third highest level of child poverty in the UK among parliamentary constituencies with 47% of children living in poverty after housing costs⁴⁷.

Figure 4.16 Index of Multiple Deprivation 2015



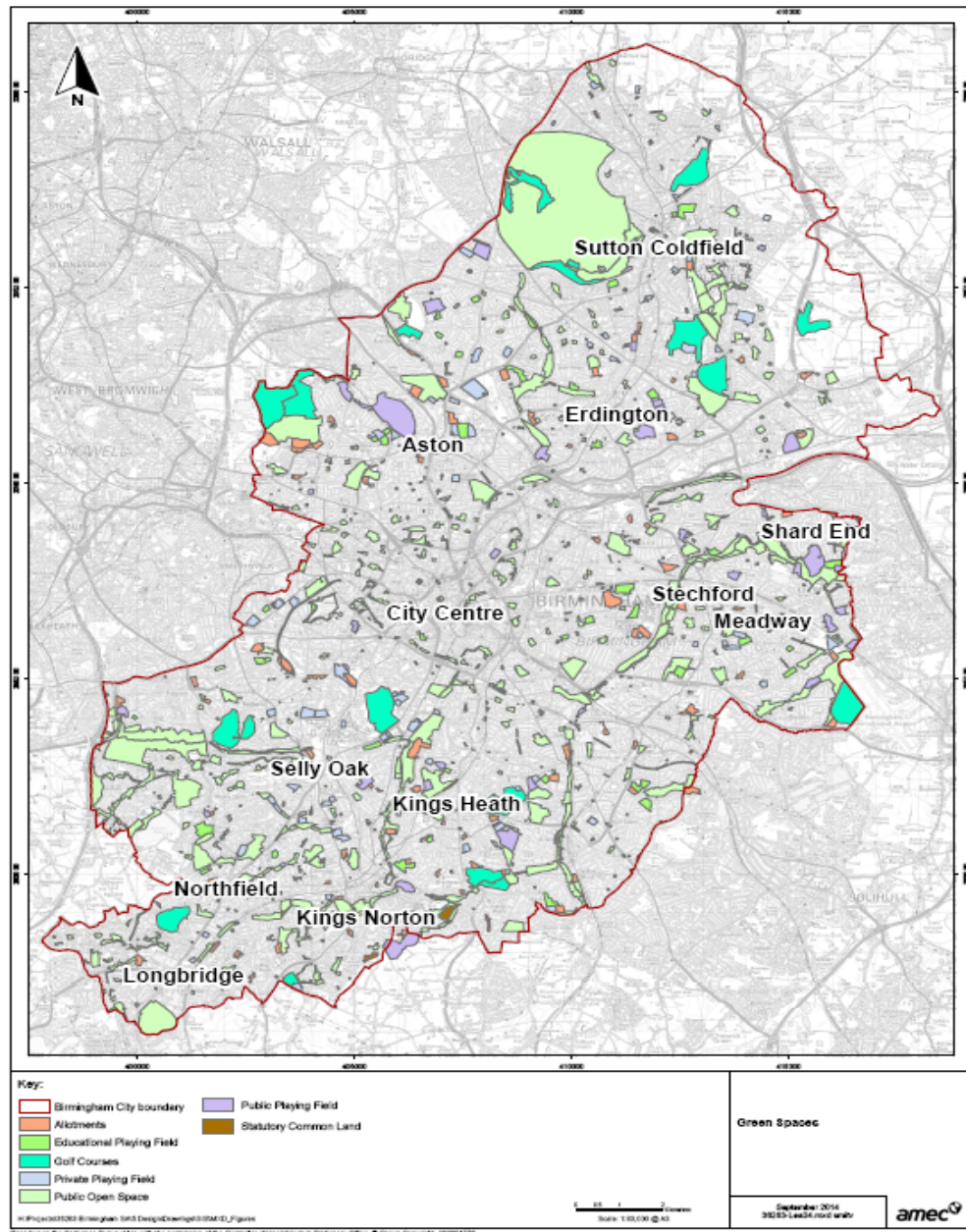
Data from the Public Health England (PHE) Index of Multiple Deprivation 2015 shows that 32.9% of Birmingham's population live in its live in neighbourhoods classed as some of the most deprived (based on IMD classifications) compared to the average for England of 20%. In consequence, less than 10% of residents in Birmingham live in neighbourhoods classed as the least deprived.

⁶⁷ <https://www.gov.uk/government/statistics/personal-tax-credits-children-in-low-income-families-local-measure-2014-snapshot-as-at-31-august-2014-30-september-2016>

⁶⁸ Available from <http://fingertipsreports.phe.org.uk/health-profiles/2017/e08000025.pdf> [Accessed April 2017]

As noted above, well planned GI can give access to high quality green spaces that will provide opportunities for better health and well-being. Figure 4.17 illustrates the distribution of green spaces, by type, across the City. Further information on health in Birmingham can be found in the Department of Health Birmingham Health Profile 2017⁶⁹.

Figure 4.17 Green Spaces Across Birmingham



Crime

Burglary crime in Birmingham was declining between 2011 and 2015, however the most recent data from 2016 indicates that crime is on the rise. The total Birmingham crime rate for 2014-2016 is 205 crimes per 1000 people. This is notably much lower than other cities of a similar size: the crime rate in Manchester – the

⁶⁹Department of Health Birmingham Health Profile 2017 <http://fingertipsreports.phe.org.uk/health-profiles/2017/e08000025.pdf>

next largest UK city after Birmingham – is 87% higher, at 384 crimes per 1000 people. Antisocial is the most reported crime in Birmingham, followed by violent crime, which is 40% higher than the national average. Crime and safety remain a concern of local people, however Birmingham City Council's Performance Plan⁷⁰ feedback indicates that 95% of Birmingham residents surveyed say they feel safe during the day. The Birmingham Community Safety Partnership's 2012 annual report reveals that the city is making good progress to reducing serious violence among 10-19 year olds, with a 19.3% reduction.

More recent figures show that Burglary crime whilst fluctuating has increased with 7,625 victims of Burglary reported for the 12 months ending 30th September 2017. Robbery has also increased with 3,647 incidents for the 12 months ending 30th September, compared with 3165 for the equivalent period in 2016. Shoplifting offences fell slightly, whilst violent offences have been steadily increasing, alongside possession of weapons offences. This is also reflected in the total crimes recorded in Birmingham which has been steadily increasing and stood at 96,992⁷¹ for the 12 months ending 30th September 2017. In the month of February 2018, West Mercia police had recorded 10 street crimes in Birmingham and this included 3 violent offences, 1 incident of shoplifting and 2 other thefts.

Vehicle crime is a notably bigger problem in Birmingham than other cities. Although making up just 10% of total crime recorded in Birmingham in 2016 the city had the fourth highest amount of vehicle crime over the period in the country with 22 recorded incidents per 1,000 people which was 145%⁷² higher than the national average.

Figures from the Birmingham Community Safety Partnership in 2005 showed that there are certain areas in Birmingham which have higher burglary rates than elsewhere in Birmingham, notably Erdington Ward, Lozells in Perry Barr, Bournbrook Student Area in Selly Oak, Frankley and Rubery in Northfield, and Brandwood and Billesley Ward Boundary in Hall Green. The number of robberies and muggings in Birmingham tends to fluctuate (as demonstrated by the more up to date statistics provided above), but there were higher rates in the following four areas than in other areas in Birmingham: Nechells Parkway in Ladywood District, Soho Road Lozells and Aston in Ladywood and Perry Barr Districts; the city centre; Coventry Road on the Ladywood, Bordesley Green and Yardley Border. Noise

Levels of noise pollution are problems in certain parts of the city according to the Sustainable Community Strategy⁷³. Surveys have shown that one in eight residents are concerned about noise, and the Council receives over 3,000 complaints about noise a year. Traffic is one of the principal sources of this noise. Birmingham has pioneered 'noise mapping' to help manage the problem.

Influence of the DM DPD on Population and Human Health

The influence of the DM DPD on population and human health could make a significant difference in respect of certain measures such as changes in the use of buildings in local centres. Here, for example, changes to hot food takeaways could be carefully monitored in order to gauge their potential impact on the character of the locality, health indicators and vulnerable groups such as children. Individual approaches to specific service centres may be required to take account of special circumstances including their size, economic health and proximity to specific receptors such as schools. More widely, the role of Green Infrastructure in promoting health and well-being needs to be recognised and planned for.

⁷⁰ Source: <http://www.birmingham.gov.uk/cs/Satellite?c=Page&childpagename=Policy-and-Delivery%2FPageLayout&cid=1223092613434&pagename=BCC%2FCommon%2FWrapper%2FWrapper>

⁷¹ All crime statistics from <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/recordedcrimedatatacommunitysafetypartnershiplocalauthoritylevel> [Accessed April 2018]

⁷² <https://www.verisure.co.uk/advice-and-help/crime-statistics/birmingham-crime-statistics>

⁷³ https://www.birmingham.gov.uk/downloads/file/1543/strat1_sustainable_community_strategy_birmingham_2026_2008pdf

Water & Air Quality

The State of Birmingham's Rivers

The BCC SPD on sustainable management of rivers and floodplains⁷⁴ summarises the key issues relating to the state of the City's rivers:

- ▶ Parts of the river system are in a poor ecological state;
- ▶ Parts of the river system are inaccessible over much of their length and are of poor amenity value to the local community;
- ▶ Fly tipping of domestic and commercial waste;
- ▶ Beneath Birmingham, groundwater is rising, bringing with it contaminants that have previously remained in the ground;
- ▶ Wildlife habitats in the rivers and at the banksides have been badly damaged;
- ▶ During storms pollution flushes into the river, causing a loss of oxygen and killing fish; and
- ▶ There are increasing development pressures on bank-side locations.

Across the Humber River Basin⁷⁵ as a whole, despite recent progress, a range of challenges still remain, which will need to be addressed to secure the predicted outcomes. They include:

- ▶ Physical modifications - affecting 42% of water bodies;
- ▶ Pollution from waste water – affecting 38% of water bodies;
- ▶ Pollution from towns, cities and transport - affecting 16% of water bodies;
- ▶ Changes to the natural flow and level of water - affecting 6% of water bodies;
- ▶ Negative effects of invasive non-native species - affecting <1% of water bodies;
- ▶ Pollution from rural areas - affecting 32% of water bodies; and
- ▶ Pollution from abandoned mines - affecting 4% of water bodies.

Reservoirs and Canals

Birmingham has 22 reservoirs as defined under the Reservoir Act 1975 of which 11 large raised reservoirs are the responsibility of Birmingham City Council. The remaining reservoirs are the responsibility of a variety of organisations including Environment Agency (3), Severn Trent Water (5), British Waterways (1) and private companies (2). Of these, two reservoirs are used for drinking water supply and one, a canal feed reservoir at Edgbaston.

Birmingham has an extensive network of canals, the exact length depends on where you draw the city boundaries, but the whole Birmingham Canal Navigations system extends for approximately 160 miles in total. It is one of the most intricate canal networks in the world. These waterways converge in the city centre at Gas Street Basin. The canals within Birmingham include:

- ▶ Birmingham & Fazeley Canal;

⁷⁴https://www.birmingham.gov.uk/downloads/file/1166/sustainable_management_of_urban_rivers_and_floodplains_supplementary_planning_document

⁷⁵ Environment Agency (2016) Humber River Basin Management Plan

- ▶ Birmingham Canal Main Line;
- ▶ Birmingham Canal Old Main Line;
- ▶ Grand Union Canal;
- ▶ Tame Valley Canal;
- ▶ Worcester and Birmingham Canal; and
- ▶ Stratford-upon-Avon Canal.

Air

The whole of Birmingham was declared as an Air Quality Management Area (AQMA) in 2003. The main pollutant is nitrogen dioxide, the primary sources of which are transport and industrial combustion processes.

The transportation sector is a major contributor to the emissions of nitrogen oxides across the city, but there has been a slight decrease in the traffic contribution over the last few years according to the Air Quality Action Plan. The City's principal road network is illustrated in Figure 4.18 and shows the distinct presence of motorways to the north of the City and their influence, along with the City Centre, on NO₂ concentrations (Figure 4.19). The overall number of morning rush hour car trips into Birmingham City Centre has declined by around one third over the period 1999 – 2011 (AMR, 2013), replaced by an increase in rail trips by one third (18,987 to 27,674) and a doubling of tram trips (998 to 1,687).

Figure 4.18 Birmingham's Transportation Network

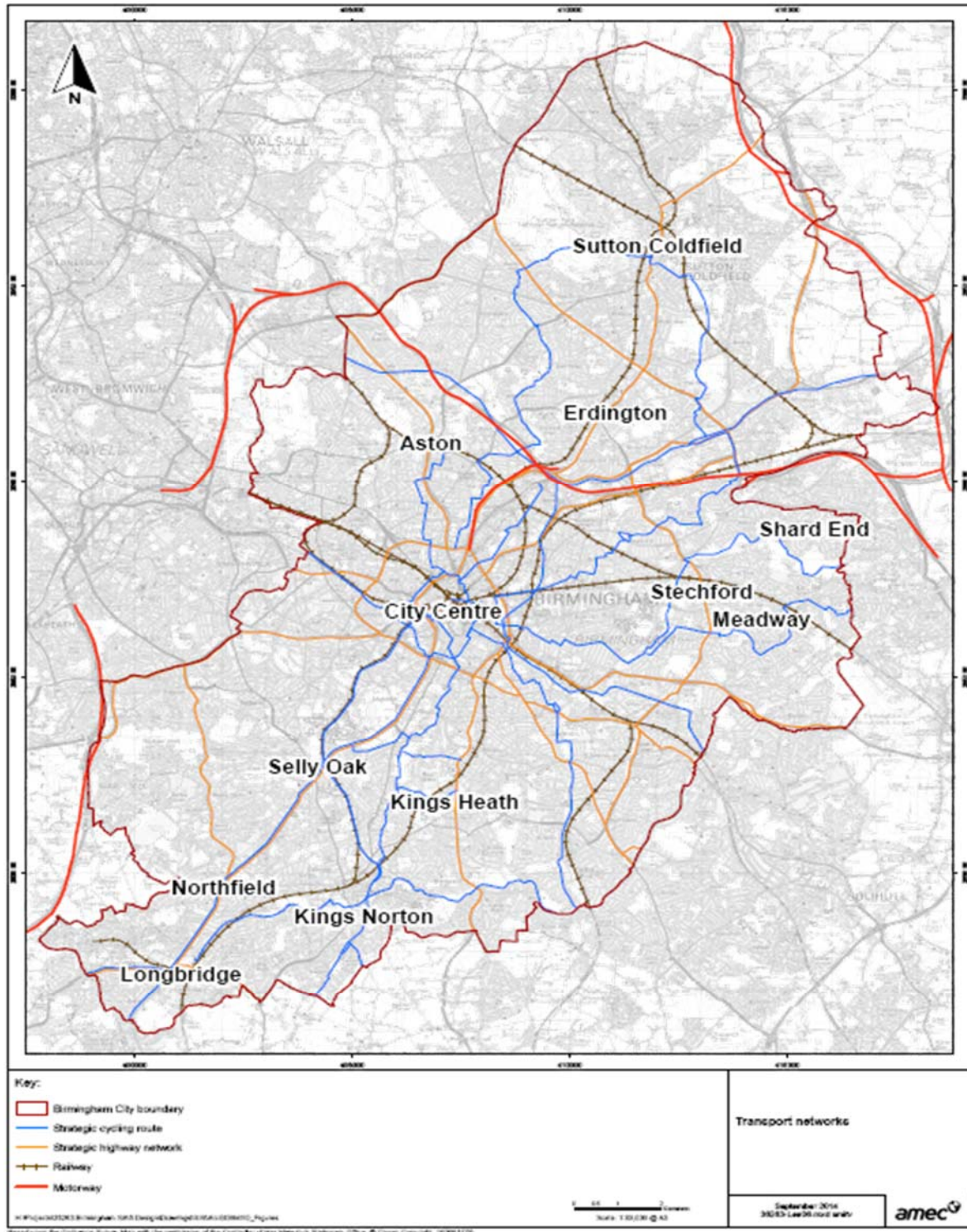
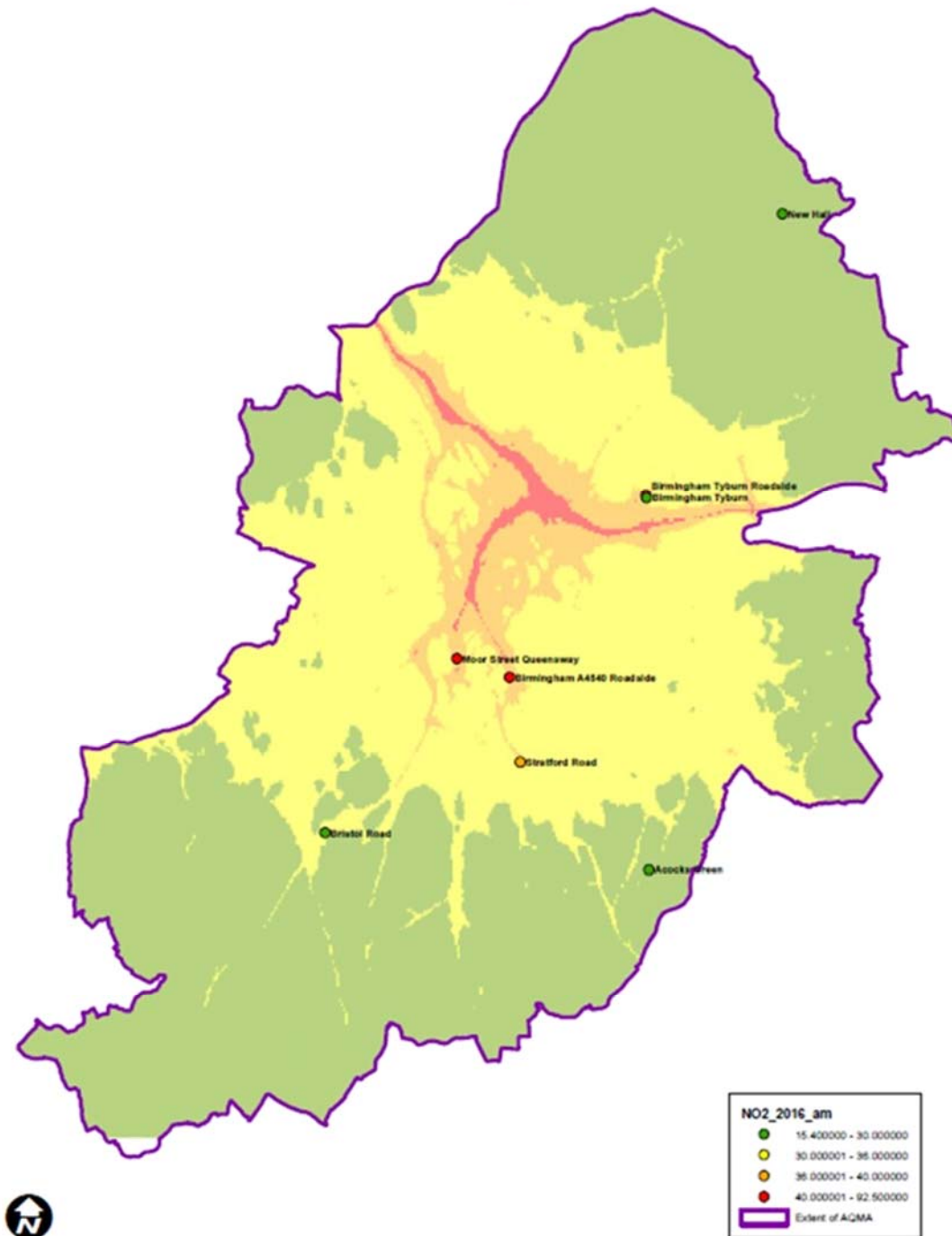


Figure 4.19 Modelled N02 Concentrations across Birmingham 2016⁷⁶

Influence of the DM DPD on Water and Air Quality

The influence of the DM DPD on water and air quality is likely to be both direct and indirect, short and longer term, and potentially cumulative reflecting the impact of multiple developments over a long timescale. Through the application of the supporting criteria to the policies and appropriate conditions, negative effects should be avoided and where appropriate mitigated. However, monitoring of developments will be required to determine net effects. A specific issue relates to the increased volume of waste water and sewage effluent

⁷⁶ Birmingham City Council (2017) 2016 Air Quality Annual Status Report (ASR)

associated with City's growth proposals will need to be treated to a high enough standard to ensure that there is no detriment in the quality of the watercourses receiving this discharge. Given the dispersed nature of the proposed development, it is likely that there will be a requirement for widespread upgrading of the sewerage pipe network throughout the City. Policy will need to ensure that the sewerage system has adequate capacity to manage any additional flows.

Cultural Heritage

Built and Historic Environment

Birmingham has a wide variety of distinctive historic townscapes, buildings and landscapes. The extent of the City's historic resource is summarised in Table 4.13 and mapped in Figure 4.20.

Table 4.13 Birmingham's Historic Built Environment

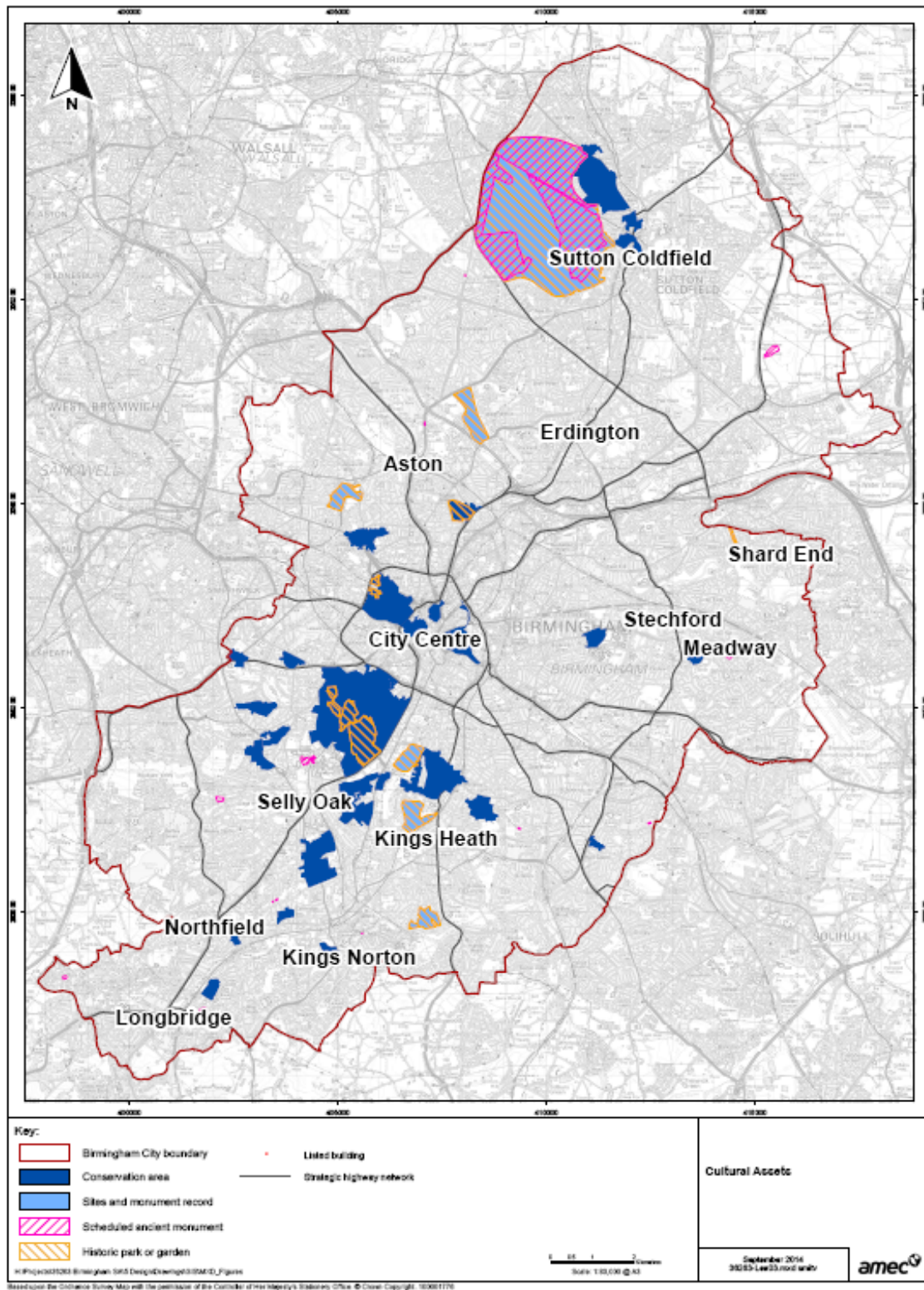
Heritage Asset	Number	Area (Hectares)
Scheduled Ancient Monuments	14	528.72
Statutorily Listed Buildings	1,486	369.98
Locally Listed Buildings	444	176.06
Conservation Areas	30	1,223.22
Registered Parks and Gardens	14	1,183.44
		Length (Kilometres)
Canals	-	57.4

Source: Birmingham City Council, AMR (2015)

There are currently 30 Conservation Areas in Birmingham, which account for 4% of the land area of the City including five within the City Centre. Some Conservation Areas, such as the Jewellery Quarter and Bourneville, are unique and are nationally recognised. Birmingham also has nearly 1,500 statutorily listed buildings and 14 registered parks and gardens of special historic interest. The City Council applied to the United Nations Educational, Scientific and Cultural Organisation for 'World Heritage Site' status in 2011 for the Jewellery Quarter. The City's Listed Buildings range in date from mediaeval churches and houses to important examples of twentieth century architecture. Birmingham also has an extensive network of historic canals, reflecting its key role during the Industrial Revolution in the eighteenth and nineteenth centuries.

The City's archaeological resource is surprisingly varied for such a major urban area. Some remains are recognised as being of national importance, and are protected by scheduling. Known remains range in date from prehistoric earthworks to nineteenth and twentieth century industrial buildings and structures. The Historic Environment Record maintained by the City Council includes details of all known archaeological remains within the City. These now total almost 5,525 records which has increased from 5,445 from 2012. Historic Landscape Characterisation of the City commenced in 2011 with 4,141 polygons captured. Environmental improvements by the City Council during the late 1980s and early 1990s, such as the development of the ICC and Centenary Square, Victoria Square and the pedestrianisation of New Street, have improved the overall quality of the environment within the City Centre. There have been notable successes in relation to improving the quality of design and the environment, particularly in the city centre. This was recognised by the award to the city of the RTPI Silver Jubilee Cup in 2004. Birmingham also won the European City of the Future Award at the European Property Awards in Munich in 2005.

Figure 4.20 Birmingham's Heritage Assets



There are a number of challenges and opportunities facing Birmingham's historic environment including the condition of its designated and non-designated heritage assets, the continuing programme of townscape and public realm improvements, pressure on the skyline and its cultural identity and distinctiveness.

There are 26 entries on Historic England's 'at risk' register for Birmingham⁷⁷ and these include a number of churches, the Grand Hotel on Colmore Row, the public baths in Moseley, the Red Lion pub on Soho Road, several conservation areas, former school of art on Moseley road, and Perrott's Folly. The condition of these historic assets on the register varies, for example Icknield Street School is classed as category A i.e. at immediate risk of further rapid deterioration, as are the public baths on Moseley Road, the Red Lion pub on Soho pub is category C so in slow decay but not in any immediate risk of rapid deterioration and Austin Village Conservation Area is in very bad condition and is deteriorating significantly. Some of these are in the process of being repaired or have plans in place for repair whilst others are at risk, for example the vacant British Rail goods office.

Birmingham's Heritage Strategy⁷⁸ 2014-19 has four key aims:

- ▶ Preservation – including ensuring heritage is properly considered in the planning process, supporting the Heritage Champion and improving the sustainability of heritage programmes and projects;
- ▶ Prioritisation – including working with the Heritage Strategy Group to bring forward projects, including in local districts, to co-ordinate bidding for funds and planning for major anniversaries and city events;
- ▶ People – including participation, engagement volunteering, celebrating local heritage and identity and supporting Districts to engage with heritage in neighbourhoods; and
- ▶ Promotion – including building a better story around our heritage and improving our marketing of heritage assets.

The strategy notes that given reductions in funding available that partnership working will be important going forward for Birmingham's historic environment. The strategy also notes Community Infrastructure Levy (CIL) will be important for providing funding for the historic environment and also the Heritage Lottery Fund (HLF). HLF has identified a number of priority areas in the city which have received less funding than other parts of the region. These are:

- ▶ Perry Barr;
- ▶ Oscott;
- ▶ Handsworth Wood;
- ▶ Lozells & East Handsworth;
- ▶ Aston;
- ▶ Soho;
- ▶ Ladywood; and
- ▶ Nechells.

There is a continuing programme of townscape and public realm improvements in Birmingham which presents opportunities for historic environment improvements. One of the big City Centre development

⁷⁷ <https://historicengland.org.uk/advice/heritage-at-risk/search-register/results?q=birmingham&searchtype=har&page=2> [Accessed July 2018]

⁷⁸ Birmingham Heritage Strategy 2014-2019 Available at https://www.birmingham.gov.uk/downloads/file/2008/exam_30_birmingham_heritage_strategy_2014-2019 [Accessed July 2018]

schemes currently ongoing is the paradise area between the museum and art gallery and the library. Paradise is to be transformed into a vibrant mixed use development of commercial, civic, retail, leisure and hotel space, providing major improvements to pedestrian access and greatly enhanced public realm befitting this exemplary historic setting. There are also masterplans for developments in other parts of the City Centre including around Snowhill.

In 2017 Historic England published an updated edition of Streets for all which is a practical guide for anyone involved in planning and implementing highways and public realm works in sensitive historic locations. A supplementary document was then published in the context of the West Midlands⁷⁹. This document explains how historic character adds value to the region's contemporary public realm and summarises some of the priorities and opportunities for further improvements to the West Midlands' streetscapes.

This supplementary document notes that through support by the Greater Birmingham and Solihull Local Economic Partnership, Birmingham is now in the top three spenders on public realm nationally. This level of spending has helped to deliver a number of public realm improvements across the City.

Natural Landscape

Although much of Birmingham is built up, there is a significant amount of open land within the City (Table 4.14).

Table 4.14 The Natural Environment and Open Space

Open Space Category	Area (ha)	% of City Council Area
Sites of Special Scientific Interest	896.59	3.35
National Nature Reserves	811.73	3.03
Local Nature Reserves	316.73	1.16
Sites of Importance for Nature Conservation	828.03	3.09
Sites of Local Importance for Nature Conservation	698.98	2.62
Public Open Space	3,069.77	11.46
Public Playing Fields	296.9	1.11
Private Playing Fields	268.11	1.0
Private Open Space	67.19	0.25
Educational Playing Fields	166.33	0.62
Golf Courses	657.78	2.46
Statutory Common Land	11.25	0.04
Allotments	243.8	0.91
Green Belt	4,154.77	15.52

Source: Birmingham City Council, AMR (2015)

Landscape character is a key contributor to regional and local identity, influencing sense of place, shaping the settings of people's lives and providing a critical stimulus to their engagement with the natural environment. The National Character Areas (NCAs) provide a description of landscape character across

⁷⁹ <https://content.historicengland.org.uk/images-books/publications/streets-for-all-west-midlands/heag149h-sfa-west-midlands.pdf/>

England⁸⁰. These are used by Natural England to provide a context for monitoring landscape change through the Countryside Quality Counts (CQC) project⁸¹. Birmingham falls within two NCAs, Arden to the south and Cannock Chase and Cank Wood to the north. The part of the City which lies within Arden is almost entirely urbanised. The wider landscape to the south is characterised by a farmed woodland landscape of rolling landform with narrow meandering river valleys.

The National Character Area description relevant to Birmingham states:

"Birmingham has a clearly-defined concentric pattern of development. Much of the landscape is dominated by 19th and 20th century housing, the former in characteristic red brick. Canals, parks, golf courses and the river corridor form the main open spaces, with a substantial parkland area around the University at Edgbaston and some low-density garden suburbs like Bourneville. Enclosed within the urban area are fragments of older landscapes like Castle Bromwich Park⁸²."

The change in landscape character in the period 1998-2003 is described in the CQC assessment as:

"...development pressure continues to be evident throughout the area, with evidence of expansion around many major settlements such as Nuneaton, Coventry, Bromsgrove and Redditch, and expansion of major roads such as the M6 toll⁸³."

The northern part of the city lies within the Cannock Chase and Cank Wood NCA. Relevant extracts from the JCA are set out below:

"Cannock Chase and Cank Wood is a landscape dominated by its history as a former forest and chase and by the presence at its centre of the South Staffordshire Coalfield. It forms an area of higher ground, with the towns and large villages of the Black Country rising out of the lowlands of Shropshire and Staffordshire to the west. In the south it merges with Birmingham and Arden. 9% of the area is woodland, 45% is urban and 9% lies within Cannock Chase AONB. Part of the area lies within the Forest of Mercia (Community Forest) and the Black Country Urban Forest. To the north of Birmingham and west of West Bromwich there are many more areas of open land, primarily in agricultural use, but with a large historic park at Sutton Park and with fragments of heathland, such as Barr Beacon. There are medium-sized fields, generally with good quality hedgerows, patches of ancient enclosure fields and areas of semi-natural vegetation including acid grassland, pools, fens and fragments of ancient woodland. Narrow, hedged lanes are often present and there is a real feeling of countryside despite the nearness of the built-up area⁸³."

The change in landscape character is characterised in the CQC assessment as:

"High rate of change to urban (JCA ranked 11th nationally); 46% of JCA is within greenbelt. Marked expansion of fringe into peri-urban around Cannock, Lichfield, Burntwood and Norton Canes. Also development of M6 Toll has had major impact. Character of the area continues to be transformed."

Approximately 15% of Birmingham's land area is designated as Green Belt which lies within the Cannock Chase and Cank Wood JCA. This includes all the open countryside within the City's boundary, as well as other areas extending into the City, for example along river valleys. There are also areas of open space within the built-up areas of the City, such as parks and playing fields, nature reserves and allotments.

Influence of the DM DPD on Cultural Heritage

Development Management policies potentially have a significant influence over cultural heritage assets, emphasising the importance of clear policy, application of suitable conditions and monitoring of impacts to mitigate potential negative impacts.

⁸⁰ <http://publications.naturalengland.org.uk/category/587130>

⁸¹ <http://www.countryside.gov.uk/LAR/Landscape/CC/cqc.asp>

⁸² Source: http://www.naturalengland.org.uk/Images/jca097-arden_tcm2-21191_tcm6-5424.pdf

⁸³ Source: <http://www.farmsteadstoolkit.co.uk/downloads/jca/JCA%2067.pdf>



Appendix D

Consultation Responses on the Scoping Report update (August 2018) and the Council's Response

Ref	Consultee	Consultee Response Summary	Response/ Action
1	Natural England	<p>General Comments</p> <p>We understand that due to the delayed adoption of the Birmingham Development Plan (adopted January 2017), work on this DPD has been put on hold and re-started this year. We also understand that Natural England provided comments on the 2014 SA Scoping Report in correspondence to you dated 22 January 2015.</p> <p>Specifically, we support and welcome the updating of this report in respect of the main changes (as acknowledged by your authority):</p> <ul style="list-style-type: none"> - Updates to the evidence base (where required); - Updated DPD objectives (which are now the same as the BDP objectives); and - Updated review of policies and programmes. 	<p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p>
	Natural England	<p>Scope of the Proposed Assessment</p> <p>We welcome the reference to the need for a Habitat Regulations Assessment and confirm that a HRA will be required to ascertain if any likely significant effects on any European site as a result of the Plan's implementation (either on its own or 'in combination' with other plans or projects) will occur and, if so, whether these effects will result in any adverse effects on the site's integrity.</p> <p>Where the possibility of significant effects cannot be excluded, a more detailed Appropriate Assessment (AA) is carried out to determine whether those effects would adversely affect the integrity of European sites.</p> <p>We welcome the comprehensive list of Plans, Programmes and Strategies relevant to the SA/SEA of the DM DPD at Table 3.1. Natural England has not reviewed the plans listed. However, we advise that the following types of plans relating to the natural environment should be considered where applicable to your plan area:</p> <ul style="list-style-type: none"> • Green Infrastructure Strategies • Biodiversity Plans • Rights of Way Improvement Plans • Shoreline Management Plans • Coastal Access Plans • River Basin Management Plans • AONB and National Park Management Plans • Relevant Landscape Plans and Strategies. 	<p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken. The plans and programmes listed are considered to be comprehensive.</p>
	Natural England	<p>Main Issues Identified</p> <p>We welcome and generally agree with the key sustainability issues for Birmingham as detailed at Table 4.1.</p> <p><u>Proposed Objectives and Guide Questions</u></p> <p>NE notes that that only one guide question relates to biodiversity – i.e. 'Will development protect and where possible enhance the City's cultural and natural heritage?' – In this regard, we recommend the strengthening of the need for restoration or enhancement of biodiversity in line with National Planning Policy Framework.</p> <p><u>Table 6.3 – Compatibility between the Sustainability Objectives and the Draft DM DPD Objectives</u></p> <p>NE advises that effective and inventive application of Policy ENV4 ('To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage') can also lever in positive benefits towards 'education' and 'sustainable connectivity' Plan</p>	<p>Comments are noted. No action taken.</p> <p>This comment has been actioned accordingly.</p> <p>Positive benefits on these objectives have now been noted via positive scores in this table.</p>

Ref	Consultee	Consultee Response Summary	Response/ Action
		Objectives via adoption of a multi-functional green infrastructure approach.	
	Natural England	<p>Objectives Covering the Breadth of Issues Appropriate for Assessing the Effects</p> <p>Generally, yes. We welcome in particular the positive correlations made between effective green infrastructure and human health.</p> <p>Ecological connectivity: There is a risk that in some situations, development on land of limited biodiversity value in its own right can lead to the creation of islands of biodiversity, permanently severed from other areas. We thus suggest adding 'Ensure current ecological networks are not compromised, and future improvements in habitat connectivity are not prejudiced'.</p>	<p>Comments are noted. No action taken.</p> <p>Objective ENV4 amended to: <i>"To encourage high quality development which protects and enhances Birmingham's cultural and natural heritage, including resilient ecological networks able to meet the demands of current and future pressures."</i></p>
2	Environment Agency	<p>Evidence Base</p> <p>The updated scoping report incorporates our previous comments from 2015. The most up to date evidence base should be used going forward for this assessment.</p> <p>The Birmingham Level 1 & Level 2 SFRA's were completed in 2012 and these should be updated to take into account the most accurate flood risk information and the updated climate change allowances (published in February 2016).</p>	<p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken – the Council will consider updates to the SFRA's as part of the evidence base work in support of this DPD.</p>
	Environment Agency	<p>Aims and Objectives</p> <p>Section 1.3 'Aims and Objectives' does not include any reference to flood risk. The second to last bullet point states to 'enhance Birmingham's natural environment' but there should be a wording to ensure flood risk is not increased and reduced at every possibility.</p>	For continuity, the Aims and Objectives are drawn from the Birmingham Plan. These will be reviewed as part of future plan review.
	Environment Agency	<p>Flood Risk Baseline</p> <p>In this section 'Managing and Reducing Flood Risk', the figures used relate to 2012/13 and 2013/14. We consider this section should refer to the most up to date data available which is most likely to be more representative.</p> <p>We assume the 'Historic Flood Risk' section on page 41 includes all flooding events to have occurred in Birmingham? We consider this should be updated with the most recent flooding events as it currently it goes up September 2008 and there have been a number of flooding events since then.</p>	<p>More recent data has now been included in this section.</p> <p>Reference to more recent flooding events has been added in this section.</p>
	Environment Agency	<p>Groundwater and Contaminated Land</p> <p>From a Ground Water and Contaminated Land perspective there are no additional detailed comments to make on the updated Scoping Report. However we would re-iterate our comments made in 2014 regarding land contamination issues.</p> <p>Land contamination can be a significant source of water pollution in the environment. In the worst cases pollution plumes can extend many kilometres and can also cause pollution that impacts on boreholes used for Public Water Supply or impact the quality of ecology in linked surface waters.</p> <p>The plan should seek to protect water quality through the various regulatory and advisory mechanisms with respect to land contamination. The aim should strongly encourage voluntary remediation or remediation of land contamination through the planning regime.</p> <p>The plan should encourage the use of sustainable and effective remedial measures to prevent or address water pollution from sites affected by contamination and so provide a better environment and amenity value. This includes the sustainable recycling of water and soils where appropriate. However, these operations must not result in an</p>	<p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p>

Ref	Consultee	Consultee Response Summary	Response/ Action
		<p>unacceptable release to groundwater and must where necessary have appropriate permits and controls.</p> <p>Sustainable remediation should seek to manage unacceptable risks to human health and the environment (including groundwater), while optimising the environmental, economic and social impacts. Sustainable remediation appraisal requires consideration of a wide range of environmental, social and economic factors, including, for example, climate change impacts such as greenhouse gas emission from the remedial works or the site itself, worker safety and cost.</p> <p>The concept that a site should be 'suitable for use' should underlie the approach to remediation of historic contamination. This means suitable for the environment as a whole, not just for use by people. Protecting surface water and groundwater may mean carrying out work over and above that required to make the land suitable for the proposed development and to protect human health.</p> <p>We would also strongly recommend that strategies promote risk based assessment methodology and good practice promoted through use of the framework, tools and supplementary guidance set out in Model procedures for the management of land contamination (Contaminated land report 11) (Environment Agency and Defra 2004).</p> <p>Management of Contaminated Land by application of the well-established principles and practices outlined above will help both the Local Authorities and the Environment Agency deliver its obligations to reduce diffuse urban pollution required by virtue of the Water Framework Directive.</p>	<p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p> <p>Comments are noted. No action taken.</p>
3	Historic England	<p>Executive Summary</p> <p>In the Executive Summary can you please change reference from English Heritage to Historic England.</p>	This change has been actioned accordingly.
	Historic England	<p>Section 3 Plans and Programmes Review</p> <p>You may wish to add: The Government's Heritage Statement, 2017. https://www.gov.uk/government/publications/the-heritage-statement-2017</p> <p>Protecting the past – informing the present. Birmingham's' Heritage Strategy 2014-2019 https://www.birmingham.gov.uk/downloads/file/2008/exam_30_birmingham_heritage_strategy_2014-2019</p>	These have been added to the plans and programmes review accordingly.
	Historic England	<p>Section 4 Key Sustainability Issues</p> <p>At present the Report sets out what the City's designated heritage assets area with a brief commentary but doesn't really set out the challenges and opportunities (the issues) facing Birmingham's historic environment such as the condition of its designated and non-designated heritage assets; the continuing programme of townscape and public realm improvements; the pressure on its skyline and its cultural identity and distinctiveness. Where do the risks lie? Birmingham's Heritage strategy (see above) may be a useful source.</p>	The historic environment section of the baseline has been updated accordingly.



Appendix E

Consultation Responses on the Scoping Report (2014) and the Council's Response

Consultee: English Heritage

"It appears an appropriately focussed proposal, proportionate and streamlined to the role of the Plan and as such I have no concerns. However, you may wish to apply the same or similar indicators as those that will monitor the HE policy in the B'ham Plan and in particular re the city's heritage assets formerly 'at risk'.

For information, EH has prepared specific guidance for the preparation of SA in relation to historic environment. It may be worth referring this to AMEC to consider and apply during work on the SA and the environmental report."

Consultee: Environment Agency

Comment	Response
<p><u>Executive Summary</u></p> <p>We support the inclusion of environmental issues identified as Key Sustainability Issues for the city of Birmingham (pages vi-ix).</p>	Noted
<p>We note the issue of water resources is raised in Theme 1; Resource Use, however recommend that another key theme relating to water sustainability is the timely provision of foul drainage infrastructure to support the proposed level of growth. The city's transmission infrastructure is currently undersized to accommodate the increase in loading that will go hand in hand with the level of development proposed and the SA should ensure this is addressed through the DM DPD.</p>	Reference to foul drainage added to Theme 1
<p>We welcome the consideration of both climate change adaption and mitigation (Themes 2, 9 and 10). We question however whether Theme 10 should be relabeled as Flood Risk as this is the only issue identified in relation to the management of climate change. We question whether there are other climate change related issues that should be incorporated under this heading relating to health, wellbeing, biodiversity and infrastructure provision (see section 4.4.1: Climate Change page 23). The issue of flood risk could be separated out under its own heading as it is an issue in its own right as the issues are not wholly resulting from the impacts of climate change.</p>	<p>Flood risk separated out under Theme 10</p> <p>Links made to other climate change issues.</p>
<p>Theme 8: The efficient use of land should be linked with the issue of flood risk (theme 10) as the flood risk sequential test outlined within national policy steers development to areas at lowest risk of flooding. This can sometimes conflict with the preference for brownfield redevelopment sites. We support the reuse of brownfield land as this can enable the remediation of underlying ground contamination caused by previous land uses, improving ground water quality. This therefore links with Theme 16: water quality and vice versa.</p>	Link made
<p>Theme 16 refers to the chemical and biological quality of rivers and waterways, and observes that Birmingham suffers from low quality against these measures. Water quality in the city is largely influenced by the efficiency of the foul drainage infrastructure – this links to our comments in relation to Theme 1.</p>	Comment added
<p>We note that the 28 sustainability issues identified for this plan are to be addressed by 18 standard objectives which are taken from the Development Plan SA/SEA. It should be ensured that all issues raised within this report are reflected within the proposed objectives – it appears that Issue 1: Resources Uses (water) has not been included within the objectives. We recommend it is added in under ENV5 or ENV6.</p>	Added to ENV6

Comment	Response
We draw your attention towards Sustainability Objectives 16, 17 and 18 on Page x, which appear to be duplicates of Objectives 1, 2 and 3.	Corrected
<p><u>Plans, Programmes and Strategies</u></p> <p>Table 3.1 lists the <i>Severn Trent Water Resources Management Plan (2010)</i> under the Regional heading. This is updated every 5 years and as such this is not the current version. The SA should refer to the 2014 plan found at http://www.severntrent.com/future/plans-and-strategy/water-resources-management-plan as referenced on page 15 of the report.</p>	Reference added
<p>The SA should also consider the findings of the Environment Agency publication <i>Tame, Anker and Mease abstraction licensing strategy (February 2013)</i> which can be found at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/291402/LIT_3306_bc78df.pdf. This relates the availability of water for ground and surface water for abstraction purposes. Information from this strategy should be summarised alongside other water resources issues on page 15.</p>	Reference added
<p>The Environment Agency now has in draft the <i>Humber Flood Risk Management Plan</i> which sets out proposals for managing the risk of flooding at a catchment and river basin district scale. These proposals will help inform decisions about where investment and action are targeted in future to best protect people and places from the risk of flooding. For more information about this please see the link at the end of this letter that directs you towards this consultation document.</p> <p>Birmingham City Council also have a number of other water-based evidence documents that should be considered. These include:</p> <ul style="list-style-type: none"> • <i>Surface Water Management Plan for Birmingham (2013 emerging draft)</i> • <i>Local Flood Risk Management Strategy for Birmingham (2014 outline version). Preliminary Flood Risk Assessment (2011)</i> 	References added
<p><u>Appendix A</u> reviews the relevant plans and programmes in more detail. Under the Objectives and Targets identified for the Water Framework Directive (WFD) (page A1) it states that all waterbodies are to reach 'Good Ecological Status' by 2015. This is currently correct, however this will change when the next round of River Basin Management Plan (RBMP) is published in December 2015, therefore this will need to be kept up to date. The next statement: 'Exactly what constitutes 'Good Ecological Status' has not yet been defined.' is incorrect. The following definition is taken from the Humber RBMP (relevant to Birmingham) and should be reflected within the SA:</p> <p><i>Good ecological status applies to natural water bodies, and is defined as a slight variation from undisturbed natural conditions.</i></p> <p><i>Some water bodies are designated as 'artificial' or 'heavily modified'. This is because they may have been created or modified for a particular use such as water supply, flood protection, navigation or urban infrastructure. By definition, artificial and heavily modified water bodies are not able to achieve natural conditions. Instead the classification and objectives for these water bodies, and the biology they represent, are measured against 'ecological potential' rather than status. For an artificial or heavily modified water body to achieve good ecological potential, its chemistry must be good. In addition, any modifications to the structural or physical nature of the water body that harm biology must only be those essential for its valid use. All other such modifications must have been altered or managed to reduce or remove their adverse impact, so that there is the potential for biology to be as close as possible to that of a similar natural water body.</i></p>	Noted
<p>The objectives of the Trent Catchment Flood Management Plan (CFMP) are very broad and high level and should be summarised in terms relevant to the local distinctiveness of Birmingham as a city. The CFMP considers Birmingham alongside the Black Country, and forms Policy Unit 10. Based on the level of proposed growth, and flooding characteristics of the area, Policy Option 5 has been applied which identifies that Birmingham is to "take further action to reduce flood risk". This very specific aim should be reflected within the</p>	ENV5 amended

Comment	Response
SA's issues and objectives, particularly ENV5 i.e. the policies should ensure they do not just 'manage' flood risk but 'reduce' flood risk.	
The Humber RBMP (local delivery vehicle for WFD), although listed in Table 3.1 under the Regional subgroup does not appear to be included in Appendix A. This should be rectified with locally-specific objectives summarised and reflected within the SA. Consideration should also be given to the draft plan currently out for consultation.	Amended
We recommend that Birmingham City Council undertake a Water Cycle Study to pull together all the available information on water resource availability and water quality to inform detailed development management policies on development requirements and their impact on the water environment. This should be undertaken in liaison with Severn Trent Water and the Environment Agency with a focus on how development within the city will support objectives set out within the Humber River Basin Management Plan (already referenced within the report).	Noted
<p><u>Key Sustainability Issues for Birmingham</u></p> <p>Section 4.4.2 refers to information on planning application consultations and overrulings on flood risk issues from 2011/12. Information is currently available for 2013-14 which is likely to be more representative than the information currently included in this report. Environment Agency records show we responded to 64 consultations in 2013-14, which comprised as follows:</p> <ul style="list-style-type: none"> • Full 35 • Outline 8 • Change of Use 5 • Conditions 11 • Reserved Matters 2 • Variations 3 <p>Please find attached a dataset for this period detailing applications which we objected to on flood risk grounds. This information should be correlated with Birmingham's records of decisions made to ascertain if there were any overrulings during the period (we are not notified of all planning decisions). This may already be undertaken as part of the annual monitoring process.</p>	Equivalent 2013-14 data not yet available for Birmingham
Section 4.7.1 provides background information to the current state of water and air quality within the city. The Humber RBMP indicates that there are twenty-three surface water bodies which fall within or cross the Birmingham boundary comprising of two lakes, eight canals and thirteen rivers. In the baseline year of 2009 only three out of these twenty-three water bodies achieved the required 'Good Ecological Status' or 'Good Ecological Potential'. We draw your attention towards the WFD Evidence Pack provided by the Environment Agency to support the development of your Development Plan. The Humber RBMP is currently being revised with the new version being published in December 2015. The draft 2015 RBMP is now available as part of the formal consultation process, and any changes to the current plan should be considered within this report. The consultation on the 2015 plan is open until the end of March 2015 (please see details at end of letter).	Noted
The increased volume of waste water and sewage effluent produced by the proposed additional 50,000 dwellings will need to be treated to a high enough standard to ensure that there is no detriment in the quality of the watercourses receiving this discharge. Information currently available indicates that Minworth sewage treatment works should have the capacity to manage this additional capacity however given the dispersed nature of the proposed development, it is likely that there will be a requirement for widespread upgrading of the sewerage pipe network throughout the City. Section 4.7.4 should therefore include a reference to the required upgrading of foul drainage pipework and transmission infrastructure. Cumulative impact is key to this, making it hard to assess which sites and when will trigger the current drainage system to become overloaded and for water quality to become detrimentally impacted by development. It is likely therefore that a blanket policy is required to cover all developments and ensure the sewerage system has adequate capacity to manage any additional flows.	Text updated

Comment	Response
<p><u>Sustainability Objectives and the SA Framework</u></p> <p>Table 6.2 shows the proposed objectives, guide questions and indicators. As discussed above, in line with the emerging Birmingham Development Plan and the CFMP evidence base, ENV5 should be amended to reflect the need to REDUCE flood risk not just manage it. A guide question should be added to table 6.2 to ask 'Will development help reduce flood risk?'</p>	ENV5 amended
<p>We support the inclusion of ENV6 which aims to reduce pollution and ENV1 which will encourage the remediation of brownfield contaminated land. These objectives should help ensure the DM DPD is in line with Humber RBMP's requirements in improving the water quality of the city's rivers, canals and groundwater. The Environment Agency can provide information on water quality objections to planning applications which could be used as a potential indicator to ENV6 (as per flood risk in ENV5).</p>	Noted
<p><u>Development of Environment Agency publications as part of the evidence base</u></p> <p>Environment Agency strategies including the draft River Basin Management Plans (RBMPs) and draft Flood Risk Management Plans (FRMPs) are undergoing public consultation at present. The updated plans are due to be published in December 2015 and they will guide us in directing considerable investment and action from 2016 to 2021 and beyond, which will provide benefits to society and the environment. The catchment of interest to Birmingham city is the Humber.</p>	Noted

Consultee: Natural England

Comment	Response
<p>Question 1 - Scope of the proposed SA</p> <p>Natural England is generally supportive of the scope of the proposed SA.</p> <p>We are also supportive of the series of objectives provided at 1.3 to confirm and clarify the Development Management DPD. We particularly welcome the recognised need for development to make a positive contribution to (1) ...health and well being, and (2) environmental considerations.</p>	Noted
<p>We support the proposed SEA Topic Areas as proposed at Table 4.1.</p>	Noted
<p>Paragraph 2.2.1 Habitat Regulation's Assessment (HRA) – we recognise the acknowledgement that a HRA will be required and concur with the need for this.</p>	Noted
<p>Question 2 - Do we agree with the main issues identified?</p> <p>We generally agree with the 28 sustainability themes (and related issues) identified as being particularly important affecting the city (page vi and Table 4.15). Specific comments in relation to the 28 Sustainability Themes (ST) and the related issues are provided below:</p>	Noted
<p>- We would argue that ST6 'Reducing the need to Travel' may be provided for via the provision of new / enhanced footways / cycleways and, by this, this ST may also potentially related to the improvement of health and well-being.</p>	Reference included
<p>- Natural England would also like to see a mention of the benefits of multi-functional green infrastructure (GI) (and blue infrastructure) as a potential consideration in the efficient use of land (ST8).</p>	Reference included
<p>- ST9 and ST10 (Reducing and Managing Climate Change) - relate to the important need for the city to tackle climate change. There are many ways that the natural landscape and GI can be utilised for this purpose.</p>	Reference included
<p>- ST13 (Natural Landscape) – Natural England understands that a large proportion of the open land and green belt land discussed here is being considered for development via the Birmingham Plan. The SA / DM DPD,</p>	BDP not yet approved

Comment	Response
therefore, surely needs to recognise this here in order to be able to provide a truly reflective account. In this way, should Figure 4.9, Table 4.5 and the statistics provided within paragraph 4.8.2 (Natural Landscape) also be updated to reflect the reduction in green belt and public open space area's proposed?	
- ST14 (Biodiversity and Geodiversity) – Incorrect reference to Biodiversity Enhancement Areas (BEAs). This work / project has now ceased. Reference here should instead be made to The Cannock Chase to Sutton Park Project. Reference should also be made here to the Nature Improvement Area (NIA) designation. (see notes re: NIA below).	BEA reference removed NIA reference included
- ST25 (Health) – we support the reference to natural landscape and recreation.	Noted
ST28 (Culture/Sport/Recreation) – we support the reference to health and natural landscape.	Noted
Section 4: Key Sustainability Issues for Birmingham <i>Managing and Adapting to Climate Change</i> - Paragraph 4.4.2 – Natural England welcomes the reference made here in respect of the value of GI to helping to mitigate and adapt to climate change. We also recommend a reference to the value of blue infrastructure (e.g. rivers, canals, SuDS) for this purpose.	Reference included
- Paragraph 4.4.4 (Influence of DM DPD on Managing Climate Change) – potential inclusion of need for maximisation of GI as part of development proposals, as appropriate, to help mitigate and adapt to climate change.	Reference included
<i>Biodiversity and Geodiversity</i> - Section 4.5—acknowledge the importance of urban ecological sites and corridors as stepping stones for habitats/species and, in accordance with paragraph 109 of the NPPF, also acknowledge the need to establish improved coherent ecological networks that are more resilient to current and future pressures. We would also recommend inclusion of reference to multi-functional GI (and blue infrastructure) for this purpose.	Reference included
- Acknowledge also the need for the council to ensure net gains are made (to conserve and enhance biodiversity) where possible, from development proposals by applying the ' <i>avoid, then mitigate and, (as a last resort) compensate for adverse impacts on biodiversity</i> ' principle (NPPF para 118). By this, when determining planning applications opportunities to incorporate biodiversity in and around developments should also be encouraged.	Reference included
- Also, given the need to minimise impacts on biodiversity and geodiversity, the SA must ensure the DM DPD policies promote the preservation, restoration and re-creation of priority habitats, ecological networks and the protection and recovery of priority species populations, linked to national and local targets (NPPF 117).	Reference included
- Page 34 – we support the reference made to the work of the West Midlands Biodiversity Partnership (WMBP) and in particular, The Cannock Chase to Sutton Park Project. References made to the 'BEA', however, are incorrect as this designation / project has now ceased.	BEA reference removed
- Page 34 - This section should also acknowledge the Nature Improvement Area (NIA) designation. NIAs are fundamental to the step-change needed to establish a coherent and resilient ecological network. Where NIAs are in place (in accordance with para's 117 and 157 of the NPPF), Natural England wishes to see Local Plans: identify them on proposals maps; and include policies to ensure that any development affect them is compatible with their purpose and makes a positive contribute to their enhancement (using CIL/S106 agreements/conditions as appropriate).	Reference included
- Page 34 (GI) – neglects to include a reference to climate change mitigation and adaptation benefits.	Reference included
- Page 38 (Geodiversity) – we support the inclusion of geodiversity within the SA. However, we recommend the SA makes an explicit reference to geological conservation and the need to conserve, interpret and manage geological sites and features in the wider environment not just in relation to designated sites	Reference made
- Paragraph 4.5.2 (Biodiversity and Geodiversity) – comments supported.	Noted

Comment	Response
<p><i>Population and Human Health</i></p> <p>- Paragraph 4.6.11 – Recommend inclusion of reference to GI benefits upon human health and well-being.</p>	Reference included
<p>Section 5: Issues and Problems Relevant to the DM DPD</p> <p>- Table 5.1 – Generally support.</p>	Noted
<p>- We particularly welcome the reference to the need for continued monitoring of developments on periphery of designated sites to determine potential indirect and cumulative impacts. We would, also, recommend the inclusion of a reference to the need for monitoring of effects upon designated sites which may result from other environmental pathways outside those developments on the immediate periphery.</p>	Noted and reference included
<p>- We also welcome the reference to the importance of greenspace and reductions in motor transport that can have positive impacts upon populations and health.</p>	Noted
<p>- Climate Change – include reference to GI and its benefits.</p>	Reference included
<p>Question 3: Do the objectives cover the breadth of issues appropriate for assessing the effects?</p> <p>Generally, yes. Ensure incorporation of the above.</p>	Noted

Appendix F

Regulation 18 (Issues & Options) Consultation Responses

Development Management DPD: Schedule of Regulation 18 Stage Consultation Responses					
Question 1: Do you agree with the Purpose and Aims of the DPD?					
Response from:	Support?	Reasons	LPA Response	Action	Ref
Selly Park Property Owners' Association.	Yes	- No comments.	Noted.	None.	006/1
Highways England	Yes	- Highways England is supportive of overall purpose and aims of the DPD and the DPD's complimentary role to the adopted BDP.	Noted.	None.	010/1
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	Yes	- No comments.	Noted.	None.	015/1
Primesight	Yes	- No comments.	Noted.	None.	021/1
Susan Fleming on behalf of Clear Channel UK Ltd	Yes	- Aim and purpose understood. - Planning development policy for Birmingham needs to be current and in keeping with the recent development and regeneration.	Noted.	None.	025/1
Alvechurch Parish Council	Yes		Noted.	None.	022/1
Question 2: Please give us your views on the Objectives on page 6 of the Consultation Document					
Response from:	Comments	LPA Response		Action	Ref
Selly Park Property Owners' Association.	- No comments	Noted.		None.	006/2

Highways England	- Highways England supports the Objectives of the DPD.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	010/2
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	- Ensure that development responds to local character and history, in accordance with NPPF para 58.	One of the strategic objectives of the Birmingham Development Plan (BDP) is "To protect and enhance the City's heritage and historic environments". BDP Policy PG3 Place making requires all new development to "reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and local area context, including heritage assets and appropriate use of innovation in design."	None.	015/2
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	- The PCCWM support the DPD objective 1.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document. The contents of Objective 1 is covered by the following two BDP Objectives "To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space" and "To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character."	None.	016/1
Turley on behalf of Calthorpe Estates	- Generally supportive of the six key objectives identified - Especially the commitment to the strengthening the vitality and viability of retail centres - And the objective to ensure that new development is designed to integrate effectively with its setting and promote local distinctiveness. -	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	019/1
Susan Fleming on behalf of Clear Channel UK Ltd	- Agree with the objectives, - Point 4 is key. Birmingham must be able to compete internationally and continue to attract investment from abroad.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	025/2
Alvechurch Parish Council	- Should have respect and consideration to adjoining Authorities and areas.	Noted. BCC engages with other local authorities through the Duty to Co-operate and will continue to consult other local authorities at key stages in the preparation of the document.	None.	022/2
Environment Agency	- The Environment Agency support the Objectives identified on page 6.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	012/1
Turley on behalf of Aberdeen Asset Management	- Generally supportive of these objectives. - Pleased the importance of strengthening the vitality and viability of centres has been recognised. Should be reflected in final drafting.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	013/1

Question 3: Please give us your views on the Proposed Policy List on page 8 of the Consultation Document

Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	- No comments.	Noted.	None.	006/3
Susan Fleming on behalf of Clear Channel UK Ltd	- The Authority has identified those areas where they believe review or greater control is required.	The Consultation Document contains an assessment of existing policy documents and a list of proposed policies.	None.	025/3

Question 4: Please give us your views on proposed Policy DM01 – Hot Food Takeaways

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/3

Question 5: Please give us your views on proposed Policy DM02 – Sheesha Lounges

Response from:	Comments	LPA Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	- Policy should be written to design out crime, and to introduce, where appropriate, to ensure the community feel safe during an extended business/leisure day (i.e CCTV). - Particularly relevant when drawing Policy DM02 and DM03.	This policy is no longer proposed in the Preferred Options Document. The impacts of Sheesha Lounges are mainly on amenity of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6, DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/2
Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/4

Question 6: Please give us your views on proposed Policy DM03 – Restaurants, Cafés and Pubs

Response from:	Comments	LPA Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	- Request that reference be made to the need to design out crime, as to ensure the community feel safe during an extended business/leisure day (i.e. CCTV).	This policy is no longer proposed in the Preferred Options Document. The impacts of Restaurants, Cafés and Pubs are mainly on amenity of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6,	Detailed design guidance on creating safe places and anti-terror	016/3

	- Particularly relevant when drawing Policy DM02 and DM03.	DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	measures and safe buildings will be set out in the emerging Birmingham Design Guide.	
Turley on behalf of Calthorpe Estates	- Policies DM03 and DM11 should be sufficiently flexible as to ensure that high quality niche offerings are not unduly restricted by broad blanket policies.	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/2
Alvechurch Parish Council	- No effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/5

Question 7: Please give us your views on proposed Policy DM04 - Environmental Protection – Air Quality

Response from:	Comments	LPA Response	Action	Ref
Highways England	- Highways England is supportive of the principle of the introduction of an Air Quality policy. - Not clear whether at this stage how (or indeed if) this policy may apply to road improvement schemes. - Recommendation that the policy should not be worded in such a way that it may be restrictive to the development and delivery of necessary road improvement schemes.	Noted.	None.	010/3
Alvechurch Parish Council	- Agree	Noted.	None.	022/6

Question 8: Please give us your views on proposed Policy DM05 - Environmental Protection – Noise and Vibration

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- Agree	Noted.	None.	022/7

Question 9: Please give us your views on proposed Policy DM06 - Environmental Protection – Light

Response from:	Comments	LPA Response	Action	Ref
Highways England	- The establishment of this policy is welcomed - Recommendation that the policy accords with requirements outlined by the Institution of Lighting Engineers (ILE) with evidence submitted in the form	Noted. Reference to guidance set out by the Institute Lighting of Professionals is included in the Preferred Options Document.	Comments have been taken into account and incorporated into the supporting text of the	010/4

	of an external lighting report.		policy.	
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> - Consideration has to be given to public safety in specific environments and the ability for individuals and businesses to adequately protect themselves against criminal activity. 	Noted. The proposed policy recognises that well-designed lighting can make a positive contribution to the urban environment, providing safe environments for a range of activities.	Comments have been taken into account and incorporated into the supporting text of the policy.	025/4
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable for the rural adjoining parish of Alvechurch. 	Noted.	None.	022/8

Question 10: Please give us your views on proposed Policy DM07 - Environmental Protection – Land Contamination

Response from:	Comments	LPA Response	Action	Ref
	<ul style="list-style-type: none"> - DMO7 is welcomed as it could provide further support for the protection of groundwater resources within the city and build upon BDP Policy TP6. - Land contamination can be a significant source of water pollution in the environment. The following principles are used when assessing the effect on groundwater solutions; The Precautionary principle; Risk-based approach; Groundwater protection hierarchy - We recommend these principles are incorporated into a policy addition to Policy DM07 as to deliver the Water Framework Directive. - Where the potential consequences of a development or activity are serious or irreversible the precautionary principle will be applied to the management and protection of water 	Noted. It is recognised that contamination of land can have adverse impacts on human health, wildlife and contribute to the pollution of water bodies. BDP Policy TP6 Management of Flood Risk and Water Resources states that "Proposals should demonstrate compliance with the Humber River Basin Management Plan exploring opportunities to help meet the Water Framework Directive's targets. Development will not be permitted where a proposal would have a negative impact on surface water (rivers, lakes and canals) or groundwater quantity or quality either directly through pollution of groundwater or by the mobilisation of contaminants already in the ground." The supporting text of the policy refers to the Environment Agency's principles in managing risks to groundwater (the precautionary principle, risk based approach and groundwater protection hierarchy).	Comments have been taken into account and incorporated into the supporting text of the policy.	012/2
Alvechurch Parish Council	<ul style="list-style-type: none"> - Agree 	Noted.	None.	022/9

Question 11: Please give us your views on proposed Policy DM08 – Private Hire and Taxi Booking Offices

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	<ul style="list-style-type: none"> - No effect on Alvechurch Parish unless adjacent to existing property. 	Noted.	None.	022/10

Question 12: Please give us your views on proposed Policy DM09 – Education Facilities - Use of Dwelling Houses

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- May have an adverse effect through increased traffic if adjacent to existing property.	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.	None. Comments have been taken into account and incorporated into proposed policy.	022/11
Question 13: Please give us your views on proposed Policy DM10 – Education Facilities – Non Residential Properties				
Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	- May have an adverse effect through increased traffic if adjacent to existing property	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.	None. Comments have been taken into account and incorporated into proposed policy.	022/12
Question 14: Please give us your views on proposed Policy DM11 – Hotels and Guest Houses				
Response from:	Comments	LPA Response	Action	Ref
Turley on behalf of Calthorpe Estates	- Ensure that policy is sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by broad blanket policies.	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/3
Alvechurch Parish Council	- Applicable if adjoining property in the rural adjoining parish of Alvechurch.	Noted.	None.	022/13
Question 15: Please give us your views on proposed Policy DM12 – Houses in Multiple Occupation - City-wide				
Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	- Policy should restrict the development of HMOs where they will impact on the standards of residential amenity and character the area - The cumulative effect of HMOs in an area to also be considered.	Noted. Proposed policy DM10 HMOs and other non-family housing and DM2 Amenity address the individual and cumulative impacts of HMOs on residential amenity.	None. Comments have been taken into account and incorporated into proposed policy.	006/4
Summerfield Residents Association	- SRA collectively registers support for the introduction of an Article 4 Direction in parts of Ladywood Ward.	Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area is separate to the DPD process. Justification for an	The request for an Article 4 Direction for parts of	011/1

	<ul style="list-style-type: none"> - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Concern on the proliferation of 'To Let' signs and associated negative connotations 	<p>Article 4 Direction is based on whether the exercise of permitted development rights would undermine local objectives to create or maintain mixed communities. Government guidance states that the use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be clearly identified. It is considered that a strategic approach is needed for addressing issues with HMOs. In assessing the need for further Article 4 Directions, a city-wide analysis will be undertaken to assess the locations and concentration of HMOs. A mapping exercise of the licensed HMOs, along with Council Tax N exemptions and planning consents for Sui Generis HMOs is underway.</p> <p>The introduction of the new licensing rules will require many more properties to be licenced resulting in enable a better understanding of the location and numbers of HMOs in the City. Based on analysis of this intelligence, a more robust and strategic approach to the need for consideration for further Article 4 Direction Areas can be taken to ensure that there is a sound basis for an Article Direction to be pursued. This work is underway and will be reported to the Corporate Director for Economy in February 2019.</p> <p>The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.</p>	<p>Ladywood Ward is noted. A city-wide analysis will be undertaken to consider the need for further Article 4 Direction Areas. This work is underway and will be reported to the Corporate Director for Economy in February 2019.</p>	
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Article 4 Areas should address the need for appropriate crime prevention measures in terms of location, design, layout and other infrastructure to reduce crime and the fear of crime. 	<p>Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area is separate to the DPD process. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.</p>	None.	016/4
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/14
Ladywood District Committee	<ul style="list-style-type: none"> - There is very strong support for this approach. - Not every, but many, landlords do not maintain their properties or surroundings; or manage the behaviour of their tenants, leading to deterioration of neighbourhoods and tensions within local communities. - These properties are often occupied by vulnerable individuals; our concern is about landlords who 	<p>Noted. The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document. It is also important that adequate living conditions are provided for occupants of HMOs. The licensing of HMOs is a separate regulatory regime to planning and seeks to secure minimum standards of accommodation fit for human habitation such as fire safety standards and</p>	None.	024/1

	seem to feel no responsibility to support these individuals.	access to basic facilities such as a kitchen, bathroom and toilet.		

Question 16: Please give us your views on proposed Policy DM13 – Houses in Multiple Occupation – Article 4 Areas

Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concern about exclusion of Bournbrook from the Article 4 area. - Supplementary planning guidance should ensure the standards of residential amenity and character of an area are maintained and cumulative impact is taken into account. 	Bournbrook was excluded from the Article 4 Direction area as it would be ineffective due to the already high concentration of HMOs. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.	None.	006/5
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Proliferation of 'To Let' signs 	See above response to 011/1	See above action to 011/1	011/2
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Policies DM12 Houses in Multiple Occupation and DM13 Houses in Multiple Occupation – Article 4 Areas, address the need for appropriate crime prevention measures - Appropriate measures suggested included location, design, layout and other infrastructure to reduce crime and the fear of crime. 	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/5
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/15

Question 17: Please give us your views on proposed Policy DM14 – Flat Conversions

Response from:	Comments	LPA Response	Action	Ref
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Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Proposals to convert houses into flats should take into account the standards of residential amenity - Not have an adverse impact on the character of an area. - The cumulative effect should also be considered. - The requirement to accommodate parking on site should be given priority. 	The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. Impact of development on highway safety and access, parking and servicing are covered by proposed policies DM13 Highway Safety and Access and DM14 Parking and Servicing. See draft policies in the Preferred Options Document.	None. Comments have been taken into account and incorporated into proposed policy.	006/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/16

Question 18: Please give us your views on proposed Policy DM15 – Hostels and Residential Homes

Response from:	Comments	LPA Response	Action	Ref
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Proliferation of 'To Let' signs 	See response to 011/1	See response 011/1	011/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/17

Question 19: Please give us your views on proposed Policy DM16 – 45 Degree Code

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	Agree	Noted.	None.	022/18

Question 20: Please give us your views on proposed Policy DM17 – Planning Obligations

Response from:	Comments	LPA Response	Action	Ref
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Highways England	<ul style="list-style-type: none"> - Highways England supports the updated policy including continued use of Planning Obligations for developments not otherwise considered through the Community Infrastructure Levy (CIL). - In accordance to the response for the BDP, there is requirement for an improvement scheme at M42 Junction 9 following the Langley and Peddimore developments - The above needs, as identified and recorded in the city's Infrastructure Development Plan (IDP), were excluded from the Draft Regulation 123 list which enables these to be delivered via the CIL. Improvements, therefore, associated with these developments would need to be provided through Planning Obligations. - The updated policy should therefore be supportive of the provision of this infrastructure. Needs to be flexible, however, as to address any future infrastructure needs that may threaten the functionality of the SRN. 	With regard to the Sustainable Urban Extension (SUE) at Langley and Peddimore, all on site infrastructure requirements will not be funded by CIL and S106 contributions will instead be sought. This is stated within the current Regulation 123 list. This will include improvements to Junction 9 of the M42.	None.	010/5
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Welcomes the inclusion of Policy DM17 Planning Obligations - Request that reference be made, either within the policy or within the supporting justification, to the potential requirement for contributions to be made towards Police infrastructure. 	A policy on Planning Obligations is no longer proposed in the Preferred Options Document as it is covered by the BDP Policy on Developer Contributions.	None.	016/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - Agree 	Noted.	None.	022/19

Question 21: Please give us your views on proposed Policy DM18 – Telecommunications

Response from:	Comments	LPA Response	Action	Ref
Mono Consultants on behalf of Mobile Operators Association	<ul style="list-style-type: none"> - We consider it important that there is a specific telecommunications policy within the emerging DM DPD is line with national guidance provided in Section 5 of the NPPF. - When considering applications for telecommunications development, the planning authority should consider operational requirements of telecommunications networks and the technical limitations of the technology.- - "Proposals for telecommunications development will be permitted provided that the following criteria are met 	Noted. Comments have been taken into account and incorporated into proposed policy.	Comments have been taken into account and incorporated into proposed policy.	014/1

	<ul style="list-style-type: none"> (i) the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area; (ii) if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building; (iii) if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority. (iv) If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest. 			
Alvechurch Parish Council	- Masts or other equipment seen from Alvechurch parish or other bordering authority's properties should not be considered.	The provision of advanced high quality communications infrastructure to serve local business and communities plays a crucial role in the national and local economy. The proposed policy for Telecommunications seeks to ensure the right balance is struck between providing essential telecommunications infrastructure and protecting the environment and local amenity.	None.	022/20

Question 22: Please give us your views on proposed Policy DM19 – Aerodrome Safety

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	Not applicable to Alvechurch	Noted.	None.	022/21

Question 23: Please give us your views on proposed Policy DM20 – Tree Protection

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	Agree.	Noted.	None.	022/22

Question 24: Please give us your views on proposed Policy DM21 – Advertisements				
Response from:	Comments	LPA Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England would be supportive of a policy which provides greater detail and guidance in determining decisions on relevant planning applications for advertisements, in relation to road safety. - Ongoing consultation on the drafting of this policy, to mitigate the potential for any adverse impacts on the safety and functionality of the SRN would be desirable. 	Noted. The proposed policy for Advertisement (DM7) seeks to ensure that they are designed to a high standard and are suitably located, sited and designed to have no detrimental impact on public and highway safety or to the amenity of the area.	None. Comments have been taken into account and incorporated into proposed policy.	010/6
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Policies of particular interest to AAM are proposed policies DM21 'Advertisements' and DM23 'Design'. - The Council should seek to ensure that there is sufficient flexibility within the policies to ensure that developers are not overly restricted in what they are able to do. 	Noted. The proposed policy on Advertisements strikes the right balance between flexibility and protection of the character of buildings and the surrounding area.	None.	013/2
Steve George, Managing Director, Signature Outdoor	<ul style="list-style-type: none"> - BCC's objective, in our view, has been to develop futuristic iconic displays in city centre locations. - The balance of providing social and commercial opportunities through the network has seen the reduction of overall displays and the eradication of traditional displays must be considered as progress. 	Noted.	None.	017/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - 'Advertisements' should be efficient, effective and simple in concept and operation. - Advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to detailed assessment. - Advertisements should be subject to control only in the interests of amenity and public safety. 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate well in scale and character to a building or surrounding area.	None.	019/4
Primesight	<ul style="list-style-type: none"> - Care must be taken to ensure that such policies do not conflict with the strict requirements of the 1990 (controlled in the interests of amenity and public safety). - The promotion of innovation in advertising and signage in the interests of amenity and public safety - Recognition of the positive role that advertising can play when appropriately designed and sited. - Recognition of the existing amenity of a site and street scene when assessing the relative impact of a 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate well in scale and character to the building/ structure it is located on and the surrounding area.	None.	021/2

	proposed advertisement scheme.			
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> The Development Plan and subsequent policy adopted must not constrain or prevent sensible large format media/digital advertising 	The proposed policy will not constrain advertisements but ensure that advertisements are well designed, relate well in scale and character to a building or surrounding area and are suitably located, sited and designed having no detrimental impact on public and highway safety or to the amenity of the area.	None.	025/5
Alvechurch Parish Council	<ul style="list-style-type: none"> Masts visible from the Alvechurch Parish or adjoining authority could have a possible negative impact 	Noted.	None.	022/23
Question 25: Please give us your views on proposed Policy DM22 – Places of Worship				
Response from:	Comments	LPA Response	Action	Ref
None	None			
Question 26: Please give us your views on proposed Policy DM23 – Design				
Response from:	Comments	LPA Response	Action	Ref
Environment Agency	<ul style="list-style-type: none"> Policy DM23 recommend consideration of how developments will interact with rivers and streams that flow through their boundaries in order to adequately integrate them. Should build upon and provide further clarity to the requirements of BDP Policy TP6. This policy should be drafted in consultation with your Lead Local Flood Authority who have responsibility for maintaining Ordinary Watercourses within the city. 	Detailed design guidance on how development should be designed to contribute to the green and blue infrastructure in the city will be contained within the emerging Birmingham Design Guide.	Comments to be taken into account in the Birmingham Design Guide.	012/3
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> Proposed policy DM23 is of particular interest to AAM given the central location of City Centre House in the retail core. 	Noted.	None.	013/3
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> The PCCWM supports Policy DM23 Design in its consideration of crime and disorder. Requirements for proposals to meet 'Secured by Design' principles when considering elements such as shop fronts, housing, tall buildings, hard and soft landscaping etc. would be welcomed. 	See response to 016/2	See response to 016/2	016/7

Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Policy DM23, is of particular interest given the proposals identified in the Edgbaston Planning Framework. - The policies need to be sufficiently flexible as to respond to areas historic character and of retailing. 	Noted. A policy for Design is no longer proposed in the Preferred Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	None. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	019/5
Primesight	<ul style="list-style-type: none"> - An overarching design policy that is clearly integrated with advertisement policy is welcomed. 	Noted. A policy for Design is no longer proposed in the Preferred Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	None. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	021/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Properties close to the Birmingham boundary in Alvechurch Parish or adjoining authority could be thought as having a potential to be negatively affected by design. 	Noted.	None.	022/24

Question 27: Please give us your views on proposed Policy DM24 – Residential Amenity and Space Standards

Response from:	Comments	LPA Response	Action	Ref
Alvechurch Parish Council	<ul style="list-style-type: none"> - Agree. 	Noted.	None.	022/25

Question 28: Please give us your views on Enforcement

Response from:	Comments	LPA Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Council should continue to take action to prevent the continuation of development where breaches in planning regulations have occurred. - Where an applicant seeks retrospective consent, development should be prevented until this is approved. - Council to make full use of powers to prevent unauthorised development and curb flagrant abuses as required, considering the merits of each case individually - Local interest groups to be recognised as a good source of information 'on the ground' to 'police' unauthorised developments in an area. 	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.	None.	006/7
Alvechurch Parish Council	<ul style="list-style-type: none"> - Supported, if enforcement is carried out properly on any development that may negatively impact on 	Noted.	None.	022/26

	bordering authority properties.			
Question 29: Do you have any comments about the assessment of existing policies in Appendix 1?				
Response from:	Comments	LPA Response	Action	Ref
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	<ul style="list-style-type: none"> - The retention of the Archaeology Strategy SPG and the Regeneration through Conservation SPG is welcomed - The Archaeology Strategy SPG, like the Regeneration through Conservation SPG, should be absorbed within, and superseded by, the Historic Environment SPD when that is produced. 	The Archaeology Strategy SPG and the Regeneration through Conservation SPG will be superseded by the Birmingham Design Guide SPD once adopted.	Comments to be taken into account in the Birmingham Design Guide.	015/3
Tony Thapar on behalf of Moseley Regeneration Group	<ul style="list-style-type: none"> - Concerned with conservation of the Moseley character - Ensure that there is a diverse range of housing tenures in the neighbourhood. - Concerned with revoking area of restraint for Moseley/ Sparkbrook. 	<p>Policies in the BDP seek to value, protect, enhance and manage the historic environment. The Moseley SPD, adopted in 2014, sets out a vision for Moseley. One of the objectives is to protect its historical legacy. The Moseley Regeneration Group has led on the preparation of the SPD and the development of detailed guidance in relation to the protecting and enhancing the character of Moseley.</p> <p>BDP policies TP27 and TP30 require development to contribute to creating sustainable neighbourhoods characterised by a wide choice of housing sizes, types and tenures to ensure balanced communities.</p> <p>The Areas of Restraint are very out dated and can only be afforded limited weight. It is considered that the issues which the Areas of Restraint seek to address can be adequately covered by existing BDP policies and the proposed policies in the Preferred Options Document namely BDP Policy TP27, TP30, PG3, DM2, DM10, DM13 and DM14.</p>	None.	027/1
Primesight	<ul style="list-style-type: none"> - It is proposed to revoke this SPG rather than update it. It is unclear why a different approach has been taken to that of the Large Format Banners SPD, which on the face of it performs a comparable role. We look forward to receiving the consultation on the draft of the section to be retained in the new policy DM21. 	The Location of Advertisement Hoardings SPG is regarded as being out-of-date, as it does not address more recent developments such as digital media. Some of the content should be included in the DPD policy.	None.	021/4
Question 30: Do you have any other comments? For example, do you think we have omitted anything, or are there any alternative options?				
Response from:	Comments	LPA Response	Action	Ref
North Warwickshire Borough Council	<ul style="list-style-type: none"> - Possible strategic issues relating to policies DM04/06/09/10/11/07 and implementation arising 	Noted	An ongoing dialogue with NWBC will be	001/1

	from the cumulative impact of development to the east of Birmingham.		required.	
Stafford Borough Council	<ul style="list-style-type: none"> - Stafford Borough Council do not have any key issues or concerns with the DPD. 	Noted.	None.	004/1
The Coal Authority	<ul style="list-style-type: none"> - We have no specific comments to make at this stage. 	Noted.	None.	005/1
Historic England	<ul style="list-style-type: none"> - Historic England welcomes the continued reference and commitment to the preparation of a Historic Environment SPD to enable the effective delivery of Policy TP12 of the BDP. 	Detailed design guidance on how development should be designed to value, protect, enhance and manage the historic environment will be contained within the emerging Birmingham Design Guide.	Comments to be taken into account in the Birmingham Design Guide.	003/1
Environment Agency	<ul style="list-style-type: none"> - Suggestion of an additional policy entitled 'Environmental Protection – Water' as to build on BDP Policy TP6. - Policies should ensure that development does not comprise the ability to meet the required WFD objective of Good Status. To accomplish this we recommend: - A Water Cycle Study to pull together all the available information on water resource availability and water quality to inform detailed development management policies. This should be undertaken in liaison with Severn Trent Water and the Environment Agency with reference to the Humber River Basin Management Plan (RBMP). - A policy is required regarding foul drainage infrastructure. The increased volume of waste water and sewage effluent produced by the proposed additional 50,000 dwellings will need to be treated to a high enough standard, it is likely that a blanket policy is required to cover all developments and ensure the sewerage system has adequate capacity to manage any additional flows. We suggest the following condition wording to be included within this DPD, as supported by Severn Trent water's Hearing Statement. 	BDP Policy TP6 (as modified) provides city-wide strategic policy on flood risk and the water environment. Consequently, an additional policy as suggested is not considered necessary.	None.	012/4
Frankley Parish Council	<ul style="list-style-type: none"> - Brownfield across Greater Birmingham and Solihull LEP and the Black Country Authorities should be utilised prior to Green Belt. - Sites within these areas and those within the Authorities identified in the Duty to Co-operate as having capacity for housing should be examined. Deliverable / developable land in the Black Country provides capacity for around 65,000 dwellings, 	Comments are noted. However, this repeats comments made in connection with the Birmingham Development Plan Modifications, and does not relate to the content or purpose of the DM DPD.	None.	002/1

	<ul style="list-style-type: none"> - offering land for employment and housing. The projected housing numbers should be reviewed to ensure they are accurate. Many of the reports regarding migration are 5 years old. Until the population statistics and housing requirements are justified, the Green Belt should remain untouched. 			
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concerns surrounding the concentration of student development in Selly Oak destroying neighbourhood character. A more balanced approach to land-use would be welcomed - Car parking concerns arising from purpose built student housing developments that have no associated parking facilities. 	Noted. The BDP contains a policy in relation to proposals for purpose built student accommodation (Policy TP33 Student accommodation). Development must have an unacceptable impact on the local neighbourhood and residential amenity. As set out in the Preferred Options Document, all should ensure that the operational and parking needs of development are met and avoid highway safety problems and protect the local amenity and character of the area.	None.	006/8
Lichfield District Council	<ul style="list-style-type: none"> - We have no issues to raise. 	Noted.	None.	008/1
Health & Safety Executive	<ul style="list-style-type: none"> - When consulted on land-use planning matters, HSE where possible will make representations to ensure that compatible development within the consultation zones of major hazard installations and major accident hazard pipelines (MAHPs) is achieved. - Detailed technical advice provided. 	Noted. Supporting text to the proposed policy DM3 land affected by contamination and hazardous substances states that decisions will take into account the advice of the HSE, together with guidance in HSE's Land Use Planning Methodology.	Comments taken into account in proposed policy DM3 land affected by contamination and hazardous substances	007/1
Sandwell MBC	<ul style="list-style-type: none"> - We do not feel this DPD raises any strategic issues. 	Noted.	None.	009/1
BCC Transportation	<ul style="list-style-type: none"> - Addition of a transport policy to address detailed considerations in respect of planning applications, planning conditions, car parks, the Parking Guidelines SPD and potential Travel Plans SPD. 	Noted. Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Internal
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	<ul style="list-style-type: none"> - Suggest that the DPD contains cross-references to BDP policies and a table, similar to Table 3 in the Appendix of the consultation document, which lists topics that are not included in the Development Management DPD because they are covered by BDP policies. 	Cross reference to relevant BDP and other local plan policies and guidance has been included. An appendix in the Preferred Options Document lists the topics that are not included in the Preferred Options Document.	No further action. Comments have been taken into account.	015/4
Natural England	<ul style="list-style-type: none"> - Natural England does not consider that this Development Management DPD poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation. This does not mean there are no impacts on the natural environment. 	Noted.	None. Natural England is a Specific Consultation Body and will continue to be consulted in accordance with the Development Plan	020/1

Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Additional policies requested (see below) - Development management policies specific to Listed Buildings and Conservation Areas. Consideration could be given to the use of alternative materials and/or artefacts which are less likely to be vulnerable to repeat theft. The policy should suggest the use of 'alternative' materials to replace building materials and artefacts stolen to reduce crime and the fear of crime - Policies requiring a comprehensive maintenance programme to offer sustainability for buildings once they have been constructed, this might include: The regular pruning and trimming of trees and bushes to encourage surveillance and prevent concealment, the removal of graffiti and signs of vandalism, regular litter and waste patrols. - Another recommendation includes the formulation of a policy, SPD, or model conditions that seeks to control the design and location of ATMs. Examples of 'model' conditions include, adequate lighting, defensible space, CCTV, anti-ram barriers, dedicated parking areas. 	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Regulations. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/8
Severn Trent Water	<ul style="list-style-type: none"> - No specific comments to make, but please keep us informed. 	Noted.	Consult at next stage of consultation.	018/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - DM03 and DM11 should be sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by blanket policies intended to deal with more standard / typical developments as to create a vibrant urban village. - The DPD should ensure that there is sufficient flexibility creating a more interesting built environment befitting of a world class city. 	The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - No Transport policy to consider cross boundary transport integration. 	Cross boundary transport integration is a strategic planning consideration which is addressed in the BDP.	None.	022/27
The Moseley Society	<ul style="list-style-type: none"> - We will be very interested to see the detailed policies when they are published for consultation. - We welcome a new statement on Enforcement and hope that enforcement receives sufficient resources. 	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.	None.	023/1
Castle Bromwich Parish Council	<ul style="list-style-type: none"> - Councillors to reply individually to consultations rather than submit a 'parish council' view. 	Noted.	None.	026/1

Appendix G

Regulation 18 (Preferred Options) Consultation Responses

Development Management in Birmingham Preferred Options Consultation: Summary of comments and BCC Response					
General Comments regarding Development Management DPD and SA					
Response from:	Support Policy Approach?	Comments and Main Issues Raised	LPA Response	Action	Ref
Jane Harding from Birmingham Trees for Life	N/A	<ul style="list-style-type: none"> - Green infrastructure is a crucial element of high quality urban design and its importance cannot be over-stated. - Ensure that green infrastructure is central to all development in the city, especially the city centre and immediate surrounding areas. 	Noted. Policies in the adopted BDP seek to protect and enhance the green infrastructure network and biodiversity and geodiversity in the city (policies TP7 and TP8).	No further action.	008/16
Jonathan Lee	N/A	<ul style="list-style-type: none"> - It would be better to separate out the HMO section into a separate consultation as residents are passionate about this subject. - I think this very important subject seems to be a little buried in the wider consultation but I wholeheartedly appreciate the opportunity to input into the process and agree with the Council's proposed policies. 	Noted. The DMB will provide a single source point for all development management policies which can be read in conjunction with each other. Separating out the HMO policy from the other development management policies would not be considered useful.	No further action.	
Scott Hewer	N/A	<ul style="list-style-type: none"> - Please make the city more cycle friendly and with MUCH better public transport- that's the only way to lower pollution and create a greener, more inviting and pleasant city for all. 	Noted. The city's transport vision is set out in the Birmingham Development Plan (BDP), Birmingham Connected and other documents such as the Walking and Cycling Strategy and Infrastructure Plan. The adopted BDP sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39), cycling (TP40), the use of low emission vehicles (TP43) and the use of technology to help users navigate and explore the city by all modes of transport.	No further action.	014/16
Iris Bertz	N/A	<ul style="list-style-type: none"> - The limiting of HMO is really important to sustain and improve the quality of live in Birmingham. 	Noted.	No further action.	015/16

Susan Lane	N/A	<ul style="list-style-type: none"> - Focus on new developments leaves an open question about what already exists that may not meet this standard or be creating a public nuisance that could be ameliorated - Enforcement of standards in existing developments may be more critical for quality of life for most people than this plan - No sense of the Council taking initiatives to create change and development in this document - More weight/focus should be given to site around the city that have been neglected or abandoned - There should be discussion of how the Commonwealth Games developments may influence the delivery of this plan - No sense of the complexity and challenge of the city's diversity of needs in the plan - Good aspirations but will be difficult in practice without more neighbourhood engagements. Needs indication of how this might be achieved. - Document is not user friendly. Needs brief summary/conclusions. - More explanation of how the proposals will make the city a better place to live and work in long term/future generations 	Noted. Planning enforcement is undertaken in the event of a breach of planning control. As explained in the Introduction to the document the purpose of the DMB is to provide detailed development management policies which are non-strategic and provide detailed often criteria based policies for specific types of development. The policies will give effect to, and support, the strategic policies set out in the Birmingham Development Plan (BDP), adopted in January 2017. Para 1.9 explains the structure of the document. Each policy begins with an introduction setting out the purpose of the policy.	No further action.	019/16
Helena France	N/A	<ul style="list-style-type: none"> - As your policy says a concentration of more than 10% of properties in a radius of 100 metres is detrimental to the community. Current concentration of HMOs in Selbourne Rd, Handsworth wood Rd, Endwood Court Rd triangle is currently 30% + with a high % of these being Supported Living. This is leading to families moving out of the area - Extra pressure on Police, Health Providers, Refuse Collection - Tensions between residents - Pressure on Parking - Unsuitable levels of support for the Supported Living Residents 	Noted. Consideration will be given to how planning applications will be assessed in such scenarios.	No further action.	022/16
Devinder Kumar from Reservoir Residents Association	N/A	<ul style="list-style-type: none"> - Emerging issues of office-to-residential conversions - Request department engages with their peers in other cities to establish emerging issues and trends and address these in the DMB and BDP - Proposes Birmingham to apply for an Article 4 direction for removing permitted development rights to convert use Class B1[a] to C3, C4 or HMO (sui generis) in areas where there is already a cumulative overconcentration of HMO, class N exempt properties or PBSA development. - Most marked increase to housing stock was in "change of use" with many offices converted to flats. Suggest 	Birmingham is part of the Core Cities Group and regularly engages with other Core Cities on a wide range of matters. The City Council's Cabinet took a decision at a Cabinet meeting on 14 May to apply a City-wide Article 4 Direction in relation to small HMOs with the effect of removing permitted development rights from C3 use to C4 use. A non-immediate Article 4 Direction was recommended and accepted by Cabinet in order to negate the risks of compensation claims made to the Council as a result of any	No further action.	025/16

		<p>that this is partly driven by article 4 directions on HMO.</p> <ul style="list-style-type: none"> - Many conversions of offices into intensive accommodation with boom partly down to new "permitted development rights, resulting in many unfit conversions and overconcentration similar to HMOs. These converted homes under PD do not have to meet minimum floor area standards and do not have to include any affordable housing - Completely support the Council's proposals for a city-wide article 4 direction on HMO, albeit with a few additional conditions/stronger wording and criteria against which applications are considered. - Cumulative effect of class N exemptions, HMO, PBSA and office-to-residential should be used as criteria against which planning application are judged. - Precedence of making a non-immediate Article 4 to remove the permitted development rights for change of use from office to residential. Councils in Hackney and Manchester are currently consulting on this. 	loss of expenditure or abortive costs incurred as a result on the Article 4 Direction.		
Michael William Reed	N/A	<ul style="list-style-type: none"> - Plan seems to focus on the city centre not the whole city with a lack of emphasis on communities and their needs - Plan seems impractical given the current financial and resources position of the council. 	The DMB policies are to be applied city wide unless specified otherwise.	No further action.	035/16
Hazel McDowall from Natural England	N/A	<ul style="list-style-type: none"> - Natural England welcome that many of the comments in their response to the Scoping Report (August 2018) have been taken into account. - However, we note that the Habitats Regulation Assessment (HRA) summary that is referred to in the Sustainability Appraisal paragraph 1.6 does not seem to be at paragraph 5.8 as indicated. The document we are viewing from the web site ends at paragraph 5.4. 	<p>Noted. The drafting error will be corrected in the Publication Version of the SA by way of specific reference to the 2013 HRA prepared for the BDP (link below).</p> <p>https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf</p>	<p>The drafting error will be corrected in the Publication Version of the SA by way of specific reference to the 2013 HRA prepared for the BDP (link below).</p> <p>https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf</p>	040/16
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	N/A	<ul style="list-style-type: none"> - B&BC LNP are disappointed the documents does not include policies on biodiversity and heritage and sustainable urban drainage arrangements. a) Inclusion of which would protect biodiversity from direct and indirect impacts of new developments and support the incorporation and creation of a robust ecological network within the Birmingham city centre b) LNP wishes to bring attention to the spring statement 2019 published by the Government on 13th March which confirmed that the Government will use the forthcoming Environment Bill to mandate Biodiversity net gain for development in England. As such although full details of the mandate has not yet 	<p>Noted. Policy DM4 has been amended to strengthen references to ecological networks and biodiversity net gain. Biodiversity, heritage and sustainable urban drainage are addressed in the BDP in policies TP8, T12 and TP6 respectively Further guidance on these issues will also be included in the emerging Birmingham Design Guide SPD, and is already available in the Council publication <i>Sustainable Drainage: Guide to Design, Adoption and Maintenance</i> (June 2015). The need for specific policy/guidance on the Council's approach to biodiversity net gain will</p>	<p>Amend now point 1 and 2 of the policy:</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscapes</u> that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network</u>. 2. The composition of the <u>proposed</u> landscape <u>should shall</u> be appropriate to 	041/16

		<p>been provided. The LNP would encourage the inclusion of a policy covering net biodiversity gain for new developments.</p>	<p>be reviewed when details of mandatory requirements are published as part of the forthcoming Environment Bill.</p>	<p>the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</p> <p>Amend now paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, and provides net gains for biodiversity. Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend now paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation,</p>	
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				<p><u>restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u></p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	N/A	<ul style="list-style-type: none"> - Wildlife Trust notes that the document does not include policies on biodiversity, which would be designed to support the protection of biodiversity from both direct and indirect impacts of new developments. - Document should support the incorporation and creation of a robust ecological network within the Birmingham city centre which would retain the existing green infrastructure while supporting the creation of further infrastructure - Wildlife Trust would encourage the inclusion of a policy covering net biodiversity gain for new developments, with reference to spring statement 2019 published by the Government on 13th March which confirmed that the Government will use the forthcoming Environment Bill to mandate Biodiversity net gain for development in England 	Noted. Policy DM4 has been amended to strengthen references to ecological networks and biodiversity net gain. Biodiversity is specifically addressed in BDP policy TP8, and further guidance on protecting and enhancing biodiversity will also be included in the emerging Birmingham Design Guide SPD. The need for more specific policy/guidance on the Council's approach to biodiversity net gain will be reviewed when details of mandatory requirements are published as part of the forthcoming Environment Bill.	<p>Amend now point 1 and 2 of the policy:</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscapes</u> that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network.</u> 2. The composition of the <u>proposed</u> landscape <u>should shall</u> be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</u> <p>Amend now paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, <u>and provides net gains for biodiversity.</u> Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a</p>	042/16

				<p>multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend now paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. <u>The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u></p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Historic England		- We note the attention to safeguarding cultural heritage in the Sustainability Appraisal and welcome the DMBs consideration of the historic environment in relation to Policy DM5 Light pollution, Policy DM7 Advertisements, and Policy DM15 Telecommunications.	Support noted.	No further action.	050/16
Tyler Parker		- CCWMP welcomes opportunity to become actively	Support noted.	No further action.	051/16

Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<p>involved in the policy formation process.</p> <ul style="list-style-type: none"> - Supports the objectives/policies that refer in their wording to safety and security, including crime fear of crime and anti-social behaviour - CCWMP objects to the omission of certain policy areas from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D, and without changes the CCWMP considers the document to be unsound. - Lack of reference to a policy referring to restaurants, bars, public houses and hot food takeaways and potential crime is regrettable – a specifically worded policy is required which should also refer to the Council attaching conditions to ensure no demonstrable harm to nearby residents. - Objects to the omission of: Listed Buildings and Conservation Areas; Maintenance following completion of development; Automatic Teller Machines (ATM) 	<p>The reasons for the omission of certain policies from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D was set out in the Issues and Options Document and subsequently the reasons for taking forward certain policies proposed in the Issues and Options Document is set out in Appendix 3 of the Preferred Options Document.</p> <p>Policy in relation to the historic environment (including Listed Buildings and Conservation Areas) is contained in the adopted Birmingham Development Plan. The saved 2005 UDP policies did not contain a policy in relation to 'Maintenance' or 'ATMs'.</p>		
Conservative Group		<ul style="list-style-type: none"> - Concerns are raised about policies being dropped and they should not be removed unless legal advice can be provided that doing so will not weaken planning - Strong requirements should be included in main policies - New planning policy should reflect the protection to existing housing stock - Policy on Shisha Loungers should remain as a standalone policy 	<p>The reasons for the omission of certain policies from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D was set out in the Issues and Options Document and subsequently the reasons for taking forward certain policies proposed in the Issues and Options Document is set out in Appendix 3 of the Preferred Options Document.</p> <p>Policy in relation to the protection of the existing housing stock is contained in the adopted BDP. (Policy TP35)</p>	No further action.	052/16
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Consortium considers that the Langley development and other sites with a site-specific SPD should be excluded from the application of policies set out in Development Management DPD - Consortium considers that the rigid application of all proposed new city-wide development management policies to Langley is not appropriate 	<p>Disagree, the Langley SPD clearly states that its purpose is to add detail and provide guidance to the Birmingham Development Plan. It states "Alongside other policies and guidance, it is a material consideration when determining planning applications on this site."</p>	No further action.	058/16
Dr Mike Hodder on behalf of Council for British Archaeology		<ul style="list-style-type: none"> - A list of development management policies within the BDP (including those relating to the historic environment) should be included in an Appendix to Development Management in Birmingham - Sustainability Appraisal interim sustainability report: Table 2.1 Local Plans, Programmes and Strategies should include historic environment documents- Archaeology Strategy SPG and Regeneration through Conservation SPG 	<p>All of the thematic policies in the BDP are development management policies. Cross reference to the BDP has been made in the DMB.</p> <p>Noted. The historic environment documents will be included in Table 2.1 of the SA.</p>	The historic environment documents will be included in Table 2.1 of the SA.	059/16

Reservoir Residents Association		<ul style="list-style-type: none"> - Document should address the emerging issues of office to residential conversions - Reservoir Residents Association proposes that Birmingham automatically applies for an Article 4 direction for removing permitted development rights to convert use Class B1[a] to C3, C4 or HMO (sui generis) in areas where there is already a cumulative overconcentration of HMO, class N exempt properties or PBSA development. - We support completely the Council's proposals for a city-wide article 4 direction on HMO, albeit with a few additional conditions/stronger wording and criteria against which applications are considered 	See response to 025/16	See 026/16	060/16
Pegasus Group		<ul style="list-style-type: none"> - Concern given that almost four years have elapsed since the original consultation during which time both the national and local policy context has changed significantly. 	Noted. The DMB is being progressed as quickly as possible.	No further action.	064/16
Curdworth Parish Council		<ul style="list-style-type: none"> - Essential that as much local Green Belt as possible is retained as a bulwark against urban sprawl. - Curdworth Parish Council shares one of its boundaries with Birmingham and therefore has major concerns about infrastructure relating to the proposed development site within Walmley - There is an increasing number of HGV's using access to the M42 and M6 toll with roads becoming unfit for purpose - More consideration should be given by planning officers in relation to the pressures on local road networks - Full consideration has been given to the appropriate infrastructure required with regard to doctors' surgeries, dental practices, schools and retail facilities, as neighbouring villages find it difficult meeting the needs of their own residents - Council would like to point out that policies should note that it is vital to retain a "green corridor" between the Birmingham conurbation and North Warwickshire. 	Comments are noted but do not relate to the Development Management in Birmingham Document which is the subject of this consultation.	No further action.	065/16
Canal and River Trust		<ul style="list-style-type: none"> - The Trust welcomes the reference at para 1.7 to encouraging better health and wellbeing. However, rather than just in space/leisure time, additional and amended text should be added at the eighth bullet point to extend into commuting opportunities: "To encourage better health and wellbeing through the 	<p>The objectives are taken from the adopted BDP. Promoting sustainable transport is covered by point 5. Para 1.7 will be re-worded to make clear that these are BDP objectives which the DMB seek to support.</p> <p>Updates on emerging and proposed new</p>	<p>Amend para 1.7 to: The DMB will support the delivery of the BDP objectives for the City.</p> <p>Amend policy to:</p>	066/16

	<p>provision of new and improved recreation, sport, leisure facilities and sustainable travel modes"</p> <ul style="list-style-type: none"> - The objectives at para 1.7 be reviewed as several of them seem to cover matters that are not covered by the proposed DM policies and if referenced in SPDs or existing then this should be made clear. - Trust asks for an update on any emerging or proposed new SPDs, with clarity around the emergence of other local policy documents being referenced if possible. - The Trust would like to note that it is important that good waterside places and design do not just relate to residential development but also to other uses and types of development along waterway corridors. <p>- Comments on Chapter 2 overall – Land stability:</p> <ol style="list-style-type: none"> a) Should ensure that developments do not in situations that could cause leaks, breaches, collapses etc b) Should ensure that new developments are appropriate for its location in the context of avoiding unacceptable risks from land instability c) Note inferences towards this in DM3 and DM6 however it would be better dealt with separately to cover concerns. <p>- Water and Drainage:</p> <ol style="list-style-type: none"> a) Disappointed to note that the document does not address these matters. It is important that the environment is protected. b) Ensure that sites are prevented from allowing pollution of the water environment through air borne pollution or water seepage/spillage/run-off and should be considered in relevant detailed policy c) Drainage options should be outlined and chosen to ensure that appropriate management and control mechanisms are put in place. <p>- Further advice and guidance is needed in regards to heritage. It is possible that canal-related advice is included within a design document and the Trust would like further discussion on this.</p> <p>- Chapter 3 Overall:</p> <ol style="list-style-type: none"> a) Good design policies should apply to the development of employment uses and it is important that the benefits of locations near the canal and river network are maximised 	<p>SPDs can be provided by contacting the Planning Policy Team.</p> <p>Comment on good waterside places and design is noted.</p> <p>Comments on land instability are addressed in response proposed changes to the policy.</p> <p>Policy in relation to the management of flood risk and water resources is contained in the adopted BDP. (Policy TP6)</p> <p>Policy in relation to the historic environment is contained in the adopted BDP (Policy TP 12)</p> <p>Comments noted. The emerging Birmingham Design Guide will provide detailed design guidance to assist with the application of policies.</p> <p>It is considered that existing policies in the BDP adequately promote sustainable transport and cover water borne freight.</p>	<p>Policy DM3 –Land affected by contamination, instability and hazardous substances</p> <ol style="list-style-type: none"> 1. Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater. 2. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area and/ or groundwater. <p>Proposals for development of new hazardous installations, or development located within the vicinity of existing hazardous installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the HSE, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.</p>	
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Councillor Lisa Trickett		<ul style="list-style-type: none"> - Main comment and concern in relation to these documents is in terms of the need to address the risks of catastrophic climate change and bring forward action to make this city a zero carbon city. How has this being addressed in these documents – what conditions and requirements are to be set – where do we need wider regulation etc. 	The purpose of this document is to provide detailed development management policies to support the strategic policies set out in the adopted BDP. The BDP contains policies which seek to mitigate and reduce the impacts of climate change (TP1 Reducing the city's carbon footprint), namely policies in relation to the promotion of sustainable transport (TP38-46), adapting to climate change (TP2), Sustainable construction (TP3), Low and zero carbon energy generation (TP4), Low carbon economy (TP5), Management of flood risk and water resources (TP6), Green Infrastructure (TP7) and sustainable management of the city's waste (TP13)	No further action.	069/16





Title of proposed EIA	Consultation on the Development Management in Birmingham Publication Document
Reference No	EQUA384
EA is in support of	New Policy
Review Frequency	Six Months
Date of first review	02/03/2020
Directorate	Inclusive Growth
Division	Planning and Development
Service Area	
Responsible Officer(s)	<input type="checkbox"/> Martin Dando
Quality Control Officer(s)	<input type="checkbox"/> Richard Woodland
Accountable Officer(s)	<input type="checkbox"/> Uyen-Phan Han
Purpose of proposal	Sets out non-strategic planning policies for the determination of planning applications
Data sources	Consultation Results; relevant reports/strategies; relevant research
Please include any other sources of data	
ASSESS THE POTENTIAL IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Wider Community
Age details:	In general, the DMB provides policies which seek to ensure the creation of a sustainable, inclusive and a connected city. This will have positive impacts on people of all ages. The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2008). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting citizens of all ages to ensure needs are met and adverse impacts on any particular age group are minimised or eliminated.

Some policies in particular will have a positive impact age characteristics as follows:

The proposed Air Quality policy (DM1) will particularly benefit children, young people and the elderly who are more vulnerable to air pollution by ensuring that developments for sensitive uses such as schools and residences should be located away from major sources/areas of air pollution. If not, such developments must be designed and sited to reduce exposure to air pollutants by incorporating mitigation measures. Responses to the consultation in relation to this policy were, in general, supportive particularly in relation to school development. No issues were raised by any specific groups representing particular age groups or characteristics.

The proposed Standards for Residential Development policy (DM10) will help to support the ageing population and the specific needs of people with mobility problems by requiring housing of 15 or more dwellings to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable. Building accessible housing can make a substantial difference to quality of life and ensure that future need is delivered throughout the lifetime of the Plan.

DM10 also seeks to adopt the minimum Nationally Described Space Standards for all residential development to ensure achieve high quality residential environments and internal and outdoor space to protect the health and well-being of residents of existing and new dwellings. The quality of new

housing in the city (including implementation of the internal space and access standards) has a role to play in addressing health and wellbeing. Wide support was received for this policy approach during the consultation subject to evidence and viability. However, no specific groups representing particular age groups or characteristics provided any direct comments.

The proposed policy on Day nurseries and childcare provision (DM9) will help to ensure that the development of such facilities is well located and provides suitable and sufficient indoor and outdoor space play space to meet the needs of children. Again, the policy is generally welcomed but no specific issues were raised from particular groups.

Protected characteristic: Disability

Disability details:

Wider Community

The document is part of a suite of local plan documents which seek to plan for the development needs of all including the needs of people with disabilities. Detailed technical design matters and needs are addressed in specific dedicated documents e.g. Access for People with Disabilities SPD and the Birmingham Design Guide SPD.

In general, the DMB provides policies which seek to ensure the creation of a sustainable, inclusive and a connected city. This will have positive impacts on people with disabilities.

The proposed Parking and Servicing policy (DM15) sets parking standards for the city which will be included in the Parking SPD. This will benefit people with disabilities by setting out clear standards for disabled parking provision so that all new developments include

adequate parking for people with disabilities.

The proposed Standards for Residential Development policy (DM10) will help to support the ageing population and the specific needs of people with mobility problems by requiring housing of 15 or more dwellings to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable. Building accessible housing can make a substantial difference to quality of life and ensure that future need is delivered throughout the lifetime of the Plan.

DM10 also seeks to adopt the minimum Nationally Described Space Standards for all residential development to ensure achieve high quality residential environments and internal and outdoor space to protect the health and well-being of residents of existing and new dwellings. The quality of new housing in the city (including implementation of the internal space and access standards) has a role to play in addressing health and wellbeing and ensuring the adequate supply of suitable homes to meet the requirements of people with disabilities.

Proposed policy on residential conversions and specialist accommodation (DM13) (which can include supported accommodation for older people and people with mental health, learning disabilities, dementia, physical and sensory impairment) promotes the development of high quality residential accommodation and facilities, including provision for safety and security, is suitable for the intended occupiers.

Although groups representing people with disabilities were consulted during the preparation of the DMB, no specific comments were received from such groups. General comments were received in support of the policy approach and no significant alterations have been made to any of the policies following consultation.

Protected characteristic: Gender

Gender details:

Wider Community

The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2008). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting particular groups or representatives of specific groups.

In general, the DMB provides policies which seek to ensure the creation of a sustainable, inclusive and a connected city. This will have positive impacts on all people and no adverse comments have been received in relation to gender during consultation on the DMB.

Protected characteristics: Gender Reassignment

Gender reassignment details:

Not Applicable

Protected characteristics: Marriage and Civil Partnership

Marriage and civil partnership details:

Not Applicable

Protected characteristics: Pregnancy and Maternity

Pregnancy and maternity details:

Wider Community

The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2008). The approach to public consultation has been City wide but made as relevant

as possible to the community profile of the City as well as targeting particular groups or representatives of specific groups.

The proposed policy on Day nurseries and childcare provision (DM9) is relevant to this characteristic as it will help to ensure that the development of such facilities is well located and provides suitable and sufficient indoor and outdoor space play space to meet the needs of children. General support has been received for this policy during the consultation but nothing specific was raised from groups representing this protected characteristic in particular.

Protected characteristics: Race

Race details:

Wider Community

The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2008). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting particular groups or representatives of specific groups.

A consultation statement has been developed in parallel to the DMB document to set out how the public consultation has been carried out. A database of consultees for planning documents ensures that a wide range of groups, organisations and individuals are consulted representing all communities and all protected characteristics. No issues have been raised by specific groups during consultation in relation to this particular protected characteristic.

Protected characteristics: Religion or Beliefs

Religion or beliefs details:

Wider Community

The DMB document contains a proposed policy (DM8) on 'Places of worship and other faith-related community facilities' to make provision and provide positive policies for the location of such places and may have some impact on this particular protected characteristic. The preferred location of such uses is within the network of urban centres identified in the Birmingham Development Plan.

The consultation process included specific religious and belief groups. However, although comments were made by individuals and other organisations, there were no comments received from specific religious or faith groups. The comments received were generally supportive but the Policy has been simplified to provide sufficient flexibility for locations outside of the network of centres to be considered where they are well located to the population the premises is to serve or is well served by means of walking, cycling and public transport.

Protected characteristics: Sexual Orientation

Sexual orientation details:

Wider Community

In general, the DMB provides policies which seek to ensure the creation of a sustainable, inclusive and a connected city to have a positive impact on all protected characteristics. The policies have evolved and been adapted following consultation which has been carried out in line with relevant guidance and best practice including the principles set out in the Council's Statement of Community Involvement (2008). The approach to public consultation has been City wide but made as relevant as possible to the community profile of the City as well as targeting

particular groups or representatives of specific groups.

A consultation statement has been developed in parallel to the DMB document to set out how the public consultation has been carried out, meeting the requirements of relevant guidance and best practice including the principles set out in the Statement of Community Involvement (2008). A database of consultees for planning documents ensures that a wide range of groups, organisations and individuals are consulted to ensure needs of particular communities are met and adverse impacts on any particular groups such as the LGBTQ community are eliminated. No issues have been raised by specific groups during consultation in relation to sexual orientation.

Please indicate any actions arising from completing this screening exercise.

This analysis has been updated following consultation on the DMB Preferred Options Document in January to March 2019. All the comments received have been analysed. The next iteration of the DMB - the Publication version – will be subject to one further round of formal public consultation. Once again, analysis of the responses will be used to inform any other changes required to the DMB and subject to further Equalities analysis.

Please indicate whether a full impact assessment is recommended

YES

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

The DMB is backed by an extensive evidence base to justify each proposed policy within the document. It has also been informed by national and local planning policies, guidance and evidence produced by the Government, the Council and its partners. It has also drawn upon the evidence base which informed the development of the Birmingham Development Plan. Evidence reports

have also been specifically prepared for this DMB which form the background to the policy formation process. The evidence base supporting the DMB can be found on the DMB page of the Council's website at

www.birmingham.gov.uk/DMB

Consultation analysis

This analysis has been updated following consultation on the DMB Preferred Options Document in January to March 2019. All contacts on the Planning Policy Consultation Database were consulted including groups representing different include groups representing different groups (age, gender, race, religion etc) to ensure their views were taken into account. All the comments received have been analysed. There were no comments from any groups representing the protected characteristics or specifically in relation to the protected characteristics themselves.

The next iteration of the DMB - the Publication version – will be subject to one further round of formal public consultation. Once again, the Planning Policy Consultation Database will be used to engage people's views, as well as other methods of consultation such as use of social media and any further changes will be analysed to assess their impact on the protected characteristics.

Adverse impact on any people with protected characteristics.

The proposed policies are not predicted to have an adverse impact on any people with protected characteristics. Indeed, all the policies are expected to have a positive impact on the community by ensuring that development is guided to the right location, is of a high standard, enhances quality of life and protects the environment.

This assumption will be tested throughout the final stages of the plan-making process.

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

The DMB has been modified already to take into account some issues which may have had an adverse impact in terms of Equality. Examples of this include making Policy DM8 on Places of worship and other faith related community facilities more flexible to be able to adapt to the diverse needs of different faith communities. A further example relates to Policy DM9 on Day nurseries and early years provision where the policy was changed to include explicit need for sufficient outdoor play space for improved quality of life for children within such nursery facilities. Further changes may be made to modify any impacts arising if further consultation or analysis shows that to be the case.

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

The DMB contains a monitoring framework to monitor the effectiveness of the policies once adopted. This will be reported through the Authority Monitoring Report (AMR).

What data is required in the future?

Further evidence where necessary to justify continued approach or modify the approach if any adverse issues or impacts are raised during the consultation

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

Analysis of consultation responses has enabled further scrutiny of the Document and its policies to ensure compliance with the Equality Act

and minimise any potential impacts on the protected characteristics.

The proposed policies in the DMB are not predicted to have an adverse impact on any people with protected characteristics. Indeed, all the policies are expected to have a positive impact on the community by ensuring that development is guided to the right location, is of a high standard, enhances quality of life and protects the environment. This assumption will be tested throughout the final stages of the plan-making process.

The next iteration of the DMB - the Publication version – will be subject to one further round of formal public consultation. Once again, the Planning Policy Consultation Database will be used to engage people's views, as well as other methods of consultation such as use of social media. This will include groups representing different groups (age, gender, race, religion etc) to ensure their views were taken into account.

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

16/10/2019

Reasons for approval or rejection

EA has assessed the potential impacts against the protected characteristics. Approved.

Please print and save a PDF copy for your records

Yes

Content Type: Item

Version: 33.0

Created at 17/09/2019 12:52 PM by ☐ Martin Dando

Last modified at 16/10/2019 02:59 PM by Workflow on behalf of ☐ Uyen-Phan Han

Close



**Birmingham City Council
Local Plan**

Development Management in Birmingham DPD

**Consultation Statement
(Regulation 22)**

October 2019

1. Introduction

- 1.1 This Consultation Statement has been prepared as a supporting document to the Development Management in Birmingham Development Plan Document (DMB). It has also been produced to help comply with the requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012 (thereafter called the Regulations) and been prepared in accordance with Birmingham Statement of Community Involvement. It details how the Council has dealt with consultations, how comments (representations) have been sought, and how the representations that have been received have been addressed in the preparation and evolution of the DMB.
- 1.2 Birmingham is undergoing an exciting transformation over the next 15 years, which will see a significant level of development and delivery of infrastructure city wide. The DMB is crucial to ensure that this growth is managed in the most effective and sustainable, delivering the Council's objective of developing a sustainable, inclusive and connected city.
- 1.3 The purpose of the DMB is to provide up-to-date development management policies that will be used to determine planning applications in Birmingham, taking into account changes to relevant government legislation and the revised National Planning Policy Framework (NPPF). The policies contained within the DMB provide further detail to the strategic policies set out in the Birmingham Development Plan (adopted in January 2017). Once adopted, the DMB will form part of the Local Plan for Birmingham.
- 1.4 In particular, and in line with the requirements of Regulation 22 of the Regulations, this statement sets out:
 - which bodies and persons the Council invited to make representations under Regulation 18;
 - how those bodies and persons were invited to make representations under Regulation 18;
 - a summary of the main issues raised by the representations made pursuant to Regulation 18; and
 - how many representations made pursuant to Regulation 18 have been taken into account (latest Consultation on the Preferred Options stage completed in March 2019)
- 1.5 This Consultation Statement will be updated prior to the DMB being formally submitted to the Secretary of State (under Regulation 22) to reflect consultation methods and responses received at the Publication stage (Regulation 19) during November – December 2019.

2. Statement of Community Involvement

- 2.1 Birmingham City Council has an adopted Statement of Community Involvement (SCI), which sets out how the Council will involve the local community and other interested parties in the planning process.
- 2.2. The SCI was adopted in 2008 following public consultation. A number of legislative changes have taken place in relation to plan making since this time rendering some aspects of the SCI out of date. The Council has therefore updated the SCI and consulted on a draft revised SCI from 3 June 2019 until 6 September 2019. The comments received during this consultation period and the final SCI will be reported to the Council's Cabinet meeting in December 2019.
- 2.3 The Council considers that the consultation that has been undertaken on the DMB and this Statement is in accordance with the draft revised SCI.

3. Consultation Process Overview

- 3.1 The DMB has been subject to an extensive process of consultation that has played an important role in helping to shape the policies in the plan. The Council has undertaken two key consultation exercises prior to publication of the Council's Publication version DMB in October 2019.

Stage 1 - Initial Consultation Document (June 2015)

Stage 2 - Preferred Options Consultation Document (January 2019)

Stage 3 Publication version Consultation (October 2019 - this stage)

- 3.2 The first two stages of consultations are considered to be work undertaken as 'preparation of a local plan' under Regulation 18 of the Regulations. The reason for the large time gap between the first consultation in 2015 and the second consultation in 2019 was due delays around the adoption of the Birmingham Development Plan (BDP). The BDP Inspector issued his final report in March 2016. The Government placed a holding direction on the adoption of the BDP until November 2016. After the holding direction was lifted the Birmingham City Council sought to adopt the BDP as soon as practicable, which was at its Council meeting of January 2017.

4. Planning Policy Consultation Database

- 4.1 The Council maintains a database of organisations and individuals who have expressed a wish to be consulted on planning policies or whom the Council considers should be consulted. Currently this list contains approximately 780 entries.
- 4.2 The database includes:
- All of the bodies prescribed for the purposes of the Duty to Co-operate in regulation 4 of the Regulations, apart from those which are not relevant to Birmingham.
 - The 'specific consultation bodies' listed in regulation 2 of the Regulations apart from those which are not relevant to Birmingham.
 - A range of bodies falling within the description of 'general consultation bodies' of the Regulations.
 - All adjoining and nearby County, District and Unitary Councils and all Parish Councils within or adjoining Birmingham.
 - All local elected members and MPs.
 - Private individuals who have previously commented on a planning policy consultation or who have expressed a wish to be included.
- 4.3 The database is a 'living' document which is updated on an ongoing basis, and organisations or individuals can be added to it on request at any time. The Council does its best to ensure that the information contained in the database is accurate, but it is inevitable that the names of organisations or contact details will sometimes change, and the Council will usually only be aware of this if notification is received. A copy of the database, excluding the details of private individuals, can be made available on request.

5. Initial Consultation Document (June 2015)

- 5.1 An initial consultation document was approved for consultation by the Council's Cabinet Member for Transport, Development and the Economy on 27th July 2015. Earlier briefings were presented to Planning Committee in August and December 2014 to raise awareness and inform Members about the DPD.
- 5.2 This initial consultation document was prepared in accordance with the Regulations and made available for public consultation between 7th September and 19th October 2015 (a period of six weeks). The Council consulted the community and other stakeholders using the methods detailed in Table 1 below.

Table 1: Initial Consultation Document consultation methods

Method	Action Taken
Direct consultation	Letters were sent out to all contacts on the Planning Policy Consultation Database informing them of the consultation, how to access it and how to make representations. This included: <ul style="list-style-type: none">- Prescribed Specific Consultation Organisations- Other local authorities and County Councils- Primary Care Trusts/ Clinical Commissioning Groups- Utility and telecommunication companies/ undertakers- Voluntary, ethnic, religious and disability groups- Business groups and Local Enterprise Partnerships- Prescribed Duty to Cooperate organisations- Councillors/ MPs- Housing associations- Environmental groups and Local Nature Partnership- Parish/ town councils- Members of the public- Local businesses including planning consultants, surveyors and architects
Hard copies for inspection	Hard copies of the consultation document were placed at Council's main planning offices at 1 Lancaster Circus, Queensway, Birmingham B4 7DJ for the duration of the consultation period:
Online	<p>A full copy of the Consultation Document and method of submitting representations was published on the Council's website on Friday 4th September 2015 and maintained for the duration of the consultation.</p> <p>The facility to make comments online was also provided, at https://www.birminghambeheard.org.uk/economy/dmdpd</p>

	on the same day, in line with the Council's consultation policies and practice.
Publicity	The following additional publicity was undertaken to help promote the consultation: - a Public Notice was placed in the local press on 7 September 2015 - a Press Release was issued to the local newspapers on 7 September 2015
Events	No specific events were held during the consultation process. The invitation was extended to consultees for officers to attend meetings but no offers were received.

5.3 During the six-week consultation period, a total of 26 individuals/organisations responded generating 91 separate comments. A summary of these, including the Council's response to each point raised, is included as Appendix 1 to this Statement. The summary was reported to the Council's Cabinet meeting of 22 January 2019.

5.4 The key comments/ main issues raised were:

- General support for the aims, purpose and objectives of the document
- General support for all the proposed policy topics
- Policies to be written to design out crime (Police and Crime Commissioner)
- Policy on HMOs should consider cumulative impact and restrict the development of HMOS where they will impact on residential amenity and character
- Policy on should be sufficiently flexible (agents)

6. Preferred Options Consultation (January 2019)

- 6.1 Following the first stage of consultation on the initial Consultation Document in June 2015, a revised version of the DMB was subsequently prepared. This version of the DMB was referred to as the 'Preferred Options' consultation document, and Cabinet approved it for consultation on 22 January 2019.
- 6.2 As with the earlier initial Consultation Document, the Preferred Options consultation document was prepared in accordance with the Regulations and made available for public consultation between 4 February and 29 March 2019 (a period of 8 weeks). The Council consulted the community and other stakeholders using the methods detailed in Table 2 below.

Table 2: Preferred Options Document consultation methods

Method	Action Taken
Direct consultation	<p>Letters were sent out to all contacts on the Planning Policy Consultation Database informing them of the consultation, how to access it and how to make representations. This comprised approximately 780 separate contacts including:</p> <ul style="list-style-type: none">- Prescribed Specific Consultation Organisations- Other local authorities and County Councils- Primary Care Trusts/ Clinical Commissioning Groups- Utility and telecommunication companies/ undertakers- Voluntary, ethnic, religious and disability groups- Business groups and Local Enterprise Partnerships- Prescribed Duty to Cooperate organisations- Councillors/ MPs- Housing associations- Environmental groups and Local Nature Partnership- Parish/ town councils- Members of the public- Local businesses including planning consultants, surveyors and architects
Hard copies for inspection	<p>Hard copies of the consultation document were placed at the following locations for the duration of the consultation period:</p> <p>Planning Offices Reception: 1 Lancaster Circus, Birmingham Library of Birmingham Druids Heath Library and Customer Service Centre Erdington Customer Service Centre Northfield Customer Service Centre Saltley Customer Service Centre (now Saltley Advice Service)</p>

	Sparkbrook Health and Community Centre Harborne Library Shard End Library Aston Library Handsworth Library Sutton Coldfield Library Walmley Library South Yardley Library
Online	A full copy of the Consultation Document and method of submitting representations was published on the Council's website for the duration of the consultation.
Publicity	The following additional publicity was undertaken to help promote the consultation: Notification on Birmingham's Facebook Page Notification on Birmingham's Twitter Feed
Events	No specific events were held during the consultation process. The invitation was extended to consultees for officers to attend meetings but no offers were received.

- 6.3 69 individuals/ organisations responded generating 650 separate comments. A summary of these, including a proposed Council response to each point raised, is included as Appendix 2 to this Statement. The summary was taken to the Council's Cabinet meeting of 29 October 2019.
- 6.4 The key comments/ main issues raised on the Preferred Options Consultation Document are set out below in Table 5.

Comments and Main Issues Raised	How comments have been addressed through the Publication version
Policy DM1 Air Quality	
General support for the policy. Numerous concerns were raised regarding how the monitoring of the Clean Air Zone will be delivered and felt that more consideration should be given to parking, associated traffic issues and sustainable public transport. Wording of the policy was viewed as needing strengthening to be clear.	The air quality in and around the Clean Air Zone will be monitored. It is not within the remit of this policy or document to review the CAZ. Parking and associated traffic issues are addressed through Policy DM14 of this document and the emerging Supplementary Planning Document on Parking. Wording has been changed accordingly where required and the supporting text provides further information on how the policy will be applied.

Policy DM2 Amenity	
Respondents shared support for the general principle but had concerns regarding policy delivery and effectiveness. Several respondents expressed concerns that the terminology used is not well defined and unclear.	Unclear terminology has either been deleted or defined to provide clarity and consistency with the NPPF.
Policy DM3 Land affected by contamination, instability and hazardous substances	
General support for the policy. Several respondents were pleased to see various factors being considered within the policy. Detailed points regarding the requirements and terminology.	Additional wording has been added to provide further clarity.
Policy DM4 Landscaping and Trees	
Tree planting and more protection is viewed favourably, both in a design and sustainability standpoint. Several respondents seek stronger wording to seek a biodiversity net gain and maximise the potential the policy has to offer.	This policy links to adopted BDP policy TP7 Green Infrastructure and TP8 Biodiversity and Geodiversity. Clarification relating to how the policy is applied is added including reference to the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 in supporting text. Part 3 of the policy has been amended to provide some flexibility and consistency with the NPPF. Additional supporting text regarding landscape management.
Policy DM5 Light Pollution	
Concerns were raised about impact of lighting on wildlife, heritage assets and residential amenity. Policy is not consistent and conflicts with NPPF.	The policy and supporting text have been strengthened and expanded. Policy has been clarified to eliminate internal inconsistency and ensure consistency with the NPPF.
Policy DM6 Noise and Vibration	
General support for the policy. Concern that the policy is not clear in terms of noise mitigation. Unclear terminology and internal inconsistency. Agent of change principle should be strengthened.	Policy has been re-worded and restructured to eliminate internal inconsistency ensure consistency with the NPPF. Agent of change principle strengthened in policy and supporting text. Definitions provided on unclear

	terminology.
Policy DM7 Advertisements	
Concerns that the policy does not go far enough in deterring away from excessive signage and advertisements.	Policy has been strengthened to provide clarity and consistency with the NPPF. Additional criteria is added in relation to impact on heritage assets and cumulative impact.
Policy DM8 Places of worship and faith related community uses	
General support for the policy. Concern from Police in relation to crime and safety considerations. Adequate parking required.	Policy has been re-worded which provides sufficient flexibility for locations outside of the network of centres to be considered. Supporting text clarifies the need for travel plans and management plans to be submitted to reduce parking issues.
Policy DM9 Day nurseries and childcare provision	
Concerns that the policy is not prescriptive enough. Concerns were raised regarding the loss of family homes and residential amenity in favour of nursery establishments.	Policy has been strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space.
Policy DM10 Standards for residential development (previously DM11)	
Lack of evidence to justify introduction of national space standard and requirement for all developments to be accessible and adaptable in accordance with Building Control Part M 4(2). Policy does not allow sufficient flexibility and could stifle innovation.	Additional text has been added to outline exceptions and flexibility to the approach. An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations. The Sustainability Appraisal has been updated accordingly to reflect the proposed Publication version of the DMB.
Policy DM11 Houses in multiple occupation (HMO) previously DM10	
General support of the policy however fears were raised in regards to control, maintenance and enforcement of existing HMO premises.	Support noted for Article 4 Direction and proposed policy. An additional criterion is added to clarify living accommodation standards including minimum space standards and facilities to

	<p>be included.</p> <p>An additional criterion is added to clarify that the proposal should not give rise to unacceptable adverse cumulative impacts on amenity, character, appearance, highway safety and parking.</p>
Policy DM12 Residential Conversions and Specialist Accommodation (new)	
To provide clear policy criteria in relation to proposals for such development.	Separate policy created (previously amalgamated with HMO policy in DM11).
Policy DM13 Self and Custom Build (previously DM12)	
General support of the policy with some comments raised regarding policy adherence and monitoring.	Support noted. No change to policy.
Policy DM14 Highway safety and access (previously DM13)	
<p>General concerns in relation to lack of pedestrian and safe cycling provision, especially in regards to safety.</p> <p>Part 5 and 6 of the policy should be more consistent.</p>	<p>The adopted BDP already sets out the key policies in relation to the establishment of a sustainable transport network.</p> <p>Additional wording has been inserted to part 6 of the policy for clarification and to ensure no conflict with BDP policies</p> <p>Parts 5 and 6 has been re-worded and re-ordered to reduce misinterpretation.</p>
Policy DM15 Parking and servicing	
<p>Concerns were raised in respect of parking within residential areas outside of the city centre and HMO concentrations, in addition to enforcement of parking controls.</p> <p>General support for the policy however some respondents do not agree with reducing parking standards and consider the policy needs to be more flexible.</p> <p>Some comments related to the timing and production of the revised Parking SPD.</p>	<p>The Council aims to achieve an appropriate balance between ensuring parking is provided where required and not encouraging additional demand for private vehicle journeys where sustainable modes could be used. The Draft Parking SPD will be available for consultation at the same time as the Publication version of the DMB. No significant changes to policy.</p>
DM16 Telecommunications	
<p>Should consider any research on any adverse or harmful effects on neighbourhoods</p> <p>Unobtrusive masts to be preferred.</p>	<p>The proposed policy requires development to "Conform to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators' equipment located on the mast/site" and "Be sited and designed in order to</p>

	<p>minimise impact on the visual and residential amenity, character and appearance of the surrounding areas.”</p> <p>No changes to policy.</p>
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7. Publication version (Regulation 19) (October 2019)

- 7.1 The Publication version of the DMB takes full account of all representations received at the Preferred Options stage. Appendix 3 sets out how each representation has been considered and actioned in the preparation of the Publication version, incorporating amendments arising from the 'Council Response'. The Publication version also takes into account relevant findings from new evidence base reports (whole plan Viability Assessment), changes to Government policy and law, and an updated Sustainability Appraisal.
- 7.2 The Publication version DMB is being presented to Cabinet on 29 October 2019 for approval to undertake consultation on the document from 11 November to 23 December 2019. This Consultation Statement is also presented to Cabinet to report on the comments received on the Preferred Options consultation and show how the representations received have been considered. The Council will be consulting the community and other stakeholders using the methods detailed in Table 6 below.

Table 6: Publication version consultation methods

Method	Action to be taken
Direct consultation	Letters will be sent out to all contacts on the Planning Policy Consultation Database informing them of the consultation, how to access it and how to make representations. This comprises approximately 780 separate contacts including: <ul style="list-style-type: none">- Prescribed Specific Consultation Organisations- Other local authorities and County Councils- Primary Care Trusts/ Clinical Commissioning Groups- Utility and telecommunication companies/ undertakers- Voluntary, ethnic, religious and disability groups- Business groups and Local Enterprise Partnerships- Prescribed Duty to Cooperate organisations- Councillors/ MPs- Housing associations- Environmental groups and Local Nature Partnership- Parish/ town councils- Members of the public- Local businesses including planning consultants, surveyors and architects
Hard copies for inspection	Hard copies of the consultation document will be placed at the following locations for the duration of the consultation period: Planning Offices Reception: 1 Lancaster Circus, Birmingham

	Library of Birmingham Druids Heath Library and Customer Service Centre Erdington Customer Service Centre Northfield Customer Service Centre Saltley Customer Service Centre (now Saltley Advice Service) Sparkbrook Health and Community Centre Harborne Library Shard End Library Aston Library Handsworth Library Sutton Coldfield Library Walmley Library South Yardley Library
Online	A full copy of the Consultation Document and method of submitting representations will be published on the Council's website for the duration of the consultation.
Publicity	The following additional publicity will be undertaken to help promote the consultation: <ul style="list-style-type: none"> - a Public Notice will be placed in the local press - a Press Release will be issued to the local newspapers
Events	Specific events held during the consultation process will include: (to be detailed).

- 7.3 This Consultation Statement will be updated following completion of the Publication consultation period, and prior to Submission of the DMB under Regulation 22 of the Regulations.

8. Duty to Co-operate

- 8.1 Under Section 33A (1) of the Planning and Compulsory Purchase Act 2004 (as introduced through Section 110 of the Localism Act 2011), Local Planning Authorities have a 'duty to cooperate' with adjoining local authorities and other prescribed bodies. The duty relates to the preparation of development plan documents, or other activities that relate to strategic matters.
- 8.2 Cooperation should take place on issues that require strategic planning across local boundaries, should be proportionate, and with those bodies as set out in Part 2 of the Town & Country Planning (Local Planning) (England) Regulations 2012.
- 8.3 The DMB builds upon the spatial strategy established in the Birmingham Development (adopted 2017), which was the product of a high level of cross-boundary co-operative working particularly around housing and employment matters.
- 8.4 On the initial Consultation Document, feedback was received from Stafford, Lichfield and Sandwell Councils, indicating that they had no concerns. North Warwickshire BC considered there may be the potential for strategic issues and returned a holding response. At the Preferred Options stage, no comments were received from other local authorities.
- 8.5 On the initial Consultation Document and the Preferred Options Consultation Document feedback was received from Historic England, Natural England, the Environment Agency and Highways England.
- 8.6 The Council has published a separate Statement of Compliance with the Duty to Cooperate (available on the Council's website) and that the Duty to Co-operate has been fulfilled in relation to the preparation of the DMB and that there are no unresolved significant cross boundary strategic matters arising from the document.

Appendix 1 – Initial Consultation Document Summary of Comments and Council Response

Question 1: Do you agree with the Purpose and Aims of the DPD?

Response from:	Support?	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	Yes	- No comments.	Noted.	None.	006/1
Highways England	Yes	- Highways England is supportive of overall purpose and aims of the DPD and the DPD's complimentary role to the adopted BDP.	Noted.	None.	010/1
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	Yes	- No comments.	Noted.	None.	015/1
Primesight	Yes	- No comments.	Noted.	None.	021/1
Susan Fleming on behalf of Clear Channel UK Ltd	Yes	- Aim and purpose understood. - Planning development policy for Birmingham needs to be current and in keeping with the recent development and regeneration.	Noted.	None.	025/1
Alvechurch Parish Council	Yes		Noted.	None.	022/1

Question 2: Please give us your views on the Objectives on page 6 of the Consultation Document

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	- No comments	Noted.	None.	006/2
Highways England	- Highways England supports the Objectives of the DPD.	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	010/2
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	- Ensure that development responds to local character and history, in accordance with NPPF para 58.	One of the strategic objectives of the Birmingham Development Plan (BDP) is "To protect and enhance the City's heritage and historic environments". BDP Policy PG3 Place making requires all new development to "reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and local area context, including heritage assets and appropriate	None.	015/2

		use of innovation in design.”		
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - The PCCWM support the DPD objective 1. 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document. The contents of Objective 1 is covered by the following two BDP Objectives “To encourage better health and well-being through the provision of new and existing recreation, sport and leisure facilities linked to good quality public open space” and “To develop Birmingham as a City of sustainable neighbourhoods that are safe, diverse and inclusive with locally distinctive character.”	None.	016/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Generally supportive of the six key objectives identified - Especially the commitment to the strengthening the vitality and viability of retail centres - And the objective to ensure that new development is designed to integrate effectively with its setting and promote local distinctiveness. - 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	019/1
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> - Agree with the objectives, - Point 4 is key. Birmingham must be able to compete internationally and continue to attract investment from abroad. 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	025/2
Alvechurch Parish Council	<ul style="list-style-type: none"> - Should have respect and consideration to adjoining Authorities and areas. 	Noted. BCC engages with other local authorities through the Duty to Co-operate and will continue to consult other local authorities at key stages in the preparation of the document.	None.	022/2
Environment Agency	<ul style="list-style-type: none"> - The Environment Agency support the Objectives identified on page 6. 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	012/1
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Generally supportive of these objectives. - Pleased the importance of strengthening the vitality and viability of centres has been recognised. Should be reflected in final drafting. 	Noted. The DPD objectives now utilise the same objectives of the BDP and cover all the previous objectives identified in the 2015 Consultation Document.	None.	013/1

Question 3: Please give us your views on the Proposed Policy List on page 8 of the Consultation Document

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	- No comments.	Noted.	None.	006/3
Susan Fleming on behalf of Clear Channel UK Ltd	- The Authority has identified those areas where they believe review or greater control is required.	The Consultation Document contains an assessment of existing policy documents and a list of proposed policies.	None.	025/3

Question 4: Please give us your views on proposed Policy DM01 – Hot Food Takeaways

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/3

Question 5: Please give us your views on proposed Policy DM02 – Sheesha Lounges

Response from:	Comments	Council Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none">- Policy should be written to design out crime, and to introduce, where appropriate, to ensure the community feel safe during an extended business/leisure day (i.e CCTV).- Particularly relevant when drawing Policy DM02 and DM03.	This policy is no longer proposed in the Preferred Options Document. The impacts of Sheesha Lounges are mainly on amenity of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6, DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/2
Alvechurch Parish Council	- This should have no effect unless adjacent to existing Alvechurch parish residential or business buildings.	Noted.	None.	022/4

Question 6: Please give us your views on proposed Policy DM03 – Restaurants, Cafés and Pubs

Response from:	Comments	Council Response	Action	Ref
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Request that reference be made to the need to design out crime, as to ensure the community feel safe during an extended business/leisure day (i.e. CCTV). - Particularly relevant when drawing Policy DM02 and DM03. 	This policy is no longer proposed in the Preferred Options Document. The impacts of Restaurants, Cafés and Pubs are mainly on amenity of nearby residents or occupiers, noise and vibration, highway safety and access, parking and servicing are covered by proposed policies DM 2, DM6, DM13, DM14 in the Preferred Options Document. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/3
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Policies DM03 and DM11 should be sufficiently flexible as to ensure that high quality niche offerings are not unduly restricted by broad blanket policies. 	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/2
Alvechurch Parish Council	<ul style="list-style-type: none"> - No effect unless adjacent to existing Alvechurch parish residential or business buildings. 	Noted.	None.	022/5

Question 7: Please give us your views on proposed Policy DM04 - Environmental Protection – Air Quality

Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England is supportive of the principle of the introduction of an Air Quality policy. - Not clear whether at this stage how (or indeed if) this policy may apply to road improvement schemes. - Recommendation that the policy should not be worded in such a way that it may be restrictive to the development and delivery of necessary road improvement schemes. 	Noted.	None.	010/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Agree 	Noted.	None.	022/6

Question 8: Please give us your views on proposed Policy DM05 - Environmental Protection – Noise and Vibration				
Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- Agree	Noted.	None.	022/7
Question 9: Please give us your views on proposed Policy DM06 - Environmental Protection – Light				
Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - The establishment of this policy is welcomed - Recommendation that the policy accords with requirements outlined by the Institution of Lighting Engineers (ILE) with evidence submitted in the form of an external lighting report. 	Noted. Reference to guidance set out by the Institute Lighting of Professionals is included in the Preferred Options Document.	Comments have been taken into account and incorporated into the supporting text of the policy.	010/4
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> - Consideration has to be given to public safety in specific environments and the ability for individuals and businesses to adequately protect themselves against criminal activity. 	Noted. The proposed policy recognises that well-designed lighting can make a positive contribution to the urban environment, providing safe environments for a range of activities.	Comments have been taken into account and incorporated into the supporting text of the policy.	025/4
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable for the rural adjoining parish of Alvechurch. 	Noted.	None.	022/8
Question 10: Please give us your views on proposed Policy DM07 - Environmental Protection – Land Contamination				
Response from:	Comments	Council Response	Action	Ref
	<ul style="list-style-type: none"> - DMO7 is welcomed as it could provide further support for the protection of groundwater resources within the city and build upon BDP Policy TP6. - Land contamination can be a significant source of water pollution in the environment. The following principles are used when assessing the effect on groundwater solutions; The Precautionary principle; Risk-based approach; Groundwater protection hierarchy - We recommend these principles are incorporated into a policy addition to Policy DM07 as to deliver the Water Framework Directive. - Where the potential consequences of a development or activity are serious or irreversible the precautionary principle will be applied to the management and protection of water 	Noted. It is recognised that contamination of land can have adverse impacts on human health, wildlife and contribute to the pollution of water bodies. BDP Policy TP6 Management of Flood Risk and Water Resources states that “Proposals should demonstrate compliance with the Humber River Basin Management Plan exploring opportunities to help meet the Water Framework Directive’s targets. Development will not be permitted where a proposal would have a negative impact on surface water (rivers, lakes and canals) or groundwater quantity or quality either directly through pollution of	Comments have been taken into account and incorporated into the supporting text of the policy.	012/2

		groundwater or by the mobilisation of contaminants already in the ground.” The supporting text of the policy refers to the Environment Agency’s principles in managing risks to groundwater (the precautionary principle, risk based approach and groundwater protection hierarchy).		
Alvechurch Parish Council	- Agree	Noted.	None.	022/9

Question 11: Please give us your views on proposed Policy DM08 – Private Hire and Taxi Booking Offices

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- No effect on Alvechurch Parish unless adjacent to existing property.	Noted.	None.	022/10

Question 12: Please give us your views on proposed Policy DM09 – Education Facilities - Use of Dwelling Houses

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- May have an adverse effect through increased traffic if adjacent to existing property.	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.	None. Comments have been taken into account and incorporated into proposed policy.	022/11

Question 13: Please give us your views on proposed Policy DM10 – Education Facilities – Non Residential Properties

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- May have an adverse effect through increased traffic if adjacent to existing property	Noted. Proposed policy on DM13 Highway Safety and Access and DM14 Parking and Servicing addresses these impacts of development. The Preferred Options Document also includes a policy on Day nurseries and early years provision (DM9) and a policy on Places of	None. Comments have been taken into account and incorporated into proposed policy.	022/12

		worship and faith related community uses (D10) which covers proposals for the use of dwelling houses for education facilities.		

Question 14: Please give us your views on proposed Policy DM11 – Hotels and Guest Houses

Response from:	Comments	Council Response	Action	Ref
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Ensure that policy is sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by broad blanket policies. 	Policies specifically for Restaurants/ Cafes/ Pubs and Hotels and Guest Houses are not proposed in the Preferred Options Document. The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/13

Question 15: Please give us your views on proposed Policy DM12 – Houses in Multiple Occupation - City-wide

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Policy should restrict the development of HMOs where they will impact on the standards of residential amenity and character the area - The cumulative effect of HMOs in an area to also be considered. 	Noted. Proposed policy DM10 HMOs and other non-family housing and DM2 Amenity address the individual and cumulative impacts of HMOs on residential amenity.	None. Comments have been taken into account and incorporated into proposed policy.	006/4
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively registers support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels). - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Concern on the proliferation of 'To Let' signs and associated negative connotations 	Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area is separate to the DPD process. Justification for an Article 4 Direction is based on whether the exercise of permitted development rights would undermine local objectives to create or maintain mixed communities. Government guidance states that the use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. The potential harm that the direction is intended to address should be	The request for an Article 4 Direction for parts of Ladywood Ward is noted. A city-wide analysis will be undertaken to consider the need for further Article 4 Direction Areas. This work is underway and will be reported to the Corporate Director for Economy in February 2019.	011/1

		<p>clearly identified. It is considered that a strategic approach is needed for addressing issues with HMOs. In assessing the need for further Article 4 Directions, a city-wide analysis will be undertaken to assess the locations and concentration of HMOs. A mapping exercise of the licensed HMOs, along with Council Tax N exemptions and planning consents for Sui Generis HMOS is underway.</p> <p>The introduction of the new licensing rules will require many more properties to be licenced resulting in enable a better understanding of the location and numbers of HMOs in the City. Based on analysis of this intelligence, a more robust and strategic approach to the need for consideration for further Article 4 Direction Areas can be taken to ensure that there is a sound basis for an Article Direction to be pursued. This work is underway and will be reported to the Corporate Director for Economy in February 2019.</p> <p>The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.</p>		
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	- Article 4 Areas should address the need for appropriate crime prevention measures in terms of location, design, layout and other infrastructure to reduce crime and the fear of crime.	Comments are noted. However, this consultation relates to the Development Management DPD. The process for considering further Article 4 Direction area is separate to the DPD process. The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on	None.	016/4

		creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.		
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/14
Ladywood District Committee	<ul style="list-style-type: none"> - There is very strong support for this approach. - Not every, but many, landlords do not maintain their properties or surroundings; or manage the behaviour of their tenants, leading to deterioration of neighbourhoods and tensions within local communities. - These properties are often occupied by vulnerable individuals; our concern is about landlords who seem to feel no responsibility to support these individuals. 	Noted. The concern regarding the over-concentration of HMOs is acknowledged. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document. It is also important that adequate living conditions are provided for occupants of HMOs. The licensing of HMOs is a separate regulatory regime to planning and seeks to secure minimum standards of accommodation fit for human habitation such as fire safety standards and access to basic facilities such as a kitchen, bathroom and toilet.	None.	024/1

Question 16: Please give us your views on proposed Policy DM13 – Houses in Multiple Occupation – Article 4 Areas

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concern about exclusion of Bournbrook from the Article 4 area. - Supplementary planning guidance should ensure the standards of residential amenity and character of an area are maintained and cumulative impact is taken into account. 	Bournbrook was excluded from the Article 4 Direction area as it would be ineffective due to the already high concentration of HMOs. The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. See draft policies in the Preferred Options Document.	None.	006/5
Summerfield Residents Association	<ul style="list-style-type: none"> - SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward. - It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic 	See above response to 011/1	See above action to 011/1	011/2

	<p>residential area, which is blighted with an over proliferation of such properties (including hostels).</p> <ul style="list-style-type: none"> - A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives. - Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour - Proliferation of 'To Let' signs 			
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Policies DM12 Houses in Multiple Occupation and DM13 Houses in Multiple Occupation – Article 4 Areas, address the need for appropriate crime prevention measures - Appropriate measures suggested included location, design, layout and other infrastructure to reduce crime and the fear of crime. 	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	Detailed design guidance on creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	016/5
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/15

Question 17: Please give us your views on proposed Policy DM14 – Flat Conversions

Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Proposals to convert houses into flats should take into account the standards of residential amenity - Not have an adverse impact on the character of an area. - The cumulative effect should also be considered. - The requirement to accommodate parking on site should be given priority. 	The proposed policy DM10 HMOs and other non-family housing and DM2 Amenity seek to address the individual and cumulative impacts of HMOs on residential amenity. Impact of development on highway safety and access, parking and servicing are covered by proposed policies DM13 Highway Safety and Access and DM14 Parking and Servicing. See draft policies in the Preferred Options Document.	None. Comments have been taken into account and incorporated into proposed policy.	006/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch. 	Noted.	None.	022/16

Question 18: Please give us your views on proposed Policy DM15 – Hostels and Residential Homes

Response from:	Comments	Council Response	Action	Ref
Summerfield Residents Association	<ul style="list-style-type: none">- SRA collectively register support for the introduction of an Article 4 Direction in parts of Ladywood Ward.- It would provide control over increasing concentration of Houses in Multiple Occupation (HMOs) in this historic residential area, which is blighted with an over proliferation of such properties (including hostels).- A desire to attract more families to the area as achieved by SRB6 and Housing Market Renewal Initiatives.- Concerned with related ancillary issues associated with HMO's such as parking/anti-social behaviour- Proliferation of 'To Let' signs	See response to 011/1	See response 011/1	011/3
Alvechurch Parish Council	<ul style="list-style-type: none">- Particularly applicable if adjoining property in the rural adjoining parish of Alvechurch.	Noted.	None.	022/17

Question 19: Please give us your views on proposed Policy DM16 – 45 Degree Code

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	Agree	Noted.	None.	022/18

Question 20: Please give us your views on proposed Policy DM17 – Planning Obligations

Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none">- Highways England supports the updated policy including continued use of Planning Obligations for developments not otherwise considered through the Community Infrastructure Levy (CIL).- In accordance to the response for the BDP, there is requirement for an improvement scheme at M42 Junction 9 following the Langley and Peddimore developments- The above needs, as identified and recorded in the city's Infrastructure Development Plan (IDP), were excluded from the Draft Regulation 123 list which enables these to be delivered via the CIL. Improvements, therefore, associated with these developments would need to be provided through Planning Obligations.- The updated policy should therefore be supportive of the provision of this infrastructure. Needs to be flexible, however, as to address any future infrastructure needs that	With regard to the Sustainable Urban Extension (SUE) at Langley and Peddimore, all on site infrastructure requirements will not be funded by CIL and S106 contributions will instead be sought. This is stated within the current Regulation 123 list. This will include improvements to Junction 9 of the M42.	None.	010/5

	may threaten the functionality of the SRN.			
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Welcomes the inclusion of Policy DM17 Planning Obligations - Request that reference be made, either within the policy or within the supporting justification, to the potential requirement for contributions to be made towards Police infrastructure. 	A policy on Planning Obligations is no longer proposed in the Preferred Options Document as it is covered by the BDP Policy on Developer Contributions.	None.	016/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - Agree 	Noted.	None.	022/19

Question 21: Please give us your views on proposed Policy DM18 – Telecommunications

Response from:	Comments	Council Response	Action	Ref
Mono Consultants on behalf of Mobile Operators Association	<ul style="list-style-type: none"> - We consider it important that there is a specific telecommunications policy within the emerging DM DPD is line with national guidance provided in Section 5 of the NPPF. - When considering applications for telecommunications development, the planning authority should consider operational requirements of telecommunications networks and the technical limitations of the technology.- - “Proposals for telecommunications development will be permitted provided that the following criteria are met <ul style="list-style-type: none"> (i) the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area; (ii) if on a building, apparatus and associated structures should be sited and designed in order to seek to minimise impact to the external appearance of the host building; (iii) if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority. (iv) If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest. 	Noted. Comments have been taken into account and incorporated into proposed policy.	Comments have been taken into account and incorporated into proposed policy.	014/1

Alvechurch Parish Council	<ul style="list-style-type: none"> - Masts or other equipment seen from Alvechurch parish or other bordering authority's properties should not be considered. 	The provision of advanced high quality communications infrastructure to serve local business and communities plays a crucial role in the national and local economy. The proposed policy for Telecommunications seeks to ensure the right balance is struck between providing essential telecommunications infrastructure and protecting the environment and local amenity.	None.	022/20

Question 22: Please give us your views on proposed Policy DM19 – Aerodrome Safety

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	Not applicable to Alvechurch	Noted.	None.	022/21

Question 23: Please give us your views on proposed Policy DM20 – Tree Protection

Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	Agree.	Noted.	None.	022/22

Question 24: Please give us your views on proposed Policy DM21 – Advertisements

Response from:	Comments	Council Response	Action	Ref
Highways England	<ul style="list-style-type: none"> - Highways England would be supportive of a policy which provides greater detail and guidance in determining decisions on relevant planning applications for advertisements, in relation to road safety. - Ongoing consultation on the drafting of this policy, to mitigate the potential for any adverse impacts on the safety and functionality of the SRN would be desirable. 	Noted. The proposed policy for Advertisement (DM7) seeks to ensure that they are designed to a high standard and are suitably located, sited and designed to have no detrimental impact on public and highway safety or to the amenity of the area.	None. Comments have been taken into account and incorporated into proposed policy.	010/6
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Policies of particular interest to AAM are proposed policies DM21 'Advertisements' and DM23 'Design'. - The Council should seek to ensure that there is sufficient flexibility within the policies to ensure that developers are not overly restricted in what they are able to do. 	Noted. The proposed policy on Advertisements strikes the right balance between flexibility and protection of the character of buildings and the surrounding area.	None.	013/2
Steve George, Managing Director,	<ul style="list-style-type: none"> - BCC's objective, in our view, has been to develop futuristic iconic displays in city centre locations. 	Noted.	None.	017/1

Signature Outdoor	<ul style="list-style-type: none"> - The balance of providing social and commercial opportunities through the network has seen the reduction of overall displays and the eradication of traditional displays must be considered as progress. 			
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - 'Advertisements' should be efficient, effective and simple in concept and operation. - Advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to detailed assessment. - Advertisements should be subject to control only in the interests of amenity and public safety. 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate well in scale and character to a building or surrounding area.	None.	019/4
Primesight	<ul style="list-style-type: none"> - Care must be taken to ensure that such policies do not conflict with the strict requirements of the 1990 (controlled in the interests of amenity and public safety). - The promotion of innovation in advertising and signage in the interests of amenity and public safety - Recognition of the positive role that advertising can play when appropriately designed and sited. - Recognition of the existing amenity of a site and street scene when assessing the relative impact of a proposed advertisement scheme. 	Noted. As well as public safety and amenity the proposed policy seeks to ensure that advertisements are well designed and relate well in scale and character to the building/ structure it is located on and the surrounding area.	None.	021/2
Susan Fleming on behalf of Clear Channel UK Ltd	<ul style="list-style-type: none"> - The Development Plan and subsequent policy adopted must not constrain or prevent sensible large format media/digital advertising 	The proposed policy will not constrain advertisements but ensure that advertisements are well designed, relate well in scale and character to a building or surrounding area and are suitably located, sited and designed having no detrimental impact on public and highway safety or to the amenity of the area.	None.	025/5
Alvechurch Parish Council	<ul style="list-style-type: none"> - Masts visible from the Alvechurch Parish or adjoining authority could have a possible negative impact 	Noted.	None.	022/23

Question 25: Please give us your views on proposed Policy DM22 – Places of Worship

Response from:	Comments	Council Response	Action	Ref
None	None			

Question 26: Please give us your views on proposed Policy DM23 – Design

Response from:	Comments	Council Response	Action	Ref
Environment Agency	<ul style="list-style-type: none"> - Policy DM23 recommend consideration of how developments will interact with rivers and streams that flow through their boundaries in order to adequately integrate them. - Should build upon and provide further clarity to the requirements of BDP Policy TP6. - This policy should be drafted in consultation with your Lead Local Flood Authority who have responsibility for maintaining Ordinary Watercourses within the city. 	Detailed design guidance on how development should be designed to contribute to the green and blue infrastructure in the city will be contained within the emerging Birmingham Design Guide.	Comments to be taken into account in the Birmingham Design Guide.	012/3
Turley on behalf of Aberdeen Asset Management	<ul style="list-style-type: none"> - Proposed policy DM23 is of particular interest to AAM given the central location of City Centre House in the retail core. 	Noted.	None.	013/3
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - The PCCWM supports Policy DM23 Design in its consideration of crime and disorder. - Requirements for proposals to meet 'Secured by Design' principles when considering elements such as shop fronts, housing, tall buildings, hard and soft landscaping etc. would be welcomed. 	See response to 016/2	See response to 016/2	016/7
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - Policy DM23, is of particular interest given the proposals identified in the Edgbaston Planning Framework. - The policies need to be sufficiently flexible as to respond to areas historic character and of retailing. 	Noted. A policy for Design is no longer proposed in the Preferred Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	None. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	019/5
Primesight	<ul style="list-style-type: none"> - An overarching design policy that is clearly integrated with advertisement policy is welcomed. 	Noted. A policy for Design is no longer proposed in the Preferred Options Document as it is considered to be covered by BDP Policy PG3 Place-making. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	None. Detailed design guidance will be provided through the emerging Birmingham Design Guide.	021/3
Alvechurch Parish Council	<ul style="list-style-type: none"> - Properties close to the Birmingham boundary in Alvechurch Parish or adjoining authority could be thought as having a potential to be negatively affected by design. 	Noted.	None.	022/24

Question 27: Please give us your views on proposed Policy DM24 – Residential Amenity and Space Standards				
Response from:	Comments	Council Response	Action	Ref
Alvechurch Parish Council	- Agree.	Noted.	None.	022/25
Question 28: Please give us your views on Enforcement				
Response from:	Comments	Council Response	Action	Ref
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Council should continue to take action to prevent the continuation of development where breaches in planning regulations have occurred. - Where an applicant seeks retrospective consent, development should be prevented until this is approved. - Council to make full use of powers to prevent unauthorised development and curb flagrant abuses as required, considering the merits of each case individually - Local interest groups to be recognised as a good source of information 'on the ground' to 'police' unauthorised developments in an area. 	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.	None.	006/7
Alvechurch Parish Council	- Supported, if enforcement is carried out properly on any development that may negatively impact on bordering authority properties.	Noted.	None.	022/26
Question 29: Do you have any comments about the assessment of existing policies in Appendix 1?				
Response from:	Comments	Council Response	Action	Ref
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	<ul style="list-style-type: none"> - The retention of the Archaeology Strategy SPG and the Regeneration through Conservation SPG is welcomed - The Archaeology Strategy SPG, like the Regeneration through Conservation SPG, should be absorbed within, and superseded by, the Historic Environment SPD when that is produced. 	The Archaeology Strategy SPG and the Regeneration through Conservation SPG will be superseded by the Birmingham Design Guide SPD once adopted.	Comments to be taken into account in the Birmingham Design Guide.	015/3
Tony Thapar on behalf of Moseley Regeneration Group	<ul style="list-style-type: none"> - Concerned with conservation of the Moseley character - Ensure that there is a diverse range of housing tenures in the neighbourhood. - Concerned with revoking area of restraint for Moseley/ Sparkbrook. 	Policies in the BDP seek to value, protect, enhance and manage the historic environment. The Moseley SPD, adopted in 2014, sets out a vision for Moseley. One of the objectives is to protect its historical legacy. The Moseley Regeneration Group has led on the preparation of the SPD and the development of detailed guidance in	None.	027/1

		<p>relation to the protecting and enhancing the character of Moseley.</p> <p>BDP policies TP27 and TP30 require development to contribute to creating sustainable neighbourhoods characterised by a wide choice of housing sizes, types and tenures to ensure balanced communities.</p> <p>The Areas of Restraint are very out dated and can only be afforded limited weight. It is considered that the issues which the Areas of Restraint seek to address can be adequately covered by existing BDP policies and the proposed policies in the Preferred Options Document namely BDP Policy TP27, TP30, PG3, DM2, DM10, DM13 and DM14.</p>		
Primesight	<ul style="list-style-type: none"> - It is proposed to revoke this SPG rather than update it. It is unclear why a different approach has been taken to that of the Large Format Banners SPD, which on the face of it performs a comparable role. We look forward to receiving the consultation on the draft of the section to be retained in the new policy DM21. 	The Location of Advertisement Hoardings SPG is regarded as being out-of-date, as it does not address more recent developments such as digital media. Some of the content should be included in the DPD policy.	None.	021/4

Question 30: Do you have any other comments? For example, do you think we have omitted anything, or are there any alternative options?

Response from:	Comments	Council Response	Action	Ref
North Warwickshire Borough Council	<ul style="list-style-type: none"> - Possible strategic issues relating to policies DM04/06/09/10/11/07 and implementation arising from the cumulative impact of development to the east of Birmingham. 	Noted	An ongoing dialogue with NWBC will be required.	001/1
Stafford Borough Council	<ul style="list-style-type: none"> - Stafford Borough Council do not have any key issues or concerns with the DPD. 	Noted.	None.	004/1
The Coal Authority	<ul style="list-style-type: none"> - We have no specific comments to make at this stage. 	Noted.	None.	005/1
Historic England	<ul style="list-style-type: none"> - Historic England welcomes the continued reference and commitment to the preparation of a Historic Environment SPD to enable the effective delivery of Policy TP12 of the BDP. 	Detailed design guidance on how development should be designed to value, protect, enhance and manage the historic environment will be contained within the	Comments to be taken into account in the Birmingham Design Guide.	003/1

		emerging Birmingham Design Guide.		
Environment Agency	<ul style="list-style-type: none"> - Suggestion of an additional policy entitled 'Environmental Protection – Water' as to build on BDP Policy TP6. - Policies should ensure that development does not compromise the ability to meet the required WFD objective of Good Status. To accomplish this we recommend: - A Water Cycle Study to pull together all the available information on water resource availability and water quality to inform detailed development management policies. This should be undertaken in liaison with Severn Trent Water and the Environment Agency with reference to the Humber River Basin Management Plan (RBMP). - A policy is required regarding foul drainage infrastructure. The increased volume of waste water and sewage effluent produced by the proposed additional 50,000 dwellings will need to be treated to a high enough standard, it is likely that a blanket policy is required to cover all developments and ensure the sewerage system has adequate capacity to manage any additional flows. We suggest the following condition wording to be included within this DPD, as supported by Severn Trent water's Hearing Statement. 	BDP Policy TP6 (as modified) provides city-wide strategic policy on flood risk and the water environment. Consequently, an additional policy as suggested is not considered necessary.	None.	012/4
Frankley Parish Council	<ul style="list-style-type: none"> - Brownfield across Greater Birmingham and Solihull LEP and the Black Country Authorities should be utilised prior to Green Belt. - Sites within these areas and those within the Authorities identified in the Duty to Co-operate as having capacity for housing should be examined. Deliverable / developable land in the Black Country provides capacity for around 65,000 dwellings, offering land for employment and housing. - The projected housing numbers should be reviewed to ensure they are accurate. Many of the reports regarding migration are 5 years old. Until the population statistics and housing requirements are justified, the Green Belt should remain untouched. 	Comments are noted. However, this repeats comments made in connection with the Birmingham Development Plan Modifications, and does not relate to the content or purpose of the DM DPD.	None.	002/1
Selly Park Property Owners' Association.	<ul style="list-style-type: none"> - Concerns surrounding the concentration of student development in Selly Oak destroying neighbourhood character. A more balanced approach to land-use would be welcomed - Car parking concerns arising from purpose built student housing developments that have no associated parking facilities. 	Noted. The BDP contains a policy in relation to proposals for purpose built student accommodation (Policy TP33 Student accommodation). Development must have an unacceptable impact on the local neighbourhood and residential amenity. As set out in the Preferred Options Document, all should ensure that the operational and parking needs of	None.	006/8

		development are met and avoid highway safety problems and protect the local amenity and character of the area.		
Lichfield District Council	- We have no issues to raise.	Noted.	None.	008/1
Health & Safety Executive	<ul style="list-style-type: none"> - When consulted on land-use planning matters, HSE where possible will make representations to ensure that compatible development within the consultation zones of major hazard installations and major accident hazard pipelines (MAHPs) is achieved. - Detailed technical advice provided. 	Noted. Supporting text to the proposed policy DM3 land affected by contamination and hazardous substances states that decisions will take into account the advice of the HSE, together with guidance in HSE's Land Use Planning Methodology.	Comments taken into account in proposed policy DM3 land affected by contamination and hazardous substances	007/1
Sandwell MBC	- We do not feel this DPD raises any strategic issues.	Noted.	None.	009/1
BCC Transportation	- Addition of a transport policy to address detailed considerations in respect of planning applications, planning conditions, car parks, the Parking Guidelines SPD and potential Travel Plans SPD.	Noted. Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Comments taken into account in proposed policy DM13 Highway Safety and Access and DM14 Parking and Servicing.	Internal
Dr Mike Hodder on behalf of Council for British Archaeology, West Midlands	- Suggest that the DPD contains cross-references to BDP policies and a table, similar to Table 3 in the Appendix of the consultation document, which lists topics that are not included in the Development Management DPD because they are covered by BDP policies.	Cross reference to relevant BDP and other local plan policies and guidance has been included. An appendix in the Preferred Options Document lists the topics that are not included in the Preferred Options Document.	No further action. Comments have been taken into account.	015/4
Natural England	- Natural England does not consider that this Development Management DPD poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation. This does not mean there are no impacts on the natural environment.	Noted.	None. Natural England is a Specific Consultation Body and will continue to be consulted in accordance with the Development Plan Regulations.	020/1
Tyler Parkes on behalf of the Police and Crime Commissioner for West Midlands (PCCWM)	<ul style="list-style-type: none"> - Additional policies requested (see below) - Development management policies specific to Listed Buildings and Conservation Areas. Consideration could be given to the use of alternative materials and/or artefacts which are less likely to be vulnerable to repeat theft. The policy should suggest the use of 'alternative' materials to 	The requirement for development to create safe environments that design out crime and promote natural surveillance and positive social interaction is already provided through BDP Policy PG3 Place making. Detailed design guidance on	Detailed design guidance on creating safe places and anti-terror measures and safe buildings	016/8

	<p>replace building materials and artefacts stolen to reduce crime and the fear of crime</p> <ul style="list-style-type: none"> - Policies requiring a comprehensive maintenance programme to offer sustainability for buildings once they have been constructed, this might include: The regular pruning and trimming of trees and bushes to encourage surveillance and prevent concealment, the removal of graffiti and signs of vandalism, regular litter and waste patrols. - Another recommendation includes the formulation of a policy, SPD, or model conditions that seeks to control the design and location of ATMs. Examples of 'model' conditions include, adequate lighting, defensible space, CCTV, anti-ram barriers, dedicated parking areas. 	creating safe places and anti-terror measures and safe buildings will be set out in the emerging Birmingham Design Guide.	will be set out in the emerging Birmingham Design Guide.	
Severn Trent Water	<ul style="list-style-type: none"> - No specific comments to make, but please keep us informed. 	Noted.	Consult at next stage of consultation.	018/1
Turley on behalf of Calthorpe Estates	<ul style="list-style-type: none"> - DM03 and DM11 should be sufficiently flexible to ensure that high quality niche offerings are not unduly restricted by blanket policies intended to deal with more standard / typical developments as to create a vibrant urban village. - The DPD should ensure that there is sufficient flexibility creating a more interesting built environment befitting of a world class city. 	The proposed draft policies are unlikely to restrict niche offerings in any way.	None.	019/6
Alvechurch Parish Council	<ul style="list-style-type: none"> - No Transport policy to consider cross boundary transport integration. 	Cross boundary transport integration is a strategic planning consideration which is addressed in the BDP.	None.	022/27
The Moseley Society	<ul style="list-style-type: none"> - We will be very interested to see the detailed policies when they are published for consultation. - We welcome a new statement on Enforcement and hope that enforcement receives sufficient resources. 	Noted. A policy for Enforcement is no longer proposed in the Preferred Options Document. The Council instead will be preparing a Local Enforcement Plan which will set out its policy and procedure for enforcing planning control and handling planning enforcement issues.	None.	023/1
Castle Bromwich Parish Council	<ul style="list-style-type: none"> - Councillors to reply individually to consultations rather than submit a 'parish council' view. 	Noted.	None.	026/1

Appendix 2: Preferred Options Consultation Summary of Comments and Council Response

Policy DM1 – Air Quality

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Agree with the policy but not the approach - new Bristol Road Cycle Route is considered as a dangerous route with exposure to noxious car exhausts by cyclists and prolonged pollution produced from stopping at junctions and traffic being made to travel further around - 19 mature trees are to be taken down which are thought to be effective pollution busters. - Action should be implemented to solve the parking gridlock within Selly Park, as pollution increases as parking problems increase. 	Support noted. Comments relating to the Bristol Road Cycle Route will be considered through monitoring and review of the Cycle Route and not through this document.	No further action.	001/1
Individual	Yes	<ul style="list-style-type: none"> - Needs to prescribe that charging facilities will not be placed at the expense of pedestrian and cycle facilities, e.g. in the footway 	The revised parking standards will set clear standards for both EV charging and cycle parking. The design of parking provision will be set out in the emerging Birmingham Design Guide.	No further action.	002/1
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - Policy should consider parking and associated traffic issues. - Policy should consider noise mitigation measures so that all developments are built to ensure that noise pollution is minimised. 	Parking and associated traffic issues are being addressed through Policy DM14 of this document and the emerging Supplementary Planning Document on Parking. Noise mitigation is addressed through Policy DM6.	No further action.	003/1
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	<ul style="list-style-type: none"> - Request more information regarding taxis and hackney carriage future plan in the city – what age will hackney carriages and private hire be able to operate in the city? 	The charging policy for the Clean Air Zone is not within the remit of this policy or document.	No further action.	004/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	<ul style="list-style-type: none"> - Request that air quality in the neighbourhoods where all the traffic from the CAZ will be going through should be monitored. 	The air quality in and around the Clean Air Zone will be monitored. It is not within the remit of this policy or document to review the CAZ which remains a decision for the City Council itself.	No further action.	005/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	007/1
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - Policy should have greater emphasis on the inclusion of high quality green infrastructure for all developments and promote access to green spaces. - Protection for, and retention of, existing high quality mature trees needs to be assumed unless there are exceptional reasons for removal - this needs to be built in to planning requirements. - Policy should state that appropriate tree planting should be a requirement of all development plans. 	The importance of Green Infrastructure is emphasised in Policy TP7 of the Birmingham Development Plan, linked to this policy. Landscaping and protection of trees is addressed through Policy DM4 of this document.	No further action.	008/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	009/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	011/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	012/1
Individual	No	<ul style="list-style-type: none"> - Does not support approach as the policy is detrimental to motorists and the environmental benefits are overly exaggerated. 	The evidence overwhelmingly supports the need to improve Air Quality within the City as a major health hazard.	No further action.	013/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	014/1
Individual	Yes	<ul style="list-style-type: none"> - Consideration should be given for the development of sustainable public transport. 	Noted. This issue is dealt with through other policies in the Birmingham Development Plan (Policies TP38, TP41, TP45).	No further action.	015/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	016/1
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	017/1
Individual	Yes	<ul style="list-style-type: none"> - Recommend inclusion of measures to improve air quality close to schools - e.g. no parking close to entry points, 	Measures to address air quality close to schools are addressed in the draft Birmingham Clean Air Strategy,		019/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		enforcement of no idling, implement bus provision, ban private cars near secondary schools	within Pledge 3.		
Individual	Yes	<ul style="list-style-type: none"> - More consideration of the impact of still allowing large diesel engines (delivery lorries and buses) into the clean air zone 	Noted. The monitoring and effectiveness of the Clean Air Zone is not within the remit of this policy or document. It will be determined separately by BCC. The Clean Air Zone will include charges for Diesel lorries and buses that are not Euro 6 standard or better.	No further action.	020/1
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	021/1
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	022/1
Individual	Yes	<ul style="list-style-type: none"> - Requests more information on the impact of this policy on drivers living near the city centre who are on low incomes. 	The proposed policy should not have a direct impact on drivers living near the City as it only applies to future development proposals. The charging policy for the Clean Air Zone and its impact are not within the remit of this policy or document. It will be determined separately by BCC. The Clean Air Zone will include charges for Diesel lorries and buses that are not Euro 6 standard or better.	No further action.	023/1
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	024/1
Devinder Kumar from Reservoir Residents Association	No	<ul style="list-style-type: none"> - Doesn't support - Current plans do not go far enough - The introduction of Clean Air Zone should be viewed as a once in a lifetime opportunity to set morally correct policies which enshrines public health and well-being. Steps should be taken to ensure that the CAZ benefits as many, does not adversely impact the most vulnerable and mitigates any displacement effects - Clean Air Zone charge should apply to all diesels and/or should exclude/ban all diesels (a decision reached by other, major, European cities) 	<p>Noted. The charging policy for the Clean Air Zone is not within the remit of this policy or document. It will be determined, monitored and reviewed separately by BCC.</p> <p>The Draft Birmingham Clean Air Strategy adopts a city-wide approach to addressing Air Quality issues.</p> <p>Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking</p>	No further action.	025/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Clean Air Zone should be expanded because it mitigates 'displacement' - Council should increase benefits from CAZ to wider area and mitigate displacement parking and rat-running by introducing residents only parking - The promotion of CNG is ill-advised; it is neither sustainable or carbon neutral - The clean air zone proposals do not tackle particulate matter. - Council should set aside funds and plan to monitor and tackle 'displacement' pollution 	<p>policy objectives in the forthcoming Parking Supplementary Planning Document.</p> <p>It is anticipated that the CAZ will have an impact on the wider vehicle fleet and will also shifts some trips to other more sustainable forms of transport.</p> <p>It is also anticipated that there will be a significant number of drivers upgrading their vehicles in response to the CAZ who will therefore be able to drive in the zone without incurring a charge. As a result, there is not expected to be a substantial increase in the level of traffic in areas that line the perimeter of the zone, and modelling does not suggest that air quality will worsen in these peripheral locations.</p>		
Individual	Yes	- No comments.	Noted.	No further action.	026/1
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/1
Individual	Yes	- No comments.		No further action.	029/1
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/1
Individual	Yes	- No comments.	Noted.	No further action.	032/1
Clement Samuels from West Midlands Police	Yes	- More consideration needs to be given to parking.	Parking and associated traffic issues are addressed through Policy DM14 of this document and the emerging Supplementary Planning Document on Parking.	No further action.	033/1
Individual	Yes	<ul style="list-style-type: none"> - Appropriate parking measures need to be considered for those parking just outside the clean air zone - Request residents parking permits for residential areas on outskirts of centre - Supports implementation of the CAZ 	Parking and associated traffic issues are being addressed through Policy DM14 of this document and the emerging Supplementary Planning Document on Parking.	No further action.	034/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Does not agree - There is no vision for the areas directly neighbouring the CAZ boundary - The implementation of the CAZ and the impact of the metro extension and Sprint buses on the Hagley Rd will further become car parks for workers/commuters - Neighbouring areas need to be recognised and supported - Parking restrictions need to be enforced. 	<p>Parking and associated traffic issues are addressed through Policy DM14 of this document and the emerging Supplementary Planning Document on Parking.</p> <p>The charging policy for the Clean Air Zone is not within the remit of this policy or document. It will be determined, monitored and reviewed separately by BCC.</p> <p>Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking policy objectives in the forthcoming Parking Supplementary Planning Document.</p>	No further action.	035/1
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/1
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	038/1
Hazel McDowall from Natural England	Yes	<ul style="list-style-type: none"> - Natural England agrees with the policy approach. - Effects on designated nature conservation sites (including increased traffic, construction of new roads, and upgrading of existing roads), and the impacts on vulnerable sites from air quality effects on the wider road network in the area (a greater distance away from the development) can be assessed using traffic projections and the 200m distance criterion followed by local Air Quality modelling where required - Consider that the designated sites at risk from local impacts are those within 200m of a road with increased traffic, which feature habitats that are vulnerable to nitrogen deposition/acidification. - We acknowledge that the policy has 	Support welcomed and Noted.	No further action.	040/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		regard to the effects on general air quality (regional or national) and that consideration is given to national air quality impacts resulting from diffuse pollution over a greater area.			
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	<ul style="list-style-type: none"> - B&BC LNP agree in principle to the policy approach. - Policy wording to include support for the use of green infrastructure such as green walls and roofs and the integration of existing green and blue infrastructure such as canals, rivers and green space within new developments and city masterplan design. - Policy should refer to Atkins study - LNP would seek for the DM1 policy to include reference and links to the Green Infrastructure plan which is currently under review by Birmingham City Council. 	<p>Noted.</p> <p>The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. Wording in policy DM1 includes green infrastructure as a measure that can help to reduce and/or manage air quality impacts. The integration of green and blue infrastructure in new development is addressed in Policy PG3 Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan. Birmingham's Green Living Spaces Plan (2013) sets the priorities for creating a green network covering open spaces and parks, linear corridors, blue infrastructure, trees and green roofs/walls. The intention is to have a refreshed Green Space Strategy that would encompass all open space, green infrastructure and the nature recovery network. Comments relating to the value of green and blue infrastructure in addressing poor air quality are noted and will be considered in the preparation of an updated Green Space Strategy.</p>	No further action.	041/1
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	Yes	<ul style="list-style-type: none"> - Wildlife Trust for Birmingham and the Black Country agree in principle - Seeks wording to include support for the use of green infrastructure such as green walls and roofs within new developments - Refer to Atkins study of the ivy green screen grown along A38 Bristol Street, 	<p>Noted.</p> <p>Policy wording already includes green infrastructure as a measure that can help to reduce and/or manage air quality impacts. The integration of green and blue infrastructure in new development is already addressed by Policy PG3</p>	No further action.	042/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		Birmingham which concluded: "The Green Screens along the A38 can reasonably be said to be capturing particulates from the air and improving the local air quality."	Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan. The Atkins Study is Noted. and could be used to form part of the evidence base.		
Individual	Yes	- No comments.	Noted.	No further action.	046/1
Patricia Dray from Highways England		<ul style="list-style-type: none"> - Welcomes the policy and objectives of DM1 - It is not clear how this policy may be applied to road improvement schemes - Recommends revision of wording to ensure its not restrictive to delivery of necessary road improvement schemes, which while potentially having localised air quality impacts, may be sustainable and necessary on other grounds - Supports intention to development suitable network to support market uptake of ultra-low emission vehicles however would seek to be engaged in ongoing discussions to understand how it will be sensitive to safety considerations and functionality of SRN 	<p>Noted. All Transportation and Highways schemes, regardless of value, will be required to adhere to a BCC technical guidance note on Air Quality and complete an Air Quality Assessment Proforma.</p> <p>Recommendations have been noted regarding a balanced approach to ensure delivery of schemes are not unnecessarily restricted, whilst acknowledging the importance of air quality impacts. BCC will ensure appropriate engagement with Highways England on potential safety considerations and ULEV implications on functionality of SRN going forwards.</p>		049/1
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		- Supports objective 1.7	Support noted.	No further action.	051/1
Conservative Group		<ul style="list-style-type: none"> - Policy needs to be strengthened to be more ambitious regarding green infrastructure and transport measures built into design - Monitoring of Air Quality within Appendix 4 requires tougher standards, including CO2 and Particulate Matter - Notes a conflict between DM1 and DM14 Parking as restrictions on parking spaces will make it more difficult to install more electric charging 	Policy wording includes green infrastructure as a measure that can help to reduce and/ or manage air quality impacts. The integration of green and blue infrastructure in new development is already addressed by Policy PG3 Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan. Agree that monitoring indicator should include Particulate Matter.	<p>Amend part 2 of policy (now part 1) to:</p> <p>"...Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and <u>particulate matter</u>, or increase exposure to unacceptable levels of air pollution,</p>	052/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		points for vehicles.	<p>The revised Parking SPD will set standards for EV charging points. There is no conflict between DM14 and DM1. Provision of a public EV charging network will not be impacted by parking provision in new developments. Where car parking is restricted on new developments in the city centre this will also include electric vehicles as there is a need to manage demand for all private car usage, regardless of type.</p> <p>The council will adhere to latest proposed government legislation on the provision of charging infrastructure (proposals released for national consultation in July 2019).</p>	will not be considered favourably. .”	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Proposed wording of ‘sustainable energy’ within Part 1 should be replaced with a reference to ‘low and zero carbon energy’ - Point 2 of the policy should define what is meant by ‘unacceptable deterioration in air quality’ and should be removed if cannot be defined. 	<p>Agree to replace the term ‘sustainable energy’ with ‘low and zero carbon energy’.</p> <p>‘Unacceptable deterioration’ is explained in para. 2.7 of the supporting text.</p>	<p>Replace the term ‘sustainable energy’ with ‘low and zero carbon energy’.</p> <p>2. Mitigation measures such sustainable energy as low and zero carbon energy, green infrastructure and sustainable transport can help to reduce and/ or manage air quality impacts and will be proportionate to the background air quality in the vicinity, including Clean Air Zone designations.</p>	058/1
Reservoir Residents Association	No	<ul style="list-style-type: none"> - Current plans do not go far enough - Steps should be taken to ensure that CAZ benefits as many as possible - Policy should ensure that any displacement effects are mitigated - Recommended that the Clean Air Zone charge should apply to all diesels and should exclude/ban all diesels if possible - Clean Air Zone should be expanded to address several concerns raised regarding the proposal boundary and 	<p>Noted. Some of the comments made do not directly relate to this policy or document. The policy, monitoring and review of the Clean Air Zone lie outside of the remit of this document.</p> <p>Whilst nitrogen dioxide is specifically referenced this does not mean that other pollutants are excluded from this; note the term ‘objectives for air quality’ which apply to all pollutants. So, this means that we have to</p>	<p>Amend part 2 of policy (now part 1) to:</p> <p>“...Development that would, in isolation or cumulatively, lead to an unacceptable deterioration* air quality, result in exceedances of nationally or locally set objectives for air quality, particularly for nitrogen dioxide and particulate matter, or increase exposure to unacceptable levels of air pollution,</p>	060/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> current plans - Recommend that funds are set aside to monitor and tackle displacement pollution under this policy - The promotion of CNG is ill-advised and is a mistake as it is neither sustainable or carbon neutral - Phased targets should be set to increasingly power the network once installed. - the proposals need to tackle PM2.5 particulate matter 	<p>consider all limits for all pollutants.</p> <p>To clarify this, amend the policy to include particulate matter.</p>	will not be considered favourably. ."	
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> - Hammerson supports the principles behind the proposed Clean Air Zone and a planning policy to manage the effected created by the development - Developments should only be required to manage individual impacts on air quality rather than tackle wider or existing issues. - Concerns are raised in regards to Part 2 as they are concerned that this is not interpreted or intended to require developments to mitigate for existing issues. - The policy does not set out 'locally set targets' and so it is difficult to be supportive of targets that have not been set. 	<p>Support noted.</p> <p>The assertion that development should not be required to mitigate for existing issues is not accepted.</p> <p>The NPPF states that, "Planning policies and decisions should contribute to and enhance the natural and local environment by: preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected <u>by</u>, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality".</p> <p>It goes on to say that "Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas."</p> <p>Para 2.7 of the supporting text</p>	No further action.	061/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>clarifies that “New developments have the potential to adversely affect air quality or be affected by air quality” would trigger an Air Quality Assessment (AQA).</p> <p>Para 2.8 states that “AQAs must outline the current and predicted future pollutant concentrations at, and in the vicinity of, the development site. The AQA should also consider any potential cumulative impacts on air quality arising from planned development in the vicinity of the development site.”</p> <p>The policy refers to the contributing to the objectives of the Local Air Quality Action Plan, which is where the ‘locally set objectives’ for air quality are set.</p>		
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Oval are supportive of the intention to manage air quality over the long term - It is important that the Council ensure an appropriate balance of three elements, outlined within paragraph 1, within considerations on a site by site basis - Oval notes that it should be important to ensure that potential impacts are considered in context of the overall benefits, and mitigations should be reasonably related to the development and should not be required to address existing issues. 	<p>Supported noted.</p> <p>The assertion that development should not be required to mitigate for existing issues is not accepted.</p> <p>The NPPF states that, “Planning policies and decisions should contribute to and enhance the natural and local environment by: preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality”.</p> <p>It goes on to say that “Planning policies and decisions should sustain</p>	<p>Amend part 1 of the policy (now part 2) to:</p> <p>2. Mitigation measures such sustainable energy as low and zero carbon energy, green infrastructure and sustainable transport can help to reduce and/ or manage air quality impacts and will be proportionate to the background air quality in the vicinity, including Clean Air Zone designations.</p>	062/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas.”</p> <p>Para 2.7 of the supporting text clarifies that “New developments have the potential to adversely affect air quality or be affected by air quality” would trigger an Air Quality Assessment (AQA).</p> <p>Para 2.8 states that “AQAs must outline the current and predicted future pollutant concentrations at, and in the vicinity of, the development site. The AQA should also consider any potential cumulative impacts on air quality arising from planned development in the vicinity of the development site.”</p> <p>However, it is accepted that mitigation be proportionate to the background air quality in the vicinity, including Clean Air Zone designations.</p> <p>The policy refers to the contributing to the objectives of the Local Air Quality Action Plan, which is where the ‘locally set objectives’ for air quality are set.</p>		
Pegasus Group		<ul style="list-style-type: none"> - Wording of policy is broadly supported. - Wording of Part 2 of DM1 needs further information as to how this will be determined in practice. - The definitions and details provided in paragraphs 2.7 and 2.8 are particularly welcomed. Pegasus Group proposes that a clear hook is provided in the 	<p>Support noted.</p> <p>The supporting text provides further information on how the policy will be applied.</p> <p>Do not consider it necessary to incorporate suggested text from</p>	No further action.	064/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>policy wording to provide a direct link to the related text in the chapter to strengthen the policy.</p> <ul style="list-style-type: none"> - It is suggested that the statement 'any impacts upon air quality will be considered in the context of the benefits the development brings to the city' is incorporated into the policy section rather than supporting text. 	supporting text into the policy.		
Canal and River Trust		<ul style="list-style-type: none"> - This policy suggests that there is a direct link between good air quality and improved wellbeing which the Trust supports. - The overall aims of the existing action plan and Birmingham plan are viewed favourably, however additional text is sought to include reference to the existence, improvement and use of an integrated green and blue infrastructure network. - Suggested additional text after para 2.11: "The green and blue infrastructure networks within the city (including canals, rivers and other open spaces) provide opportunities to assist in the reduction of air quality concerns, and mitigation in the form of improvements to these networks and increases in their use through improved accessibility and awareness. Developers should include these opportunities in their assessments of the impact of their proposals on air quality." - Request that policy links at the end of para 2.14 to include reference to the Green Infrastructure Plan which is currently under review and its replacement document, as well as TP1, TP2, TP3 and TP5 of the Birmingham Plan. - Request that the text at point 3 should read 'fuelling stations' plural, rather than singular as given. 	<p>Support noted.</p> <p>The integration of green and blue infrastructure in new development is already addressed by Policy PG3 Place-making and Policy TP7 Green Infrastructure of the Birmingham Development Plan.</p> <p>The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. Birmingham's Green Living Spaces Plan (2013) sets the priorities for creating a green network covering open spaces and parks, linear corridors, blue infrastructure, trees and green roofs/walls. The intention is to have a refreshed Green Space Strategy that would encompass all open space, green infrastructure and the nature recovery network. Comments relating to the strategic value of green and blue infrastructure in assisting with the reduction of air quality concerns will be considered in the preparation of an updated Green Space Strategy.</p> <p>Agree with Policy links to TP1, TP2, TP3 and TP5 of the Birmingham Development Plan. Suggest also links to TP7 Green Infrastructure and PG3 Place-making.</p>	Under policy links add PG3, TP1-5 and TP7.	066/1

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			Note typo on 'station' which should have been plural 'stations'.		
Individual	Yes	- No comments.	Noted.	No further action.	067/1
Individual	Yes and No	<ul style="list-style-type: none"> - Agrees in general - Air quality will be safer - But additional traffic and parking will result just outside the CAZ 	<p>Noted.</p> <p>The Draft Birmingham Clean Air Strategy adopts a city-wide approach to addressing Air Quality issues.</p> <p>It is anticipated that the CAZ will have an impact on the wider vehicle fleet and will also shift some trips to other more sustainable forms of transport.</p> <p>It is also anticipated that there will be a significant number of drivers upgrading their vehicles in response to the CAZ who will therefore be able to drive in the zone without incurring a charge. As a result, there is not expected to be a substantial increase in the level of traffic in areas that line the perimeter of the zone, and modelling does not suggest that air quality will worsen in these peripheral locations.</p> <p>Parking will be monitored on the periphery of the zone. Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking policy objectives in the forthcoming Parking Supplementary Planning Document.</p>	No further action.	068/1

Policy DM2 - Amenity

Response from:	Support?	Summary of comments	Council response	Action	Ref
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Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Agree with policy but not the approach - Further consideration should be given to social infrastructure, population saturation or inconvenience to the present population. - More consideration should be given to parking; rats rubbish disposal, noise and flood alleviation schemes alongside student flats on the flood plain. 	<p>Noted.</p> <p>Policies which address social infrastructure which can include education, health, transport, green infrastructure are included in the adopted Birmingham Development Plan (BDP). Policies which address the management of flood risk and the design of new development are also included in the BDP and supporting supplementary planning documents. 'Inconvenience' is not a recognised planning consideration.</p> <p>Parking provision is addressed by proposed Policy DM14 and Noise is dealt with by proposed Policy DM6 in the Preferred Options consultation document.</p>	No further action.	001/2
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	002/2
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - This is not always Planning Committee's guiding principle. 	These are draft policies for consultation.	No further action.	003/2
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	004/2
Individual	Yes	<ul style="list-style-type: none"> - Request that buildings shouldn't be too high so that they crowd out their neighbours. 	The effects which may arise from the height of buildings is covered by the first three criteria of the proposed policy.	No further action.	005/2
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	007/2
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - It should be a requirement that aspects of the development should actually enhance the neighbourhood for all e.g. provision of public green space or amenity. It is not enough to require developments to have no adverse impacts on neighbours 	Noted. Policies which require the creation of sustainable neighbourhoods and the provision of open space and sports facilities is included in the adopted Birmingham Development Plan.	No further action.	008/2
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	009/2
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	010/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	011/2
Individual	Yes	- No comment	Noted.	No further action.	012/2
Individual	Yes	- No comment	Noted.	No further action.	013/2
Individual	Yes	- No comment	Noted.	No further action.	014/2
Individual	Yes	- No comment	Noted.	No further action.	015/2
Individual	Yes	- No comment	Noted.	No further action.	016/2
Individual	Yes	- No comment	Noted.	No further action.	017/2
Individual	Yes	- Request for more consultations on planning applications; better publicity and notices to more residents not just immediate neighbours	Noted. Comment does not relate to the policy. The Statement of Community Involvement (SCI), which is currently out for consultation, sets out standards of consultation to be achieved by the Council in making decisions on planning applications. The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out a minimum standard of publicity and notification of applications to the local community, depending on the nature of the application.	No further action.	019/2
Individual	Yes	- No comments.	Noted.	No further action.	020/2
Individual	Yes	- No comments.	Noted.	No further action.	021/2
Individual	Yes	- No comments.	Noted.	No further action.	022/2
Individual	Yes	- No comments.	Noted.	No further action.	023/2
Individual	Yes	- No comments.	Noted.	No further action.	024/2
Individual	Yes	- No comments.	Noted.	No further action.	026/2
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/2
Individual	Yes	- No comments.	Noted.	No further action.	029/2
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/2
Individual	Yes	- Too many HMOs creating noise pollution from tenants and traffic (taxis); not enough space for wheelie bins and parking and breakdown of neighbourhood cohesion	Proposed policy DM10 Houses in Multiple Occupation and other non-family houses aims to ensure that such development preserves the residential amenity and character of an area and that harmful	No further action.	032/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			concentrations do not arise.		
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/2
Individual	Yes	- No comments.	Noted.	No further action.	034/2
Individual	Yes	- Lack of clarity about how amenities will be protected, no indication of how this will be managed.	The proposed policy sets out the criteria for assessing the impact of development on amenity. The Birmingham Design Guide, which is currently being prepared, will provide detailed design guidance on matters to help address amenity.	No further action.	035/2
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/2
Individual	Yes	<ul style="list-style-type: none"> - Important that new development does not create issues with existing cultural and leisure uses and cause them to close or limit the activities of the pre-existing venue. - New residential development near long standing live music venue should only be permitted if the development is fully insulated 	This is addressed by proposed policy DM6 Noise and Vibration.	No further action.	038/2
Stuart Morgans from Sports England	Yes	- No comments.	Noted.	No further action.	039/2
Individual	Yes	<ul style="list-style-type: none"> - Agree with policy - It is essential that the Birmingham Design Guide, which is still to be published, has suitably detailed guidance that can be relied upon to be considered when assessing any planning application. - A concern that, despite the existence of guidance, the reality of what actually happens in practice may be altogether different. - Notes that there is no point in having a declared policy if planning officers can override policy in pursuit of the imperative of enabling development to proceed 	When determining a planning application all the relevant policies to the application will be considered, as well as other material considerations. The key objectives of the Local Plan are set out in the Birmingham Development Plan. The National Planning Policy Framework places emphasis on the need for local planning authorities to approach decision-taking in a positive way to support the delivery of sustainable development. The planning system is plan-led and applications must be determined in line with the development unless other material considerations indicate otherwise.	No further action.	045/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			Local planning authorities can consider whether otherwise unacceptable development could be made acceptable through the use of conditions or a planning obligation attached to a planning decision.		
Individual	Yes	- No comments.	Noted.	No further action.	046/2
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police	Yes	- In support of policy	Noted and welcomed.	No further action.	051/2
Conservative Group		<ul style="list-style-type: none"> - Strongly agree to principle but policies do not go far enough in providing protecting character - Resisting HMOs and loss of open space is essential - Council should go further on prescribing the design and style of development, particularly in mature suburbs - Developers should put new roads and footways up of for adoption and so meet the Council's specifications for infrastructure 	<p>Proposed policy DM10 Houses in Multiple Occupation and other non-family houses aims to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.</p> <p>Policy on the loss of open space in contained in the adopted Birmingham Development Plan.</p> <p>The Council already has existing adopted detailed design guidance on new residential development such as Places for All SPD and Mature Suburbs SPD.</p> <p>The Council has no powers to force a developer to offer a new road or area as adoptable highway and so enforce infrastructure specifications. However where a new link is required to be permanently accessible this can be agreed with a developer through a planning condition.</p>	No further action.	052/2
Community Partnership for Selly Oak(CP4SO)	Yes	<ul style="list-style-type: none"> - Support general statements of principle on page 12 - Concerns that the policies listed in the DM2 policy box refer to personal, 	This policy deals specifically with the impact of development on amenity. It is acknowledged that first section of para. 2.20 is confusing by using the	Change para 2.20: “Consideration should not only be given to the impact of individual	053/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>household or neighbourly amenities and offer nothing on how 'character and place' can be conserved and enhanced.</p> <ul style="list-style-type: none"> - Paragraphs 2.16-2.20 is unambitious and adopts a negative stance 	<p>terminology 'place' and will be deleted. The impact of development on wider character and place is addressed by Policy PG3 Place-making contained in the adopted Birmingham Development Plan.</p>	<p>developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u></p>	
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Agrees with purpose and approach - It is agreed that developments should be appropriate for its location but should be Noted. that this is partly driven by the allocation of development sites in the BDP - Where adverse impacts on the amenity of occupiers and neighbours is identified, particularly in respect to those amenity features listed within Policy DM2, there is need to demonstrate that the reduction and/or mitigation of such adverse impacts have been explored during the pre-application and determination process. - Policy DM2 should be strengthened to accord with paragraph 180 of the NPPF, suggesting: "New development should seek to reduce and mitigate to a minimum potential adverse impacts on amenity features in the wider area" 	<p>Noted.</p> <p>The Local Plan, which includes the adopted Birmingham Development, should be read as a whole.</p> <p>Additional text will be incorporated in para 2.18 to reflect para 180 of the NPPF.</p>	<p>Amend policy to:</p> <p>All development should be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:</p> <ul style="list-style-type: none"> a. Visual privacy and overlooking; b. Sunlight, daylight, overshadowing and overbearing impact. c. Aspect and outlook; perception of enclosure d. Access to high quality and useable amenity space; e. Artificial lighting levels; e. Noise, vibration, odour, fumes, dust, air or artificial light pollution; g. Odour, fumes, and dust h. Safety considerations, crime, fear of crime and anti-social behaviour; i. Compatibility of adjacent uses; and j. The individual and cumulative impacts of development proposals in the vicinity on amenity. <p>Insert additional text to para 2.20:</p> <p>Consideration should not only be given to the impact of individual developments, but also to</p>	055/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u>	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> The references to 'overbearing impact' and 'perception of enclosure' should be removed from the final policy wording. 	Agree. Policy to be amended to exclude references to 'overbearing impact' and 'perception of enclosure.'	<p>Amend policy to:</p> <p>All development should be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:</p> <ul style="list-style-type: none"> a. Visual privacy and overlooking; b. Sunlight, daylight, overshadowing and overbearing impact. c. Aspect and outlook; perception of enclosure d. Access to high quality and useable amenity space; e. Artificial lighting levels; e. Noise, vibration, odour, fumes, dust, air or artificial light pollution; g. Odour, fumes, and dust h. Safety considerations, crime, fear of crime and anti-social behaviour; i. Compatibility of adjacent uses; and j. The individual and cumulative impacts of development proposals in the vicinity on amenity. 	058/2
Reservoir Residents Association		<ul style="list-style-type: none"> Requests that BCC automatically applies for a direction under Regulation of 7 of the "Town and Country Planning (Control of Advertisements) Regulations 1992" to remove the deemed consent to display 	Comment does not relate to the policy.	No further action.	060/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		for sale and to let boards in areas where an overconcentration (>10%) of HMO is identified.			
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> - Welcomes policy - Point 'J' states "the individual and cumulative impacts of development proposals on amenity" will be considered and as supported paragraph 2.20, we suggest clarity is needed to limit the assessment of cumulative impact to 'committed development' only i.e. that with planning permission. 	Agree that clarity should be provided on 'cumulative impact of development proposals on amenity'. This will be explained in para 2.20 as 'committed and planned development proposals within the vicinity' meaning those with planning permission and allocated in an adopted local plan.	Change para 2.20 to: Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u>	061/2
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Broadly agree with the criteria listed - Criteria should be considered in the context of needing to ensure that new development delivers a high quality place. - Where areas are being regenerated it is important to recognise local constraints or opportunities that might exist. In such cases, it is important that amenity is considered 'in the round', and not through a strict application of criteria or standards. - Clarification is needed for criteria j in relation to 'individual and cumulative impacts' 	<p>Noted.</p> <p>Agree that new development should deliver high quality places and spaces. The criteria are important considerations for the achievement of this.</p> <p>Agree that clarity should be provided on 'cumulative impact of development proposals on amenity'. This will be explained in para 2.20 as 'committed and planned development proposals within the vicinity' meaning those with planning permission and allocated in an adopted local plan.</p>	Change para 2.20 to: Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u>	062/2
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda welcomes the supporting text notes that each development will have its own considerations - It is suggested that point (j) is amended to read 'impacts of committed development' to ensure that developers are not expected to take account of development which 'may' come forward 	<p>Noted.</p> <p>Agree that clarity should be provided on 'cumulative impact of development proposals on amenity'. This will be explained in para 2.20 as 'committed and planned development proposals within the vicinity' meaning those with planning permission and allocated in an adopted local plan.</p>	Change para 2.20 to: Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u>	063/2
Pegasus Group		<ul style="list-style-type: none"> - Policy should be amended to read as 	Agree that the definition of 'adverse'	Amend policy to:	064/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>'unacceptable adverse impacts' as the definition of 'adverse' can be subjective and the policy will need to be read in conjunction with the other policies of the Local Plan and the NPPF which should be read as a whole.</p>	<p>can be subjective and that the word 'unacceptable' is added.</p>	<p>All development should be appropriate to its location and not result in unacceptable adverse impacts on the amenity of occupiers and neighbours. In assessing the impact of development on amenity, the following will be considered:</p> <ul style="list-style-type: none"> a. Visual privacy and overlooking; b. Sunlight, daylight, overshadowing and overbearing impact; c. Aspect and outlook; perception of enclosure d. Access to high quality and useable amenity space; e. Artificial lighting levels; e. Noise, vibration, odour, fumes, dust, air or artificial light pollution; g. Odour, fumes, and dust h. Safety considerations, crime, fear of crime and anti-social behaviour; i. Compatibility of adjacent uses; and j. The individual and cumulative impacts of development proposals in the vicinity on amenity. 	
Canal and River Trust		<ul style="list-style-type: none"> - Visual character of development is essential to high amenity value and should be noted. as a key consideration, along with methods and information on sustainable travel routes to and from any new development - When making decisions, it is suggested that Birmingham should consider the canal network as a 'neighbour' and therefore seek to protect the amenity value of this asset under this policy. - A definition and explanation of 	<p>Visual character relates to design and place making which is covered Policy PG3 Place making in the adopted BDP.</p> <p>Policies in relation to sustainable transport are contained in the BDP. A number of policies in the BDP recognise the importance of canals as a water and drainage resource, for sport and leisure opportunities, as open space, corridors important to biodiversity and as heritage assets. The point about defining 'neighbours' should be addressed by the</p>	<p>Amend para 2.16 to include the word 'historic'.</p> <p>Amend (j) (now h) to:</p> <ul style="list-style-type: none"> h. The individual and cumulative impacts of development proposals <u>in the vicinity</u> on amenity. <p>Amend 2.20 to:</p> <p>Consideration should not only be given to the impact of individual developments, but also to cumulative impacts of development</p>	066/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> 'neighbour' is required Suggested that a better approach would be to include public amenity spaces, canal network and any adjoining parkland to development consented under this policy. At supporting para 2.16, additional wording is requested to clearly state that "...Birmingham an attractive, vibrant, historic and interesting place to live, work and visit" Trust seeks that the definition of 'amenity' is broadened with clarification given whether this definition only applies to the specific policy or across the whole document. There are no references to considering the impact of built form on water-based communities and no wider references to good design; both of which should be included or have reference made The linked policies do not include any reference to the Birmingham Design Guide and its progress 	<p>amended policy, specifically criteria (j).</p> <p>Agree to add the word 'historic' in para 2.16</p> <p>It is acknowledged that first section of para. 2.20 is confusing by using the terminology 'place' and will be deleted. The impact of development on wider character and place is addressed by Policy PG3 Place-making contained in the adopted BDP.</p> <p>Policy PG3 Place-making in the adopted BDP deals with good design and para 2.18 of the supporting to DM2 Amenity makes reference to the emerging Birmingham Design Guide which will be used to help apply this policy.</p>	<p>proposals in the vicinity. <u>This will include committed and planned development proposals meaning those with planning permission and allocated in an adopted local plan.</u></p> <p>Amend last sentence of 2.18 to: Each development will have its own considerations, both within the site itself and its impact on the character of the area in which it is set. These factors will influence how amenity needs to be addressed. The careful design of development can ensure that proposals help to maintain or improve amenity. <u>Development proposals should mitigate and reduce to a minimum, potential adverse impact on the amenity of nearby occupiers and neighbours. The Birmingham Design Guide, provides which will replace existing design guidance once adopted, will provide detailed design guidance which can help to address matters of amenity relating to the policy criteria.</u></p>	
Individual	Yes	- No comments.	Noted.	No further action.	067/2
Individual	Yes	- Additional traffic and parking will result just outside the clean air zone which is already a problem	See response to 068/1	No further action.	068/2

Policy DM3 - Contamination

Response from:	Support?	Summary of comments	Council response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	001/3
Individual	Yes	- No comment	Noted.	No further action.	002/3
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/3
Mohammed Rashid from Masjid &	Yes	- No comment	Noted.	No further action.	004/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Madrassa Faiz-UI-Quran					
Individual	Yes	- No comment	Noted.	No further action.	005/3
Individual	Yes	- No comment	Noted.	No further action.	007/3
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/3
Individual	Yes	- No comment	Noted.	No further action.	009/3
Individual	Yes	- No comment	Noted.	No further action.	010/3
Individual	Yes	- No comment	Noted.	No further action.	011/3
Individual	Yes	- No comment	Noted.	No further action.	012/3
Individual	Yes	- No comment	Noted.	No further action.	013/3
Individual	Yes	- No comment	Noted.	No further action.	014/3
Individual	Yes	- No comment	Noted.	No further action.	015/3
Individual	Yes	- No comment	Noted.	No further action.	016/3
Individual	Yes	- No comment	Noted.	No further action.	017/3
Individual	Yes	- No comment	Noted.	No further action.	019/3
Individual	Yes	- No comment	Noted.	No further action.	020/3
Individual	Yes	- No comment	Noted.	No further action.	021/3
Individual	Yes	- No comment	Noted.	No further action.	022/3
Individual	Yes	- No comment	Noted.	No further action.	023/3
Mike Parsley (local resident)	Yes	- No comment	Noted.	No further action.	024/3
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Development should be prioritised in city centre and on previously used land over the green belt and undeveloped land. - Developers should be encouraged and incentivised to develop contaminated land safely. - Mixed use development should replace car parks on the site of demolished industrial buildings for example near Moor Street, Digbeth and Highgate - Should implement a policy of compulsory purchase orders to eliminate eyesore undeveloped land leveraging existing and emerging partnerships with private firms 	The Birmingham Development Plan adopts a predominantly brownfield-led approach with the majority of sites allocated and identified in land availability assessments constituting previously developed land. This acts to encourage development of brownfield sites. Other comments do not relate to the policy.	No further action.	025/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	026/3
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/3
Melanie Lindsley from The Coal Authority	Yes	- Pleased to see that issues of unstable land have been identified for consideration.	Noted. and welcomed	No further action.	028/3
Individual	Yes	- No comments.	Noted.	No further action.	029/3
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/3
Individual	Yes	- No comments.	Noted.	No further action.	032/3
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/3
Individual	Yes	- No comments.	Noted.	No further action.	034/3
Individual	Yes	- No comments.	Noted.	No further action.	035/3
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/3
Individual	Yes	- No comments.	Noted.	No further action.	038/3
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	No	<ul style="list-style-type: none"> - The wording promotes contamination as a significant problem while doing little to encourage the redevelopment of brownfield sites or enabling clean-up of historic contamination. - Brownfield sites can offer key ecological features such as open mosaic habitats, which can be more habitat and species diverse than greenfield sites. However, many sites are predominantly hard standing which offer the potential of redevelopment with low potential impact to the ecological network and the limited ecological features present within Birmingham. - Should encourage/design redevelopment of brownfield sites within the development mater plan while providing numerous ecological opportunities - LNP recommends the inclusion of two statements: 	<p>The policy specifically involves dealing with contaminated sites rather than encouraging the redevelopment of brownfield sites, which is already addressed through the strategy of the Birmingham Development Plan which is brownfield led. Policies in the BDP also seek to protect and enhance the green infrastructure network and biodiversity and geodiversity in the city (policies TP7 and TP8). Agree with suggested additional wording for criteria 1 - "within the development or surrounding area / groundwater" in order to clarify the policy.</p> <p>Agree with suggested additional wording for criteria 2 – "to remove risks to both the development and the surrounding area"</p>	<p>Amend policy to:</p> <p>Policy DM3 –Land affected by contamination, instability and hazardous substances</p> <ol style="list-style-type: none"> 1. Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater. 2. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, 	041/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>a) Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development or surrounding area / groundwater.</p> <p>b) All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area.</p>		<p>and where appropriate, a risk management and remediation strategy based on detailed site investigation to remove risks to both the development and the surrounding area and/ or groundwater.</p> <p>3. Proposals for development of new hazardous installations, or development located within the vicinity of existing hazardous installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the HSE, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.</p>	
Leila Batchelor from St Joseph Homes Limited	No	<ul style="list-style-type: none"> - Agree with the overall objective, with regard to new development needing to ensure that risks associated with ground contamination and instability are fully investigated (Clause 1). - Requests Clause 2 and paragraph 2.27 of the supporting text to be revised to confirm that a Preliminary Risk Assessment would be required at the planning application stage further to which the Council would require a full ground investigation; risk assessment management and remediation strategy to be submitted and approved by means of planning condition prior to commencement on site. 	<p>Disagree. The suggestion may be appropriate for most sites affected by contamination, but with some more difficult sites it may be necessary to submit a remediation strategy prior to determination of the planning application. This is to ensure that a technically feasible solution exists and also to ensure that should remediation prove exceptionally costly that this is properly reflected in the viability assessment and that an CIL or S106 contributions are set appropriately.</p> <p>The suggestion may also conflict with national policy which is to reduce the number of pre-commencement conditions applied to planning applications.</p>	No further action.	044/3
Mr & Mrs Bumpsteed	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	045/3
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	046/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Patricia Dray from Highways England	Yes	<ul style="list-style-type: none"> - Supports policy - Policy should ensure that proposals for land which could be contaminated is delivered in accordance with the standards set out in Design Manual for Roads and Bridges (DMRB) HD 22/08 – Managing Geotechnical Risk. 	<p>Noted.</p> <p>Disagree. The guidance referred to relates to geotechnical risk for works undertaken on the highway. It would not be relevant to the majority of sites affected by contamination where the development is not a highway scheme.</p>	No further action.	049/3
Conservative Group		<ul style="list-style-type: none"> - City should have highest possible safety standards to protect our residents and environment. - Standards should include requirements around the clear up of hazards to ensure they take into account the impact of action to move/clean hazardous substances. - Particular care should be taken with unlicensed tips and the presumption should be against allowing house building on these. 	<p>Not sure what is meant or intended by the term “highest possible safety standards”. The NPPF requires that a site is suitable for the intended use. It also requires that the impact from remediation is considered. Remediation schemes likely to have a significant impact may require and Environmental Impact Assessment or be subject to an environmental permit.</p> <p>It is not clear why unlicensed tips should be singled out and a presumption against allowing housing on such sites may be contrary to the NPPF.</p>	No further action.	052/3
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Point 3 should clarify what is meant by ‘existing installations’ it is not clear whether this is meant to refer to hazardous installations (as covered by the examples included within the supporting text at paragraph 2.30) or other types of undefined installations. 	<p>Agree. The word ‘hazardous’ will be added to clarify this.</p>	<p>Amend criteria 3 of the policy to:</p> <p>3. “Proposals for development of new hazardous installations, or development located within the vicinity of existing <u>hazardous</u> installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the HSE, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.</p>	058/3
Reservoir Residents Association		<ul style="list-style-type: none"> - Development should be prioritised in the city centre and previously used 	<p>The policy specifically involves dealing with contaminated sites</p>	No further action.	060/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>land over the green belt and undeveloped land.</p> <ul style="list-style-type: none"> - Developers should be encouraged and incentivised to develop contaminated land safely - Council should implement a policy of compulsory purchase orders to eliminate eyesore undeveloped land leveraging existing and emerging partnerships with private firms 	<p>rather than encouraging the redevelopment of brownfield sites, which is already addressed through the strategy of the Birmingham Development Plan which is brownfield led.</p> <p>The proposed policy requires developers to secure safe development where a site is affected by contamination or land stability issues.</p> <p>Comment relating to compulsory purchase of 'eyesore sights' does not relate to the proposed policy.</p>		
Canal and River Trust		<ul style="list-style-type: none"> - Request for additional text at end of point 1 stating: "...within the development or affecting the surrounding area and/or groundwater." - Requests for additional text at the end of point 2 stating "to remove risks to both the development and the surrounding area." - The Trust supports the re-development of brownfield land and the cleaning up of historic contamination, providing it is done in an appropriate way which doesn't pollute the water environment. Supporting text at para 2.27 should be extended to include "Where a site is near the canal or other water network, any works on site to decontaminate must ensure that they do not pose any risk to the water quality of the existing canal/ river etc. infrastructure. The proposed remediation and mitigation strategies must ensure that the water environment is identified as a sensitive receptor and then protected from pollution throughout this process." - Trust supports that policy DM3 mentions land instability but supporting text should also refer to NPPF guidance 	<p>Agree with suggested additional wording as per response to comment 043/1 from the Birmingham and Black Country Local Nature Partnership.</p> <p>Comments on land instability are noted and agreed with. Proposed changes to the policy title and the supporting text include further reference to land instability.</p> <p>The protection and enhancement of water resources is already covered by Policy TP6 Management of flood risk and water resources of the adopted Birmingham Development Plan. TP6 specifically states that development will not be permitted where a proposal would have a negative impact on surface of groundwater either directly through pollution or by the mobilisation of contaminants in the ground.</p> <p>Policy TP12 Historic Environment in the BDP affords protection to the historic environment which includes locally significant heritage assets and their settings. Within this context it also acknowledges the historic importance of canals and canal buildings and features.</p>	No further action.	066/3

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		- Should ensure development does not result in damage to, sometimes including danger from, construction methods and proximity to canal network and other important infrastructure.			
Individual	Yes	- No comments.	Noted.	No further action.	067/3
Individual	Yes	- No comments.	Noted.	No further action.	068/3

Policy DM4 – Landscaping and Trees

Response from:	Support?	Comments and Main Issues Raised	Council response	Action	Ref
Individual	No	- Policy should ensure that when mature trees are removed, they are replaced near to where they had been taken from.	The proposed policy already requires adequate tree replacement to be provided on site unless the developer can justify why this is not achievable.	No further action.	001/4
Individual	Yes	- No comment	Noted.	No further action.	002/4
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Tree planting should ensure sustainability and fit a greener Birmingham goal.	The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure including trees to the creation of sustainable environments. (TP7 Green Infrastructure Network, PG3 Place making)	No further action.	003/4
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/4
Individual	Yes	- Request that we should have more trees and if new houses are being built we should be offsetting these new houses with a set number of trees	The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green	No further action.	005/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure including trees to the creation of sustainable environments. (TP7 Green Infrastructure Network, PG3 Place making)		
Individual	Yes	- No comment	Noted.	No further action.	007/4
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - Request for robust measures to be in place to prevent removal of trees before planning permission is even granted wherever possible and take punitive measures against developers carrying out felling that has not been agreed as part of approvals of planning permission - Request that 'All developments, including those in the city centre, must allocate adequate space to quality trees and green infrastructure and not just include 'token lollipop trees'. - Policy should be ambitious in its aims to make the city centre and its environments green. 	<p>The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure including trees to the creation of sustainable environments. (TP7 Green Infrastructure Network, PG3 Place making)</p> <p>The City Council is only able to control the felling of trees through the Town and Country Planning act (Tree Preservation) (England) Regulations 2012. This applies to trees covered by Tree preservation Orders. Should a TPO tree be removed without consent then legal action is taken. With enough prior notice, a TPO may be applicable for trees on public or private sites but for this to be defensible the trees must have a current public amenity value. Therefore trees located in secluded back land sites are difficult to pre-emptively protect.</p> <p>Tree felling restrictions through the need for a felling license apply where</p>	No further action.	008/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>volumes of over 5 Cu M of timber are to be removed in any one quarter of the year. These licenses are administered through the Forestry Commission and they are able to take legal action where required.</p> <p>It is not possible through this policy document to implement more stringent restrictions over and above the existing legislation. However, where applicable consideration will be given to pre development canopy coverage and this will guide requirements for replacement planting plans.</p>		
Individual	Yes	- No comment	Noted.	No further action.	009/4
Individual	Yes	<ul style="list-style-type: none"> - Agree with policies - Should put minimum requirements in place such as , "Any trees not to be retained as a result of the development must be replaced at a ratio of at least 2:1; and additional, new, trees shall be planted at a minimum of: i. 3 trees for each dwelling for residential development; or ii. for non-residential development, whichever is the greater of 1 tree for each parking space; or 1 tree per 50m2 of gross floorspace" 	<p>Noted.</p> <p>It is considered that the proposed approach to tree replacement is based on the existing value of the tree removed (using the Capital Asset Value for Amenity Tree (CAVAT) methodology) is preferred to a requiring a 2 for 1 replacement as this would better reflect the value of the lost tree(s).</p> <p>In relation to planting as part of new development, the preferred policy approach focuses on the provision of high quality landscapes which are appropriate to the setting of the development. Further and updated design guidance on the incorporation of trees into new development will be included in the emerging Birmingham Design Guide. This will include detailed guidance on tree choice and planting requirements. To sustainably increase canopy coverage across the city requires the right tree to be planted in the right place while additionally giving it both the above and below ground space to mature fully and access sufficient</p>	No further action.	010/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			water.		
Individual	Yes	- No comment	Noted.	No further action.	011/4
Individual	Yes	- No comment	Noted.	No further action.	012/4
Individual	No	<ul style="list-style-type: none"> - Does not support approach - Woodland and parks are poorly maintained. There appears to be little or no funding for maintenance. 	It is not within the scope of this policy document to deal with the quality of parks maintenance. However where compensatory funds are allocated from tree losses these will be used to target new tree planting and/ or management of existing trees as directed by the Birmingham Forest Group.	No further action.	013/4
Individual	Yes	- No comment	Noted.	No further action.	014/4
Individual	Not answered	- Request for tree planting schemes to be part of all developments	The proposed policy requires all developments to take opportunities to provide high quality landscapes that enhance existing landscape character and the green infrastructure network.	No further action.	015/4
Individual	Yes	- No comment	Noted.	No further action.	016/4
Individual	Yes	- No comment	Noted.	No further action.	017/4
Individual	Yes	<ul style="list-style-type: none"> - Long term management and maintenance of trees is essential (both on public and private land) - Current street scenes inconsistently maintained - Development should have regard to neighbour amenity. 	<p>Details of the required levels of establishment management will be set out in the emerging Birmingham Design Guide which will cover current best practice as set out in the industry recognised British Standard Documents BS8545 – Trees from Nursery to independence in the Landscape and BS 3998 – tree works Recommendations.</p> <p>Landscape Management plans (incorporating tree management) can be required as a condition of planning approval. These would need to be approved by the Local Authority before implementation.</p> <p>Proposed policy DM2 Amenity within the Development Management Preferred Options Consultation Document addresses issues</p>	No further action.	019/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			regarding amenity of neighbours.		
Individual	Yes	<ul style="list-style-type: none"> - If trees are to be encouraged, then provision should also be made for their maintenance so that vehicles and properties are not affected by sap and lack of light. 	<p>Policy can only apply to maintenance of trees as part of planning applications/developments. Maintenance is a corporate finance decision.</p> <p>There will be greater emphasis on Right Tree, Right Place set out in the emerging Birmingham Design Guide. Tree planting plans will need to show how due consideration has been given to the properties – both beneficial and negative of the proposed species in relation to proposed location</p>	No further action.	020/4
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	021/4
Individual	Yes	<ul style="list-style-type: none"> - Request for additional open spaces to be developed in existing high population density areas. 	Provision of open space in new development is covered by Policy TP9 and protection and enhancement of the Green Infrastructure Network by TP7 of the adopted Birmingham Development Plan.	No further action.	022/4
Individual	Yes	<ul style="list-style-type: none"> - This is an aspect of the city that is neglected and really important with more trees required in Birmingham 	Noted.	No further action.	023/4
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	024/4
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Increasing greenery is welcomed. - Where on-site replacement is not achievable, the proposed policy states that contributions to off-site tree planting will be sought through a Section 106 Agreement. How will the location of this off-site tree planting be determined? Need more transparent policy and the ability for neighbourhoods to apply and be prioritised for having trees planted. - Request plan to ensure there is a net increase in trees each year - Where trees are planted and do not survive, they should be replaced as soon as possible. 	<p>Noted.</p> <p>Locations for off-site tree planting will be identified though a number of methods. Regular reporting on the management of the existing City Council tree stock and identifying areas of potential losses through tree pests and diseases will be one strand. Using GIS data sets including the National Tree Map, I Tree, air quality, Pluvial & fluvial flooding and land use mapping will be another. We will use these data sets to identify areas of low canopy coverage and match these to plant-</p>	No further action.	025/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Do not support removal of trees unless replaced with at least the equivalent number of more trees in very close proximity to the development site - BCC should note that deprived area needs landscape improvements not just affluent neighbourhoods - Request more trees added to ring road from road safety perspective - All types of roadside treatments – roadside landscaping, median landscaping, and sidewalk widening with tree planting – positively affected vehicle safety outcomes. - Trees in urban setting and roadside tree canopy can have restorative and calming effect, absorb and block noise for future residents and reduce glare for drivers. 	<p>able space. The percentage canopy coverage of the city will be monitored on a periodical basis and will form part of a reporting programme to show changes over time.</p> <p>A city wide tree and woodland strategy is being drawn up and will be available via the Council's web site once completed and approved. This strategy will include identifying budget and programmes for engagement in tree planting for communities.</p> <p>New tree planting is generally subject to a "defects period" during which establishment failures need to be replaced. Placing greater emphasis on early management should reduce the incidence of such early failures. Details of best practice will be set out in the emerging Birmingham Design Guide.</p> <p>The proposed policy already requires adequate tree replacement to be provided on site unless the developer can justify why this is not achievable. It is considered that the proposed approach to tree replacement is based on the existing value of the tree removed (using the Capital Asset Value for Amenity Tree (CAVAT) methodology) is preferred at least the equivalent number of trees as this would better reflect the value of the lost tree(s). In relation to planting as part of new development, the preferred policy approach focuses on the provision of high quality landscapes which are appropriate to the setting of the development. Further and updated design guidance on the incorporation</p>		

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>of trees into new development will be included in the emerging Birmingham Design Guide. This will include detailed guidance on tree choice and planting requirements. To sustainably increase canopy coverage across the city requires the right tree to be planted in the right place while additionally giving it both the above and below ground space to mature fully and access sufficient water.</p> <p>The proposed policy requires all new development to take opportunities provide high quality landscapes that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places. Policies in the adopted Birmingham Development Plan also recognise the importance of green infrastructure including trees to the creation of sustainable environments. (TP7 Green Infrastructure Network, PG3 Place making)</p>		
Individual	Yes	- No comments.	Noted.	No further action.	026/4
Christopher Vaughan from Summerfield Residents Association	Yes	<ul style="list-style-type: none"> - Birmingham is designated as a Biophilic City and future developments should proceed with this in mind - Housing developments should not encroach on public open space and where possible, all land should be accounted for in housing design 	Policies which seek to protect and enhance the green infrastructure network and open space are already included in the adopted Birmingham Development Plan (TP7 Green Infrastructure Network and TP9 Open Space, Playing Fields and Allotments)	No further action.	027/4
Individual	Yes	- No comments.	Noted.	No further action.	029/4
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/4
Individual	Yes	- Support, need more trees and green areas.	Policies which seek to protect and enhance the green infrastructure network and open space are already included in the adopted Birmingham	No further action.	032/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			Development Plan (TP7 Green Infrastructure Network and TP9 Open Space, Playing Fields and Allotments)		
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/4
Individual	No	<ul style="list-style-type: none"> - Doesn't go far enough - There is a strong focus on existing trees but where is the green plan? - Need target for new tree planting and upgraded grey areas particularly around commuter routes - Great to protect but not enough to do more - Need to think about heritage sites and green tree routes - Why aren't we encouraging the garden use of front gardens? - Needs to be a strategy to encourage Birmingham citizens to want contribute and share green spaces, including their windowsills, driveways and front gardens. - Need to consider leaf litter and other 'green waste' – there is limited infrastructure to street clean - Abolish green waste fees. - There is no incentive to keep our green spaces tidy. - Not thinking big or green enough 	The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. The proposed policy deals specifically with landscaping of proposed development and tree, woodland and hedgerow protection. Birmingham's Green Living Spaces Plan (2013) sets the priorities for creating a green network covering open spaces and parks, linear corridors, blue infrastructure, trees and green roofs/walls. The intention is to have a refreshed Green Space Strategy that would encompass all open space, green infrastructure and the nature recovery network. A new Tree Strategy will also sit alongside this. Comments relating to city wide strategies are noted and will be considered in the preparation of an updated Green Space Strategy.	No further action.	034/4
Individual	Yes	<ul style="list-style-type: none"> - Promise of similar replacement for trees etc does not seem to have been implemented in past developments - Any new landscaping or replacement planting needs to be maintained and then monitored not just developed. Plan needs to show how this will be achieved given limited council resources. 	The emerging Birmingham Design Guide will set out in detail what we will expect in terms of tree planting details. We will be guiding developers to submit detailed tree planting plans as early in the process as possible. Where it is felt necessary we will consider conditional Tree Preservation Orders to ensure that tree planting is implemented and replaced when lost.	No further action.	035/4
Ben Waddington from	Yes	- No comments.	Noted.	No further action.	036/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Still Walking CIC					
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	038/4
Hazel McDowall from Natural England	Yes	<ul style="list-style-type: none"> - Natural England welcomes the inclusion of green infrastructure and the reference to it providing biodiversity net gain. - The revised National Planning Policy Framework (NPPF 2019) has significantly strengthened policy in relation to biodiversity net gain with planning policies and decisions to "provide net gains for biodiversity". - Natural England would welcome further discussion with Birmingham City Council in developing a local vision/ambition for biodiversity net gain. 	Noted and welcomed.	No further action.	040/4
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	<ul style="list-style-type: none"> - Support in principle - Seeks for policy to include the use of a landscape scale approach - ensure that new development is in keeping with the surrounding landscape and support the incorporation a robust green and blue ecological network within Birmingham, supported by the reference to the Nature Improvement Area (NIA) Strategy 2017 -2022 - Requests reference to highlight Core ecological areas, opportunity areas and linking areas which offer potential for habitat creation and enhancements. 	The proposed policy already makes reference to the need for landscape proposals to enhance existing landscape character and the GI network and be appropriate to its setting. Additional text has been added to reference ecological networks and the NIA Ecological Strategy.	<p>Amend policy (now points 1 and 2 to):</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscapes</u> that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network</u>. 2. The composition of the <u>proposed</u> landscape <u>should</u> shall be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site</u> 	041/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</p> <p>Amend (now) paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</p>	
Samantha Pritchard	Yes	- Support in principle	Support noted.	Amend (now) paragraph 2.35 to:	042/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
from The Wildlife Trust for Birmingham and Black Country		<ul style="list-style-type: none"> - Seeks for policy to include the use of a landscape scale approach - ensure that new development is in keeping with the surrounding landscape and support the incorporation a robust green and blue ecological network within Birmingham, supported by the reference to the Nature Improvement Area (NIA) Strategy 2017 -2022 - Requests reference to highlight Core ecological areas, opportunity areas and linking areas which offer potential for habitat creation and enhancements. 	The proposed policy already makes reference to the need for landscape proposals to enhance existing landscape character and the GI network and be appropriate to its setting. Additional text has been added to reference ecological networks and the NIA Ecological Strategy.	New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. <u>The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u>	
Individual	Yes	- No comments.	Noted.	No further action.	045/4
Individual	Yes	- No comments.	Noted.	No further action.	046/4
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - General thrust of policy is acceptable and supported - Requests changes are made to part 5 as it may be used to refuse applications which would result in the loss of trees protected by Tree Protection Order and which may otherwise be acceptable. Including trees protected by TPO alongside ancient woodland and ancient or veteran trees is inconsistent with 	Support noted. Agree with suggested amendment to wording to provide some flexibility and consistency with the NPPF. However due regard must be paid to those trees that could become our next Veteran/ ancient trees.	Amend (now) Part 3 of policy to: 3. "Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or <u>woodland which</u>	048/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>national policy as set out in the revised NPPF 2019 which places clear emphasis on protecting ancient woodland and ancient and veteran trees.</p> <ul style="list-style-type: none"> - Recommends Part 5 should be changed to: "Development proposals which would result in the loss of trees or woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland, Ancient/Veteran trees, or which are considered worthy of protection will be resisted. The risk to protected trees will be considered when determining applications" for clarity and to enable Council to respond more pragmatically to developments that propose the loss of trees subject to a TPO where this can be appropriately mitigated 		<p><u>are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees.</u></p> <p>Where trees and/or woodlands are proposed to be lost as a part of development this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.</p>	
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects to policy - Policy requires reference to the need for a management plan in line with 'Secured by design' objectives - CWMP requests for an additional paragraph after the first paragraph beneath 'Landscaping' stating: "All landscaping schemes should be accompanied by a management plan to ensure that planting is maintained in accordance with the guidance set out in 'Secured by design' documents to reduce crime, fear of crime and anti-social behaviour" 	Insert suggested text regarding landscape management plans into supporting text.	<p>Add to supporting text at end of para 2.40</p> <p><u>Where appropriate a Landscape Management Plan will be required through a planning condition. Planting should be maintained in accordance with the plan and follow Secured by Design principles.</u></p>	051/4
Conservative Group		<ul style="list-style-type: none"> - Policy should be consistent with the Tree Policy agreed by Full Council - If tree must be taken out they must be replaced elsewhere within the development or as close as possible - Suggests that ward councillor agreement should be sought where trees have to be relocated outside the immediate area - Policy should enforce for grass verges 	<p>Consultation including with Councillors will be undertaken on the Council's Tree Strategy which will provide more detailed guidance on replacement tree/ landscaping provision.</p> <p>Developers will be required to submit a Landscape Plan with opportunities taken to maximise the provision of new trees and other green</p>	No further action.	052/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		to be included within new developments in suburban areas with a requirement to restore verges as a planning condition	infrastructure. This could include green verges if appropriate.		
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Supports approach - Amendments are required to DM 4 (5) as it does not offer sufficient flexibility in decision making: "Development proposals should seek to avoid...." 	Support noted. Agree that some flexibility should be provided for consistency with the NPPF. See response and action to Comment 048/4 which is a similar comment.	Amend (now) Part 3 of policy to: 3. "Development proposals must seek to avoid the loss of, and minimise the risk of harm to, existing trees, woodland, and/or hedgerows of visual or nature conservation value, including but not limited to trees or <u>woodland which are subject to a Tree Preservation Order, or which are designated as Ancient Woodland or Ancient/ Veteran Trees.</u> Where trees and/or woodlands are proposed to be lost as a part of development this loss must be justified as a part of an Arboricultural Impact Assessment (AIA) submitted with the application.	055/4
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Changes are required as Part 1 of the policy does not provide any flexibility and would exceed the provisions set out in paragraph 127 of the NPPF and in the BDP policies - The requirement to 'maximise the provision of new trees' is not measurable and should be removed. - Consideration should be given to merge Parts 1 and 2 together - Clarification is needed as Paragraph 2.38 nor the proposed wording for DM4 explains the criteria to be applied - Disagree with paragraph 2.39 regarding the afforded protection of category A and B trees - Policy commentary should be amended to reflect a more appropriate use of CAVAT 	<p>Disagree. There is flexibility within the policy through the words 'take opportunities to' and the requirement to enhance 'existing landscape character'. Part 2 also emphasises that landscaping shall be appropriate to its setting.</p> <p>The requirement to 'maximise the provision of new trees' is set within the context of proposals being required to be appropriate to its setting and for 'opportunities taken to.'</p> <p>Agree that clarification is required in relation to para 2.38 Clarification is provided as per the proposed amendment to para 2.38.</p> <p>Trees categorised as A and B as per BS5837 are not afforded the same</p>	<p>Amend para 2.38 (now 2.36) to:</p> <p>Trees and other vegetation make an important contribution to delivering sustainable development and high design. Protected T<u>rees, woodland and significant</u> hedgerows should be retained as an integral part of the design of development except where their long-term survival would be compromised by their age or physical condition or there are exceptional, <u>where the tree is considered to be imminently dangerous or its loss is significantly outweighed by the benefits of the proposed scheme and there are no viable development alternatives.</u></p>	058/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Define what is a 'significant hedge' 	<p>protection as TPO/conservation area trees but maybe considered worthy of protection. Agree wording needs to be clarified on this as per suggested change to para 2.39. Disagree with comment in relation to CAVAT only being used for tree loss in Conservation Areas or subject to a TPO. As explained in para 2.41, replacement provision would be assessed against CAVAT method, but flexibility is permitted based on the value of any replacement landscape works and the individual circumstances of the proposal. Term 'significant hedge' has been removed.</p>	<p>and overriding benefits in accepting their loss Sufficient consideration must be given to retained trees and the proposed new use of the land around them, especially in respect of shade to buildings, perceived threat and building distances.</p> <p>Amend para 2.39 (now) para 2.37 to:</p> <p>Certain trees and hedgerows in the City are protected, including trees in Conservation Areas, those with Tree Preservation Orders, ancient trees, aged and veteran trees and Trees classified as being of categories A or B in value should be considered worthy of protection and development proposals should seek to avoid their loss and minimise risk of harm. The Council will only consider the loss of a tree covered by a Tree Preservation Order as justifiable where the tree is considered to be imminently dangerous, or its loss is significantly outweighed by the benefits of a proposed scheme and there are no viable development alternatives.</p> <p>Certain trees and hedgerows in the City are protected, including trees in Conservation Areas, those with Tree Preservation Orders, ancient trees, aged and veteran trees and trees classified as being of categories A or B in value. The Council will only consider the loss of a tree covered by a Tree Preservation Order as justifiable where the tree is considered to be imminently dangerous, or its loss is significantly outweighed by the benefits of a proposed scheme and</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				there are no viable development alternatives.	
Reservoir Residents Association		<ul style="list-style-type: none"> - Welcomes any policy that will increase greenery and trees - Where on-site replacement is not achievable, the proposed policy states that contributions to off-site tree planting will be sought through a Section 106 Agreement. How will the location of this off-site tree planting be determined? We would like to see a transparent policy and the ability for neighbourhoods to apply and be prioritised for having trees planted. - Plans should be specified to ensure that there is a net increase in trees each year - Where trees are planted and do not survive, they should be replaced as soon as possible. - Do not support the removal of trees unless they are replaced with equivalent number of more trees in very close proximity to the development site. 	As per response to 025/4. A Tree Strategy is being prepared by the City Council and will set out the broad vision for the Birmingham Forest. Within the document it will set out processes and targets for tree planting and monitoring of changes. The Strategy will be available on the council web pages and will be administered by the Birmingham Forest Group – a multi stakeholder board that will be responsible for overseeing the broader management of Birmingham's tree stock.	No further action.	060/4
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Oval is supportive of the objective - Advise that once published, the Birmingham Design Guide and DMBDPD are aligned in guidance 	Noted.	No further action.	062/4
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda recognises and values the importance that high quality landscapes can play in development but considers that the requirement must be considered in the context of the site 	Part 2 of the proposed policy emphasises that landscaping shall be appropriate to its setting.	No further action.	063/4
Canal and River Trust		<ul style="list-style-type: none"> - The opportunity to seek a biodiversity net gain has been missed and should be addressed. It would be appropriate to include information about the type and extent of gain required from developments and should also include how the proposed development would 	Noted. The proposed policy and supporting text has been amended to include additional references to biodiversity and the need to consider the surrounding natural environment context. TP8 Biodiversity and Geodiversity will be added to the	Amend (now) points 1 and 2 of the policy: 1. All developments must take opportunities to provide high quality landscapes and townscapes that enhance existing landscape	066/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>consider existing adjacent biodiversity benefits and link to them.</p> <ul style="list-style-type: none"> - The Trust's canal networks includes a significant length of green corridor which has not been identified in this policy. Point 2 should therefore be extended to include: "opportunities taken to maximise the provision of new trees and other green infrastructure and create or enhance links from the site to adjacent/nearby green infrastructure" - Due to recent case law, additional care should be taken when considering built form near to site boundaries with planted areas beyond the boundary, in order that proposed development does not result in loss of green infrastructure off site. - Recommends acknowledgement in the supporting text that requires developers to identify important areas beyond site itself, should look at maintaining/creating links, and prevent harmful impacts off site, should be added after para 2.42 - This policy is currently restricted and should make wider reference to biodiversity and other nature conservation matters as included in TP8 of BDP - The focus on this policy on specific on-site features is of concern. Omission of details of surrounding natural environment/ context of the site should be rectified. - No details have been included to assists in making decisions on full planning applications - Request biodiversity to be considered in more detail 	Policy Links.	<p>character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network</u>.</p> <p>2. The composition of the <u>proposed</u> landscape <u>should</u> shall be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions</u>.</p> <p>Amend (now) paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, <u>and provides net gains for biodiversity</u>. Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>Amend (now) paragraph (2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. <u>The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u></p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Individual	Yes	- No comments.	Noted.	No further action.	067/4
Mrs Sarah Bookey	Yes	<ul style="list-style-type: none"> - Do not allow back garden developments - Enforcement for removing trees 	Guidance in relation to development of back gardens and residential intensification is provided in Mature Suburbs Supplementary Planning Document (2008) which is currently being updated and will be replaced by the Birmingham Design Guide.	No further action.	068/4

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			Planning enforcement is undertaken in the event of a breach of planning control. This can include where protected trees being removed or lopped without the necessary permission. Not all trees are subject to protection.		

Policy DM5 – Light Pollution

Response from:	Support?	Comments and Main Issues Raised	Council Response	Action	Ref
Mrs Roxy Gale	Yes	- No comment	Noted.	No further action.	001/5
Mark Lever	Yes	- Add to paragraph 2: - is only operational for the periods it is required.	This would be difficult to enforce.	No further action.	002/5
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Further consideration required regarding lighting - Lighting is inconsistent in quality and quantity. Residents feel unsafe where there are different levels of cast shadows.	The proposed policy aims to ensure that development incorporating external lighting is designed to a high standard and is energy efficient.	No further action.	003/5
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/5
Individual	Yes	- No comment	Noted.	No further action.	005/5
Individual	Yes	- No comment	Noted.	No further action.	007/5
Jane Harding from Birmingham Trees for Life	Yes	- Policy should ensure that exterior lighting on new developments must not encroach on private living space. - Policy should ensure that excessive lighting in areas of importance to nature is avoided only sensitive lighting design. - Sensitive lighting design is important	The proposed policy already states that any harmful impact on privacy or amenity, particularly to sensitive receptors such as residential properties and ecological networks should be minimised.	No further action.	008/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		to both people and nature.			
Individual	Yes	- No comment	Noted.	No further action.	010/5
Individual	Yes	- No comment	Noted.	No further action.	011/5
Individual	Yes	- No comment	Noted.	No further action.	013/5
Individual	Yes	- No comment	Noted.	No further action.	014/5
Individual	Yes	- No comment	Noted.	No further action.	015/5
Individual	Yes	- No comment	Noted.	No further action.	016/5
Individual	Yes	- No comment	Noted.	No further action.	017/5
Individual	Yes	<ul style="list-style-type: none"> - Reducing light pollution wherever possible not just new developments. - Lighting on streets supports safety for pedestrians from crime, more could be considered in this respect. 	The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. The provision of general street lighting is outside of the remit of this policy.	No further action.	019/5
Individual	Yes	- No comments.	Noted.	No further action.	020/5
Individual	Yes	- No comments.	Noted.	No further action.	021/5
Individual	Yes	- No comments.	Noted.	No further action.	022/5
Individual	Yes	- No comments.	Noted.	No further action.	023/5
Devinder Kumar from Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy is not powerful enough - Suggests that Birmingham should adopt some of the sensibilities of the Campaign for Rural England approach against light pollution - Birmingham should have a strong lighting policy (including new developments) and commit to reducing light pollution and its carbon footprint. - Light pollution policy to control light pollution in the Local Plan, in line with the National Planning Policy Framework and the associated National Planning Practice Guidance on light pollution. This should include identifying existing dark areas that need protecting. - Street lighting policy, which could include Environmental Lighting Zones to ensure that the appropriate lighting levels are used in each zone, with very 	The purpose of the Development Management in Birmingham Document is to provide detailed policies to assess planning applications. The provision of general street lighting is outside of the remit of this policy. Light Places SPD (2008) provides detailed design guidance on lighting proposals made as part of new developments, and for the enhancement of existing streets, buildings and spaces including water, among other areas. The Birmingham Design Guidance, which is currently in development will supersede this document once adopted and provide detailed design guidance in relation to external lighting.	No further action.	025/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>strict requirements applying in identified dark areas.</p> <ul style="list-style-type: none"> - Part-night lighting schemes – Should investigate how part-night lighting schemes (e.g. switching off between midnight and 5am) or dimming could work in our city, including examining the cost, energy and carbon savings. This should be done in full consultation with the local community. - LANTERNS research project - Birmingham should consider switching off or dimming street lighting but it should also should monitor crime and accident statistics and consider taking part in the Institution of Lighting Professionals/LANTERNS research project which aims to quantify any effects of changes to street lighting on road traffic accidents and crime. - LED lighting Birmingham should give careful consideration to the type of Light Emitting Diodes (LED) lighting they use and consider the potential impacts that higher temperature blue rich lighting has on ecology and on human health. - Should set targets for replacing street/road lights with less light polluting types, such as full cut off flat glass lamps. - New lighting should be tested 'in situ' before a lighting scheme is rolled out across a wider area to ensure that it is the minimum required for the task and does not cause a nuisance to residents. - Preserving dark skies - Birmingham should have a strong presumption against new lighting in existing dark areas, unless essential as part of a new development or for public safety reasons that have been clearly demonstrated. 			

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	026/5
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/5
Individual	Yes	- No comments.	Noted.	No further action.	029/5
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/5
Individual	Yes	- Lighting should be kept at minimum	The proposed policy requires external lighting proposals to demonstrate that it is appropriate for its setting and mitigate any potential adverse impacts that may arise.	No further action.	032/5
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/5
Individual	Yes	- What about homes or small businesses having changing coloured flood lights in residential areas? Need to consider in the application process.	The proposed policy applies to all developments which incorporates external lighting.	No further action.	034/5
Individual	Yes	- Policy focused on new development but not established businesses who upgrade their lighting without any assessment of the impact - Council needs to ensure that all developments are managed within the policy and it be properly communicated.	Planning enforcement is undertaken in the event of a breach of planning control. This can include where new advertisements and shopfronts have been installed without the necessary planning permission or consent.	No further action.	035/5
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/5
Individual	Yes	- Policy should aim to reduce uplighting.	The proposed policy requires external lighting proposals to demonstrate that it is appropriate for its setting and mitigate any potential adverse impacts that may arise.	No further action.	038/5
Stuart Morgans from Sports England	Yes	- It would be appropriate to make reference to relevant guidance on Sports Lighting in the reasoned justification, including Sport England's guidance: https://www.sportengland.org/media/4181/artificial-sports-lighting-design-	Reference will be made in the supporting text at para 2.47 to seek advice and use guidance provided by Sport England.	Add para new para at 2.44: BDP policy TP11 Sports facilities provides policy on sports facilities lighting. Advice and guidance is provided by and should be sought from Sport England on sports lighting proposals.	039/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		guide-2012-051112.pdf			
Hazel McDowall from Natural England	Yes	- No comments.	Noted.	No further action.	040/5
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	No	<ul style="list-style-type: none"> - Does not include any details on mitigation for the potential direct and or indirect impacts of lighting on wildlife corridors (including both existing green and blue infrastructure) for light sensitive bat species such as Brown long eared bats and nesting birds. - LNP seeks for policy wording to include the requirement for all new developments and sports facilities to provide an appropriate lighting strategy devised to minimise light spill and retain dark unlit corridors along ecological features (such as canals and hedgerows) where nesting birds are confirmed to be nesting and or known bat commuting and foraging routes, in accordance with Bats and artificial lighting in the UK guidance 08/18 (BCT, 2018). 	Policy and supporting will be strengthened and expanded, as per suggested amendments to reflect comments.	<p>Amend policy to:</p> <p>1. Development incorporating external lighting must <u>should make a positive contribution to the environment of the city and must seek to avoid or</u> mitigate any potential adverse impacts from such lighting <u>on amenity and public safety. Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is:</u></p> <p><u>a. Appropriate for its purpose in its setting; and</u></p> <p><u>b. Designed to avoid or limit its impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation; and</u></p> <p><u>c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and</u></p> <p><u>d. Designed to a high standard and well integrated into the proposal; and</u></p> <p><u>e. Energy efficient</u></p> <p>Add new text in para 2.43:</p> <p><u>In applying the policy the Council will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure)</u></p>	041/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>Amend para 2.49 (now para 2.46) to:</p> <p>Where appropriate, the Council will require applicants to submit a Lighting Assessment Report/ <u>Strategy</u> (as set out in the Local Information Requirements) to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light <u>and retain dark landscapes to protect wildlife. Planning</u> conditions may be imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.</p>	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	No	<ul style="list-style-type: none"> - Does not include any details on mitigation for the potential direct and or indirect impacts of lighting on wildlife corridors (including both existing green and blue infrastructure) for light sensitive bat species such as Brown long eared bats and nesting birds. - WT seeks for policy wording to include the requirement for all new developments and sports facilities to provide an appropriate lighting strategy devised to minimise light spill and retain dark unlit corridors along ecological features (such as canals and hedgerows) where nesting birds are confirmed to be nesting and or known bat commuting and foraging routes, in accordance with Bats and artificial lighting in the UK guidance 08/18 (BCT, 2018). 	Policy and supporting will be strengthened and expanded, as per suggested amendments to reflect comments.	<p>Amend policy to:</p> <p>1. Development incorporating external lighting <u>must should make a positive contribution to the environment of the city and must seek to avoid or</u> mitigate any potential adverse impacts from such lighting <u>on amenity and public safety. Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is:</u> <u>a. Appropriate for its purpose in its setting; and</u> <u>b. Designed to avoid or limit its impact on the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and</u></p>	042/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p><u>nature conservation; and</u> <u>c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and</u> <u>d. Designed to a high standard and well integrated into the proposal; and</u> <u>e. Energy efficient</u></p> <p>Add new text in para 2.43:</p> <p><u>In applying the policy the Council will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure)</u></p> <p>Amend para 2.49 (now para 2.46) to:</p> <p>Where appropriate, the Council will require applicants to submit a Lighting Assessment Report/ <u>Strategy</u> (as set out in the Local Information Requirements) to detail the measures which will be implemented to minimise and control the level of illumination, glare, and spillage of light <u>and retain dark landscapes to protect wildlife. Planning</u> conditions may be imposed to restrict lighting levels and hours of use or require measures to be taken to minimise adverse effects.</p>	
Individual	Yes	- No comments.	Noted.	No further action.	045/5
Individual	Yes	- No comments.	Noted.	No further action.	046/5
Patricia Dray from Highways England		- Welcomes policy	Noted.	No further action.	049/5
Historic England		- Welcome consideration of historic	Noted.	No further action.	050/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		environment in policy			
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Welcomed - Requests for safety and security benefits of lighting dark places is included within the policy - Requests for 'It can also improve safety by lighting dark places' in supporting text at paragraph 2.46 to be expanded upon - New bullet point to be inserted in policy: "Designed to improve safety and reduce the fear of crime by lighting dark places to provide colour rendering and uniformity..." 	Noted. Disagree with suggested additions as this goes beyond the NPPF which requires planning policies and decisions to "limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation." (Para 180)	No further action.	051/5
Conservative Group		<ul style="list-style-type: none"> - The requirements for external lighting should extend to include non-designated heritage assets - Policy should state that design of street lights should be sympathetic to area's character and should use latest technology 	Agree, clarification will be provided in supporting text that 'heritage assets' means designated and non-designated heritage assets. The proposed policy already states the lighting should demonstrate that it is appropriate for its purpose in its setting and be energy efficient.	Add (now) para 2.46: <u>Proposals involving or adjacent to a designated and un-designated historic assets, must apply a lighting design appropriate to the asset, considering the architecture of the building to be illuminated and the impact this may have on the character of its surroundings.</u>	052/5
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Explanatory text and policy approach detailed at paragraph 2.45 is reasonable. - Clarification is required on what constitutes as 'harmful' as DM5(i) appears to go beyond NPPF paragraph 180(C) that that planning decisions should "limit" the impact of light pollution from artificial light. 	Noted. Agree that policy requires clarification and internal consistency, as well as consistency with the NPPF. See suggested change to policy.	Amend policy to: 1. Development incorporating external lighting <u>should make a positive contribution to the environment of the city and</u> must <u>seek to avoid or</u> mitigate any potential adverse impacts from such lighting <u>on amenity and public safety.</u> Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is: a. Appropriate for its purpose in its setting; and b. Designed to <u>avoid or limit its</u>	055/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>minimise any harmful impact on <u>the</u> privacy or amenity <u>of its occupiers,</u> <u>nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation;</u> and particularly to sensitive receptors such as residential properties and ecological networks</p> <p>c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and</p> <p>d. Designed to a high standard and well integrated into the proposal; and</p> <p>e. Energy efficient</p>	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - It is important for the policy to incorporate some flexibility to take account of immediate context - Revisions are needed to remove contradictions between Part 2b and some wording in Point 1 	Agree that policy requires clarification and internal consistency, as well as consistency with the NPPF. See suggested change to policy.	<p>Amend policy to:</p> <p>1. Development incorporating external lighting <u>should make a positive contribution to the environment of the city and</u> must <u>seek to avoid or</u> mitigate any potential adverse impacts from such lighting <u>on amenity and public safety.</u> Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to demonstrate that the lighting is:</p> <p>a. Appropriate for its purpose in its setting; and</p> <p>b. Designed to <u>avoid or limit its</u> minimise any harmful impact on <u>the</u> privacy or amenity <u>of its occupiers,</u> <u>nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation;</u> and particularly to sensitive receptors such as</p>	058/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				residential properties and ecological networks; c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and d. Designed to a high standard and well integrated into the proposal; and e. Energy efficient	
Devinder Kumar Reservoir Residents Association DUPLICATION OF 025/5		DUPLICATE RECORD OF 025/5	DUPLICATE RECORD OF 025/5	DUPLICATE RECORD OF 025/5	060/5
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda would welcome further clarification in this policy as to how the impact of lighting on heritage assets and local amenity will be assessed. - In the absence of an updated Design Guide, guidance is required as to if BCC would assess lighting proposals against the existing Lighting Places document. 	It is anticipated that the Birmingham Design Guide SPD will be available for public consultation in Autumn/ Winter 2019 and adopted in Spring/ Summer 2020 in advance of the Development Management in Birmingham Document being adopted. Detailed design guidance on lighting will be provided in the Design Guide SPD.	No further action.	063/5
Pegasus Group		<ul style="list-style-type: none"> - The first part of Policy DM5 appears unduly onerous given most development will have external lighting. Propose that the first sentence of the policy is removed, or at the very least amended to state 'potentially unacceptable adverse impacts' and 'have an unacceptable harmful impact' along with Part 2 (b) amended to 'minimise any unacceptable harmful impact' 	Agree that policy requires clarification and internal consistency, as well as consistency with the NPPF. See suggested change to policy.	Amend policy to: 1. Development incorporating external lighting <u>should make a positive contribution to the environment of the city and seek to avoid or</u> mitigate any potential adverse impacts from such lighting <u>on amenity and public safety.</u> Development which would result in light pollution that would have a harmful impact on local amenity, nature conservation, heritage assets or highway safety will not be permitted. Proposals for external lighting will need to	064/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>demonstrate that the lighting is:</p> <p>a. Appropriate for its purpose in its setting; and</p> <p>b. Designed to <u>avoid or limit its minimise any harmful</u> impact on <u>the privacy or amenity of its occupiers, nearby residents and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation</u>; and <u>particularly to sensitive receptors such as residential properties and ecological networks</u>;</p> <p>c. Designed to preserve or enhance the character or appearance of any heritage assets which are affected; and</p> <p>d. Designed to a high standard and well integrated into the proposal; and</p> <p>e. Energy efficient</p>	
Canal and River Trust		<ul style="list-style-type: none"> - It is possible for lighting solutions to be well designed and implemented so that canal routes remain safe to use after dark by members of the public but remain attractive to nocturnal species. This includes the use of low light levels on the towpath and maintaining dark corridors above the water, free from reflection and glare. - Whilst supportive of the policy, consider that more specific text is required to demonstrate that appropriate solutions can be provided to address apparent conflicts. - It should be clear that canal networks are included in relation to ecological networks. - Policy should mention the need for lighting to ensure the safety of pedestrians and cyclists. - Additional information should be placed after para 2.50 to highlight: Sports facilities that require external 	<p>Noted.</p> <p>The proposed policy does not preclude the provision of appropriate lighting on towpaths to create safe routes for travel. Additional text to para 2.46 will recognise blue infrastructure forming part of ecological networks. The proposed policy sufficiently addresses the impact of external lighting (including sports facilities lighting) on nature conservation/ ecological networks. Additional supporting text at para 2.46 and 2.48 will provide further clarity.</p>	<p>Add to (now) para 2.43:</p> <p><u>In applying the policy the Council will seek to limit the impact of artificial lighting on the local amenity and nature conservation (including ecological networks and blue and green infrastructure)</u></p> <p>Amend (now) para 2.46:</p> <p>Where appropriate, the Council will require applicants to submit a Lighting Assessment Report/ <u>Strategy</u> (as set out in the Local Information Requirements) to detail the measures which will be implemented to <u>minimise and control the level of illumination, glare, and spillage of light and retain dark landscapes to protect wildlife. Planning</u> Conditions may be imposed to restrict lighting levels</p>	066/5

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		lighting should be located away from known wildlife corridors or have mitigating features included so as to ensure no negative impact on biodiversity.		and hours of use or require measures to be taken to minimise adverse effects.	
Individual	Yes	- No comments.	Noted.	No further action.	067/5
Individual	Yes	- Recommends LED lighting in residential areas - Ensure no impact on birds and wildlife	Proposed policy seeks to ensure lighting proposals mitigate any potential unacceptable adverse impact on nature conservation which includes conserving and preserving wildlife.	No further action.	068/5

Policy DM6 – Noise and Vibration

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	- Speed bumps in our residential area (Selly Park) create both noise and vibrations. Recommends build-outs would be more effective.	Comments does not relate to the policy.	No further action.	001/6
Individual	Yes	- Policy should have clarification that mitigation is the responsibility of the applicant regardless of whether another party is a receptor.	The proposed policy already states that "Noise-sensitive development (such as residential uses, hospitals and schools) will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources". Additional supporting text will be inserted to reflect the NPPF para 182 and the 'agent of change' principle at para 2.53	Add new para 2.51: <u>New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.</u>	002/6
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Policy should show good neighbourliness and clear list of mitigations as pertain in London	Proposed policy seeks to ensure development is designed, managed and operate to reduce exposure to	No further action.	003/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			noise and noise generation. Detailed design guidance on noise mitigation will be provided in the Birmingham Design Guide SPD.		
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/6
Individual	Yes	- No comment	Noted.	No further action.	005/6
Individual	Yes	- No comment	Noted.	No further action.	007/6
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/6
Individual	Yes	- No comment	Noted.	No further action.	009/6
Individual	Yes	- No comment	Noted.	No further action.	010/6
Individual	Yes	- No comment	Noted.	No further action.	011/6
Individual	Yes	- No comment	Noted.	No further action.	012/6
Individual	Yes	- No comment	Noted.	No further action.	013/6
Individual	Yes	- No comment	Noted.	No further action.	014/6
Individual	Yes	- No comment	Noted.	No further action.	015/6
Individual	Yes	- No comment	Noted.	No further action.	016/6
Individual	Yes	- No comment	Noted.	No further action.	017/6
Individual	Yes	- No comment	Noted.	No further action.	019/6
Individual	Yes	- No comments.	Noted.	No further action.	020/6
Individual	Yes	- No comments.	Noted.	No further action.	021/6
Individual	Yes	- No comments.	Noted.	No further action.	022/6
Individual	Yes	- No comments.	Noted.	No further action.	023/6
Individual	Yes	- No comments.	Noted.	No further action.	024/6
Devinder Kumar from Reservoir Residents Association	No	<ul style="list-style-type: none"> - Shisha lounges and venues can cause anti-social behaviour, parking problems, exposure of smoke to children, noise and nuisance problems - Planning guidelines should play their part in protecting amenity, preventing pollution and parking problems. - Currently no way to control the proliferation of Shisha bars/venues – Request to see wording in either DM2 and DM6 for licensed venues and shisha bars in or near residential 	Comment do not relate directly to the policy. A policy specifically on Shisha lounges is not required because it is considered that the impacts of such development are addressed through other DMB policies such as DM2 Amenity, DM6 Noise and vibration, DM13 Highway safety and access and DM14 Parking and servicing. The use of premises for shisha smoking is sui generis. Any change of use to the use as a shisha lounge	No further action.	025/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		neighbourhoods to have to go through a planning application, to ensure that venues are appropriate for their setting.	therefore requires planning permission for a material change of use.		
Individual	Yes	- No comments.	Noted.	No further action.	026/6
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/6
Individual	Yes	- No comments.	Noted.	No further action.	029/6
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/6
Individual	Yes	- No comments.	Noted.	No further action.	032/6
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/6
Individual	Yes	- No comments.	Noted.	No further action.	034/6
Individual	Yes	<ul style="list-style-type: none"> - Unclear how large housing developments have been approved when surrounded by major roads, intensive traffic, railways and industry and will be subject to all the noise pollution in your policy. Concern over how practicable much of this policy is. - Recent changes to air traffic routes from Birmingham airport have noticeably increased the air traffic in our area. Is this to be included in this policy? 	Noted. The policy aims to ensure that development limits/ mitigates the impact of noise pollution. The policy covers all transport infrastructure including airports. The supporting text to the policy sets out how the policy will be practically applied.	No further action.	035/6
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/6
Individual	Yes	<ul style="list-style-type: none"> - Important that new development does not create issues with existing cultural and leisure uses. - New residential development near long standing live music venue should only be permitted if the development is fully insulated against the source of noise. 	Noted and addressed in part 3 of the policy. See proposed changes to the policy and supporting text to clarify and reinforce NPPF para 182 'agent of change' principle.	Change part 3 (now part 2) of policy to: 3. Noise-sensitive development (such as residential uses, hospitals and schools) <u>must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development</u> will need to be appropriately mitigated or adequately separated from major sources of existing or planned	038/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>sources of noise and vibration, including transport infrastructure, <u>entertainment/ cultural/ community facilities</u> and commercial activity. <u>Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u></p> <p>In supporting text, at para 2.51 add:</p> <p><u>New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.</u></p>	
Stuart Morgans from Sports England	Yes	- It would be appropriate to reference para 182 of the NPPF which sets out the agent of change principle.	Agree. Additional supporting text will be inserted to reflect the NPPF para 182 and the 'agent of change' principle at para 2.53	<p>In supporting text, at para 2.51 add:</p> <p><u>New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.</u></p>	039/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Hazel McDowall from Natural England	Yes	- No comments.	Noted.	No further action.	040/6
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	<ul style="list-style-type: none"> - Agrees with policy approach - Request for additional wording within para 2.55 detailing the potential impact of vibration and noise on wildlife and habitats post and during construction and requirement to provide appropriate mitigation in accordance with the mitigation hierarchy – would strength and support the need for developers to recognise the potential indirect impact noise and vibration can have on wildlife and habitats temporarily and permanently. 	Agree. Additional text to para 2.55 (now 2.58) will be inserted as per the suggested proposed changes.	<p>Amend now para 2.54 to:</p> <p><u>Noise and vibration</u> can have a significant impact on amenity of noise sensitive uses <u>and on wildlife and habitats</u>. <u>For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase</u>. Sources of vibration include transportation (especially railways) and industrial processes. <u>Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure.</u> Environmental Health can advise where a vibration assessment will be required.</p>	041/6
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	Yes	<ul style="list-style-type: none"> - Wildlife Trust seeks additional wording within paragraph 2.55 detailing the potential impact of vibration and noise on wildlife and habitats post and during construction and requirement to provide appropriate mitigation in accordance with the mitigation hierarchy. 	Agree. Additional text to para 2.55 (now 2.58) will be inserted as per the suggested proposed changes.	<p>Amend now 2.54 to:</p> <p><u>Noise and vibration</u> can have a significant impact on amenity of noise sensitive uses <u>and on wildlife and habitats</u>. <u>For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase</u>. Sources of vibration include transportation (especially railways) and industrial processes. <u>Where the proposed</u></p>	042/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<u>works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure.</u> Environmental Health can advise where a vibration assessment will be required.	
Individual	Yes	- No comments.	Noted.	No further action.	045/6
Individual	Yes	- Important to note and consider that there is a lot of development ongoing and noisy building can really affect those living near.	The policy seeks to limit the impact of noise and vibration on the amenity of nearby residents.	No further action.	046/6
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		- Suggests policy should be amended to "Development should be designed, managed and operated to reduce exposure to unacceptably harmful sources of noise and noise generation" to be more consistent with the policy set out within NPPF Chapter 15 and to ensure that development responds to potentially harmful sources of noise and vibration, and so that the policy is not imposed on all developments, irrespective of potential harm.	Agree to change Part 2 of the policy for consistency with the NPPF.	Amend part 2 of the policy (now part 1) to: Noise <u>and/ or vibration</u> -generating development or <u>must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the that would have an impact on amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation, or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u>	048/6
Patricia Dray from Highways England		- Supports inclusion of policy - In accordance with Department for Transport (DfT) Circular 02/2013	Noted.	No further action.	049/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		(Annex A. A1) development which requires noise mitigation where this lays near the SRN should ensure any mitigation measures are not proposed such that they would encroach onto SRN highway lands.			
Conservative Group		<ul style="list-style-type: none"> - As is the case with industrial areas, areas with an established night time economy should be designated as such and planning that conflict with this use should be resisted. Established businesses and entertainment areas should not be penalised by new residential development. Where residential uses are proposed, policy should ensure sound proofing is required to be built in - Where residential uses are proposed, all required sound proofing should be built into the residential properties to avoid impacting on night time economy area. 	Noted and addressed in part 3 of the policy. See proposed changes to the policy and supporting text to clarify and reinforce NPPF para 182 'agent of change' principle.	<p>Change part 3 (Now 2) of policy to:</p> <p>2. Noise-sensitive development (such as residential uses, hospitals and schools) <u>must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development</u> will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, <u>entertainment/ cultural/ community facilities</u> and commercial activity. <u>Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u></p> <p>Add now para 2.51:</p> <p><u>New development should be sited and designed so that it can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues, cultural facilities and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the</u></p>	052/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<u>development has been completed.</u>	
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Supports purpose of DM6 - Draft policy DM6(ii) is too direct and inflexible and is contrary to national planning policy and guidance. Tone of wording should be consistent with NPPF. - Clarification required on how BCC will apply the Planning Guidance Note maintained by the Environmental Health Unit as non-statutory guidance to assess and determine planning applications, which is referenced at paragraph 2.54 	<p>Agree. See proposed change of wording to part 1 of the policy for consistency with the NPPF. As stated in the document, the Planning Guidance Note maintained by Environmental Health <i>provides guidance to Birmingham City Council Environmental Protection Officers when reviewing planning applications and making recommendations to the Planning Management service, on matters relating to noise and vibration. The document may also assist those seeking planning permission, and their advisors, by drawing to their attention the noise and vibration issues that may need to be addressed. However, the document is for guidance only, and advice should be sought from Pollution Control in respect of specific applications. The document provides general guidelines, drawing on information to be found in a number of international, national and local documents. Occasionally, the review of a planning application may raise issues not fully addressed in this guidance, and other guidance or criteria may then be utilised. This document is intended to support and promote the policies concerning noise in the BCC Core Strategy and reflect the guidance concerning noise in the National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE). This document considers the majority of situations which arise in planning applications; situations that have not been considered in this document will be assessed in line</i></p>	<p>Amend part 2 of the policy to:</p> <p>2. Noise-generating development <u>must reduce and /or mitigate any potential that would have an adverse impact from such development on the amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, and nature conservation. or biodiversity will not be supported unless an appropriate scheme of mitigation is provided.</u></p>	055/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<i>with the policies in the Core Strategy and the guidance in the NPPF.</i>		
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Part 1 needs to be made clearer. It appears that the aim is to reduce the impact of existing noise sources on development, and to reduce the impact of noise sources associated with the development on existing receptors. However, the Policy wording does not make this clear. - The meaning of the phrase "...an impact on amenity or biodiversity" included within Part 2 of the proposed. Policy wording should be clarified. For example, what level of impact is considered to be significant, and where does the impact apply? It is unreasonable to suggest that a development which causes any level of impact on amenity will not be supported. - The meaning of "an appropriate scheme of mitigation" should also be clarified - The meaning of the phrases "appropriately mitigated or adequately separated from major sources..." included within Part 3 of the proposed policy wording should be clarified. The Policy should also make clear the extent to which "planned sources of noise and vibration..." should be considered in an assessment. - Part 4 of the proposed policy wording, or the supporting text to this policy, should provide further explanation in relation to the requirement to take account of existing levels of background noise, notably whether this is referring to background noise at the proposed development or background noise at nearby receptors. 	<p>Agree. See proposed change of wording to the policy for consistency with the NPPF.</p> <p>The phrases "appropriately mitigated or adequately separated from major sources..." no longer form part of the policy wording.</p> <p>'Planned sources' of noise and vibration is defined in the supporting text at para 2. . See minor addition to the text.</p> <p>As we are considering the impact on existing and new noise sensitive uses it is the background noise at the sensitive uses which needs to be considered. Clarify by replacing the term 'background noise' with "noise climate" which would include background noise.</p>	<p>Amend policy to:</p> <p>1 Policy DM6 – Noise and Vibration</p> <p>. Development should be designed, managed and operated to reduce exposure to noise and noise generation.</p> <p>1. <u>Noise and/ or vibration-generating development or must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the that would have an impact on amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation, or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u></p> <p>2. <u>Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, entertainment/ cultural/ community</u></p>	058/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p><u>facilities</u> and commercial activity. <u>Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u></p> <p>3. <u>Development should be designed, managed and operated to reduce exposure to noise and vibration.</u> The following will be taken into account when assessing development proposals:</p> <ul style="list-style-type: none"> a. The location, design, layout and materials; and b. Positioning of building services and circulation spaces; c. Measures to reduce or contain generated noise (e.g. sound insulation); d. Existing levels of background noise climate; and e. <u>Hours of operation and servicing; and-</u> <p>the need to maintain adequate levels of</p> <ul style="list-style-type: none"> f. <u>natural light and ventilation to habitable areas of the development.</u> <p>Amend now para 2.50 to:</p> <p><u>Proposals for n</u>Noise sensitive developments should<u>in areas of existing and/ or planned sources of major noise will be subject to a case by case analysis with reference to expert advice from the Council's Environmental Health Team.</u> a<u>As far as is practicable, noise sensitive developments should</u> be located away from <u>major sources of</u> existing and/ or planned sources of significant noise (such as major new roads, rail or industrial development) <u>unless an</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p><u>appropriate and robust scheme of mitigation is provided and the benefits of the proposal in terms of regeneration are considered to outweigh the impacts on amenity and biodiversity. 'Planned' sources of noise mean sites in the nearby vicinity that are under construction: extant consents; sites that have planning consent which are not yet started; and sites which are allocated in the development plan.</u> and should only be located close to existing sources of significant noise if they can be satisfactorily mitigated.</p> <p>Add now para 2.51: <u>New development should be sited and designed so that it can be integrated effectively with existing businesses, cultural, entertainment and community facilities (such as places of worship, pubs, music venues, and sport clubs). Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') is required to provide suitable mitigation before the development has been completed.</u></p> <p>Amend now para 2.52 to: <u>In all cases, the assessment will be based on an understanding of the existing and planned levels of environmental noise and the measures needed to bring noise down to acceptable levels for the existing or proposed noise-sensitive development. A noise assessment and scheme of mitigation will be</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>required as <u>part of the planning application. to be submitted in line with the Local Validation Requirements</u>. The determination of noise impact will be based on the Noise Policy Statement for England and the Planning Practice Guidance on Noise. <u>The Council also has a Detailed guidance note on Noise and Vibration on assessment and the determination of impacts can be found in a Planning Guidance Note</u> maintained by Environmental Health.</p> <p>Add now para 2.53: <u>The design of mitigation measures should have regard to the need to provide a satisfactory environment for future occupiers and take account of other material planning considerations such as urban design. Detailed design guidance will be provided in the Birmingham Design Guide SPD.</u></p> <p>Amend now para 2.54 to: <u>Noise and vibration can have a significant impact on amenity of noise sensitive uses and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase.</u> Sources of vibration include transportation (especially railways) and industrial processes. <u>Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p><u>adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure.</u></p> <p>Environmental Health can advise where a vibration assessment will be required.</p>	
Reservoir Residents Association		<ul style="list-style-type: none"> - Problems with Shisha lounges and licensed venues need to be addressed 	<p>Comment do not relate directly to the policy. A policy specifically on Shisha lounges is not required because it is considered that the impacts of such development are addressed through other DMB policies such as DM2 Amenity, DM6 Noise and vibration, DM13 Highway safety and access and DM14 Parking and servicing. The use of premises for shisha smoking is sui generis. Any change of use to the use as a shisha lounge therefore requires planning permission for a material change of use.</p>	No further action.	060/6
Turley on behalf of Moda		<ul style="list-style-type: none"> - Moda recommends that the policy and/or supporting text should be reworded to appropriately consider sites by acknowledging that separating noise sensitive development such as residential development, from major sources of noise such as Transport Infrastructure will be impossible or difficult to achieve on most city centre sites. - It is recommended that the word 'separated' is removed from bullet 3 of this policy 	<p>Agree. Additional/ amended supporting text clarifies the policy in relation to proposals for noise sensitive developments in areas of existing and/ or planned sources of major noise.</p> <p>The policy provides flexibility by stating development should be 'appropriately mitigated <u>or</u> adequately separated'. Adequate separation can be a form of mitigation but as it is undefined in the policy and supporting text it will be removed.</p>	See action to 058/6	063/6
Pegasus Group		<ul style="list-style-type: none"> - Parts 1 to 3 is considered as onerous as it applies a blanket approach rather than facilitating consideration on a case by case basis. - Propose that part 1 is removed and 	<p>Agree suggested change to Part 2. Disagree with suggested change to Part 3. Para 180 of NPPF states that "Planning policies and decisions should also ensure that new</p>	<p>Amend policy to:</p> <p>1 Policy DM6 – Noise and Vibration</p> <p>1. Development should be</p>	064/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>the following changes are made:</p> <p>2) 1) Noise-generating development that would have an unacceptable impact on amenity or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. 3) 2) Noise-sensitive development (such as residential uses, hospitals and schools) will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure and commercial activity.'</p>	<p>development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.</p>	<p>designed, managed and operated to reduce exposure to noise and noise generation.</p> <p>1. <u>Noise and/ or vibration-generating development or must be accompanied by an assessment of the potential impact of any noise and/ or vibration generated by the development on the that would have an impact on amenity of its occupiers, nearby residents and other noise sensitive uses/ areas, including nature conservation, or biodiversity will not be supported unless an appropriate scheme of mitigation is provided. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u></p> <p>2. <u>Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, entertainment/ cultural/ community facilities and commercial activity. Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u></p> <p>3. <u>Development should be</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<u>designed, managed and operated to reduce exposure to noise and vibration.</u> The following will be taken into account when assessing development proposals: a. The location, design, layout and materials; b. Positioning of building services and circulation spaces; c. Measures to reduce or contain generated noise (e.g. sound insulation); d. Existing levels of background noise climate ; and <u>e. Hours of operation and servicing; and-</u> the need to maintain adequate levels of <u>f. natural light and ventilation to habitable areas of the development.</u>	
Canal and River Trust		<ul style="list-style-type: none"> - The canal should be identified as a noise sensitive receptor and there should be a requirement that is assessed accordingly when in proximity to development sites. - Development, either during construction or post operation should not result in noisy environments significantly beyond the current situation. - Mitigation such as boundary planting or site layout should be considered to ensure noise level increases are avoided or kept to a minimum along the canal to protect users. - Point 4 should extend to include: "f) sensitive quiet uses nearby that are worthy of protection" - Point 2 should read 'have an adverse impact on' - Policy DM6 text should refer to vibration and mention the impact of vibration on the stability of historic canal tunnels that can be caused 	<p>As all of the canal network in Birmingham is designated as wildlife corridor, it is considered that the policy adequately deals with the impact of noise-generating development on such areas by virtue of their biodiversity value.</p> <p>Agree with the need to add the word 'adverse' in part 2 of the policy. See proposed change to the policy.</p> <p>The proposed policy seeks to ensure that all should be designed, managed and operated to reduce exposure to noise and vibration.</p> <p>Additional text in relation to vibration will be inserted at para 2.57.</p>	<p>Change part 2 of policy to:</p> <p>2. Noise-sensitive development (such as residential uses, hospitals and schools) must be accompanied by an assessment of the impact of any existing and/ or planned sources of noise and vibration in the vicinity of the proposed development will need to be appropriately mitigated or adequately separated from major sources of existing or planned sources of noise and vibration, including transport infrastructure, <u>entertainment/ cultural/ community facilities</u> and commercial activity. <u>Where potential adverse impact is identified, the development proposal shall include details on how the adverse impact will be reduced and /or mitigated.</u></p> <p>Amend now para 2.54 to:</p>	066/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>during construction of development</p> <ul style="list-style-type: none"> - Point 5 should include “development that would cause vibration that would have a negative impact on existing structures or infrastructure will not be supported unless an appropriate scheme of monitoring, review and mitigation is included” 		<p><u>Noise and vibration</u> can have a significant impact on amenity of noise sensitive uses <u>and on wildlife and habitats. For large or prolonged development, consideration should also be given to the potential noise and vibration impacts during construction as well as the post development phase.</u> Sources of vibration include transportation (especially railways) and industrial processes. <u>Where the proposed works will include piling, vibro-compaction or blasting (demolition) the applicant shall assess the impact of vibration on any structure in the vicinity of works. Where an adverse impact is predicted the development proposals shall include details of any vibration monitoring, precautions to prevent damage to any structure.</u></p> <p>Environmental Health can advise where a vibration assessment will be required.</p>	
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/6
Individual	Yes	<ul style="list-style-type: none"> - Should consider noise from emergency vehicles unacceptable in some areas (ie. near hospitals) 	Any noise assessment for noise sensitive uses near a busy road should include an assessment of values of the maximum noise levels (normally caused by noisier vehicle pass-bys) and these would include sirens. With regard to emergency vehicles in a depot (or hospital A&E) Environmental Health would normally expect any application for noise sensitive use in the vicinity to include an assessment of the impact of noise generated by the emergency vehicle operations.	No further action.	068/6

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Policy DM7 - Advertisements					
Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	- Does not agree with the approach as plastic banners make the city look cheap and create hazards by blocking views.	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity.	No further action.	001/7
Individual	Yes	- No comment	Noted.	No further action.	002/7
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Given this policy statement - how compliant are the huge electronic advertising screens?	New adverts requiring consent would be required to comply with the policy once adopted.	No further action.	003/7
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/7
Individual	Yes	- No comment	Noted.	No further action.	005/7
Individual	Yes	- No comment	Noted.	No further action.	007/7
Jane Harding from Birmingham Trees for Life	Yes	- Excessive signage and advertising is blight in urban areas. - Request that we must resist all attempts by advertisers to remove, or prevent the planting of, trees which have the potential to 'get a bit in the way' of advertising - Policy should generate more opportunities to plant trees in the city centre and for advertisements to be considered secondary to them.	Noted. The loss of trees is dealt with by policy DM4 Landscaping and Trees in the document. The protection and enhancement of Green infrastructure, including trees is addressed by Policy TP7 in the adopted Birmingham Development Plan.	No further action.	008/7
Individual	Yes	- No comment	Noted.	No further action.	010/7
Individual	Yes	- No comment	Noted.	No further action.	011/7
Individual	Yes	- No comment	Noted.	No further action.	012/7
Individual	Yes	- No comment	Noted.	No further action.	013/7
Individual	Yes	- No comment	Noted.	No further action.	014/7
Individual	Yes	- No comment	Noted.	No further action.	015/7
Individual	Yes	- No comment	Noted.	No further action.	016/7
Individual	Yes	- Too much street signage distracts drivers, especially the high-intensity LED lights	Noted. The policy seeks to ensure that all advertising requiring consent is well designed and appropriately	No further action.	017/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Buildings should not be used as props for giant signage – too big, loud and destroys the picturesqueness of the city 	sited and would have no detrimental impact on public safety or amenity. Amongst other criteria the policy requires that proposals for advertisement are “b. Sympathetic to the character and appearance of their location, adjacent buildings and the building on which they are displayed having regard to their size, materials, construction, location and level of illumination”		
Dr Richard Tyler from National HMO Lobby 	Yes	<ul style="list-style-type: none"> - The National HMO Lobby agrees - Para 3.5 should refer to DM7, not DM6 - Paragraphs 3.3 and 3.4 note that ‘poorly placed advertisements can have a negative impact’, and this is especially the case in areas of high concentrations of HMOs, where deemed consent for residential letting boards can lead to an overwhelming proliferation. - The National HMO Lobby recommends that Development Management in Birmingham considers – <ul style="list-style-type: none"> (a) the introduction of a Regulation 7 Direction in areas of high concentration of HMOs, and (b) the adoption of a Code of operation (similar to those in other cities, such as Leeds), restricting the size, siting and style of letting boards permitted in these areas. 	<p>Noted.</p> <p>Noted. Reference error in para 3.5 will be corrected.</p> <p>Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.</p>	<p>Amend para 3.5 to:</p> <p>Policy DM76 applies to all types of advertisements</p>	018/7
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	019/7
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	020/7
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	021/7
Individual	Yes	<ul style="list-style-type: none"> - Current multi media advertising next to roads should be reduced 	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity.	No further action.	022/7
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	023/7
Individual	Yes	<ul style="list-style-type: none"> - The council should "clampdown" on 	Noted. This will need to be	No further action.	024/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		Property Developers/Landlords using Houses to Let for Advertising purposes.	considered outside of this policy document.		
Devinder Kumar from Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy does not go far enough - Policy appears overly focused on City Centre and should consider poorer neighbourhoods especially - Should have a presumption to refuse additional advertising and in fact reduce advertising/logos/slogans for the benefit of the city to expose overlooked rich architecture - Poorer neighbours have high concentrations of billboards, harming amenity - Appreciation that adverts are governed by the Advertising Standards Agency but would like more Council power - Town and Country Planning (Control of Advertisements) Regulations 1992 permits Local planning authorities to apply for a direction under Regulation 7 of this legislation so that this consent does not apply. We would like to see this power used to remove adverts in areas which would benefit from an improvement in visual amenity; where crime and ASB is prevalent 	Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.	No further action.	025/7
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	026/7
Christopher Vaughan from Summerfield Residents Association	Yes	<ul style="list-style-type: none"> - Should consider monitoring of private landlords of shops allowing premises to be used for advertising unrelated to their business 	It is not within the remit of the planning system to control what is advertised.	No further action.	027/7
Individual	Yes	<ul style="list-style-type: none"> - More consideration of advertisements of To Let properties - Billboards on houses should be banned 			029/7
Iftekhar Ahmed from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	031/7
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	032/7
Clement Samuels from	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	033/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
West Midlands Police					
Individual	Yes	<ul style="list-style-type: none"> - Agree with policy - Need to consider advertising from lettings agents or property management companies and their impact on community and house prices. - There is no consideration to the stable community. - There needs to be stricter rules for advertising in residential areas not just for property management companies - There is very limited resource to enforce rules. 	Note comments in relation to further controls on letting signs. This will need to be considered outside of this policy document.	No further action.	034/7
Individual	Yes	<ul style="list-style-type: none"> - Plan needs to consider impact at a neighbourhood level of the signage/advertisements placed on individual properties for rent - Plan needs to show how it will generate the enforcement of any current regulations as this is highly detrimental to local communities 	Note comments in relation to further controls on letting signs. This will need to be considered outside of this policy document.	No further action.	035/7
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/7
Hazel McDowall from Natural England	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	040/7
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	045/7
Individual	Yes	<ul style="list-style-type: none"> - Would be great if you could enforce the law on signs needing to come down within two weeks of a property being let out https://www.landlordlawblog.co.uk/2015/10/28/about-letting-agents-boards/ 	Note comments in relation to further controls on letting signs. This will need to be considered outside of this policy document.	No further action.	046/7
Patricia Dray from Highways England		<ul style="list-style-type: none"> - Welcomes policy 	Support noted.	No further action.	049/7
Historic England		<ul style="list-style-type: none"> - Welcome consideration of historic environment in policy 	Support noted.	No further action.	050/7
Tyler Parker Planning and Architecture – on behalf of Chief		<ul style="list-style-type: none"> - Objects to policy - Reference and additional wording should be made to also have no 	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and	No further action.	051/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Constable of West Midlands Police		<p>detrimental impact on 'crime, anti-social behaviour or fear of crime'</p> <ul style="list-style-type: none"> - CCWMP requests that potential safety considerations are expanded upon to address problems created by advertising on Telephone Kiosk 	would have no detrimental impact on public safety or amenity, which can also include crime, anti-social behaviour for fear of crime.		
Conservative Group		<ul style="list-style-type: none"> - Reference to roadside advertising (visible from M6 and A38) should be strengthened from 'not normally acceptable' to 'not acceptable' - High street adverts should avoid restricting space 	<p>Will change wording to "will be resisted".</p> <p>The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity. Criteria include "c. Avoid proliferation or clutter of signage on the building and in the public realm".</p>	<p>Change part 3 (previously part 4) policy to:</p> <p>3. The siting of advertisements hoardings will be resisted not normally be acceptable where visible from the M6 motorway or A38 Aston Expressway and where they are purposefully designed to be read from the roadway and where the attention of drivers is likely to be distracted.</p>	
Community Partnership for Selly Oak(CP4SO)		<ul style="list-style-type: none"> - Whole-heartedly agree with DM7 proposal that would avoid proliferation of signage but suggests that these principles should be applied in general not just special designated areas. - We endorse the comments and policy recommendations of the Reservoir Residents' Association on the eyesore of 'To Let' and 'For Sale' signs. 	The policy would apply to all advertisement consents in the city. Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.	No further action.	053/7
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	058/7
Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy does not go far enough - Policy seems overly focussed on the City Centre and should look at poorer neighbourhoods - The presumption should be to refuse additional advertising and in fact reduce advertising over time - Would like to see an application for a direction under regulation 7 of the Town and Country Planning (Control of Advertisements) Regulations 1992 	<p>The policy would apply to all advertisement consents in the city.</p> <p>The policy cannot have a presumption against advertisements as this would be contrary to the NPPF.</p> <p>Note comments in relation to the introduction of a Regulation 7 Direction in areas of high concentrations of HMOs. This will need to be considered outside of this policy document.</p>	No further action.	060/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> No comments on the policy itself, however note that detailed guidance on the design of advertisements is to be updated and included in the forthcoming Birmingham Design Guide. This should only provide guidance, and should not be applied to prescriptively. 	Noted.	Comments to be considered in the preparation of the Birmingham Design Guide	061/7
Pegasus Group		<ul style="list-style-type: none"> It is questioned why this policy is required and should therefore be deleted or reworded to ensure full compliance with the NPPF. Proposes deletion of policy or reworded to comply with NPPF. 	Agree that some re-wording is required. See proposed changes to policy to comply with NPPF.	<p>Change policy to:</p> <ol style="list-style-type: none"> Proposals for advertisements should be designed to a high standard and meet the following criteria: <ol style="list-style-type: none"> Suitably located, sited and designed having no detrimental impact on public and highway safety or to the amenity, <u>taking into account cumulative impact</u>; of the area; Sympathetic to the character and appearance of their location, adjacent buildings and the building on which they are displayed having regard to their size, materials, construction, location and level of illumination; Avoid proliferation or clutter of signage on the building and in the public realm; Not obscure architectural features of a building or extend beyond the edges or the roofline of buildings and respect the building's proportions and symmetry; <u>Not create a dominant skyline feature when viewed against the immediate surroundings</u>; and Designed to preserve or enhance the character or appearance of any heritage assets which are affected Illuminated advertisement and signs should not adversely affect the safety and amenity of the 	064/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>surrounding area. Uses/ areas sensitive to <u>light such as nearby residential properties and other light sensitive uses/ areas, intrinsically dark landscapes, and nature conservation</u>. impacts on visual amenity, including open space, public squares, key public routes, ecological networks, conservation areas or in proximity to listed buildings and other heritage assets will require particularly sensitive treatment and will need to be more carefully sited and designed so they do not have an adverse impact on these.</p> <p>The siting of advertisements hoardings will <u>be resisted</u> not normally be acceptable where visible from the M6 motorway or A38 Aston Expressway <u>and where they are</u> purposefully designed to be read from the roadway and <u>where</u> the attention of drivers is likely to be distracted.</p>	
Canal and River Trust		<ul style="list-style-type: none"> - Advertisements should not be located to obstruct the canal network, either for pedestrian or cycle users. - Policy and supporting text (para 3.4) should refer to the need to protect the navigational safety of the canal networks and its users, and the visual amenity of boaters and towpaths users alike as they travel through the city. - Should ensure that size, illumination and the glare of/from digital panels are considerations of impact on amenity - Definition of amenity should be amended and clarified. - Point 2 should extend to include reference to light pollution concerns captured in proposed policy DM5 - Point 4 is welcomed - Policy should make it a requirement 	<p>Comments regarding the need to protect the navigational safety of the canal networks and its users and the visual amenity of boaters and towpaths users alike as they travel through the city are overly detailed. Agree that the definition of amenity in para 3.4 is incomplete and will be deleted. Policy DM2 Amenity in the document already covers amenity. Point 2 will be amended to provide consistency with DM5 Light pollution. Suggested additional text for para 3.3 is overly detailed Reference to DM6 rather than DM7 will be corrected in para 3.3</p>	<p>Change para 3.4 to: The display of advertisements is subject to a separate planning consent process as set out in The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (as amended). Through the planning system, advertisements are subject to the consideration of impacts in the interests of amenity, public safety, and cumulative impact. Amenity includes the visual amenity of a locality, and public safety includes the safety of users of nearby highway infrastructure.</p>	066/7

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>for applicants to demonstrate that there would be no impacts on the canal network under additional text at end of para 3.3 "Advertisements located near the waterway network should include assessment of their impacts on the view from the water and associated towpath or other land-based routes, even if they are not intended for these views".</p> <ul style="list-style-type: none"> - Para 3.5 refers to policy DM6 and not DM7 - Reminder in supporting text that consents always include requirements that signage be maintained in good, tidy order should also be included as per the requirements of the Town & Country Planning (Control of Advertisements) (England) regulations 2007 (as amended) 			
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/7
Individual	Yes	<ul style="list-style-type: none"> - Policy should ensure adverts blend with mature landscapes 	The policy seeks to ensure that all advertising requiring consent is well designed and appropriately sited and would have no detrimental impact on public safety or amenity. Criteria includes "b. Sympathetic to the character and appearance of their location..." "e. Not create a dominant skyline feature when viewed against the immediate surroundings"	No further action.	068/7
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Recommends BCC to automatically apply for a direction under Regulation of 7 of the "Town and Country Planning (Control of Advertisements) Regulations 1992" to remove the deemed consent to display for sale and to let boards in areas where an overconcentration (>10%) of HMO is identified. - Excessive number of letting signs where HMO concentrations can have a significant adverse impact on the character and appearance of the area, 	DUPLICATION of 025/7	DUPLICATION of 025/7	025/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>create clutter, air of transience with intervention may be appropriate where the impact on visual amenity is substantial.</p> <ul style="list-style-type: none"> - The Town and Country Planning (Control of Advertisements) Regulations 1992 permits Local planning authorities to apply for a direction under Regulation 7 of this legislation so that this consent does not apply. If a direction is approved, all letting boards within the defined area would require advertisement consent. Unauthorised boards could then be removed effectively through normal enforcement procedures. - Consensus that Regulation 7 and Code proved successful in delivering positive environmental improvement by Leeds City Council. 			

Policy DM8 – Places of Worship/Faith

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	001/8
Individual	Yes	- No comment	Noted.	No further action.	002/8
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- Policy is fine but not much use if breached in delivery.	Noted.	No further action.	003/8
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- More funding needed.	Unclear what funding is required for and comment does not directly appear to relate to the policy.	No further action.	004/8
Individual	No	<ul style="list-style-type: none"> - Observes that there are too many religious schools around - Query of how does the council ensure that these are quality institutions and not spreading fundamentalism? 	Comments do not directly relate to the policy and issues raised are not planning matters.	No further action.	005/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		- Observes that there are too many safeguarding problems and does not want more Trojan horse scandals in the city			
Individual	Yes	- No comment	Noted.	No further action.	007/8
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/8
Individual	Yes	- No comment	Noted.	No further action.	010/8
Individual	Yes	- No comment	Noted.	No further action.	011/8
Individual	Yes	- No comment	Noted.	No further action.	012/8
Individual	Yes	- No comment	Noted.	No further action.	013/8
Individual	Yes	- No comment	Noted.	No further action.	014/8
Individual	Yes	- No comment	Noted.	No further action.	015/8
Individual	Yes	- No comment	Noted.	No further action.	016/8
Individual	Not answered	- Agree with approach - New places of worship (of any faith) should not dominate towns, as we have passed mediaeval times.	Noted.	No further action.	017/8
Individual	Yes	- Too little too late - Requires existing sites that would be prevented by these proposals to reduce impact of traffic and parking on neighbourhood	Noted.	No further action.	019/8
Individual	Yes	- More care to ensure places of worship do not allow communities to become insular and alienate the existing residents.	Comments do not directly relate to the policy and issue raised is not planning matter.	No further action.	020/8
Individual	Yes	- No comments.	Noted.	No further action.	021/8
Individual	Yes	- No comments.	Noted.	No further action.	022/8
Individual	Yes	- No comments.	Noted.	No further action.	023/8
Individual	Yes	- No comments.	Noted.	No further action.	024/8
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/8
Individual	Yes	- No comments.	Noted.	No further action.	026/8
Christopher Vaughan from Summerfield	Yes	- No comments.	Noted.	No further action.	027/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Residents Association					
Individual	Yes	- No comments.	Noted.	No further action.	029/8
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/8
Individual	Yes	- No comments.	Noted.	No further action.	032/8
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/8
Individual	Yes	- Too many mosques in some areas where there a higher concentrations of other faiths - Buildings are not sensitively converted into places of worship.	Comments do not directly relate to the policy and issue raised is not a planning matter.	No further action.	034/8
Individual	Yes	- No comments.	Noted.	No further action.	035/8
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/8
Individual	Yes	- No comments.	Noted.	No further action.	038/8
Individual	Yes	- No comments.	Noted.	No further action.	045/8
Individual	Yes	- Community meeting places are really important but do not have to be religious.	Noted.	No further action.	046/8
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects - Crime and safety considerations should be included as policy requirement - Proposals can impact on surrounding road network - Additional wording is requested as new points 5 and 6 to state: “5. Proposals will need to demonstrate that appropriate measures have been put in place to minimise the risk of crime, fear of crime and anti-social behaviour” “6. Proposal will need to include travel plans where appropriate and management plans to reduce the risk of vehicles parking inappropriately and causing an obstruction or having a detrimental impact on highway safety” 	<p>Comment relating to ‘measures’ to be put in place to minimise the risk of crime, fear of crime and anti-social behaviour is unclear. Policy PG3 Place-making in the adopted Birmingham Development Plan already requires all new development to create safe environments that design out crime.</p> <p>Part 4 of the policy requires that “Proposals will need to demonstrate that the site is suitable for the number of proposed users and the scale of development, identifying whether it serves local, district, city-wide or regional need.” The suggested point 6 regarding travel plans will be added into the explanatory text at para 3.14. As explained in para 3.16 “The information to be submitted in</p>	<p>Add (now) para 3.12:</p> <p><u>Proposals will need to include travel plans where appropriate and management plans to reduce the risk of vehicles parking inappropriately and causing an obstruction or having a detrimental impact on highway safety.</u></p>	051/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			support of a planning application for a place of worship or faith related community use is set out in Appendix 2." This includes details of the car and cycle parking and access arrangements. Reference to a travel plan will also be made here.		
Conservative Group		<ul style="list-style-type: none"> Requests that places of worship should have to provide adequate parking preferably on site, along with contributing towards any resulting TROs that become necessary. 	The forthcoming draft Parking SPD aims to take a balanced approach to parking provision for places of worship which can generate a high-level of short-term parking demand. Where adequate parking capacity is demonstrably unavailable locally, maximum parking standards for on-plot provision may be reviewed. With an expectation that more extensive parking provision can be used by the wider community to make efficient use of space	No further action.	052/8
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> Noted. The Langley Urban Extension should be excluded from this policy. 	See re-worded policy which provides sufficient flexibility for locations outside of the network of centres to be favourably considered.	<p>Change policy to:</p> <p>The Council's preferred locations for the development of places of worship and faith related community uses are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. <u>Proposals for development</u> Locations outside of the network of centres will only be considered <u>favourably acceptable</u> where it is demonstrated that a suitable site* cannot be found within an identified centre.</p> <p><u>a. It is well located to the population the premises is to serve or is well served by means of walking, cycling and public transport;</u></p> <p><u>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety; and</u></p> <p><u>c. It does not conflict with any other</u></p>	058/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p><u>policies in the Local Plan.</u></p> <p>Premises to serve a regional or city-wide need** are likely to be used for large gatherings attracting substantial numbers of people and should be located in a sub-regional or district centre. Where it is demonstrated that a suitable site* cannot be found within an identified sub-regional or district centre, a site which is on a key transport corridor may be considered acceptable.</p> <p>Premises to serve a district or local need** are likely to be used for medium to small-sized gatherings and should be located in within an identified centre or a parade. Where it is demonstrated that a suitable site* cannot be found within an identified centre or a parade, a site with good public transport accessibility or within a 15 minute walk from the population the local place of worship or faith related community use serves, may be considered acceptable.</p> <p>Proposals will need to demonstrate that the site is suitable for the number of proposed users and the scale of development, identifying whether it serves local, district, city-wide or regional need.</p> <p>* means suitable, available and viable for the development proposed.</p> <p>** See definition of regional/ city-wide, district and local premises in Paragraph 3.12</p>	
Canal and River Trust		- The Trust has no comment to make on this policy.	Noted.	No further action.	066/8

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	067/8
Individual	Yes	- Recommends a balance of faith centres in each area to produce social cohesion	Comments do not directly relate to the policy and issue raised is not a planning matter.	No further action.	068/8

Policy DM9 – Day Nurseries and Childcare

Response from:	Support?	Comments and Main Issues Raised	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	001/9
Individual	Yes	- No comment	Noted.	No further action.	002/9
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/9
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/9
Individual	No	- Request for nursery developments to be near schools - Policy should highlight methods to prevent houses turning into nurseries.			005/9
Individual	Yes	- No comment	Noted.	No further action.	007/9
Jane Harding from Birmingham Trees for Life	Yes	- The provision of high quality outdoor space is crucial for the development and mental health of children. - Policy should ensure that all new developments must include green space as well as play areas. There is significant research to demonstrate the benefits of spending time outdoors with nature on the mental health and development of children.	Noted. Policy cannot require the green space is provided.	No further action.	008/9
Individual	No	- Policy wording is not strong – Needs stronger requirements stated before planning permission is granted. - Key consideration should be identified for parking, noise, traffic, size of premises, number of children.	Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space. See proposed changes to policy.	Change policy to: 1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children	010/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Policy should ensure the importance that an application should demonstrate how it would address issues around number of people visiting the site and the harmful environmental impacts it can have on the surrounding area; Applications should identify the availability of an area on-site to accommodate staff car parking and visitor parking as well as availability of nearby facilities; Consideration should be given to the availability of public transport in the area as an alternative means of travel.; should consider traffic generation in relation to residential amenity and highway safety. - LPA should ensure that applicants should show they can provide measures to protect neighbouring residential properties from noise and disturbance both inside and outside the property (i.e. by noise insulation schemes/party walls) - Larger semi-detached and detached dwellings may be more acceptable for nursery use but terraced or smaller semi-detached properties in residential areas with single families may not be suited. - Birmingham City Council should make a judgement on each application as to whether an outdoor area can be used without causing excessive disturbance to neighbours. - Should limit number of children at the prospective provision and decisions should be influenced by size of premises, parking and proximity to neighbouring houses. – Ofsted will advise on how prospective providers should calculate the numbers of children and ratios to be considered in line with the EYFS 2012 and not the LBH Planning department. Therefore, 		<p>are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan.</p> <p><u>Proposals for development</u></p> <p>Locations outside of the network of centres will only be considered</p> <p><u>favourably acceptable where:</u> it is demonstrated that a suitable site* cannot be found within an identified centre-</p> <p><u>a. It is well served by means of walking, cycling and public transport;</u></p> <p><u>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</u></p> <p><u>c. Sufficient useable outdoor play space to meet the needs of the children is provided; and</u></p> <p><u>d. It does not conflict with any other policies in the Local Plan.</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>prospective providers must ensure that they do not exceed either Ofsted or LBH planning requirement, which may be different.</p> <ul style="list-style-type: none"> - The EYFS 2012 requires that children access the outdoors. Therefore it is imperative that considerations are made as to how appropriate the building is for implementing the EYFS. - Hours of Operation = Prospective applications should be judged on what times during the day and on what days of the week the Nursery will be open. 			
Individual	Yes	- No comment	Noted.	No further action.	011/9
Individual	Yes	- No comment	Noted.	No further action.	012/9
Individual	Yes	- No comment	Noted.	No further action.	013/9
Individual	Yes	- No comment	Noted.	No further action.	014/9
Individual	Yes	- No comment	Noted.	No further action.	015/9
Individual	Yes	- No comment	Noted.	No further action.	016/9
Individual	Yes	- No comment	Noted.	No further action.	017/9
Individual	Yes	- What about existing services that do not meet this standard?	Planning enforcement can be undertaken if there is deemed to be a breach of planning control. This policy deals specifically with proposals for new development.	No further action.	019/9
Individual	Yes	- No comments.	Noted.	No further action.	020/9
Individual	Yes	- No comments.	Noted.	No further action.	021/9
Individual	Yes	- Adequate spaces to meet the needs of the community should be provided	Noted.	No further action.	022/9
Individual	Yes	- The clustering of nurseries in residential areas needs consideration and care as it impacts on the lives experience of the area.			023/9
Individual	Yes	- No comments.	Noted.	No further action.	024/9
Devinder Kumar from Reservoir Residents Association	No	- Policy needs to more prescriptive and prevent loss of amenity for residents and loss of family housing	Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public	Change policy to: 1. The Council's preferred locations	010/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - DM9 should include following criteria largely taken from the guidelines in the London Borough of Havering) for determining applications: <ol style="list-style-type: none"> 1) Travel, Parking and Visitors - demonstrates how environment issue from number of visitors will be addressed. Consideration should be given on available of on-site staff and visitor car parking and degree of traffic generation in relation to residential amenity and highway safety. Consideration should be given to the availability of public transport. 2) Noise - suggest that DM9 consider whether noise/disturbance could be overcome when a residential house is converted to a nursery. Ensure applicants demonstrate that they can provide a scheme of sound insulation and control and that it would not be detrimental to neighbourhood. Applicants should demonstrate how outdoor garden would be used without causing excessive disturbance. Process should also consider pedestrian interface with vehicles. 3) Number of children – limit the number of children and any decision should be influenced by the size of the premises and the play areas available. Should consider parking requirements and proximity to neighbouring houses. Applications to intensify the use of a nursery once planning permission has been granted should be resisted. 4) Outdoor Play Areas – Show considerations made as to how appropriate the building is for implementing the EYFS and suitability of space 	and highway safety, and provision of outdoor amenity space. See proposed changes to policy.	<p>for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan.</p> <p><u>Proposals for development</u></p> <p>Locations outside of the network of centres will only be considered</p> <p><u>favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre.</u></p> <p><u>a. It is well served by means of walking, cycling and public transport;</u></p> <p><u>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</u></p> <p><u>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</u></p> <p><u>d. It does not conflict with any other policies in the Local Plan</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		5) Hours of operation 6) Council Policies – Ensure site is not within a protected area 7) Safeguarding – Association requests inclusion of wording which would mean that applications for day nurseries are not approved where they would lead to a nursery next to certain C2 or C4 class properties and vice versa. 8) Loss of family housing - Policy DM9 notes that, “demand for a range of such facilities, operated either from dwellings or other premises, is likely to increase over the plan period”. We would like a paragraph limiting the expansion of existing nurseries and prevention of conversion of class 3 use properties to nursery use where there is an overconcentration of HMO properties, class N exempt properties or PBSA as the effects on parking, traffic and noise pollution and loss of amenity is cumulative.			
Individual	Yes	- No comments.	Noted.	No further action.	026/9
Christopher Vaughan from Summerfield Residents Association	Yes	- Policy should go hand in glove with a better approach to houses of multiple occupation		No further action.	027/9
Individual	Yes	- No comments.	Noted.	No further action.	029/9
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/9
Individual	Yes	- No comments.	Noted.	No further action.	032/9
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/9
N Individual	Yes	- Consideration needed for parking of local residents - Nurseries should not be within close			034/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		proximity to HMOs and other vulnerable adults (one house). - Advertising should be discreet in residential areas. - Ensure business ideas do not trump views of local resident groups			
Individual	Yes	- Theme throughout the development plan is the issue of implementation of the policies on current facilities - Clarification on if there will be any retrospective reviews of existing facilities that do not conform to those in the plan - Current parking issues need addressing in relation to nurseries	Planning enforcement can be undertaken if there is deemed to be a breach of planning control. This policy deals specifically with proposals for new development.	No further action.	035/9
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/9
Individual	Yes	- No comments.	Noted.	No further action.	038/9
Individual	Yes	- No comments.	Noted.	No further action.	045/9
Individual	No	- Not sure have much real impact on neighbours.	Noted.	No further action.	046/9
Conservative Group		- Policies should resist conversion of family homes which are in short supply - Should ensure that adequate parking for drop off and pickups are built into any approved design	The forthcoming Draft Parking SPD takes a balanced approach towards parking provision. Nurseries will be required to demonstrate that, at the times required, sufficient parking is available within acceptable distance of the development.	No further action.	052/9
Savills on behalf of Langley Sutton Coldfield Consortium		- Consortium requests Langley to be excluded from this policy.	See re-worded policy which provides sufficient flexibility for locations outside of the network of centres to be favourably considered.	Change policy to: 1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan. <u>Proposals for development</u> Locations outside of the network of centres will only be considered <u>favourably acceptable where it is</u>	058/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>demonstrated that a suitable site* cannot be found within an identified centre.</p> <p><u>a. It is well served by means of walking, cycling and public transport;</u></p> <p><u>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</u></p> <p><u>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</u></p> <p><u>d. It does not conflict with any other policies in the Local Plan</u></p>	
Reservoir Residents Association	No	<ul style="list-style-type: none"> - Policy needs to be more prescriptive and prevent loss of amenity for residents and loss of family homes - Council should look at criteria guidelines in the London Borough of Havering for inspiration 	Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space. See proposed changes to policy. Loss of family housing to other uses is addressed by policy TP35 Existing housing stock in the adopted Birmingham Development Plan.	<p>Change policy to:</p> <p>1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan.</p> <p><u>Proposals for development</u></p> <p>Locations outside of the network of centres will only be considered favourably acceptable where: it is demonstrated that a suitable site* cannot be found within an identified centre.</p> <p><u>a. It is well served by means of walking, cycling and public transport;</u></p> <p><u>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</u></p> <p><u>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</u></p> <p><u>d. It does not conflict with any other policies in the Local Plan</u></p>	060/9
Pegasus Group		<ul style="list-style-type: none"> - The policy appears to be treating the issue as it child care facilities are 	See re-worded policy which provides sufficient flexibility for locations	Change policy to:	064/9

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>defined town centre uses, applying a sequential test as a result, which is inconsistent with the NPPF definition.</p> <ul style="list-style-type: none"> - The policy appears impractical in practice as it does not comply with national policy and also for the impacts upon users of such services. A more flexible approach is required in its application. - Pegasus group objects to part 1 of DM9 and suggests deletion of such. 	outside of the network of centres to be favourably considered.	<p>1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan.</p> <p><u>Proposals for development</u></p> <p>Locations outside of the network of centres will only be considered <u>favourably acceptable where:</u> it is demonstrated that a suitable site* cannot be found within an identified centre.</p> <p><u>a. It is well served by means of walking, cycling and public transport;</u></p> <p><u>b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety;</u></p> <p><u>c. Sufficient useable outdoor play space to meet the needs of the children is provided.</u></p> <p><u>d. It does not conflict with any other policies in the Local Plan</u></p>	
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make. 	Noted.	No further action.	066/9
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/9
Individual	Yes	<ul style="list-style-type: none"> - Should have consideration for traffic and parking around such areas, including safety hazards - Placement or institution for offenders can be controversial 	Agree that policy should be strengthened and clarified in relation to impact on amenity, parking, public and highway safety, and provision of outdoor amenity space. See proposed changes to policy	<p>Change policy to:</p> <p>1. The Council's preferred locations for the development of day nurseries and facilities for the care, recreation and education of children are in the network of centres as defined in Policy TP21 of the Birmingham Development Plan.</p> <p><u>Proposals for development</u></p> <p>Locations outside of the network of centres will only be considered <u>favourably acceptable where:</u> it is demonstrated that a suitable site* cannot be found within an identified centre.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				a. It is well served by means of walking, cycling and public transport; b. It will not have an unacceptable adverse impact on local amenity, parking, public and highway safety; c. Sufficient useable outdoor play space to meet the needs of the children is provided. d. It does not conflict with any other policies in the Local Plan	

Policy DM10 - Houses in Multiple Occupation (HMO) and other non-family housing

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Policy should do more to preserve the residential amenity and character of Selly Oak. The residential buildings seem to have been extended upwards and outwards out of character. - Planners should use the present shops in a useful and attractive way instead of diverting everyone (by car) to new sites - Centre shops are too full of fast food outlets and letting agencies 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Comments relating to shops and fast food outlets are not related to the proposed policy.	No further action.	001/10
Individual	Yes	- No comment	Noted.	No further action.	002/10
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/10
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/10
Individual	Yes	<ul style="list-style-type: none"> - Welcome the proposals and support it. - Request for consideration in fining residents if they don't put they're bins 	Support noted. Comment regarding bins is not directly related to the policy.	No further action.	005/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		on the drive			
Individual	Yes	<ul style="list-style-type: none"> - Support the proposals - Request for direction to cover all houses in the city 	Support noted. Article 4 Direction will apply to the entire city.	No further action.	006/10
Individual	Yes	<ul style="list-style-type: none"> - Supports use of planning to tackle social problems. - HMO concentration over 10% can cause many problems such as ASB, parking disputes, too many vulnerable adults in an area and ultimately a breakdown in community cohesion. - Support planning laws to prevent HMO problems – observed results of such schemes being successful in other cities - Recommend that the council should assess areas of high concentrations of HMO alongside requirements for controlled parking zones as on street parking is a major issue needing addressing by policy - Request focus on Article 4 directions in HMO areas in Birmingham if city-wide scheme is rejected - HMOs tend to be located in the suburbs and not where jobs are concentrated so individuals will need cars to get around. Young professionals and students etc will not study and work in the same place as the other residents in the HMO or keep the same hours and therefore are unlikely to car pool so 5 – 6 individuals in a house will mean that they will have more cars per household than a family which would benefit from economies of scale and scope. - Community groups not opposed to HMOs but the concentration. - Should ensure a stringent set of standards to encourage community to monitor and report abuses of licensing 	<p>Support noted.</p> <p>The justification/ criteria for controlled parking zones will be set out in the forthcoming Parking SPD and includes assessment of parking pressure through on-street parking surveys. If areas with a high concentration of HMOs demonstrate significant parking pressures through parking surveys, this will be reflected in the prioritisation process for controlled parking zones.</p> <p>Proposed policy DM10 requires consideration of adverse cumulative impacts from HMO's on highway safety and parking. A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city. The forthcoming draft Parking SPD will set parking standards for HMOs.</p> <p>The Council has Property Management Standards applicable to Privately Rented Properties, including Houses In Multiple Occupation (HMOs) which sets out minimum standards in relation to room sizes, adequate heating etc. The Council's Private Rented Services' Housing Enforcement Policy relates predominantly to the Housing Act 2004 but also covers other housing legislation in relation to the private rented sector. It sets out the circumstances whereby</p>	No further action.	007/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>system. This might not be the principal aim in implementing the proposed policies but would certainly uplift community cohesion.</p> <ul style="list-style-type: none"> - City-wide policy desired with less concentrated areas of HMOs - Policy should ensure maintenance of 'sustainable neighbourhoods' - Populations and demographics poorly reflected by current Use Classes 	<p>enforcement action, such as the service of a statutory notice or the prosecution of an individual, may be taken. It also sets out how the council will enforce the various stages and procedures involved in the licensing of HMOs.</p> <p>Under the provisions of the national mandatory licensing scheme, a building, or part of a building, requires a mandatory HMO licence if it is a HMO with five or more people in occupation, who form two or more households, and the property fulfils the standard, self- contained flat or the converted building tests as detailed in Section 254 Housing Act 2004.</p> <p>HMOs are inspected by Licensing to ensure that it is of an acceptable standard. Additionally, checks are made to ensure that the proposed licensee is a fit with the proper person. A licence is granted for a set number of persons and / or households to occupy the premises. There may be other conditions attached. Failure to apply for a licence is a criminal offence and can result in a civil penalty or an unlimited fine. If the conditions the licence have not been met, or there are an excessive number of occupants, landlords can face a civil penalty or an unlimited fine for each breach.</p>		
Jane Harding from Birmingham Trees for Life	Yes	- No comment	Noted.	No further action.	008/10
Individual	Yes	<ul style="list-style-type: none"> - Policy should be made citywide - There is a link between poorly managed/ too many HMO in an area 	Policy will apply city wide. Statements regarding environmental quality and noise are noted. The	No further action.	009/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>and a deterioration in environmental quality with those landlords who do not maintain their properties leaving tenants at risk and leading to nuisance which affect neighbouring premises.</p> <ul style="list-style-type: none"> - Noise is an aspect of environmental quality and can create an impact so is a material consideration in planning decisions. - Crime, the fear of crime and ASB are a key concern of Birmingham residents. - The City's planning policies should play an important part in making places safer and reducing the opportunity for crime and disorder. The Council should seek to address ASB from HMO through limiting concentrations of HMO and only issuing planning permission where appropriate. - HMOs cause parking problems - should be dealt with through the planning process and Controlled Parking Zones. - Too many vulnerable adults in one street/neighbourhood leads to a cumulative negative impact on quality of life. - An unintended positive consequence of the proposed policies will be to relieve pressure on emergency, health and refuse collection services. - Support the use of an article 4 direction - The introduction of the proposed policies will help further everybody's quality of life by managing the growth and concentration of HMO, therefore mitigating their impact on local amenity and improving the quality of such accommodation as well as their surrounding neighbourhood. 	<p>proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.</p> <p>Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.</p> <p>The justification/ criteria for controlled parking zones will be set out in the forthcoming Parking SPD and includes assessment of parking pressure through on-street parking surveys. If areas with a high concentration of HMOs demonstrate significant parking pressures through parking surveys, this will be reflected in the prioritisation process for controlled parking zones.</p> <p>Proposed policy DM10 requires consideration of adverse cumulative impacts from HMO's on highway safety and parking. A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city. The forthcoming draft Parking SPD will set parking standards for HMOs.</p>		

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	<ul style="list-style-type: none"> - A city-wide policy is welcomed because it will prevent displacement - There is a clear case for the introduction of an Article 4 direction on removal of the permitted development right to convert houses to HMO use in Birmingham as has been done up and down other cities up and down the country - Steps should be taken to reduce HMO concentrations - Proposals in conjunction with existing rules will address quality of living for occupiers and adjoining residential amenity. - The comparative low value medium-to-large size homes in areas such as Aston, Handsworth, Edgbaston, Ladywood etc., have been converted to HMO en masse. - Although HMO are vital in providing accommodation of students and professionals high concentrations of transient individuals can lead to a breakdown in community cohesion. 	Support noted for Article 4 Direction and proposed policy.	No further action.	010/10
Individual	Yes	<ul style="list-style-type: none"> - Request that the direction should be brought in without further delay - Support introduction of policy which will allow an assessment of the HMO impact on the local environment, the amenity of neighbours, the character of areas, local services and facilities and car parking. 	Support noted for Article 4 Direction and proposed policy. A non-immediate Article 4 Direction will be applied so as to reduce the risk of compensation claims being made to the Council for abortive cost or financial loss as direct result of the Article 4 Direction.	No further action.	011/10
Individual	Yes	<ul style="list-style-type: none"> - Support implementation of the Article 4 Direction - Request that the whole of Birmingham is covered by the new policy – is the answer to the problem. - Density in any one area is serious problem that needs addressing - Recommend for a policy that would disperse HMO around Birmingham 	Support noted for Article 4 Direction. The proposed policy DM10 in the DMB will apply to the whole city.	No further action.	012/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Control needs to be introduced regarding student living as there is increasing risk of unbalancing local communities, however concern that if student numbers fall in areas it will become issues also. - Unfortunate that article 4 direction will also not be retrospective 			
Individual	No	<ul style="list-style-type: none"> - Policy is sound in principle but doesn't get actioned or enforced. - Residential areas suffered massively from poorly managed HMO and student lettings 	Planning enforcement is undertaken in the event of a breach of planning control. The management of HMOs is a matter under licensing.	No further action.	013/10
Individual	Yes	<ul style="list-style-type: none"> - Fully support proposed policies on HMO – introduction will further quality of life - Many HMO are of high quality and contribute to the success of the city and its economy but there is a link between poorly managed/ too many HMO in an area and a deterioration in environmental quality and noise which is a material consideration in planning decisions. - The City's planning policies should play an important part in making places safer and reducing the opportunity for crime and disorder. The Council should seek to address ASB from HMO through limiting concentrations of HMO and only issuing planning permission where appropriate. - Parking demand should be considered through the planning process and introduce Controlled Parking Zones. - An unintended positive consequence of the proposed policies will be to relieve pressure on emergency, health and refuse collection services. - Costs on increased administrative burden on the City Council should be recouped through license fees 	Support noted for Article 4 Direction and proposed policy. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.	No further action.	014/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Fully support the 10% limit on HMO in an area and to not allow a row of three HMO - but I think it might be better to have no more than 3 non-residential houses in a row including nurseries - Article 4 direction will help people to help themselves recognising that prevention is better than cure, and better manage the loss of existing family homes 			
Individual	Yes	<ul style="list-style-type: none"> - Request for the introduction of Article 4 across all of Birmingham as HMO prices out families and first time buyers 	Support noted for Article 4 Direction.	No further action.	015/10
Individual	Yes	<ul style="list-style-type: none"> - Council should abandon the approach which says more HMOs/supported housing is ok in an area because it is already an area in which such provision exists. It should be reversed. - There must be greater requirements and checking on the "support" provided in supported housing. - Should have a blanket ban/ moratorium on further HMOs in areas which already have a high proportion of HMOs - Request HMO area to have more resource for rubbish/ street cleaning/ policing. 	As explained in para 4.18 "The concentration of HMOs in an area may be at such a point where the introduction of any new HMO would not change the character of the area. This is because the vast majority of properties are already in HMO use. Recent planning appeal decisions confirm this view.	No further action.	016/10
Individual	Yes	<ul style="list-style-type: none"> - Erdington has seen a continual decline since 1990 to the quality of life as the large family houses (3 storey, 4bed) have been systematically covered to HMOs - HMO leads to high numbers of cars, refuse generated which is badly managed leading to rats, mice and cockroach infestations (low maintenance), transience - Request a greater number of family homes per street than HMOs if possible or number of tenants per 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. The proposed policy seeks to limit the number of HMOs in an area to no more than 10% of residential properties within a 100m radius of the application site. Reference to the loss of family housing as a reason for need for policy will be inserted into the supporting text.	Add new para at 4.23: <u>The Council's Strategic Housing Market Assessment (SHMA) (2013) indicates a need for market accommodation of all sizes but it also shows that the highest net change in the number of homes needed to 2031 is for 3 and 4 or more bedroom homes. Where there are particular shortages of large family accommodation, the City Council will be sensitive to any</u>	017/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		property restricted		<u>such need when considering proposals for HMOs which would result in the of such housing.</u>	
Dr Richard Tyler from National HMO Lobby	Yes	<ul style="list-style-type: none"> - Lobby welcomes the proposed adoption of a 10% threshold, as recommended by the Lobby (para 4.6). - Recommends two additions to Policy DM10. - (1) Paragraph 4.18 notes that in some areas 'the vast majority of properties are already in HMO use'. Some such very high concentrations may be so high that they constitute more than 10% of the properties in a larger area, such as the local ward. It may be the case that applications are made for the conversion of C3 family houses to C4 HMOs in streets which still have less than 10% HMOs, but which are adjacent to such areas of very high concentration. While such conversions would be acceptable within the 100 metre area, they would add to the overall imbalance of the larger area (such as the local ward), and they would be contrary to the objective of national policy of 'creating mixed and balanced communities' (NPPF 62b). The National HMO Lobby therefore recommends that Development Management in Birmingham considers an additional Policy (10A), resisting the development of HMOs within a ward, where the total number of HMOs in the ward exceeds 10% of the total number of residential properties in that ward. - (2) In Stage 1 of the 'Approach to determining a planning application' described in para 4.16, student halls of residence are excluded from the calculation of the number of residential properties. This is understandable, if 	<p>Support noted.</p> <p>If an application for a HMO is adjacent to an area of a high number of HMOs, the policy would address this by considering the number of HMOs in a 100m radius of the application site. Beyond this point, the impacts of concentrations of HMOs will be diluted.</p> <p>Para 4.16 will be amended to clarify what properties will be counted as a residential property in the calculation and how they are counted. See proposed amended text.</p> <p>Disagree with resisting development of PBSA in areas of high concentrations of HMOs where there is an undersupply of PBSA. Areas of high concentrations of HMOs can indicate a lack of supply of PBSA.</p>	<p>Amend now para 4.21 to:</p> <p>The Council will calculate the number of HMOs in the relevant area for each individual planning application based on the following method.</p> <p>Stage 1 – identifying residential properties</p> <p><u>The residential properties identified are those located within 100m of the application site (measured from the centre point of the property). For the purposes of assessing applications for HMO development, dwelling houses and HMOS that are located within blocks of flats or subdivided properties are counted as one property. Residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed. Appendix 4 includes a list of properties from Schedule 14 of the Housing Act which will not be identified as residential properties, for example student halls of residences care homes and children's homes.</u></p>	018/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		these halls are not counted as HMOs. However, purpose-built student accommodation (PBSA) can have just as much of an impact (if not more) on the amenity of local communities as HMOs do, as Noted. in para 4.6. The National HMO Lobby therefore recommends that Development Management in Birmingham considers an additional Policy (10B), resisting the development of PBSA in areas of high concentrations of HMOs, which would undermine 'the objective of creating mixed and balanced communities' (National Planning Policy Framework, para 62b).			
Individual	Yes	<ul style="list-style-type: none"> - Should 'areas of restraint' be referred to? - Recommend that no retrospective permissions should be given in respect of HMO conversions - Welcome the inclusion of all non-family dwellings in looking at density. - Policy likely to be too little too late for some areas - Enforcement of high standards critical to improving the situation - These proposals need to include social/nursing care and offender accommodation - HMO inspections currently don't always happen - Should encourage landlords to be responsible of property and consider neighbouring amenity. 	Saved policies of the UDP 2005 para 8.25 (HMOs), 8.26 (Flat Conversions) and 8.28 (Hostels and Residential Homes) and 8.15 (Day Nurseries) refer to 'Areas of Restraint'. In all cases it states "If a site lies within an Area of Restraint identified in the Constituency Statements or in Supplementary Planning Guidance planning permission may be refused on grounds that further development of such uses would adversely affect the character of the area". The Constituency Statements in the UDP were superseded by the Birmingham Development and "Areas of Restraint" were not included in the BDP. Areas of Restraint documentation is rather dated and comprise Planning Committee Reports, some of which are unclear on what area is covered by the 'Area of Restraint' lie and have a lack of policy detail. Regardless of this, it can be ascertained that they acted to resist applications for non-family residential uses based on the	<p>See new policy DM12 Residential Conversions and Specialist Accommodation.</p> <p>The Council will calculate the number of HMOs in the relevant area for each individual planning application based on the following method as set out in para 4.21:</p> <p>Stage 1 – identifying residential properties</p> <p><u>The residential properties identified are those located within 100m of the application site (measured from the centre point of the property). For the purposes of assessing applications for HMO development, dwelling houses and HMOS that are located within blocks of flats or subdivided properties are counted as one property. Residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will</u></p>	019/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>concentration of such uses that existed in the area due to adverse impact on residential character and amenity. It is agreed that the impact of high concentrations of non-traditional family dwellings (such as HMOs, care homes, hostels, hotels) can potentially have an adverse impact on the residential character and amenity of an area. Part 3 of proposed policy DM10 seeks to protect against harmful concentrations. To be clearer on this policy there will be a separate policy on Residential Conversions and Specialist Accommodation.</p> <p>Para 4.16 will be amended to clarify what properties will be counted as a residential property in the calculation and how they are counted. See proposed amended text.</p> <p>Planning enforcement is undertaken in the event of a breach of planning control. The management of HMOs is a matter under licensing.</p> <p>Under the provisions of the national mandatory licensing HMOs are inspected by Licensing to ensure that it is of an acceptable standard. Additionally, checks are made to ensure that the proposed licensee is a fit with the proper person. A licence is granted for a set number of persons and / or households to occupy the premises. There may be other conditions attached. Failure to apply for a licence is a criminal offence and can result in a civil penalty or an unlimited fine. If the conditions the licence have not been met, or there are an excessive number of</p>	<p><u>ensure that calculations of HMO concentration are not skewed. Appendix 4 includes a list of properties from Schedule 14 of the Housing Act which will not be identified as residential properties, for example student halls of residences care homes and children's homes.</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			occupants, landlords can face a civil penalty or an unlimited fine for each breach. Inspections of HMOs is based on a risk system, and high-risk HMOs are scheduled for inspection during the term of the licence		
Individual	Yes	<ul style="list-style-type: none"> - Council should make it easier to report new HMOs - Recommendation to implement policies that force landlords to be accountable (and take responsibility) for their tenants actions. 	It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.		020/10
Individual	Yes	<ul style="list-style-type: none"> - Policy should make it more difficult to change properties to HMO - If HMO approved, policy should ensure landlord adhere to strict rules and regulations - Should outline restrictions on number of HMO's allowed in an area and type of people housed 	<p>HMOs are inspected by Licensing to ensure that it is of an acceptable standard. Additionally, checks are made to ensure that the proposed licensee is a fit and proper person. A licence is granted for a set number of persons and / or households to occupy the premises. There may be other conditions attached.</p> <p>The planning system cannot control 'the type of people housed'. It can, however, manage the distribution and growth of HMOs, which is what the Council is seeking to do through the introduction of a city wide Article 4 Direction in relation to C4 HMOs and this proposed policy DM10.</p>	No further action.	021/10
Individual	Yes	<ul style="list-style-type: none"> - HMOs that provide supported living should also be monitored. 	Noted. This can be considered for inclusion in the Authority Monitoring Report.	No further action.	022/10
Individual	Yes	<ul style="list-style-type: none"> - HMOs lead to increased traffic, parking hazards, fly-tipping/rubbish and noise - Perpetual patterns of related crime, dealing - It's unsafe to walk around at night and 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Crime and disorder is not an	No further action.	023/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> increased crowded spaces One or two properties together is fine but some in blocks of five 	inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management.		
Individual	Yes	<ul style="list-style-type: none"> It is essential that HMOs are properly maintained as they are in danger of setting the tone for the neighbourhood Parking issues need to be addressed Should ensure HMOs do not place problem on local residents and should continuously monitor situation 	Comments noted. The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.	No further action.	024/10
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> Supports policies but request policy to be expanded and strengthened Support city-wide Article Direction City should have a policy for purpose built student accommodation There is the potential for unintended consequences to arise in restricting HMO that could be detrimental, requiring the Council to consider exceptional circumstances. In implementing an HMO concentration policy, existing family owner-occupier residents may become 'trapped': due to HMO concentration, their property is not attractive to prospective family households and sale to a private landlord, seeking a change of use to a HMO, is prevented. With neighbourhoods with excessive concentrations of HMO dwellings within a changing local housing market, flexibility in planning guidelines should be afforded to encourage the return of family households. If an area is identified as having an overconcentration of HMO is should be an automatic refusal to extend a property to increase the number of let rooms in HMO Additional criteria suggested including provision of refuse storage, access to 	<p>Support noted.</p> <p>A policy on Purpose Built Student Accommodation is already included in the adopted Birmingham Development Plan.</p> <p>Exceptional circumstance recognised and allowed for in the policy.</p> <p>Disagree regarding automatic refusal of applications to intensify existing HMOs where there is already an overconcentration. Recent planning appeal decisions confirm the view that concentration of HMOs in an area may be at such a point where the introduction of any new HMO or extended would not change the character of the area. This is because the vast majority of properties are already in HMO use. A new part to the policy will be added to address proposals for the intensification or expansion of existing HMOs.</p> <p>Additional criteria will be added to include adequate internal living space, kitchen and washing facilities, outdoor amenity space and recycling/refuse storage. Landscaping is addressed under proposed policy</p>	<p>Amend part 1 of policy to:</p> <ol style="list-style-type: none"> <u>Proposals Applications for the conversion of existing dwellinghouses or the construction of new buildings to be used as Houses in Multiple Occupation (HMO), including small HMOs (C4 Use Class) within Article 4 Direction areas will only should protect the residential amenity and character of the area and will be permitted where they development:</u> <ol style="list-style-type: none"> would not result in this type of accommodation forming over 10% of the number of residential properties* within a 100 metre radius of the application site**; and would not result in a <u>C3</u> family dwellinghouse (C3 Use) being sandwiched between two <u>HMOs or other</u> non-family residential uses***; and <u>c.</u> would not lead to a continuous frontage of three or more <u>HMOs or</u> non-family residential uses***; and 	025/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>yards/ gardens, and landscaping.</p> <ul style="list-style-type: none"> - Where an overconcentration or near concentration of HMO (approaching 10%) is identified, permit holder parking should be introduced and each household (including HMO) should be permitted no more than two permits, all future development (not just conversion to HMO) and planning should ensure that there is sufficient provision of parking. - Areas approaching the 10% threshold should be identified and reported to the Transport and Environment department for potential Permit Holder parking schemes - The Reservoir Residents Association want day nurseries, childcare provision, class N exempt properties and Purpose-Built Student Accommodation to be included in this criteria relating to no more than three or more non-family residential uses. - We argue that class N exemption data and the proximity of Purpose-Built Student Accommodation (PBSA) should be used as another measure against which planning applications for the conversion of C3 family houses to C4 HMOs should be considered. - We recommend that any proposed HMO development should be resisted where the ward has more than a combined 10% of residential properties in class N exemption and HMO use. 	<p>DM4.</p> <p>The justification/ criteria for controlled parking zones will be set out in the forthcoming Parking SPD and includes assessment of parking pressure through on-street parking surveys. If areas with a high concentration of HMOs demonstrate significant parking pressures through parking surveys, this will be reflected in the prioritisation process for controlled parking zones.</p> <p>Proposed policy DM10 requires consideration of adverse cumulative impacts from HMO's on highway safety and parking. A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city. The forthcoming draft Parking SPD will set parking standards for HMOs.</p> <p>Day nurseries do not constitute residential accommodation and do not therefore form part of the residential community, and consequently to its mix and balance. The DMB contains a separate policy in relation to day nurseries which seeks to protect residential amenity and character and ensure appropriate accommodation for children.</p> <p>PSBA is markedly different to the majority of HMOs which are usually conversions from existing dwellinghouses. PBSA is normally specifically designed to accommodate the number of occupiers it seeks to serve whereas HMOs originally of traditional housing would see an intensification of</p>	<p><u>d. it would not result in the loss of an existing use that makes an important contribution to other Council objectives, strategies and policies; and</u></p> <p><u>e. would not give rise to unacceptable adverse cumulative impacts on amenity, character, appearance, highway safety and parking.</u></p> <p><u>f. provide high quality accommodation that complies with relevant standards for HMOs adequate living space including:</u></p> <ul style="list-style-type: none"> <u>• bedrooms of at least 7.5 sq.m. (single) and 11.5 sq.m. (double);</u> <u>• communal living space comprising lounge, kitchen and dining space either as distinct rooms or in an open plan format;</u> <u>• washing facilities;</u> <u>• outdoor amenity space; and</u> <p><u>e.—recycling/ refuse storage;</u></p> <p>Add new part (3) to policy:</p> <p><u>3. Proposals for the intensification or expansion of an existing HMO should provide high quality accommodation in accordance with (d) above; have regard to the size and character of the property and not give rise to adverse cumulative impacts on amenity, character,</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>people living in the property. The BDP already contains a policy in relation to PBSA which seeks to ensure that development for new PBSA is well located and would not have an acceptable impact on the local neighbourhood and residential amenity. In calculating the % concentration residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.</p> <p>As stated in para 4.17, Council tax class N exemption data will be used for identifying HMOs.</p>	<p><u>appearance, highway safety and parking.</u></p> <p>Minor change to now para 4.16:</p> <p>The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. For these reasons applications for such changes will be assessed using criteria <u>three</u> four of the policy.</p>	
Individual	Yes	- No comments.	Noted.	No further action.	026/10
Christopher Vaughan from Summerfield Residents Association	Yes	<ul style="list-style-type: none"> - Council needs to have better grip with over-concentration issue due to numerous problems (ASB, noise, parking, refuse, maintenance, boundary issues) - Needs to ensure HMOs are more evenly distributed and properly licensed and monitored 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.	No further action.	027/10
Individual	Yes	<ul style="list-style-type: none"> - Supports proposed policies on HMO - City's planning policies should play an important part in making places safer and reducing the opportunity for crime and disorder. - Council should seek to address ASB from HMO through limiting 	<p>Support noted.</p> <p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. Crime and disorder is not an</p>	No further action.	029/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>concentrations of HMO and only issuing planning permission where appropriate.</p> <ul style="list-style-type: none"> - Tackling ill-behaviour is only one of a number of factors that help build a convincing case of supporting the Article 4 direction - Controlled Parking Zones. - An unintended positive consequence of the proposed policies will be to relieve pressure on emergency, health and refuse collection services. - Additional costs should be recouped through the license fees - Support article 4 direction 	inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management. It is difficult to make a landlord fully responsible for the actions of their tenants, especially off the premises. The licence does have conditions about controlling anti-social behaviour, but ASB is generally a Police matter.		
Individual	Yes	<ul style="list-style-type: none"> - Support the proposal for a more prescriptive policy 	Support noted.	No further action.	030/10
Iftekhar Ahmed from West Midlands Police	Yes	<ul style="list-style-type: none"> - Handsworth, Handsworth wood, and Perry Barr with disproportionately high number of HMOs - Cumulative impact policy should be adopted which presumes that no further HMO's should be authorised in this locality once saturation point has been reached. - Should be consulted upon by BCC and local police and other interested parties. 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. The proposed policy seeks to limit the number of HMOs in an area to no more than 10% of residential properties within a 100m radius of the application site. Cumulative impact is a policy consideration. The local planning authority consults the police, local councillors, local residents associations, and other stakeholders where relevant on all applications for HMOs.	No further action.	031/10
Individual	Yes	<ul style="list-style-type: none"> - Severely limit HMOs 	Noted. The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.	No further action.	032/10
Clement Samuels from West Midlands Police	Yes	<ul style="list-style-type: none"> - Excessive number of HMOs operating within the Ladywood West Constituency area (Ladywood, Winson 	The proposed policy seeks to ensure that such development preserves the residential amenity and character of	No further action.	033/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>Green, Soho and the Jewellery Quarter) causing alcohol, drugs, ASB</p> <ul style="list-style-type: none"> - Council's current ability to manage this situation is questionable. - Current HMO being set up without correct licenses 	<p>an area and that harmful concentrations do not arise.</p> <p>The Council have a "rogue landlord" hotline for reporting poor landlords or unlicensed HMOs.</p>		
Individual	Yes	<ul style="list-style-type: none"> - Support proposed policies on HMOs - City's planning policies should play an important part in making places safer and reducing the opportunity for crime and disorder. - Council should seek to address ASB from HMO through limiting concentrations of HMO and only issuing planning permission where appropriate. - Parking issues should be dealt with through the planning process and Controlled Parking Zones. - Costs should be recouped through the license fees. - Support article 4 direction 	<p>Support noted.</p> <p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.</p> <p>Crime and disorder is not an inevitable consequence of HMOs but rather a question of individual behaviour and appropriate management.</p> <p>The HMO licence fee cannot be used for non-licence issues such as parking</p>	No further action.	034/10
Individual	No	<ul style="list-style-type: none"> - Weak policy writing off large areas of the city to HMOs - Problem is too far gone for this approach to have any impact - Needs to have a much firmer clearer and proactive approach - More emphasis should be placed on those areas currently overwhelmed by HMOs - Council needs to actively reduce number of HMOs in some areas not letting them remain - Policy should ensure HMOs are spread evenly across whole city 	<p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise.</p> <p>However, where the concentration of HMOs in an area may be at such a point where the introduction of any new HMO would not change the character of the area. This is because the vast majority of properties are already in HMO use.</p> <p>The retention of the property as a family dwelling would therefore have little effect on the balance and mix of households in a community. Recent appeal decisions confirm this view. It should be recognised that HMOs are meeting housing needs and the Council cannot actively reduce numbers but manage their growth</p>	No further action.	035/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			and distribution so as to not create harmful concentrations and ensure that new housing is being delivered in line with the BDP. The city has a housing target of 51,100 new homes to be delivered by 2031 and is currently exceeding its housing trajectory on housing completions.		
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/10
Individual	Yes	- Support proposed policies on HMO. - HMO's impact environmental quality, noise pollution, ASB, parking - Support Article 4 direction	Support noted.	No further action.	037/10
Individual	Yes	<ul style="list-style-type: none"> - Exceptional circumstances clause is a bit fatalist and subjective, potentially creating a loophole for additional HMOs in certain areas - Given the council's desire and stated support to see existing HMOs return to family usage where possible, policy should not seek to retreat in any area, and the policy of preventing HMOs above the stated threshold should apply everywhere - Although densification can be very beneficial in a city, it needs to be of a suitable quality for all residents - Council should seek to restrict the loss of gardens in such developments in order to preserve amenity and the important environmental benefits that soft landscaping bring. - Densification including HMOs should be favoured (all other factors being equal) where the public transport infrastructure and walking and cycling networks can support higher residential densities, lessening the demand for the private car. 	<p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. However, where the concentration of HMOs in an area may be at such a point where the introduction of any new HMO would not change the character of the area. This is because the vast majority of properties are already in HMO use. The retention of the property as a family dwelling would therefore have little effect on the balance and mix of households in a community. Recent appeal decisions confirm this view. A new part to the policy will be added to address proposals for the intensification or expansion of existing HMOs to ensure high quality accommodation is provided and to protect the amenity, character, appearance, highway safety and parking.</p>	<p>Add new part to policy:</p> <p><u>3. Proposals for the intensification or expansion of an existing HMO should provide high quality accommodation in accordance with (d) above; have regard to the size and character of the property and not give rise to adverse cumulative impacts on amenity, character, appearance, highway safety and parking.</u></p> <p>Minor change to now para 4.16:</p> <p>The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. For these reasons applications for such changes will be assessed using criteria three <u>four</u> of the policy.</p>	038/10
Individual	Yes	- No comments.	Noted.	No further action.	045/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	<ul style="list-style-type: none"> - Over one third of the properties near the entrance to Edgbaston Reservoir are HMOs - Important to consider that HMO conversions push up prices and cause little issues especially during term times 	Noted.	No further action.	046/10
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Policy should be amended to include reference, in considering cumulative impacts of HMOs 	The proposed policy seeks to limit the number of HMOs in an area to no more than 10% of residential properties within a 100m radius of the application site. Cumulative impact is a policy consideration for HMOs and other non-family residential uses.	No further action.	051/10
Conservative Group		<ul style="list-style-type: none"> - Birmingham should create a city wide article 4 directive to remove permitted development rights for all HMOs - Policies should be amended to be able to take into account HMOs previously built under permitted development when assessing local numbers - Policy should ensure character of building and neighbourhood is protected in HMO creation - Policy should set a requirement for waste and recycling arrangements 	<p>The introduction of city wide Article 4 Direction in relation to C4 HMOs was approved by Cabinet on 14 May 2019. The publicising period took place from 6 June – 18 July 2019. Landlords/ owners of existing C4 HMOs have been advised to inform the Council of this so that the property can be recorded as a HMO and taken into account when assessing numbers.</p> <p>The proposed policy seeks to ensure that such development preserves the residential amenity and character of an area and that harmful concentrations do not arise. The requirement for waste and recycling arrangements is covered by policy DM11 which applies to all residential development.</p>	No further action.	052/10
Community Partnership for Selly Oak(CP4SO)		<ul style="list-style-type: none"> - Agree with Paragraph 4.2 opening statement - Value the introduction of Article 4 Direction on HMOs and agree that developments in Article 4 Direction areas should not result in a family 	Support noted. Following the publication of the Preferred Options DMB The Council approved the making of a city wide Article 4 Direction in relation to C4 HMOs. Once confirmed, it is	The Council will calculate the number of HMOs in the relevant area for each individual planning application based on the following method.	053/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>dwelling house being sandwiched or in a continuous frontage of three or more non-family residential uses.</p> <ul style="list-style-type: none"> - The document focuses too much on areas that are already defended by Article 4. Defending some but not other areas further increases the pressure on the latter. - Disagree with exceptions policy where "The concentration of HMOs ... may be at such a point where the introduction of a new HMO would not change the character of an area..." There are large parts of the city where HMOs have exceeded the 10% concentration which the document suggests is "the tipping point for an unbalanced community", but which have not yet reached the 90% level of Bournbrook. We propose that in all areas there should be policies of restraint so that the burden of concentration is not imposed on specific communities. In an area of over-concentration, such as Bournbrook, restraint might take the form of an outright ban on further large HMOs. - A city-wide approach to HMO planning is best - A city-wide student housing policy also needed - The consultation document refers to the types of residential properties that should NOT be identified in calculating the percentage concentration of HMOs. We see no good reason why halls of residence, care homes, children's homes should be excluded, or why flatted developments should count as one property. In our view, at least private halls and hostels should be taken into account. - As for the sources of information that are used in deciding whether the 10% 	<p>intended that the Article 4 Direction will come into force on 8 June 2020. This policy will therefore apply to both large and small HMOs across the whole city.</p> <p>Recent appeal decisions confirm the view that where concentrations of HMOs are at such a point where the introduction of any new HMO would not change the character of the area, the retention of the property as a family dwelling would have little effect on the balance and mix of households in a community.</p> <p>The policy will apply to all areas of the city. A city wide Article 4 Direction has been made and the publicising period for the Direction has just been completed at the time of writing this response.</p> <p>The BDP already contains a policy in relation to PBSA which seeks to ensure that development for new PBSA is well located and would not have an acceptable impact on the local neighbourhood and residential amenity. In calculating the % concentration residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.</p> <p>It is agreed that the impact of high concentrations of non-traditional family dwellings (such as HMOs, care homes, hostels, hotels) can potentially have an adverse impact on the residential character and amenity of an area. Part 3 of</p>	<p>Stage 1 – identifying residential properties</p> <p><u>The residential properties identified are those located within 100m of the application site (measured from the centre point of the property). For the purposes of assessing applications for HMO development, dwelling houses and HMOS that are located within blocks of flats or subdivided properties are counted as one property. Residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed. Appendix 4 includes a list of properties from Schedule 14 of the Housing Act which will not be identified as residential properties, for example student halls of residences care homes and children's homes.</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>threshold for HMOs has been reached, we see no reason why these should include only lists of licensed properties, properties with planning consent, and student council tax exemption records. Other councils (Portsmouth for example) allow councillors and residents to report cases for investigation, and we suggest the same should apply here.</p> <ul style="list-style-type: none"> - Why are council tax records not to be used within the city centre boundary marked by the A4040? - All HMOs large and small should require planning consent; this would extend the information available to the city council in requiring the licensing of HMOs. 	<p>proposed policy DM10 seeks to protect against harmful concentrations. To be clearer on this policy there will be a separate policy on Residential Conversions and Specialist Accommodation.</p> <p>Para 4.16 will be amended to clarify what properties will be counted as a residential property in the calculation and how they are counted. See proposed amended text. . In calculating the % concentration residential institutions, care homes, hostels and purpose built student accommodation and other specialist housing are also counted as one property per block. This will ensure that calculations of HMO concentration are not skewed.</p> <p>The datasets listed in para 4.17 are the most reliable and verifiable data available for identifying HMOs. An investigation may not result in a property being identified as a HMO.</p> <p>Council tax N exemption records will not be used for the identification of HMOs in the City Centre as there are smaller numbers of traditional dwellinghouses in the City Centre. Where class N exemptions arise they will most likely be student living in an apartment. As such, it is not likely to constitute a HMO.</p>		
Councillor McCarthy and Councillor Jones (Ward Councillor for Bournbrook & Selly Park)		<ul style="list-style-type: none"> - While wider protection across the city is welcome, this process must not be used to dilute the protections in the Article 4 area. - The opportunity should be taken to include local information to identify HMOs, such as information from individual residents and from 	<p>The datasets listed in para 4.17 are the most reliable and verifiable data available for identifying HMOs.</p> <p>Certain types of properties are not classed as HMOs for the purpose of the Housing Act 2004 and, as a result, are not subject to licencing.</p>	<p>Add new part to policy:</p> <p><u>3. Proposals for the intensification or expansion of an existing HMO should provide high quality accommodation in accordance with (d) above; have regard to the size and character of the property and</u></p>	054/10

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>residents' and community organisations</p> <ul style="list-style-type: none"> - There is also concern across the city about "exempt" HMOs moving in to areas where students no longer wish to live, or using properties which do not meet the needs of the student market. While there is cross-directorate work going on around this issue, this is an opportunity to reflect the real dangers of these properties. - Unhappy with the suggestion that some areas with high levels of HMOs should be beyond planning influence. The very real problems caused by areas such as Bournbrook becoming a mix of student and "exempt" HMOs involve everything from crime and anti-social behaviour to pressure on utilities. - If every small HMO in the area becomes a large HMO, and every existing large HMO adds one room, that's 1,000 extra rooms with the issues that bring. This document should not rule out a future policy change to make further extensions and increase in numbers the exception rather than the rule. 	<p>The Council is looking at the issue of exempted properties from licensing, but this this is a licensing matter and not a matter in relation to the policy. Planning permission is still required for SG HMOs, and when the city wide Article 4 Direction comes into force, for C4 HMOs also.</p> <p>Recent appeal decisions confirm the view that where concentrations of HMOs are at such a point where the introduction of any new HMO would not change the character of the area, the retention of the property as a family dwelling would have little effect on the balance and mix of households in a community.</p> <p>A new part to the policy will be added to address proposals for the intensification or expansion of existing HMOs to ensure high quality accommodation is provided and to protect the amenity, character, appearance, highway safety and parking.</p>	<p><u>not give rise to adverse cumulative impacts on amenity, character, appearance, highway safety and parking.</u></p> <p>Minor change to now para 4.16:</p> <p>The cumulative effect of incremental intensification in an area caused by numerous changes of use from small HMO to large HMOs or the extension of existing HMOs can be also significant. For these reasons applications for such changes will be assessed using criteria <u>three</u> four of the policy.</p>	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - A definition is needed for 'non-family housing' 			058/10
Reservoir Residents Association		DUPLICATION OF 025/10	DUPLICATION OF 025/10	DUPLICATION OF 025/10	060/10
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make on this policy. 	Noted.	No further action.	066/10
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/10
Individual	Yes	<ul style="list-style-type: none"> - Too many student flats in one area generates noise and unacceptable rowdiness - 	Noted.	No further action.	068/10
Devinder Kumar from Reservoir Residents	Yes	- Recommends BCC to automatically apply for a direction under Regulation of 7 of the "Town	Comments noted. The request for a Direction under Regulation 7 will be	The request for a Direction under Regulation 7 will be considered	025/2

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Association		<p>and Country Planning (Control of Advertisements) Regulations 1992” to remove the deemed consent to display for sale and to let boards in areas where an overconcentration (>10%) of HMO is identified.</p> <ul style="list-style-type: none"> - Excessive number of letting signs where HMO concentrations can have a significant adverse impact on the character and appearance of the area, create clutter, air of transience with intervention may be appropriate where the impact on visual amenity is substantial. - The Town and Country Planning (Control of Advertisements) Regulations 1992 permits Local planning authorities to apply for a direction under Regulation 7 of this legislation so that this consent does not apply. If a direction is approved, all letting boards within the defined area would require advertisement consent. Unauthorised boards could then be removed effectively through normal enforcement procedures. <p>Consensus that Regulation 7 and Code proved successful in delivering positive environmental improvement by Leeds City Council.</p>	considered separately.	separately.	

Policy DM11 – Residential Standards

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - A "high quality residential environment" is slowly and systematically being eroded. - Why did the Licensing Authority allow a gin distillery in one of our residential properties? - Already allowed over development for students (Beechenhurst – was an attractive building) 	Comments do not relate directly to the proposed policy.	No further action.	001/11
Individual	No	<ul style="list-style-type: none"> - Only disagree with paragraph 5 regarding the 45 degree code. Policy should only apply to houses in 	Agree that exceptions and flexibility to the approach is required. See additional text to policy.	Add new part (6) to policy: 6. Exceptions to the above will only	002/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		suburban locations and clarification is needed over which plane the 45 degrees is measured in. If this was applied in the city centre it would prevent a lot of good quality dense development for no real reason.		<u>be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.</u>	
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - Policy should ensure that developers take more account of the area where listed and heritage buildings are involved - The value and use of CIL should be used to enhance the immediate area around a new development 	CIL funds are intended to be used towards infrastructure which supports Birmingham's growth. CIL funds can be used for public realm enhancement/provision, but in areas directly adjacent to new developments, S106 agreements may be a more suitable approach to securing local improvements.	No further action.	003/11
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	- No comment	Noted.	No further action.	004/11
Individual	Yes	- No comment	Noted.	No further action.	005/11
Individual	Yes	- No comment	Noted.	No further action.	007/11
Jane Harding from Birmingham Trees for Life	Yes	- 'Outdoor amenity space' must include high quality green space for both play and quiet relaxation. .	Noted.		008/11
Individual	Yes	- No comment	Noted.	No further action.	009/11
Individual	Yes	- No comment	Noted.	No further action.	010/11
Individual	Yes	- No comment	Noted.	No further action.	011/11
Individual	Yes	- No comment	Noted.	No further action.	012/11
Individual	No	- Does not believe any new developments are sympathetic to the local environment			013/11
Individual	Yes	- No comment	Noted.	No further action.	014/11
Individual	Yes	- No comment	Noted.	No further action.	015/11
Individual	Yes	- No comment	Noted.	No further action.	016/11
Individual	Yes	- Policy should be consistent over the whole city not just the Calthorpe estate or suburbia.	The policy will apply to all parts of the city.	No further action.	017/11
Individual	Yes	- Policy should encourage provision of	Policy does require all new	No further action.	019/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>communal play space/outdoor amenity in new developments</p> <ul style="list-style-type: none"> - Recommend consideration of all age groups in designing areas - Policy should incorporate initiatives to tackle neglected areas - Plan needs to promote new multi-purpose developments for vulnerable adults, not just older people. - Encourage maintenance of private gardens 	<p>residential development to provide sufficient useable outdoor amenity space appropriate to the scale, function and character of the development.</p> <p>Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place. New development should:</p> <ul style="list-style-type: none"> • Reinforce or create a positive sense of place and local distinctiveness, with design that responds to site conditions and the local area context." <p>Provision of accommodation and facilities for vulnerable people is outside the scope of this policy. Maintenance of private gardens is not a planning matter.</p> 		
Individual	Yes	<ul style="list-style-type: none"> - Policy to include restrictions to ensure that new developments are not used by private landlords as HMOs. 	Policy on HMOs is covered in Policy DM10.	No further action.	020/11
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	021/11
Individual	Yes	<ul style="list-style-type: none"> - Landlords should be monitored on the external and internal quality of their housing 	<p>HMOs are inspected by Licensing to ensure that it is of an acceptable standard. Additionally, checks are made to ensure that the proposed licensee is a fit with the proper person. A licence is granted for a set number of persons and / or households to occupy the premises. There may be other conditions attached. Failure to apply for a licence is a criminal offence and can result in a civil penalty or an unlimited fine. If the conditions the licence have not been met, or there are an excessive number of occupants, landlords can face a civil penalty or an unlimited fine for each breach.</p>	No further action.	022/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- Should consider matters regarding overcrowding, lack of empathy for the area, housing built just for profit.	Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place. New development should: Ensure that private external spaces, streets and public spaces are attractive, functional, inclusive and able to be managed for the long." term	No further action.	023/11
Individual	Yes	- No comments.	Noted.	No further action.	024/11
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/11
Individual	Yes	- No comments.	Noted.	No further action.	026/11
Christopher Vaughan from Summerfield Residents Association	Yes	- High level of insulation should be demanded of developers	Policy TP3 'Sustainable construction' of the adopted Birmingham Development Plan all new development should be designed and constructed in ways to which will: Maximise energy efficiency".	No further action.	027/11
Individual	Yes	- Consider restriction of HMOs in any given area as the amenities and services were never designed for houses on 4-5 single adults	Policy on HMOs is covered in Policy DM10.	No further action.	029/11
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.		031/11
Individual	Yes	- Support policy to be enforced and all HMOs should be licensed & checked	Policy on HMOs is covered in Policy DM10.	No further action.	032/11
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/11
Individual	Yes	- No comments.	Noted.	No further action.	034/11
Individual	Yes	- Clarification needed if this applies to flats, especially in the jewellery quarter	The policy would apply to all residential development including flats.	No further action.	035/11
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	038/11
Sarah Watkins from Countryside Properties	No	<ul style="list-style-type: none"> - The Council has failed to demonstrate the need to use the optional NDSS with evidence supporting that current dwelling sizes are not appropriate. This could reduce site capacities in the HMA where housing targets cannot be met and contrary to Chapter 11 of the Revised NPPF. - The use of the NDSS, by increasing build costs, could adversely impact viability and increase house prices (due to increase sqft) which could threaten delivery especially on contaminated brownfield sites and worsen affordability ratios - All new residential developments being in accordance with Building Regulation Part M4 (2) is not necessary across whole sites. All new residential developments incorporate Building Regulations Part M Category 1 (M4(1) standards which include level approach routes, accessible front door thresholds, wider internal doorways and corridor widths, switches and sockets at accessible heights and downstairs toilet facilities useable to wheelchair users, which are likely to be suitable for most residents. It would therefore be considered that it is more appropriate for Part M4 (2) to be applicable to a percentage of part of a site based on evidence of need within the population. 	<p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended to take account of the comments in relation to a percentage of the site/ dwellings based on evidence of need within the population.</p>	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p><u>2. All residential development should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u></p>	043/11
Individual	Yes	- No comments.	Noted.	No further action.	045/11
Individual	Yes	- No comments.	Noted.	No further action.	046/11
St Modwen Homes		<ul style="list-style-type: none"> - The objectives of the policy are supported by St Modwen Homes. - St Modwen Homes does not object to approach taken to have residential developments comply with National Described Space Standards (NDSS) 	<p>Support noted on part 1 of policy.</p> <p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The</p>	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in</u></p>	047/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - St Modwen Homes have significant concern with Part 3 of the Policy which requires <u>all</u> residential development to comply with the Building Control Part M4 (2) standard for accessible and adaptable housing in order to meet the occupiers' future needs with no exemption to this requirement stated in policy - Concern regarding application of Building Control Part M4 (2) as it is an Optional Requirement within the new Building Regulations Part M. Council have set out no such evidence in justification for the imposition of Building Control Part M4 (2) on all new residential developments - This aspect of the policy should be deleted. - St Modwen Homes supports approach in respect of accessibility and wheelchair housing standards to create safe, accessible environments but local planning authorities should take account of evidence that demonstrates a clear need for housing for people with specific housing needs and plan to meet this need and should also consider implications on development viability and delivery. - Council have given no consideration as to the viability implications of the imposition of this standard on all residential developments, and it has not been a factor which has been considered in the Sustainability Appraisal. 	<p>policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>The Sustainability Appraisal has been updated accordingly to reflect the proposed Publication version of the DMB.</p>	<p><u>accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p><u>2. All residential development, should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u></p>	
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - The proposed requirement for extensions to be required to meet the National Described Space Standards is not compliant with the Planning Practice Guidance nor the accompanying technical guidance. It is unclear how compliance with the space standards could be achieved 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless</u></p>	048/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>and suggests that reference to extensions in Part 1 of the policy be removed.</p> <ul style="list-style-type: none"> - The requirement for all dwellings to meet Building Regulation Part M4(2) should be adequately justified by evidence of local need and subject to testing. Policy needs to show evidence of this and without Part 2 of the policy should be removed. 	adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.	<p>demonstrated to be financially unviable.</p> <p>2. All residential development, should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</p>	
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects due to omission of reference to the need for residential development to comply with crime prevention measures (including 'Secured by Design') 	Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place. New development should: Create safe environments that design out crime..."	No further action.	051/11
Conservative Group		<ul style="list-style-type: none"> - Advise that standards should be driven by existing local communities - Policy should not just seek to impose minimum standards but promote high quality design 	This policy links to Policy PG3 'Place making' of the adopted Birmingham Development Plan expects all new development to "demonstrate high design quality, contributing to a strong sense of place..."	No further action.	052/11
Tetlow King Planner on behalf of Rentplus UK Ltd		<ul style="list-style-type: none"> - For the Council to implement the Optional National Space Standards, as intended in Policy DM11, it must prove need, and viability. We have not been able to access any evidence supporting the introduction, and ask that this be compiled and subject to additional consultation to ensure the policy complies with the Planning Practice Guidance requirements, as newly reinforced by footnote 46 of the NPPF (2019) which expects use "where this would address an identified need for such properties". - Council must evidence need for residential developments to meet optional Building Regulation Part M4(2) and viability test 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.	<p>Amend part 2 of the policy to:</p> <p>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</p> <p>2. All residential development, should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</p>	056/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Home Builders Federation (HBF)		<ul style="list-style-type: none"> - Adoption of the optional Nationally Described Space Standards should only be done in accordance with NPPF paragraph 127 and footnote 46. Evidence should be gathered (i.e. Local Assessment) to determine whether there is a need for additional standards in an areas and should consider impact of need, viability and timing. - NDSS should not be required for all residential development. - Supporting evidence should be provided to justify need for compliance with optional Building Regulation Part M category 2 and should only be introduced on a 'need to have' basis. Updated viability evidence is required to support a policy requirement for M4(2) 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p><u>2. All residential development should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u></p>	057/11
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - The proposed policy needs to reference evidence base that identifies a need for additional standards in Birmingham - Should consider how the impact of including additional standards will impact the affordability of new dwellings coming forward and impact on future delivery - If additional standards are implemented, it is requested that policy should not apply to sites that have already been allocated or approved. 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.	<p>Amend part 2 of the policy to:</p> <p><u>2. Housing developments of 15 or more dwellings should seek to provide at least 30% of dwellings as accessible and adaptable homes in accordance with Building Regulation Part M4 (2) unless demonstrated to be financially unviable.</u></p> <p><u>2. All residential development should as a minimum, be accessible and adaptable in accordance with Building Regulation Part M4 (2).</u></p>	058/11
Turley on behalf of Hammerson ('The Bullring Ltd Partnership' and 'Maitineau Galleries Ltd Partnership')		<ul style="list-style-type: none"> - Supporting evidence is required to underpin this policy and the policy should not be introduced if there is no sufficient evidence available - Definition is needed in regards to 'specialised user requirements' 	An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying	<p>Amend policy to:</p> <p>1. All residential development (including extensions) <u>is will</u> be required to meet the minimum Nationally</p>	061/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Justification on the 'evidenced need' for Building Regulation M4(2) should be provided - Part 3 and 5 of the policy will not be appropriate in some parts of the City Centre and we therefore suggest the policy should be more context specific and acknowledge the potential differences in townscape across the city, particularly in the City Centre, where there requirements may not be achievable. - Clarification is needed to define what is meant by the provision of 'useable' outdoor amenity space that is 'appropriate to the scale, function and character of the development' in part 4 	<p>a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>The term 'specialised user requirements' has been removed from the policy.</p> <p>Agree that some flexibility should be provided in relation to the standards to take account of exceptional site issues, local character and innovative design. See suggested changes to policy.</p> <p>The topology of amenity space provided (balcony, garden, roof terrace, communal, etc) is likely to influence what influences 'usability', but consideration will include the size, configuration, location, design, infrastructure, features and facilities with the space, its ability to serve a number of people (if communal), etc. Guidance will be set out in the Birmingham Design Guide.</p>	<p>Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents' quality of life will not be compromised.</p> <p>2. <u>Housing All residential developments of 15 or more dwellings, should seek to provide at least 30% of dwellings as a minimum, be as accessible and adaptable homes in accordance with Building Regulation Part M4 (2), unless demonstrated to be financially unviable.</u></p> <p>3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.</p> <p>4. All new residential development must provide <u>sufficient private</u> useable outdoor amenity space appropriate to the scale, function and character of the development <u>and adequate provision for recycling/ refuse storage and collection*.</u></p> <p>5. Development will need to</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p> <p>1. Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.</p>	
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - NPPF is clear that the NDSS should only be adopted where there is an evidenced need, hence Oval would welcome clarification as to where the evidence for criteria one can be found - Oval are concerned that as currently worded the policy does not allow sufficient flexibility for site specific issues to be accommodated. - A requirement for development to meet Part M4(2) of the Building Regulations need to be supported by an "identified need". - Flexibility in wording is also required in relation to the third and fifth criteria (separation distances and 45 degree code). There should be a clear distinction in the requirements of development within different parts of the city. 	<p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>Agree that some flexibility should be provided in relation to the standards to take account of exceptional site issues, local character and innovative design. See suggested changes to policy.</p>	<p>Amend policy to:</p> <ol style="list-style-type: none"> 1. All residential development (including extensions) is <u>will be</u> required to meet the minimum Nationally Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents' quality of life will not be compromised. 2. <u>Housing</u> All residential 	062/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>developments <u>of 15 or more dwellings</u>, should <u>seek to provide at least 30% of dwellings as a minimum, be accessible and adaptable homes</u> in accordance with Building Regulation Part M4 (2), <u>unless demonstrated to be financially unviable</u>.</p> <p>3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.</p> <p>4. All new residential development must provide <u>sufficient private</u> useable outdoor amenity space appropriate to the scale, function and character of the development <u>and adequate provision for recycling/ refuse storage and collection</u>.*</p> <p>5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				6. Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.	
Turley on behalf of Moda		<ul style="list-style-type: none"> - Concerned that the policy does not acknowledge non-traditional forms of residential developments such as that delivered by the Private Rented Sector or co-living proposal. The recognition of different forms of housing and the contribution they make has not been appropriately translated from the BDP into the proposed policies. - It is noted that the policy refers to where 'exceptions' will be considered. One exception is stated as proposals which will deliver 'specialised user requirements' but there is no definition. Definition should support the PRS. - Evidence is required in order to justify the use of the NDDS - Will the council consider the amenity spaces provided in the Private Rented Sector development as part of the overall 'space'? - Bullet 2 requires justification in regards to the need for the application of Building Regs part M4 (2). Policy needs to set out the evidence available to justification the introduction of this policy. - Policy fails to acknowledge that separation distances between new and existing buildings may be different in the city than that which could be achieved elsewhere in the city - Reference should be made to city 	<p>An evidence paper has been prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p> <p>The term 'specialised user requirements' has been removed from the policy.</p> <p>If a PRS scheme provides useable outdoor amenity space this will align with the policy requirement. Indoor amenity space does not contribute to this requirement.</p> <p>Agree that some flexibility should be provided in relation to the standards to take account of exceptional site issues, local character and innovative design. See suggested changes to policy.</p>	<p>Amend policy to:</p> <ol style="list-style-type: none"> 1. All residential development (including extensions) is <u>will be</u> required to meet the minimum Nationally Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents' quality of life will not be compromised. 2. <u>Housing All residential developments of 15 or more dwellings, should seek to provide at least 30% of dwellings as a minimum, be accessible and adaptable homes in accordance with Building Regulation Part M4 (2), unless demonstrated to be financially unviable.</u> 3. Separation distances* between buildings and surrounding uses should 	063/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		centres and how there may need to be exceptions to the application of the 45 degree code is also required to be made in bullet point 5.		<p>protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.</p> <p>4. All new residential development must provide <u>sufficient private</u> useable outdoor amenity space appropriate to the scale, function and character of the development <u>and adequate provision for recycling/ refuse storage and collection*</u>.</p> <p>5. Development will need to ensure adequate outlook and daylight to dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p> <p>a. — <u>Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.</u></p>	
Pegasus Group		- No evidence to justify the requirement	An evidence paper has been	Amend policy to:	064/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>for all residential development (including extensions) to meet the Nationally Described Space Standards nor to require the application of Part M4 (2) of the Building Regulations as a minimum.</p> <ul style="list-style-type: none"> - Such a blanket requirement would be unachievable and unenforceable. - Second 'reasonable alternative' (no minimum space standards or policy) should not have been dismissed without having first been justified by evidence - Robust and justified evidence is required alongside an evidence base to include detailed information on viability and implications for implementation of Birmingham Development Plan taking note of any consequences to deliver at the densities suggested by the Strategic Growth Study - Pegasus Group is concerned that the introduction of such restrictive policy requirements would be unduly onerous and therefore objects. 	<p>prepared to justify the space and access standards which includes financial viability considerations. The policy requirement in relation to Part M4 (2) has been amended specifying a percentage of the site/ dwellings to be provided as accessible and adaptable homes, rather than all dwellings, based on evidence of need within the population and viability considerations.</p>	<p>1. All residential development (including extensions) <u>is will be</u> required to meet the minimum Nationally Described Space Standards (Appendix 1). Exceptions will only be considered in order to deliver innovative high quality design, deal with exceptional site issues or specialised user requirements, where it can be demonstrated that residents' quality of life will not be compromised.</p> <p>2. <u>Housing All residential developments of 15 or more dwellings, should seek to provide at least 30% of dwellings as a minimum, be accessible and adaptable homes</u> in accordance with Building Regulation Part M4 (2), <u>unless demonstrated to be financially unviable.</u></p> <p>3. Separation distances* between buildings and surrounding uses should protect residents' privacy and outlook, ensure appropriate levels of daylight to internal and external living spaces and prevent undue enclosure, overshadowing, noise and disturbance.</p> <p>4. All new residential development must provide <u>sufficient private</u> useable outdoor amenity space appropriate to the scale, function and character of the development <u>and adequate provision for recycling/ refuse storage and collection*.</u></p> <p>5. Development will need to ensure adequate outlook and daylight to</p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>dwellings, in line with the approach of the '45 degree Code'. This includes potential impacts on existing houses, where development should not cross the line from an angle of 45 degrees from the nearest window providing the main source of natural light to a 'habitable room' of dwellings that could be affected.</p> <p>6. <u>Exceptions to all the above will only be considered in order to deliver innovative high quality design, deal with exceptional site issues, respond to local character and where it can be demonstrated that residential amenity will not be significantly diminished.</u></p>	
Canal and River Trust		<ul style="list-style-type: none"> - The policy is generic and inward looking, omitting consideration of impact of proposed development on its surroundings. - The assessment of acceptability of developments adjacent or near to the canal should be included in the proposed policy framework along with details such as shading, connectivity, boundary treatments, design, materials, bulk, scale, massing, security, heritage, canal operation, green/blue infrastructure landscaping, visual impact etc - Further detail is required on good waterside development 	<p>Other policies in the Preferred Options DMB and adopted Birmingham Development Plan which address a wide variety of issues in relation to the impact of development on its surroundings. The purpose of this policy is to provide clear policy on residential standards.</p> <p>Policy regarding development adjacent or near to canals is contained in the Birmingham Development Plan Policy TP6 Management of flood risk and water resources; TP12 Historic environment; TP7 Green infrastructure network; TP7 Health; TP40 Cycling; and in supplementary planning documents. The emerging Birmingham Design Guide will provide detailed guidance on waterside development.</p>	No further action.	066/11
Individual	Yes	- No comments.	Noted.	No further action.	067/11

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	<ul style="list-style-type: none"> - Not too much 'high rise' - When approved, should consider privacy of those not neighbours in flats 	Policy on Amenity is covered by Policy DM2 in the DMB. Design guidance in relation to tall buildings is contained in the High Places SPD, which will be replaced by the emerging Birmingham SPD.	No further action.	068/11

Policy DM12 - Self and custom build housing

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	<ul style="list-style-type: none"> - Policy should ensure that local rules are adhered to. 	Noted.	No further action.	001/12
Individual	Yes	<ul style="list-style-type: none"> - No comment. 	Noted.	No further action.	002/12
John McDermott from Chair City Centre Neighbourhood Forum	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	003/12
Mohammed Rashid from Masjid & Madrassa Faiz-UI-Quran	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	004/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	005/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	007/12
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	008/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	009/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	010/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	011/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	012/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	013/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	014/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	015/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	016/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	017/12
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	019/12
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	020/12
Individual	Yes	<ul style="list-style-type: none"> - Policy should ensure that these are not put up for sale straight away after 	All CIL liable applications for self-build developments are bound by the	No further action.	021/12

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		support is obtained	CIL Regulations 2010 (as amended); should any disqualifying events occur within three years of completion, any CIL exemptions will be lost. Custom build developments are not covered by the CIL Regulations 2010 and associated exemptions (Regulation 54) unless the applicant can provide the appropriate documentation. If these documents can be provided to prove an exemption, the same self-build three year disqualifying period applies.		
Individual	Yes	- No comments.	Noted.	No further action.	022/12
Individual e	Yes	- This is a great idea	Noted.	No further action.	023/12
Individual	Yes	- The quality and standards of self-build premises should be strictly monitored by the council			024/12
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/12
Individual	Yes	- No comments.	Noted.	No further action.	026/12
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/12
Individual	Yes	- No comments.	Noted.	No further action.	029/12
Iftekhhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/12
Individual	Yes	- Small vacant plots of land should be made available for sustainable building developments.			032/12
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/12
Individual	Yes	- No comments.	Noted.	No further action.	034/12
Individual	Yes	- No comments.	Noted.	No further action.	035/12
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/12
Individual	Yes	- No comments.	Noted.	No further action.	046/12
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for		- Suggests that any requirement to deliver affordable housing should be separate to delivery of self and custom build delivery.	A policy on affordable housing TP31 is already included in the adopted Birmingham Development Plan. This policy provides clarification that	No further action.	048/12

Response from:	Support?	Summary of comments	Council Response	Action	Ref
West Midlands HARP Planning Consortium			affordable self-build plots will be considered and as a suitable affording housing product on larger sites as part of the overall affordable housing mix.		
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - Objects - Reference needs to be made for residential development to comply with crime prevention measures (including 'Secured by Design') 	Policy PG3 Place-making in the adopted Birmingham Development Plan already requires all new development to create safe environments that design out crime.	No further action.	051/12
Conservative Group		<ul style="list-style-type: none"> - Self-build should be encouraged and promoted where appropriate 	The policy seeks to support the development of self and custom build housing in appropriate locations.	No further action.	052/12
Home Builders Federation (HBF)		<ul style="list-style-type: none"> - Supports that proposed policy accords with NPPG 	Supported noted.	No further action.	057/12
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	058/12
Pegasus Group		<ul style="list-style-type: none"> - Supports wording of policy DM12. 	Support noted.	No further action.	064/12
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make on this policy. 	Noted.	No further action.	066/12
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/12
Individual	Yes	<ul style="list-style-type: none"> - Should consider disruption to neighbours if takes long to be finished 	Comment does not directly relate to the policy.	No further action.	068/12

Policy DM13 – Highway Safety

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Pedestrian provision needed – currently no pedestrian provision to allow crossing from Eastern Road over to opposite bus stops, and from local estate to Edgbaston Park Road or Mill Pool Way - The new bike track on Bristol Road is going to be an accident waiting to happen. 	Comments do not relate to the policy. The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing planning applications.	No further action.	001/13
Individual	Yes	<ul style="list-style-type: none"> - No comment. 	Noted.	No further action.	002/13
John McDermott from	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	003/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Chair City Centre Neighbourhood Forum					
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/13
Individual	Yes	- No comment	Noted.	No further action.	005/13
Individual	Yes	- No comment	Noted.	No further action.	007/13
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - Consideration should be given to ensure that trees are planted close to the highway on adjacent green spaces (or street trees) in every new road or building development - Policy should ensure that new housing developments are not built up to the pavement, ensuring the provision of front gardens, street trees or verges. Previous developments have created 'gulag' style development where only brick, concrete and tarmac are visible - a sterile, barren and depressing place to live (or work). 	Noted, but comments do not relate to the policy. The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications. A policy in relation to Landscaping and Trees is set out in proposed policy DM4 of the Preferred Options Document and a Green Infrastructure policy TP7 of the adopted Birmingham Development Plan. Detailed design guidance in relation to new housing is provided in Places for Living and Places for All, which will be replaced by the Birmingham Design Guide once adopted.	No further action.	008/13
Individual	Yes	- No comment	Noted.	No further action.	009/13
Individual	Yes	- No comment	Noted.	No further action.	010/13
Individual	Yes	- No comment	Noted.	No further action.	011/13
Individual	Yes	- No comment	Noted.	No further action.	012/13
Individual	Yes	- No comment	Noted.	No further action.	013/13
Individual	Yes	- No comment	Noted.	No further action.	014/13
Individual	Yes	- No comment	Noted.	No further action.	015/13
Individual	Yes	- No comment	Noted.	No further action.	016/13
Individual	Yes	- No comment	Noted.	No further action.	017/13
Individual	Yes	<ul style="list-style-type: none"> - Should incorporate safe cycling provision - Where existing problems already have a detrimental impact and would not be given permission to operate at the current location under this plan, there should be powers to require the 	The policy applies to the highway safety of all users. Part 2 of the policy states that priority shall be given to the needs of sustainable transport modes. The adopted Birmingham Development Plan also sets out policies to help establish a	No further action.	019/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		organisation to mitigate the problem.	sustainable transport network (TP38) and promote cycling (TP40). If a land-use is operating lawfully the Council have no rights to seek improvements to current guidance. Wherever possible the council seek to quantify the potential effects of new applications. Travel Plans, S106 sums and S278 agreements can be used to provide measures. such as traffic regulation orders, after a development has opened. The Travel Demand Management team work with existing organisations to address travel issues within the Modeshift StarsFor travel plan system.		
Individual	Yes	- More attention should be paid to properties that have multiple vans that take more than a fair share of the available parking.	This is beyond the scope of this policy and would require a parking enforcement zone or residents parking scheme.	No further action.	020/13
Individual	Yes	- No comment	Noted.	No further action.	021/13
Individual	Yes	- Large numbers of HMOs have an adverse effect on highway safety	Policy DM10 requires consideration of adverse cumulative impacts from HMO's towards highway safety.	No further action.	022/13
Individual	Yes	- No comment	Noted.	No further action.	023/13
Individual	Yes	- No comments.	Noted.	No further action.	024/13
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/13
Individual	Yes	- No comments.	Noted.	No further action.	026/13
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/13
Individual	Yes	- No comments.	Noted.	No further action.	029/13
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/13
Individual	Yes	- Should concentrate on improving and expanding Public Transport, especially	The adopted Birmingham Development Plan sets out the key	No further action.	032/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		Trams	policies to help establish a sustainable transport network (TP38) and promote public transport including metro and bus rapid transit (TP41)		
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/13
Individual	Yes	- No comments.	Noted.	No further action.	034/13
Individual	Yes	<ul style="list-style-type: none"> - More support for pedestrians needed - Needs to implement a fully integrated public transport system that covers the whole city - This is a policy that fails to recognise the practicalities of daily life for communities - great sweeping statements do not generate good practice 	The adopted Birmingham Development Plan sets out the key policies to help establish a sustainable transport network (TP38) and promote public transport (TP41) The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications.	No further action.	035/13
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/13
Individual	Yes	- No comments.	Noted.	No further action.	045/13
Individual wling	Yes	- No comments.	Noted.	No further action.	046/13
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - Part 5 of the policy would be more affective if worded as "Vehicle access points (including private driveways) will be supported where it would not result in: The loss of important landscape features, including street trees and significant areas of green verge <u>which cannot be appropriately replaced, or their loss mitigated.</u>" - Change is required to make it tie more effectively with DM4 and the need for development to be assessed on its merits. 	Agree to suggested change for consistency with DM4 Landscape and Trees.	Change now part 6, bullet d. of policy to: the loss of important landscape features, including street trees and significant areas of green verge <u>which cannot be appropriately replaced, or their loss mitigated;</u> and	048/13
Patricia Dray from Highways England		<ul style="list-style-type: none"> - Supports policy and for proposals to be accompanied by a Transport Assessment - Supports principle that proposed accesses directly onto strategic routes will only be supported where there are no viable alternatives 	Support and comments noted.	No further action.	049/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Should ensure that any proposals for new accesses to SRN must be in accordance with DfT Circular 02/2013 Para 37-44 and relevant standards set out within TD 42/95 of the DMRB. 			
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police	Yes	<ul style="list-style-type: none"> - Supports policy 	Supported noted.	No further action.	051/13
Conservative Group		<ul style="list-style-type: none"> - Highway safety is of fundamental importance and development should avoid creating pinch points for traffic. - Adequate off street parking should be provided to reduce on street parking which compromises safety and increases congestion. - Improvements to the canal network should be made to provide segregated cycle routes. - Developer contributions should be required for larger developments to put in place measures to improve safety around nearby schools. 	<p>The adopted Birmingham Development Plan (BDP) sets out the key policies in relation to the establishment of a sustainable transport network.</p> <p>Policy TP44 of the BDP addresses traffic and congestion management. The comment regarding parking is responded to in 052/14.</p> <p>Policy TP40 of the BDP encourages cycling including further development and enhancement of an extensive off-road network of canal towpaths and green routes.</p> <p>Policy TP47 of the BDP sets out the policy on the use of developer contributions. 'Development will be expected to provide, or contribute towards the provision of:</p> <ul style="list-style-type: none"> • Measures to directly mitigate its impact and make it acceptable in planning terms.' This can include highway safety measures around nearby schools where it meets the tests set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework. 	No further action.	052/13
Community Partnership for Selly Oak(CP4SO)		<ul style="list-style-type: none"> - Pedestrians, public transport and cyclists should be given more prominence in this document as a general statement of over-riding 	The adopted Birmingham Development Plan (BDP) sets out the key policies in relation to the establishment of a sustainable	No further action.	053/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		priority – even though the document does refer to TP documents covering each of them.	transport network and promotes public transport (TP41), walking (TP39) and cycling (TP40). The purpose of the policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications. The proposed policy applies to the highway safety of all users. Part 2 of the policy states that priority shall be given to the needs of sustainable transport modes.		
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Support purpose and approach - BCC should ensure no conflict between DM13 and adopted policies in BDP, particularly Policy GA6 - DM13 should be made more succinct to reduce the potential for over prescription and misinterpretation of development management matters. For example Policy DM13(5) and (6) could be amalgamated or relevant supporting text within Policy DM13 should be used as explanatory text. 	Support noted. Agree. Additional wording will be inserted to part 6 of the policy for clarification and to ensure no conflict with adopted BDP policies. Parts 5 and 6 will be re-worded and re-ordered to reduce misinterpretation. See proposed policy changes.	Change now part 5 and 6 of policy to: <u>5. On Birmingham's strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety). Any new access point must allow for access and egress in a forward gear and for safe crossing of the access point on foot or by bike.</u> <u>6. All new vehicle access points (including private driveways) will be supported where it would not result in:</u> <ul style="list-style-type: none"> <u>a. a reduction in pedestrian or highway safety;</u> <u>b. detrimental impact on public transport, cycling and walking routes;</u> <u>c. adverse impact on the</u> 	055/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<u>quality of the street scene and local character of the area;</u> <u>d. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated;</u> <u>e. the prevention or restriction of the implementation of necessary or future transport improvements.</u>	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Requested that Part 5 wording should take into account the caveat included in Part 6 that direct vehicle access points will be supported where there are no practical alternatives 	Parts 5 and 6 will be re-worded and re-ordered to reduce misinterpretation. See proposed policy changes.	<p>Change part 5 and 6 of policy to:</p> <p><u>5. On Birmingham's strategic highway network, and other principle and main distributor routes, development must seek opportunities to remove unnecessary access points. New direct vehicular accesses will be supported where specified in a local plan or where there are no practical alternatives (including consideration of impacts on public transport, walking and cycling routes and road safety). Any new access point must allow for access and egress in a forward gear and for safe crossing of the access point on foot or by bike.</u></p> <p><u>6. All new vehicle access points (including private driveways) will be supported where it would not result in:</u></p> <p><u>f. a reduction in pedestrian or highway safety;</u></p> <p><u>g. detrimental impact on public transport, cycling and walking routes;</u></p> <p><u>h. adverse impact on the</u></p>	058/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<u>quality of the street scene and local character of the area;</u> <u>i. the loss of important landscape features, including street trees and significant areas of green verge which cannot be appropriately replaced, or their loss mitigated;</u> <u>j. the prevention or restriction of the implementation of necessary or future transport improvements.</u>	
Canal and River Trust		<ul style="list-style-type: none"> - Trust supports the policy intention that gives priority to sustainable transport modes in point 2 - The travel plan requirement at point 4 is welcomed, with the guidance at para 5.7. However, the Trust have found it common for developers to identify the towpath nearby their site as a potential option for new residents but never provide information to residents or improve links to it from the site, or its means of access, wayfinding. Guidance could be improved if it included reference to identifying alternative sustainable travel routes nearby but proposing ways to inform and provide links to them. - Trust considers that point 5 is negatively worded. Third bullet point that refers to quality of street scene should include potential for positive impacts on the canal and river networks. - Vehicle access points should not result in harm to access points to other more sustainable transport infrastructure - It should be clear in para 5.4 that it includes appropriate improvements of access onto the canal towpath network 	<p>Supported noted.</p> <p>Where the canal towpath is identified as a sustainable travel route in a travel plan/ strategy, the developer will be encouraged to provide residents/ occupiers with information in relation to access from the site to the canal towpath.</p> <p>Positive impacts of improved access to the canal network are already emphasised in the adopted Birmingham Development Plan. Para 2.16 states "The canal network will continue to be promoted as a vital asset for the City, supporting movement, environmental and biodiversity quality and as the setting for development." Policy TP40 of the BDP encourages cycling including further development and enhancement of an extensive off-road network of canal towpaths and green routes.</p> <p>It is considered unnecessary to specifically identify improvements to the canal towpath in the absence of any other examples.</p>	No further action.	066/13

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> for access and wayfinding improvements - Policy should also include a requirement for S106 considerations. 	Policy TP47 of the BDP sets out the policy on the use of developer contributions. 'Development will be expected to provide, or contribute towards the provision of: <ul style="list-style-type: none"> • Measures to directly mitigate its impact and make it acceptable in planning terms.' This can include highway safety measures around nearby schools where it meets the tests set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and as policy tests in the National Planning Policy Framework. 		
Individual	Yes	- No comments.	Noted.	No further action.	067/13
Individual	No	<ul style="list-style-type: none"> - Convenient access to development cause inconvenience for others. Needs rewording - Consideration should be given to ensure access for emergency vehicles and neighbouring resident's driveways 	The proposed policy seeks to ensure that new development does not adversely impact on highway safety and access for all users. Part 3 of the policy states that "Developments should provide for the efficient delivery of goods and access by service and emergency service vehicles. Where it is demonstrated that this is not feasible, an appropriate alternative solution must be agreed with the City Council and secured."	No further action.	068/13

Policy DM14 – Parking and Servicing

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- Very strongly agree with the proposed zero parking in the city centre	Noted.	No further action.	002/14
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comment	Noted.	No further action.	003/14
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comment	Noted.	No further action.	004/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	No	<ul style="list-style-type: none"> - Residents only park where residents want it. People won't drive around so much if they got nowhere to park. 	Noted.	No further action.	005/14
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	007/14
Jane Harding from Birmingham Trees for Life	Yes	<ul style="list-style-type: none"> - Birmingham needs many more 'Park and Ride' facilities to encourage people not to take cars in to the city. Land must be identified in key locations on the outskirts for car parking (eg. Near junctions 3 and 4 of the M5) and better transport services along key routes. - The reliance on the car will not go away easily - radical change is needed. - Local train lines should be re-opened. - In the meantime adequate parking will still be required - some households now have at least 4 or more cars 	Provision of Park and Ride facilities and local train lines is addressed in the TFWM transport policy, Movement for Growth and is supported by BDP policy TP41. The forthcoming Draft Parking SPD takes a balanced approach to parking provision acknowledging the need for adequate provision where public transport accessibility is lower whilst managing parking supply to ensure this does not stimulate demand for car travel.	No further action.	008/14
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	009/14
Individual	No	<ul style="list-style-type: none"> - Residents need protection from displacement parking from commuters who cannot park in the city centre due to the reduction in parking spaces and the clean air zone. - New developments should have adequate parking spaces and ensure that existing residential amenity is not harmed. 	Funding from the Clean Air Zone will be used to introduce parking controls, including residents parking schemes in the immediate vicinity of the zone to support wider parking policy objectives in the forthcoming Parking Supplementary Planning Document.		010/14
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	011/14
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	012/14
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	013/14
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	014/14
Individual	Yes	<ul style="list-style-type: none"> - Request for more investment in public transport 	The adopted Birmingham Development Plan (BDP) sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39) and cycling (TP40). Investment in public transport is beyond the scope of this policy, but	No further action.	015/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>will be managed by a number of bodies including West Midlands Combined Authority, National Government, public transport operators and Birmingham City Council.</p> <p>TfWM Movement for Growth delivery plan sets out a £1.6 billion investment plan for Birmingham up to 2026 with the majority of this earmarked for public transport schemes.</p>		
Individual	Yes	<ul style="list-style-type: none"> - If and when the clean air zone comes in, there must be adequate provided parking at affordable rates outside the ring, close to transport points - eg an expansion of nearby park and ride at The Hawthornes 	In locations with good public transport accessibility expansion of parking provision will not be sought as this will support demand for private car travel.	No further action.	016/14
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	017/14
Individual e	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	019/14
Individual	Yes	<ul style="list-style-type: none"> - Make sure adequate parking is provided for commercial vehicles (and white vans) that is away from residential areas and that parking infringements aby these vehicles is enforced. 	<p>The forthcoming Parking SPD will include appropriate parking standards for commercial developments.</p> <p>Enforcement of parking infringements is beyond the scope of this document, although the Parking SPD includes proposals to expand the provision of controlled parking areas and resident parking schemes to enable wider parking enforcement.</p>	No further action.	020/14
Individual	Yes	<ul style="list-style-type: none"> - No comment 	Noted.	No further action.	021/14
Individual	Yes	<ul style="list-style-type: none"> - HMOs lead to heavy concentrations of parked cars 	Policy DM10 requires consideration of adverse cumulative impacts from HMO's towards road safety. The forthcoming Draft Parking SPD will set standards for HMO parking provision.	No further action.	022/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comment	Noted.	No further action.	023/14
Individual	Yes	- Parking can be a serious problem for many people eg females walking by themselves at night The council should try and ensure that there is sufficient parking facilities for local residents at all times.	The Council aims to achieve an appropriate balance between ensuring parking is provided where required and not encouraging additional demand for private vehicle journeys where sustainable modes could be used. Where parking is provided in new developments, the forthcoming draft Parking SPD will require lighting, design and safety standards to be met.	No further action.	024/14
Devinder Kumar from Reservoir Residents Association	Yes	<ul style="list-style-type: none"> - Councillor Gareth Moore - "Birmingham is not Beijing," (https://tinyurl.com/ycdho8jq) - It's aspirational to think that HMO development would not result in an increased requirement for on street parking and people will use bicycles and public transport - HMO concentration tend to be in poor neighbourhoods where cycle use is less likely - Policy should take parking provision and its quality for residents of a potential HMO into consideration in determining applications to address poorly executed drives - Bus Network has been reduced by 1.52 million miles in the last 4 years to the lowest level in 28 years, bus speeds have reduced by 20 per-cent in the morning and 14 per-cent in the evening rush hours between 2007 and 2016 – pushes people into private vehicles (source https://tinyurl.com/y77ntacv). 	<p>Policy DM10 requires consideration of adverse cumulative impacts from HMO's on highway safety and parking.</p> <p>A citywide Article 4 Direction will be introduced to help manage the growth and distribution of HMOs across the city.</p> <p>The forthcoming draft Parking SPD will set parking standards for HMOs.</p> <p>TfWM Movement for Growth delivery plan sets out a £1.6 billion investment plan for Birmingham up to 2026 with the majority of this earmarked for public transport schemes.</p>		025/14
Individual	Yes	- No comments.	Noted.	No further action.	026/14
Christopher Vaughan from Summerfield Residents Association	Yes	- In favour of more park and ride facilities	Noted - Provision of Park and Ride facilities is addressed in the TFWM transport policy document; Movement for Growth, and is	No further action.	027/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			supported by BDP policy TP41.		
Individual	Yes	<ul style="list-style-type: none"> - Extend residential parking permits to significant around city centre - up to 2km circumference from Council House to prevent 'park and ride' when congestion charge comes 	<p>The forthcoming draft Parking SPD includes proposals to expand the provision of controlled parking areas and resident parking schemes to enable wider parking enforcement in areas of highest parking stress.</p> <p>In locations where public transport accessibility is limited, parking standards will allow for greater levels of parking provision to limit displacement of parking. Where alternatives to private car travel are extensive (i.e. the city centre) parking provision will be limited and this will be supported by parking enforcement controls on street.</p>	No further action.	029/14
Iftekhar Ahmed from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	031/14
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	032/14
Clement Samuels from West Midlands Police	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	033/14
Individual	Yes	<ul style="list-style-type: none"> - What about displacement parking and the impact on local residents? 	<p>The forthcoming draft Parking SPD includes proposals to expand the provision of controlled parking areas and resident parking schemes to enable wider parking enforcement in areas of highest parking stress.</p> <p>In locations where public transport accessibility is limited, parking standards will allow for greater levels of parking provision to limit displacement of parking. Where alternatives to private car travel are extensive (i.e. the city centre) parking provision will be limited and this will be supported by parking enforcement controls on street.</p>	No further action.	034/14
Individual	No	<ul style="list-style-type: none"> - Policy doesn't address issues local 	The forthcoming draft Parking SPD	No further action.	035/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>communities face including commuters parking on residential roads all day, pavements blocked by parked cars, cars parked on corners, coaches and lorries parking in residential areas</p> <ul style="list-style-type: none"> - Inconsistent approaches to parking regulations so individual roads have parking schemes in areas putting more pressure on other local roads - Lack of overall vision across the city regarding parking - No enforcement of current parking regulations so no confidence things will improve with a new policy 	<p>includes proposals to expand the provision of controlled parking areas and resident parking schemes to enable wider parking enforcement in areas of highest parking stress.</p> <p>The Parking SPD seeks to apply an overall vision for parking across the city.</p>		
Ben Waddington from Still Walking CIC	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	036/14
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	Yes	<ul style="list-style-type: none"> - LNP supports promotion of sustainable transport use - However, would seek further information to be provided within the policy in regards to sustainable transport routes - LNP recommends all new developments to provide information on the provision of sustainable transport routes in relation to the development and the public usage and the integration of blue and green infrastructure for all residential developments. - Supports Chapter 5 Connectivity as it does provide a broad range of details regarding transport and traffic considerations - B&BC LNP seeks for connectivity chapter to include further details and support on: <ul style="list-style-type: none"> 1) integration of digital technology and app development to support public using sustainable transport within Birmingham 2) More details on future and existing sustainable transport routes and 	<p>This policy is not the right place to detail all the sustainable transport routes. These are set out in the Birmingham Development Plan (BDP), Birmingham Connected and the Walking and Cycling Strategy and Infrastructure Plan.</p> <p>The adopted BDP sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39), cycling (TP40), the use of low emission vehicles (TP43) and the use of technology to help users navigate and explore the city by all modes of transport.</p> <p>The purpose of this proposed policy is to ensure that highway and safety access is taken into consideration in assessing individual planning applications. Part 2 of the policy states that priority shall be given to the needs of sustainable transport modes.</p>	No further action.	041/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>networks, such as Birmingham cycle revolution</p> <p>3) Support and encourage use of low emission vehicles and the creation of sustainable transport facilities, such as cycle parking facilities,</p>	<p>The integration and enhancement of Green Infrastructure through new development is addressed by Policy TP7 Green Infrastructure of the adopted BDP.</p> <p>Standards for low emission vehicle charging and cycle parking will be included in the forthcoming Parking SPD.</p> <p>Further support regarding sustainable transport routes and smart technology opportunities will be provided through the travel planning process; Modeshift STARSFor, supported by the BCC Travel Demand Management Team.</p>		
Sarah Watkins from Countryside Properties	Yes	<ul style="list-style-type: none"> - Policy DM14 'Parking and servicing' is supported - Considered that parking standards, that allow location and local infrastructure to be taken into consideration will encourage less engineered, car park dominated, designs, as well as encouraging more sustainable movement 	<p>Support noted.</p> <p>Agree regarding parking standards which consider location and local infrastructure. This will be reflected in the forthcoming draft Parking SPD.</p>	No further action.	043/14
Individual	Yes	<ul style="list-style-type: none"> - Notes that public transport and clean modes of travel need to be made easier than cars. 	Noted.	No further action.	046/14
Julie O'Rourke MPlan, MRTPI (Tetlow King Planning) – Representation for West Midlands HARP Planning Consortium		<ul style="list-style-type: none"> - We note the intention in Part 3 for development to plan for a wide range of needs however in experience the requirements for low emission vehicle infrastructure requires significant upfront planning for matters including installation, consumer charges and maintenance. Such requirements can be unduly onerous and should be subject to thorough understanding before adoption in planning policy, and through separate development guidance and specifications. 	<p>The forthcoming Parking SPD will align EV charging requirements to government standards set out in proposed legislation. Impact assessments for these standards have been conducted at a national level.</p>	No further action.	048/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> - Suggests Council undertakes separate assessment of the need and expectations for low emission vehicle infrastructure and seek to publish guidance on this before adoption of policy 			
Patricia Dray from Highways England		<ul style="list-style-type: none"> - Supports policy - Supports requirement for an updated Parking Standards Supplementary Planning Document (SPD) and agrees to potential 	Support noted.	No further action.	049/14
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police	Yes	<ul style="list-style-type: none"> - Supports policy 	Support noted.	No further action.	051/14
Conservative Group		<ul style="list-style-type: none"> - Strongly object to a policy that seeks to make on street parking issues worse - The idea that not providing car spaces will reduce car ownership is misguided and counterproductive - The notion that no parking at all is needed in the city centre is flawed - Policy should ensure that adequate parking for all developments should be provided - Where parts of the city have already been blighted by developments with inadequate parking, provision for excess parking should be required for neighbouring schemes until the issue is corrected. 	<p>Street parking will be enforceable in areas where very low parking standards are in place, to prevent overspill from new developments.</p> <p>The city centre has a demonstrable excess of parking provision and is highly accessible by public transport. Parking, and demand for private car usage, must be controlled in the city centre to support clean air, climate change, congestion, and efficient land use objectives. Developers are seeking lower levels of car provision in the city and there is a viable market for properties which cater for a car-free lifestyle.</p> <p>The forthcoming draft Parking SPD aims to achieve an appropriate balance between ensuring parking is provided where required and not encouraging additional demand for private vehicle journeys where sustainable modes could be used.</p> <p>Accommodating continued growth in private car usage is not a viable</p>	No further action.	052/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			option for Birmingham's road network in light of future levels of population growth projected for the city and the need to limit air pollution and carbon emissions.		
Community Partnership for Selly Oak(CP4SO)		<ul style="list-style-type: none"> - Requests for Parking Supplementary Planning Document to be prepared urgently 	The new Parking Supplementary Planning Document is proposed to be out for public consultation, following cabinet approval, in Autumn 2019.	No further action.	
Turley on behalf of IM Properties Plc		<ul style="list-style-type: none"> - Supports the flexibility and balanced approach of DM14 - Separate consideration should be afforded to HGV parking standards in the new Parking SPD 	Support noted. Agreed. The forthcoming Draft Parking SPD will include HGV parking considerations.	No further action.	
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - This proposed approach to parking standards is not considered to be consistent with NPPF paragraph 105 which requires car parking policies to take into account a number of factors: - NPPF paragraph 106 states that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport. Proposed Policy DM14 therefore needs to incorporate increased flexibility to bring it in line with the requirements of the NPPF. 	The forthcoming draft Parking Supplementary Planning Document has followed NPPF guidance and takes the required factors into account when setting standards. Clear and compelling justification is available regarding the need for maximum parking standards in Birmingham. There is a strong need to manage the local road network as well as ensure efficient use of land and optimised development density. Accommodating continued growth in private car usage is not a viable option for Birmingham's road network in light of future levels of population growth projected for the city and the need to limit air pollution and carbon emissions.	No further action.	058/14
Reservoir Residents Association		<ul style="list-style-type: none"> - Would like the policy to, where possible, prevent the production of poorly executed drives and the removal of front garden greenery 	<p>Design of parking provision will be included in the forthcoming Birmingham Design Guide SPD.</p> <p>A dropped kerb policy is applied to all applications for new driveways.</p>	No further action.	060/14
Turley on behalf of		<ul style="list-style-type: none"> - Hammerson is supportive of the 	Supported noted.	Change policy to:	061/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Hammerson ('The Bullring Ltd Partnership' and 'Martineau Galleries Ltd Partnership')		<p>promotion of sustainable transport choices and supports part one of the policy.</p> <ul style="list-style-type: none"> - It needs to be made clear if zero parking is being introduced via this policy or if it is in subsequent guidance in the as yet unpublished Parking SPD - It should be noted that it is necessary for some level of car parking to be provided in new developments to ensure means of access for all - It is usual to consider all developments on an individual basis, taking account of policy and using Travel Plans to manage transport impacts. The flexibility outlined in the explanatory text needs to follow through into the policy for the city centre and should hence be reworded to include "this will mean that zero car parking for new development in the City Centre will be sought subject to consideration of individual circumstances as well as reduced car parking standards" - In addition part two of the proposed policy states that a Parking SPD will be prepared, however, there is no clarity on the timescale of when this will be prepared, consulted on and adopted. Our client seeks to understand when this document is expected to be published to help identify what assets and future sites will be impacted in this transition. - Part 3 of the proposed policy seeks to ensure that parking needs for new development are met. This is potentially contradictory to part two, which states that the city's parking strategy and revised parking standards will comprise a 'zero parking' policy for new development in the City Centre. If the starting point is zero parking then how can needs for development be met? Part 3 of the proposed policy 	<p>Agree that policy should be clarified. See proposed change to policy. The draft Parking SPD will be subject to public consultation at the same time as the Development Management Publication Document in Autumn 2019.</p> <p>Revised parking standards, including 'zero' or low parking levels for some developments will be introduced through the forthcoming Parking SPD which will be out for public consultation in Autumn 2019.</p> <p>Forthcoming parking standards will accommodate access requirements for all when applying very low or zero parking standards. This will include parking provision for those with a disability, car club provision, servicing and operational requirements, cycle and motorcycle parking and EV charging provision where appropriate.</p>	<p>1. Parking and servicing should contribute to the delivery of an efficient, comprehensive and sustainable transport system. Development should promote sustainable travel, reduce congestion, and make efficient use of land.</p> <p>A Parking Supplementary Planning Document will be prepared which will set out the city's parking strategy and revised parking standards. The Council will seek to apply levels of parking commensurate with the accessibility of locations. This will mean zero car parking for new development in the City Centre and reduced parking standards in areas with good public transport connectivity.</p> <p><u>2. New development will be required to</u> should ensure that the operational <u>needs of the development are met</u> and parking provision- needs of development are met, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs <u>is in accordance with the Council's Parking Supplementary Planning Document.</u></p> <p><u>3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking should be designed to be secure and fully accessible to all users and adhere to the principles</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		seeks to ensure that parking needs for new development are met. This is potentially contradictory to part two, which states that the city's parking strategy and revised parking standards will comprise a 'zero parking' policy for new development in the City Centre. If the starting point is zero parking then how can needs for development be met?		of the Birmingham Design Guide Supplementary Planning Document . 4. Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.	
Turley on behalf of Oval Estates LTD		<ul style="list-style-type: none"> - Oval are supportive of need to encourage sustainable transport methods - Oval considers that the Parking SPD will be important to provide policy context - It is noted that part three of DM14 is at odds with part 2 that suggests that there should be no car parking associated with new developments within the city centre and should therefore be reviewed and reworded. 	<p>Agree that policy should be clarified. See proposed change to policy.</p> <p>Further policy context will be provided in the forthcoming Parking SPD which will be out for public consultation in Autumn 2019. Feedback on this document will be welcomed when the consultation commences.</p>	<p>Change policy to:</p> <p>1. Parking and servicing should contribute to the delivery of an efficient, comprehensive and sustainable transport system. Development should promote sustainable travel, reduce congestion, and make efficient use of land.</p> <p>A Parking Supplementary Planning Document will be prepared which will set out the city's parking strategy and revised parking standards. The Council will seek to apply levels of parking commensurate with the accessibility of locations. This will mean zero car parking for new development in the City Centre and reduced parking standards in areas with good public transport connectivity.</p> <p>2. New development will be required to should ensure that the operational needs of the development are met and parking provision, needs of development are met, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs</p>	062/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>in accordance with the Council's Parking Supplementary Planning Document.</p> <p>3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking should be designed to be secure and fully accessible to all users and adhere to the principles of the Birmingham Design Guide Supplementary Planning Document.</p> <p>4. Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.</p>	
Turley on behalf of Moda		<ul style="list-style-type: none"> - Details are requested in terms of a likely adopted timescale of Parking SPD - There are contradictions between bullet points 3 and 2 which needs reviewing. - The reference to car clubs and cycle parking is supported. 	<p>Agree that policy should be clarified. See proposed change to policy.</p> <p>The draft Parking SPD will be subject to public consultation at the same time as the Development Management Publication Document in Autumn 2019.</p> <p>Support noted.</p>	<p>Change policy to:</p> <p>1. Parking and servicing should contribute to the delivery of an efficient, comprehensive and sustainable transport system. Development should promote sustainable travel, reduce congestion, and make efficient use of land.</p> <p>A Parking Supplementary Planning Document will be prepared which will set out the city's parking strategy and revised parking standards. The Council will seek to apply levels of parking commensurate with the accessibility of locations. This will mean zero car parking for new development in the City Centre and reduced parking standards in areas with good public transport</p>	063/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>connectivity-</p> <p><u>2. New development will be required to should ensure that the operational needs of development are met and parking -provision, needs of development are met, including parking for people with disabilities, cycle parking and infrastructure to support the use of low emission vehicles and car clubs in accordance with the Council's Parking Supplementary Planning Document.</u></p> <p><u>3. Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area. Parking should be designed to be secure and fully accessible to all users and adhere to the principles of the Birmingham Design Guide Supplementary Planning Document.</u></p> <p><u>4. Proposals for standalone parking facilities must demonstrate that there is a deficit in local publicly available off-street parking, or that it will help to relieve on-street parking problems.</u></p>	
Canal and River Trust		<ul style="list-style-type: none"> - Policy should mention how to design good parking near waterspaces - Parking near water should preclude safety concerns and good quality of visual amenity for users. - Visual impacts caused by parking should be referenced. 	Detailed guidance in relation to the design of parking will be included in the Birmingham Design Guide SPD. The policy states that "Proposals for parking and servicing shall avoid highway safety problems and protect the local amenity and character of the area."	No further action.	066/14
Individual	Yes	- No comments.	Noted.	No further action.	067/14
Individual	No	<ul style="list-style-type: none"> - Statement is far too general - Park and ride outlets? 	Detailed guidance on parking standards and the provision of	No further action.	068/14

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			<p>parking and how the city will manage on-street (public highway) and off-street parking provision across the city will be provided in a Parking Supplementary Planning Document which is to be consulted on in Autumn 2019.</p> <p>Detailed guidance in relation to the design of parking will be included in the Birmingham Design Guide SPD also to be consulted in Autumn 2019.</p> <p>Provision of Park and Ride facilities and local train lines is addressed in the TFWM transport policy, Movement for Growth and is supported by BDP policy TP41.</p>		

Policy DM15 - Telecommunications

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Individual	Yes	- No comments.	Noted.	No further action.	001/15
Individual	Yes	- No comments.	Noted.	No further action.	002/15
John McDermott from Chair City Centre Neighbourhood Forum	Yes	- No comments.	Noted.	No further action.	003/15
Mohammed Rashid from Masjid & Madrassa Faiz-Ul-Quran	Yes	- No comments.	Noted.	No further action.	004/15
Individual	Yes	- No comments.	Noted.	No further action.	005/15
Individual	Yes	- No comments.	Noted.	No further action.	007/15
Jane Harding from Birmingham Trees for Life	Yes	- No comments.	Noted.	No further action.	008/15
Individual	Yes	- No comments.	Noted.	No further action.	009/15
Individual	Yes	- No comments.	Noted.	No further action.	011/15
Individual	Yes	- No comments.	Noted.	No further action.	012/15
Individual	No	- No consultation or notification on telecom masts	Proposals for new telecommunications equipment	No further action.	013/15

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			require either planning permission or prior notification from the City Council, although some small installations are not required to seek this approval.		
Individual	Yes	- No comments.	Noted.	No further action.	014/15
Individual	Yes	- No comments.	Noted.	No further action.	015/15
Individual	Yes	- No comments.	Noted.	No further action.	016/15
Individual	Yes	- No comments.	Noted.	No further action.	017/15
Individual	Yes	- No comments.	Noted.	No further action.	019/15
Individual	Yes	- No comments.	Noted.	No further action.	020/15
Individual	Yes	- No comments.	Noted.	No further action.	021/15
Individual	Yes	- No comments.	Noted.	No further action.	022/15
Individual	Yes	- No comments.	Noted.	No further action.	023/15
Individual	Yes	- No comments.	Noted.	No further action.	024/15
Devinder Kumar from Reservoir Residents Association	Yes	- No comments.	Noted.	No further action.	025/15
Individual	Yes	- No comments.	Noted.	No further action.	026/15
Christopher Vaughan from Summerfield Residents Association	Yes	- No comments.	Noted.	No further action.	027/15
Individual	Yes	- No comments.	Noted.	No further action.	029/15
Iftekhar Ahmed from West Midlands Police	Yes	- No comments.	Noted.	No further action.	031/15
Individual	Yes	- No comments.	Noted.	No further action.	032/15
Clement Samuels from West Midlands Police	Yes	- No comments.	Noted.	No further action.	033/15
Individual	Yes	- No comments.	Noted.	No further action.	034/15
Individual	Yes	- No comments.	Noted.	No further action.	035/15
Ben Waddington from Still Walking CIC	Yes	- No comments.	Noted.	No further action.	036/15
Individual	Yes	- No comments.	Noted.	No further action.	038/15
Hazel McDowall from Natural England	Yes	- No comments.	Noted.	No further action.	040/15
Individual	Yes	- No comments.	Noted.	No further action.	045/15
Individual	Yes	- No comments.	Noted.	No further action.	046/15
Historic England		- Welcome consideration of historic environment in policy	Support noted.	No further action.	050/15

Response from:	Support?	Summary of comments	Council Response	Action	Ref
Conservative Group		<ul style="list-style-type: none"> - In addition to measures proposed, Council should explore possibility of creating conditions to provide free wi-fi for residents impacted by mobile masts - All possible efforts should be taken to ensure the safety of residents near to masts that are built. 	The NPPF para 55 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Providing free wi-fi would not be relevant to impact on visual and residential amenity.	No further action.	052/15
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	058/15
Canal and River Trust		<ul style="list-style-type: none"> - The Trust has no comment to make on this policy. 	Noted.	No further action.	066/15
Individual	Yes	<ul style="list-style-type: none"> - No comments. 	Noted.	No further action.	067/15
Individual	Yes	<ul style="list-style-type: none"> - Should consider any research on any adverse or harmful effects on neighbourhoods - Unobtrusive masts to be preferred. 	The proposed policy requires development to "Conform to the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines, taking account where appropriate of the cumulative impact of all operators' equipment located on the mast/site" and "Be sited and designed in order to minimise impact on the visual and residential amenity, character and appearance of the surrounding areas."	No further action.	068/15
General Comments regarding Development Management DPD and SA					
Response from:	Support?	Summary of comments	Council Response	Action	Ref
Jane Harding from Birmingham Trees for Life	N/A	<ul style="list-style-type: none"> - Green infrastructure is a crucial element of high quality urban design and its importance cannot be overstated. - Ensure that green infrastructure is central to all development in the city, especially the city centre and 	Noted. Policies in the adopted BDP seek to protect and enhance the green infrastructure network and biodiversity and geodiversity in the city (policies TP7 and TP8).	No further action.	008/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		immediate surrounding areas.			
Individual	N/A	<ul style="list-style-type: none"> - It would be better to separate out the HMO section into a separate consultation as residents are passionate about this subject. - I think this very important subject seems to be a little buried in the wider consultation but I wholeheartedly appreciate the opportunity to input into the process and agree with the Council's proposed policies. 	Noted. The DMB will provide a single source point for all development management policies which can be read in conjunction with each other. Separating out the HMO policy from the other development management policies would not be considered useful.	No further action.	
Individual	N/A	<ul style="list-style-type: none"> - Please make the city more cycle friendly and with MUCH better public transport- that's the only way to lower pollution and create a greener, more inviting and pleasant city for all. 	Noted. The city's transport vision is set out in the Birmingham Development Plan (BDP), Birmingham Connected and other documents such as the Walking and Cycling Strategy and Infrastructure Plan. The adopted BDP sets out the key policies in relation to the establishment of a sustainable transport network and promotes public transport (TP41), walking (TP39), cycling (TP40), the use of low emission vehicles (TP43) and the use of technology to help users navigate and explore the city by all modes of transport.	No further action.	014/16
Individual	N/A	<ul style="list-style-type: none"> - The limiting of HMO is really important to sustain and improve the quality of live in Birmingham. 	Noted.	No further action.	015/16
Individual	N/A	<ul style="list-style-type: none"> - Focus on new developments leaves an open question about what already exists that may not meet this standard or be creating a public nuisance that could be ameliorated - Enforcement of standards in existing developments may be more critical for quality of life for most people than this plan - No sense of the Council taking initiatives to create change and development in this document - More weight/focus should be given to 	Noted. Planning enforcement is undertaken in the event of a breach of planning control. As explained in the Introduction to the document the purpose of the DMB is to provide detailed development management policies which are non-strategic and provide detailed often criteria based policies for specific types of development. The policies will give effect to, and support, the strategic policies set out in the Birmingham Development Plan (BDP), adopted in	No further action.	019/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>site around the city that have been neglected or abandoned</p> <ul style="list-style-type: none"> - There should be discussion of how the Commonwealth Games developments may influence the delivery of this plan - No sense of the complexity and challenge of the city's diversity of needs in the plan - Good aspirations but will be difficult in practice without more neighbourhood engagements. Needs indication of how this might be achieved. - Document is not user friendly. Needs brief summary/conclusions. - More explanation of how the proposals will make the city a better place to live and work in long term/future generations 	<p>January 2017.</p> <p>Para 1.9 explains the structure of the document. Each policy begins with an introduction setting out the purpose of the policy.</p>		
Individual	N/A	<ul style="list-style-type: none"> - As your policy says a concentration of more than 10% of properties in a radius of 100 metres is detrimental to the community. Current concentration of HMOs in Selbourne Rd, Handsworth wood Rd, Endwood Court Rd triangle is currently 30% + with a high % of these being Supported Living. This is leading to families moving out of the area - Extra pressure on Police, Health Providers, Refuse Collection - Tensions between residents - Pressure on Parking - Unsuitable levels of support for the Supported Living Residents 	<p>Noted. Consideration will be given to how planning applications will be assessed in such scenarios.</p>	No further action.	022/16
Devinder Kumar from Reservoir Residents Association	N/A	<ul style="list-style-type: none"> - Emerging issues of office-to-residential conversions - Request department engages with their peers in other cities to establish emerging issues and trends and address these in the DMB and BDP - Proposes Birmingham to apply for an Article 4 direction for removing permitted development rights to convert use Class B1[a] to C3, C4 or 	<p>Birmingham is part of the Core Cities Group and regularly engages with other Core Cities on a wide range of matters.</p> <p>The City Council's Cabinet took a decision at a Cabinet meeting on 14 May to apply a City-wide Article 4 Direction in relation to small HMOs with the effect of removing permitted development rights from C3 use to</p>	No further action.	025/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>HMO (sui generis) in areas where there is already a cumulative overconcentration of HMO, class N exempt properties or PBSA development.</p> <ul style="list-style-type: none"> - Most marked increase to housing stock was in “change of use” with many offices converted to flats. Suggest that this is partly driven by article 4 directions on HMO. - Many conversions of offices into intensive accommodation with boom partly down to new “permitted development rights, resulting in many unfit conversions and overconcentration similar to HMOs. These converted homes under PD do not have to meet minimum floor area standards and do not have to include any affordable housing - Completely support the Council’s proposals for a city-wide article 4 direction on HMO, albeit with a few additional conditions/stronger wording and criteria against which applications are considered. - Cumulative effect of class N exemptions, HMO, PBSA and office-to-residential should be used as criteria against which planning application are judged. - Precedence of making a non-immediate Article 4 to remove the permitted development rights for change of use from office to residential. Councils in Hackney and Manchester are currently consulting on this. 	<p>C4 use. A non-immediate Article 4 Direction was recommended and accepted by Cabinet in order to negate the risks of compensation claims made to the Council as a result of any loss of expenditure or abortive costs incurred as a result on the Article 4 Direction.</p>		
Individual	N/A	<ul style="list-style-type: none"> - Plan seems to focus on the city centre not the whole city with a lack of emphasis on communities and their needs - Plan seems impractical given the current financial and resources 	<p>The DMB policies are to be applied city wide unless specified otherwise.</p>	No further action.	035/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		position of the council.			
Hazel McDowall from Natural England	N/A	<ul style="list-style-type: none"> - Natural England welcome that many of the comments in their response to the Scoping Report (August 2018) have been taken into account. - However, we note that the Habitats Regulation Assessment (HRA) summary that is referred to in the Sustainability Appraisal paragraph 1.6 does not seem to be at paragraph 5.8 as indicated. The document we are viewing from the web site ends at paragraph 5.4. 	<p>Noted. The drafting error will be corrected in the Publication Version of the SA by way of specific reference to the 2013 HRA prepared for the BDP (link below). https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf</p>	<p>The drafting error will be corrected in the Publication Version of the SA by way of specific reference to the 2013 HRA prepared for the BDP (link below). https://www.birmingham.gov.uk/download/downloads/id/1523/sub6_pre-submission_habitat_regulations_assessment_2013.pdf</p>	040/16
Samantha Pritchard from Birmingham and Black Country Local Nature Partnership	N/A	<ul style="list-style-type: none"> - B&BC LNP are disappointed the documents does not include policies on biodiversity and heritage and sustainable urban drainage arrangements. <ul style="list-style-type: none"> a) Inclusion of which would protect biodiversity from direct and indirect impacts of new developments and support the incorporation and creation of a robust ecological network within the Birmingham city centre b) LNP wishes to bring attention to the spring statement 2019 published by the Government on 13th March which confirmed that the Government will use the forthcoming Environment Bill to mandate Biodiversity net gain for development in England. As such although full details of the mandate has not yet been provided. The LNP would encourage the inclusion of a policy covering net biodiversity gain for new developments. 	<p>Noted. Policy DM4 has been amended to strengthen references to ecological networks and biodiversity net gain. Biodiversity, heritage and sustainable urban drainage are addressed in the BDP in policies TP8, T12 and TP6 respectively. Further guidance on these issues will also be included in the emerging Birmingham Design Guide SPD, and is already available in the Council publication <i>Sustainable Drainage: Guide to Design, Adoption and Maintenance</i> (June 2015). The need for specific policy/guidance on the Council's approach to biodiversity net gain will be reviewed when details of mandatory requirements are published as part of the forthcoming Environment Bill.</p>	<p>Amend now point 1 and 2 of the policy:</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscapes</u> that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network</u>. 2. The composition of the <u>proposed</u> landscape <u>should shall</u> be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions</u>. 	041/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>Amend now paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, and provides net gains for biodiversity. Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend now paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. <u>The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p><u>Ecological Areas, Ecological Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u></p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Samantha Pritchard from The Wildlife Trust for Birmingham and Black Country	N/A	<ul style="list-style-type: none"> - Wildlife Trust notes that the document does not include policies on biodiversity, which would be designed to support the protection of biodiversity from both direct and indirect impacts of new developments. - Document should support the incorporation and creation of a robust ecological network within the Birmingham city centre which would retain the existing green infrastructure while supporting the creation of further infrastructure - Wildlife Trust would encourage the inclusion of a policy covering net biodiversity gain for new developments, with reference to spring statement 2019 published by the Government on 13th March which confirmed that the Government will use the forthcoming Environment Bill to mandate Biodiversity net gain for development in England 	<p>Noted. Policy DM4 has been amended to strengthen references to ecological networks and biodiversity net gain. Biodiversity is specifically addressed in BDP policy TP8, and further guidance on protecting and enhancing biodiversity will also be included in the emerging Birmingham Design Guide SPD. The need for more specific policy/guidance on the Council's approach to biodiversity net gain will be reviewed when details of mandatory requirements are published as part of the forthcoming Environment Bill.</p>	<p>Amend now point 1 and 2 of the policy:</p> <ol style="list-style-type: none"> 1. All developments must take opportunities to provide high quality landscapes <u>and townscapes</u> that enhance existing landscape character and the green infrastructure network, contributing to the creation of high quality places <u>and a coherent and resilient ecological network.</u> 2. The composition of the <u>proposed</u> landscape <u>should</u> shall be appropriate to the setting and the development, as set out in a Landscape Plan*, with opportunities taken to maximise the provision of new trees and other green infrastructure, <u>create or enhance links from the site to adjacent green infrastructure and support objectives for habitat creation and enhancement, as set out in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022 and subsequent revisions.</u> 	042/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p>Amend now paragraph 2.33 to:</p> <p>Maintaining and expanding the green infrastructure network throughout Birmingham is a key part of the City's growth agenda, and provides net gains for biodiversity. Green landscaping (including trees, hedgerows and woodland) forms a critical part of this network and provide a multitude of benefits, having a positive impact on human health and improving the quality of visual amenity and ecological networks. This policy seeks to ensure that landscaping is an integral part of the overall design of development. It also sets out criteria for how existing landscaping should be considered in development proposals.</p> <p>Amend now paragraph 2.35 to:</p> <p>New development has a clear role in supporting the City's approach to green infrastructure, and can contribute to and enhance the landscape, provide biodiversity net gain and help to reduce the impact of climate change. Each development site will be able to contribute to the green infrastructure network in appropriate ways reflecting the site context and location. <u>The ecological network is currently described in the Birmingham and Black Country Nature Improvement Area Ecological Strategy 2017-2022, which identifies opportunities for habitat creation, restoration and enhancement within Core Ecological Areas, Ecological</u></p>	

Response from:	Support?	Summary of comments	Council Response	Action	Ref
				<p><u>Linking Areas and Ecological Opportunity Areas. This strategy, and subsequent revisions, should be referenced to ensure new development is in keeping with the surrounding landscape and supports the maintenance of a resilient and coherent ecological network.</u></p> <p>TP8 Biodiversity and Geodiversity will be added to the Policy Links.</p>	
Historic England		<ul style="list-style-type: none"> - We note the attention to safeguarding cultural heritage in the Sustainability Appraisal and welcome the DMBs consideration of the historic environment in relation to Policy DM5 Light pollution, Policy DM7 Advertisements, and Policy DM15 Telecommunications. 	Support noted.	No further action.	050/16
Tyler Parker Planning and Architecture – on behalf of Chief Constable of West Midlands Police		<ul style="list-style-type: none"> - CCWMP welcomes opportunity to become actively involved in the policy formation process. - Supports the objectives/policies that refer in their wording to safety and security, including crime fear of crime and anti-social behaviour - CCWMP objects to the omission of certain policy areas from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D, and without changes the CCWMP considers the document to be unsound. - Lack of reference to a policy referring to restaurants, bars, public houses and hot food takeaways and potential crime is regrettable – a specifically worded policy is required which should also refer to the Council attaching conditions to ensure no demonstrable harm to nearby residents. - Objects to the omission of: Listed Buildings and Conservation Areas; 	<p>Support noted.</p> <p>The reasons for the omission of certain policies from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D was set out in the Issues and Options Document and subsequently the reasons for taking forward certain policies proposed in the Issues and Options Document is set out in Appendix 3 of the Preferred Options Document. Policy in relation to the historic environment (including Listed Buildings and Conservation Areas) is contained in the adopted Birmingham Development Plan. The saved 2005 UDP policies did not contain a policy in relation to 'Maintenance' or 'ATMs.</p>	No further action.	051/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		Maintenance following completion of development; Automatic Teller Machines (ATM)			
Conservative Group		<ul style="list-style-type: none"> - Concerns are raised about policies being dropped and they should not be removed unless legal advice can be provided that doing so will not weaken planning - Strong requirements should be included in main policies - New planning policy should reflect the protection to existing housing stock - Policy on Shisha Loungers should remain as a standalone policy 	The reasons for the omission of certain policies from the saved policies of the 2005 UDP, namely those within Chapter 8 and paragraphs 3.14-3.14D was set out in the Issues and Options Document and subsequently the reasons for taking forward certain policies proposed in the Issues and Options Document is set out in Appendix 3 of the Preferred Options Document. Policy in relation to the protection of the existing housing stock is contained in the adopted BDP. (Policy TP35)	No further action.	052/16
Savills on behalf of Langley Sutton Coldfield Consortium		<ul style="list-style-type: none"> - Consortium considers that the Langley development and other sites with a site-specific SPD should be excluded from the application of policies set out in Development Management DPD - Consortium considers that the rigid application of all proposed new city-wide development management policies to Langley is not appropriate 	Disagree, the Langley SPD clearly states that its purpose is to add detail and provide guidance to the Birmingham Development Plan. It states "Alongside other policies and guidance, it is a material consideration when determining planning applications on this site."	No further action.	058/16
Dr Mike Hodder on behalf of Council for British Archaeology		<ul style="list-style-type: none"> - A list of development management policies within the BDP (including those relating to the historic environment) should be included in an Appendix to Development Management in Birmingham - Sustainability Appraisal interim sustainability report: Table 2.1 Local Plans, Programmes and Strategies should include historic environment documents- Archaeology Strategy SPG and Regeneration through Conservation SPG 	All of the thematic policies in the BDP are development management policies. Cross reference to the BDP has been made in the DMB. Noted. The historic environment documents will be included in Table 2.1 of the SA.	The historic environment documents will be included in Table 2.1 of the SA.	059/16
Reservoir Residents Association		<ul style="list-style-type: none"> - Document should address the emerging issues of office to residential 	See response to 025/16	See 026/16	060/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<ul style="list-style-type: none"> conversions Reservoir Residents Association proposes that Birmingham automatically applies for an Article 4 direction for removing permitted development rights to convert use Class B1[a] to C3, C4 or HMO (sui generis) in areas where there is already a cumulative overconcentration of HMO, class N exempt properties or PBSA development. We support completely the Council's proposals for a city-wide article 4 direction on HMO, albeit with a few additional conditions/stronger wording and criteria against which applications are considered 			
Pegasus Group		<ul style="list-style-type: none"> Concern given that almost four years have elapsed since the original consultation during which time both the national and local policy context has changed significantly. 	Noted. The DMB is being progressed as quickly as possible.	No further action.	064/16
Curdworth Parish Council		<ul style="list-style-type: none"> Essential that as much local Green Belt as possible is retained as a bulwark against urban sprawl. Curdworth Parish Council shares one of its boundaries with Birmingham and therefore has major concerns about infrastructure relating to the proposed development site within Walmley There is an increasing number of HGV's using access to the M42 and M6 toll with roads becoming unfit for purpose More consideration should be given by planning officers in relation to the pressures on local road networks Full consideration has been given to the appropriate infrastructure required with regard to doctors' surgeries, dental practices, schools and retail 	Comments are noted but do not relate to the Development Management in Birmingham Document which is the subject of this consultation.	No further action.	065/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>facilities, as neighbouring villages find it difficult meeting the needs of their own residents</p> <ul style="list-style-type: none"> - Council would like to point out that policies should note that it is vital to retain a “green corridor” between the Birmingham conurbation and North Warwickshire. 			
Canal and River Trust		<ul style="list-style-type: none"> - The Trust welcomes the reference at para 1.7 to encouraging better health and wellbeing. However, rather than just in space/leisure time, additional and amended text should be added at the eighth bullet point to extend into commuting opportunities: “To encourage better health and wellbeing through the provision of new and improved recreation, sport, leisure facilities and sustainable travel modes” - The objectives at para 1.7 be reviewed as several of them seem to cover matters that are not covered by the proposed DM policies and if referenced in SPDs or existing then this should be made clear. - Trust asks for an update on any emerging or proposed new SPDs, with clarity around the emergence of other local policy documents being referenced if possible. - The Trust would like to note that it is important that good waterside places and design do not just relate to residential development but also to other uses and types of development along waterway corridors. - Comments on Chapter 2 overall – Land stability: <ul style="list-style-type: none"> a) Should ensure that developments do not in situations that could cause leaks, breaches, collapses etc b) Should ensure that new 	<p>The objectives are taken from the adopted BDP. Promoting sustainable transport is covered by point 5. Para 1.7 will be re-worded to make clear that these are BDP objectives which the DMB seek to support.</p> <p>Updates on emerging and proposed new SPDs can be provided by contacting the Planning Policy Team.</p> <p>Comment on good waterside places and design is noted.</p> <p>Comments on land instability are addressed in response proposed changes to the policy.</p> <p>Policy in relation to the management of flood risk and water resources is contained in the adopted BDP. (Policy TP6)</p>	<p>Amend para 1.7 to: The DMB will support the delivery of the BDP objectives for the City as set out in the BDP.</p> <p>Amend policy to:</p> <p>Policy DM3 –Land affected by cContamination, instability and hHazardous sSubstances</p> <p>4. <u>Proposals for new development will need to ensure that risks associated with land contamination and instability are fully investigated and addressed by appropriate measures to minimise or mitigate any harmful effects to human health and the environment within the development and the surrounding area and/ or groundwater.</u></p> <p>5. All proposals for new development on land which is known to be, or potentially, contaminated or unstable, will be required to submit a preliminary risk assessment, and where appropriate, a risk management and remediation strategy based on detailed site investigation <u>to remove risks to both the development and the surrounding area and/ or</u></p>	066/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		developments are appropriate for its location in the context of avoiding unacceptable risks from land instability		<u>groundwater</u> . Proposals for development of new hazardous installations, or development located within the vicinity of existing <u>hazardous</u> installations, will only be permitted where it is demonstrated that necessary safeguards, in consultation with the HSE, are incorporated to ensure the development is safe; and that it supports the spatial delivery of growth as set out in the Birmingham Development Plan.	
		c) Note inferences towards this in DM3 and DM6 however it would be better dealt with separately to cover concerns.	Policy in relation to the historic environment is contained in the adopted BDP (Policy TP 12)		
		- Water and Drainage: b)a) Disappointed to note that the document does not address these matters. It is important that the environment is protected.	Comments noted. The emerging Birmingham Design Guide will provide detailed design guidance to assist with the application of policies.		
		e)b) Ensure that sites are prevented from allowing pollution of the water environment through air borne pollution or water seepage/spillage/run-off and should be considered in relevant detailed policy			
		d)c) Drainage options should be outlined and chosen to ensure that appropriate management and control mechanisms are put in place.	It is considered that existing policies in the BDP adequately promote sustainable transport and cover water borne freight.		
		- Further advice and guidance is needed in regards to heritage. It is possible that canal-related advice is included within a design document and the Trust would like further discussion on this.			
		- Chapter 3 Overall: e)a) Good design policies should apply to the development of employment uses and it is important that the benefits of locations near the canal and river network are maximised			
		d)b) Policy TP25 refers to strategic matters around tourism and cultural facilities and their detailed design should fall within wider			

Response from:	Support?	Summary of comments	Council Response	Action	Ref
		<p>design considerations.</p> <ul style="list-style-type: none"> - More emphasis and direction should be given relating to alternative transport methods. - The strategies in policies TP38-42 are welcomed but largely are not linked to site specific considerations. - Greater provision should be encouraged to assist in travel across a range of modes and routes - Trust considers a policy should exist that sets out a sequential approach to the assessment of transport and connectivity whilst still acknowledging car/parking need. These should include requirements for suitable storage, maintenance of cycles and other alternative transportation devices. - Information should be provided to residents of sustainable routes - Trust notes the use of digital technology to assist should be incorporated or required. - Further advice on waterborne freight might be encouraged. - Policies should refer to objectives of para 1.7 			
Councillor Lisa Trickett		<ul style="list-style-type: none"> - Main comment and concern in relation to these documents is in terms of the need to address the risks of catastrophic climate change and bring forward action to make this city a zero carbon city. How has this being addressed in these documents – what conditions and requirements are to be set – where do we need wider regulation etc. 	The purpose of this document is to provide detailed development management policies to support the strategic policies set out in the adopted BDP. The BDP contains policies which seek to mitigate and reduce the impacts of climate change (TP1 Reducing the city's carbon footprint), namely policies in relation to the promotion of sustainable transport (TP38-46), adapting to climate change (TP2), Sustainable construction (TP3), Low and zero carbon energy generation (TP4), Low carbon economy (TP5), Management	No further action.	069/16

Response from:	Support?	Summary of comments	Council Response	Action	Ref
			of flood risk and water resources (TP6), Green Infrastructure (TP7) and sustainable management of the city's waste (TP13)		

Birmingham City Council

Report to Cabinet

29th October 2019



Subject: HS2 CURZON STATION ENHANCED PUBLIC REALM PROJECT

Report of: Director - Inclusive Growth

Relevant Cabinet Member: Councillor Ian Ward, Leader of the Council
Councillor Tristan Chatfield, Cabinet Member for Finance and Resources

Relevant O & S Chair(s): Councillor Tahir Ali, Economy and Skills
Councillor Sir Albert Bore, Resources

Report author: Nick Matthews, Project Delivery Manager,
Telephone No: 07548712829
Email Address: nick.matthews@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): Ladywood, Nechells		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 006208/2019		
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Exempt Appendix 3 and 4		
If relevant, provide exempt information paragraph number or reason if confidential: Exempt information paragraph 3. Information relating to the financial or business affairs of any particular person (including the council)		

1 Executive Summary

- 1.1 The arrival of HS2 into Birmingham City Centre in 2026 is a once in a generation opportunity to drive growth in the City. In order to maximise the economic benefits Birmingham City Council (BCC) launched the Curzon Masterplan in 2015, which included a number of 'Big Moves' to ensure the new HS2 Curzon Station delivered a world class design that maximises the connectivity for

pedestrians and public transport in and around the station within a high-quality public realm environment. This report seeks authority to accept a capital grant from the Greater Birmingham and Solihull Local Enterprise Partnership Enterprise Zone (GBSLEP EZ) to deliver the preferred option for enhancing public realm surrounding the new HS2 station.

2 Recommendations

- 2.1 Accepts an annual revenue grant from the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) to support the costs of borrowing of up to £26,172,419 to deliver the HS2 Birmingham Curzon Station Enhanced Public Realm project, subject to the funding conditions set out in the attached offer letter at Appendix 1.
- 2.2 In its role as delivery partner for the project, approves City Council prudential borrowing up to £26,172,419 to fund delivery of the HS2 Birmingham Curzon Station Enhanced Public Realm project as set out in the outline business case and key appendices attached as Appendix 2. This includes up-front funding of £222,764 to develop the Full Business Case.
- 2.3 Under Part D2.5 of the Constitution, approves the entering into single contract negotiations jointly by the Director - Inclusive Growth and Chief Finance Officer with HS2 Ltd for up to £22,885,000 for the delivery of the HS2 Birmingham Curzon Station Enhanced Public Realm project.
- 2.4 Notes that a Full Business Case will be presented to Cabinet once the full scheme cost is defined as part of Stage 1 of the contractor procurement to design and build the Station in 2021. This will seek authority to enter into a Contract with HS2 Ltd for delivery of the enhanced public realm
- 2.5 Delegates the agreement of Heads of Terms with HS2 Ltd for the delivery of the HS2 Curzon Station Enhanced Public Realm project to the Leader and the Cabinet Member for Finance and Resources.
- 2.6 Notes that an independent cost consultant, Acivico Ltd, will be appointed to undertake an appraisal of all project costs in line with existing contractual arrangements to ensure they are value for money. The cost for this is included within the up-front funding.
- 2.7 Authorises the City Solicitor to negotiate, execute, seal and complete all necessary documents in connection with the above recommendations.

3 Background

3.1 Curzon Masterplan

- 3.1.1 In February 2014, the City Council launched the Curzon Masterplan as part of the wider HS2 Midlands Growth Strategy to maximise the economic impact of HS2.
- 3.1.2 The Masterplan sets out how the arrival of HS2 will unlock growth and

regeneration opportunities around the terminus station. Covering 141 hectares centred around the HS2 Curzon Station, the strategy of the Masterplan is to deliver a fully integrated and connected world class station, which will support growth and regeneration for the city centre and wider area. This will be achieved through the delivery of five 'Big Moves':

- Station design to create a landmark building and arrival experience;
- Paternoster Place;
- Curzon Promenade and Curzon Square;
- Station Square and Moor Street Queensway;
- Curzon Station Metro Stop.

3.1.3 On the 20th September 2016 the City Council approved the Curzon Investment Plan, which included the allocation of additional EZ funding of £556.8m towards a £724m local infrastructure investment package to maximise the impact of HS2 arriving in the region in 2026. The package will be delivered in two phases:

3.1.4 Phase One - upfront investment in the infrastructure required to unlock growth immediately around the station including the 'Big Move' projects and Metro Extension to Digbeth;

3.1.5 Phase Two - further investment across the wider area including area wide public realm and local transport and highway improvements as well as social infrastructure to support new residential neighbourhoods.

3.1.6 The economic impacts across the Masterplan area are estimated to be 36,000 jobs, 600,000 sqm of commercial floorspace, over 4000 new homes and £1.7bn private sector investment.

3.2 Curzon Station Design

3.2.1 Following the launch of the Curzon Masterplan, the DfT agreed a number of assurances with the City Council to address concerns that the design of the station, as proposed in the HS2 Hybrid Bill, did not meet the Council's objectives around connectivity and integration. Since then, the City Council and HS2 Ltd have been working closely to develop the design, including establishing a 'Design Review Panel', which provides independent advice and guidance to help ensure the station and associated public realm meet the objectives of the Masterplan. The RIBA 3 design of the station was launched in December 2018 and a planning application will be submitted in Autumn 2019. The current HS2 programme indicates that the construction of the station will start in 2022, with the public realm construction works commencing in 2023 and complete by 2025.

3.3 Big Moves Funding and Delivery

- 3.3.1 The 'Big Moves' for the public realm at Curzon Promenade and Square and Paternoster Place are not included within the scheme set out in the HS2 Act. Therefore, additional funding is required to meet the extra costs incurred by HS2 Ltd over and above the cost of the scheme set out in the HS2 Act. The Curzon Investment Plan identified an overall indicative funding requirement of £60m to deliver these projects, which was based on high level cost estimates commissioned as part of the baseline studies for the Curzon Masterplan. Of that figure, £40m was identified for the HS2 Curzon Station Enhanced Public Realm.
- 3.3.2 The design of the Station has been developed in two phases:
- Phase One - Concept design to RIBA 2 to select a single option (April – July 2018).
 - Phase Two – Full scheme design, including Planning, to Invitation to Tender (September 2018 – March 2020).
- 3.3.3 To ensure the design of the station included the aspirations of the Curzon Masterplan the GBSLEP Enterprise Zone approved £0.550m on the 17th June 2017 to deliver 'Phase One' of the design of Paternoster Place, Curzon Promenade, Curzon Square and the Curzon Canalside. The City Council approved this funding on the 13th September 2017.
- 3.3.4 The HS2 Curzon Station design work commenced in February 2018 with WSP being appointed by HS2 Ltd following an EU-compliant procurement process to design the building and associated public realm.
- 3.3.5 On the 20th November 2018, the GBSLEP EZ approved a further £0.895m to deliver 'Phase Two' of the station design, including developing the preferred options up to full scheme design and to submit the planning application and undertake procurement of the design and build contractor.
- 3.3.6 The planning application is expected to be submitted in November 2019 and the Invitation to Tender (ITT) will be advertised in March 2020. To ensure there are maximum efficiencies in the cost and timescales for delivering the enhanced public realm, it is intended to include public realm within the contract to build the HS2 Curzon Station. To enable this to happen HS2 Ltd require assurance that the funding is available to deliver the project and mitigate the risk of procuring works that cannot be funded, although the works themselves will not be delivered until 2023.
- 3.3.7 The procurement process, to be led by HS2 Ltd, will follow a two-stage Main Works Civils Option C Contract (MWSC) based on the cost estimates in the Outline Business Case (OBC) and the appointment of a main contractor. Stage 1 of the process will allow for early contractor involvement to develop a robust target cost which includes the allocation of key financial risks and a realistic delivery programme. If, at the end of stage 1, the cost or risk of

delivering the works is not acceptable then either party can decide not to progress with the project, and it would not be included within the contract award at Stage 2.

3.3.8 On the 18th July 2019, the GBSLEP approved the HS2 Curzon Station Enhanced Public Realm Outline Business Case and awarded BCC £26,172,419 of EZ funding to undertake the delivery of the preferred option for the public realm, which includes the funding already approved for the design work, including planning and procurement. The funding required a compliant business case developed in line with HM Treasury's best practice 'Five Case Model', The Green Book: appraisal and evaluation in central government (2018) and the now Ministry of Housing, Communities and Local Government (MHCLG) Appraisal Guide. It establishes that the proposed public sector investment:

- Is supported by a robust case – the Strategic Case;
- Offers Value for Money (VfM) – the Economic Case;
- Is feasible – the Commercial Case;
- Is financially affordable – the Financial Case; and
- Can be delivered successfully – the Management Case

3.3.9 Appropriate project management and due diligence is required to ensure all costs deliver value for money and to support this the GBSLEP EZ has approved, as part of the business case, revenue funding to support borrowing costs of £222,764 for BCC legal, project management, planning and design costs as well as to appoint Acivico Ltd as cost consultant to provide an independent appraisal of the delivery, construction and maintenance costs of the public realm, in line with current contractual commitments. The OBC and the key appendices are attached as Appendix 2.

3.4 Benefits

3.4.1 The business case has highlighted that the enhanced public realm works deliver a benefit cost ratio of 1.7 which represents acceptable value for money, and would generate a number of benefits, including over 1,923 net additional jobs, net additional Gross Value Added of £132.8m per annum and £56.3m of new business rates income for the EZ. In addition, it will also have a positive impact on land values, health, tourism and the overall image of the area, including enhancing the potential for new development on the land surrounding the station.

3.5 Maintenance

3.5.1 In respect of repair and maintenance costs, HS2 Ltd does not have a maintenance strategy for the public realm once the station becomes operational in 2026, this is because the successor body for the operation and maintenance of the station has not been identified, however, the Department

for Transport requires that HS2 Ltd does not incur additional maintenance costs above those required for the design within the HS2 Act. Therefore, it will be the responsibility of the City Council to undertake a full range of services necessary to maintain the assets to appropriate standards. At this stage an initial assessment of the maintenance costs has been undertaken by the City Council for the Curzon Promenade and Curzon Square area and an indicative maintenance cost of £60,000 per annum has been identified. In undertaking the design, the future maintenance of the scheme was a key issue in agreeing the scope of works to be delivered and the associated cost implications formed part of the sifting criteria to shortlist the options identified in section 4 and the forecast cost is considered robust. In order to ensure that the work is maintained to an appropriate standard and the benefits can be sustained over the long-term, the City Council will underwrite the maintenance and other revenue costs from within existing Inclusive Growth budgets, however, it will seek to secure funding from other sources to meet these costs. This may include, but would not be limited to, income from events or licensed street vendors, the use of Community Infrastructure Levy (CIL) or Section 106 monies, and/or a potential master development partner secured through HS2's Commercialisation Strategy for Curzon, which is currently being prepared.

- 3.5.2 Once the procurement process to appoint the contractor to design and build the station is complete a full business case will be presented to Cabinet, which will set out the full cost, including maintenance, for the project. If the target cost for the enhanced public realm works exceeds the identified funding available, HS2 Ltd will engage with the City Council with an intention to negotiate a revised scope or agree additional funding. Alternatively, if there is no way forward or either party concludes that it cannot continue then the project will not progress to a Full Business Case (FBC).

3.6 Paternoster Place

- 3.6.1 Identified as a gateway to Digbeth, the proposals for Paternoster Place seek to provide a partial bridging of the West Coast Mainline between the Curzon Station and Digbeth that will create a wide and attractive pedestrian route that will open up opportunities for regeneration and growth within the Enterprise Zone. HS2 Ltd have agreed, subject to funding, that the delivery of Paternoster Place can be included within the construction of the station, however, the structure will be a City Council asset, including any liabilities for the funding or liabilities, such as air rights, and maintenance. Alongside this work HS2 Ltd are developing a 'Commercialisation Strategy' to maximise the opportunities surrounding the station. Essential to this is development around the front of the station, including the Paternoster area, and the preferred approach will be to integrate the delivery of the Paternoster Place public realm within a wider commercial scheme. The strategy will not be finalised until 2020, therefore, it's recommended that the City Council works with HS2 to incorporate the project requirements within the ITT to procure the station

build contractor. Once the procurement process is complete and the final delivery cost, including maintenance permissions and responsibilities is known and set out in the Full Business Case, the City Council will either progress the scheme or exclude that element from the contract. This decision will be influenced by whether the 'Commercialisation Strategy' has been approved.

3.7 Timescales

3.7.1 The OBC (Appendix 2) includes a delivery programme and draft dates for key milestones are outlined below;

- Station Design and Build Pre-Qualification Pack released – November 2019
- Invitation to Tender (ITT) – March 2020
- Preferred Contractor appointed – Q1 2021
- Stage 1 Design development and construction planning, including enhanced public realm FBC – Q1 2021- Q1 2022
- Contract Award - Q2 2022

3.7.2 In September 2019 the Government announced that there would be an independent review of the HS2 scheme. It will be chaired by Douglas Oakervee and will use all existing evidence on the project to consider its:

- benefits and impacts
- affordability and efficiency
- deliverability
- scope and phasing, including its relationship with Northern Powerhouse Rail.

3.7.3 The review will conclude in the Autumn and any impact on the project and the timescales for delivery will be reviewed then. In the meantime, HS2 Ltd has advised that the timescale for the procurement to design and build the station are still effective, therefore, approval to the OBC is still required to ensure the scope of works is incorporated into the ITT. If HS2 is delayed then the timescales for the public realm will slip accordingly, however, this will not affect the capacity to fund or deliver the project. If the Government cancels HS2 then the project would not be delivered as set out in the business case, however, no further expenditure would be incurred before the outcome of the review is known.

4 Options considered and Recommended Proposal

4.1 Option 1: Business as Usual (Do Nothing)

4.1.1 Under this option, only the HS2 baseline scheme would be delivered. While this would create a high-quality environment, opportunities to

maximise the strategic impact of the HS2 station would not be realised. In particular, it would fail to secure high quality links to strategically important development sites within Digbeth. In addition, the integration with existing public realm and key institutions to the north of the station would be of a lower quality.

4.2 Option 2: Curzon Promenade and Curzon Square

4.2.1 The works to extend the baseline public realm scheme beyond the HS2 land to enhance integration and linkages along the corridor to the north of the station. Under this option, no enhancement works would be progressed at Paternoster.

4.3 Option 3: Paternoster (medium corner chamfer), Curzon Promenade and Curzon Square

4.3.1 In addition to the works proposed under Option 2, this option would support the creation of enhanced linkages to Digbeth. The delivery of a medium connection would further support HS2 commercialisation opportunities, with emerging proposals for a 40,000 sqm office scheme fronting onto Station Square.

4.3.2 This option would enhance linkages with the Digbeth area. However, the connection would not be expected to promote the HS2 commercialisation opportunity.

4.3.3 The key findings of the business case are that the recommended preferred option would be the enhanced public realm scheme proposed under Option 3. This would offer acceptable value for money on an adjusted Benefit Cost Ratio basis. In addition, it would also deliver substantial wider benefits.

4.3.4 If the City Council cannot provide sufficient assurance to HS2 Ltd that the funding is available to deliver the public realm projects, then Department for Transport will not agree to incorporate them within the Curzon Station delivery schedule. The risk is that they would not be delivered together and the objectives of the masterplan to create a fully connected world class station would not be met. This will have a lasting impact on the potential growth of the city, in particular the wider Digbeth area.

4.3.5 The enhanced public realm projects would be delivered separately from the station construction. This would compromise the delivery of these projects as construction would have to take place once the construction of the station was complete, thus it would create further long-term disruption and congestion across the wider city area.

4.3.6 Combining the schemes within the overall approach for delivering the station ensures a collaborative approach that will deliver the most appropriate station build with the most efficient use of resources. Delivering the projects independently would require more resources

through additional procurement and duplication of tasks whilst also not delivering a seamless build approach throughout the public realm.

4.4 Option 5: The City Council procures the work

4.4.1 This option would require the City Council to procure and deliver the works independently of HS2. This has been discounted as there would be no efficiencies in time or cost by the works being undertaken by a single contractor.

5 **Consultation**

5.1 The GBSLEP Board support the recommendations of this report. The objectives and priorities for the public realm projects at the HS2 Curzon Station were set out in the Curzon Masterplan which was developed based upon extensive public consultation and was approved by Cabinet on 27th July 2015. Additional consultation with HS2 Ltd, Historic England, Canal and River Trust and Birmingham City University has also been undertaken throughout the development of this report and the outline business case and will continue as the projects develop to a full business case.

6 **Risk Management**

6.1 Risks will be identified, evaluated and controlled in line with the City Council's Risk Management Methodology 2017. A comprehensive risk register for the project has been included within the outline business case attached as Appendix 2. This will be monitored throughout the development of the full business case and at this stage the key risks affecting the delivery of the project are as follows;

6.1.1 Contract Bids Exceed Expectations

The final cost of the project will be defined once the procurement to appoint the contractor to design and build the station is completed. If the costs exceed the value approved by the GBSLEP then the scope of works will need to be reduced through value engineering or by not proceeding with elements of the public realm works. A significant level of contingency, set at 40% of the works cost, has been incorporated into the OBC to mitigate this issue. Whilst it is recognised that this level of contingency is higher than standard for this type of works, it is an arrangement which HS2 Ltd have used with third party organisations and there will be a more robust contingency figure in the FBC once the final cost has been defined following Stage 1 of the procurement to build the station. Appendix 2F within the OBC (Appendix 2) sets out the strategy for agreeing the cost within the FBC, including change control. Stage 1 of the procurement to appoint the station design and build contract will agree the target cost, the allocation and responsibility of key risks between HS2 Ltd, the Council and contractor and the change control procedures for delivering the project and will be reflected in the FBC.

6.1.2 Maintenance Arrangements

If a suitable maintenance strategy, including funding, cannot be included within the full business case then this will affect the viability of the project progressing. Work within the City Council is ongoing to identify the funding for the maintenance and this will continue throughout the procurement process.

6.1.3 Agreements with Network Rail for Paternoster Place

The City Council will need to agree suitable asset protection arrangements with Network Rail for the delivery and maintenance of the new structure. Work is already ongoing between all stakeholders to define the cost and agreements for the project and these will be set out in the full business case. The outline business case includes an allowance for these liabilities.

7 Compliance Issues:

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

7.1.1 The delivery of the HS2 Curzon Station Public Realm project is set out as a priority in the Curzon Masterplan (2015) and forms a key part of the Curzon Investment Plan, which was approved by the Council on 20th September 2016. This supports the Council Plan 2018–22, Priority 1: “We will create opportunities for local people to develop skills and make the best of economic growth.” In particular, the HS2 Curzon Station Public Realm Programme will contribute towards the City Council's high-level outcome to deliver a strong inclusive economy by supporting future development activity, job creation and delivering transport and other improvements. The Curzon Masterplan is key to delivery of the Big City Plan, GBSLEP Strategic Economic Plan (SEP), and the Midlands HS2 Growth Strategy which is a priority for the GBSLEP and West Midlands Combined Authority to maximise the economic impact of HS2.

7.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)

HS2 Ltd is an accredited signatory to the BBC4SR and will produce an action plan with commitments proportionate to the value of the contract once the target cost is defined in the FBC.

7.2 Legal Implications

7.2.1 The Local Government Finance Act 2012 supports the development of Enterprise Zones by enabling Local Authorities to borrow for capital schemes against projected growth in business rates income. The Act allows the City Council, on behalf of the GBSLEP, to retain 100% of business rates income from within the Enterprise Zone.

7.2.2 The City Council has under Section 1 Localism Act 2011, a general power of competence under which it can procure services from third parties who will or are likely to benefit the authority, its area or persons resident or present in its area.

- 7.2.3 The OBC includes information on cost rates which is commercially sensitive and could prejudice future procurement activity. This information is included as Exempt appendices 3 and 4.

7.3 Financial Implications

- 7.3.1 Within the GBSLEP EZ all business rates are collected by the City Council with any net uplift in the business rates collected within the EZ allocated to the GBSLEP for a period to 31 March 2046. The GBSLEP Board decide how and where these funds are deployed and make the investment decisions about allocating the revenue resources to fund direct revenue expenditure or to fund the cost of borrowing for capital projects carried out by the City Council or other delivery partners. This is subject to the City Council in its Accountable Body role ensuring compliance with the financial governance principles. The table below summarises the costs and a full profile is attached as Appendix 2E within the outline business case (Appendix 2).

Capital Costs	
Direct Feasibility and design fees	£1.445m
FBC Development Costs	£0.223m
Public Realm Works and associated costs	£16.658m
Contingency	£6.227m
Network Rail Rights	£1.125m
BCC Project Costs	£0.494m
Sub-Total	£26.172m
Revenue Costs	
Maintenance Costs (over 30 years)	£2.40m
Total	£28.572m

- 7.3.2 As the GBSLEP's delivery partner the City Council has and will undertake prudential borrowing to support delivery of the HS2 Curzon Station Enhanced Public Realm project. The costs of prudential borrowing will be fully financed by the GBSLEP's revenue resources generated through the uplift in business rates within the EZ. There are financial risks associated with the Accountable Body role, the main one being failure of the EZ to deliver sufficient business rates uplift to cover the level of borrowing and up-front revenue expenditure incurred by the City Council. These risks have

and will continue to be managed primarily through detailed financial modelling and phased contractual developer obligations and by receiving, for independent examination / approval, detailed individual Business Cases for project spend. The funding requested for this project is contained within the approved Enterprise Zone Investment Plan.

- 7.3.3 In 2012, the City Council and the GBSLEP established a set of financial principles for the EZ. In accordance with these principles, the City Council applies a safety margin whereby 15% of business rate income is held in reserve and not committed against investment proposals until there is greater certainty of future uplift in business rate income. Borrowing costs are also required to be kept within 65% of forecast income. The current financial modelling shows that the total estimated cost of the HS2 Curzon Station Enhanced Public Realm project is considered affordable based on the expected and additional income levels that the GBSLEP EZ will generate.
- 7.3.4 Although HS2 Ltd are classed as a non-departmental public body, they are not able to reclaim VAT on work undertaken on the City Council's public realm and highway and will invoice the Council for costs inclusive of VAT on this work which the City Council is able to reclaim.

7.4 Procurement Implications

Procurement Strategy

- 7.4.1 HS2 Ltd is the company responsible for developing and promoting the UK's new high-speed rail network. The company is obligated to deliver a number of undertakings and assurances to the City Council in support of the delivery of the HS2 Curzon Station. This includes a commitment to provide a station which is permeable and integrated and provides the best solutions for transport interchange.
- 7.4.2 It is proposed that HS2 Ltd's Station Design and Build contractor is used to undertake the delivery of the public realm projects as these are an integral part of the station structure as it is not possible to disaggregate the works from the contract to design the station building. This will provide the most efficient use of resources and mitigate the risks associated with separate contractors delivering works on the same site. This report now seeks approval to utilise GBSLEP EZ funding and enter Heads of Terms negotiations with HS2 Ltd to deliver the public realm works.
- 7.4.3 The proposed works and services will be procured by HS2 Ltd. As a publicly funded organisation, HS2 Ltd has to comply with EU Procurement Directives and associated UK legislation. HS2 Ltd will be including the baseline Curzon public realm works within the overall package of contracts for Curzon Street Station, for which designs were unveiled in October 2018.

It is proposed that the enhanced Curzon public realm works will be incorporated into this process, with procurement being run by HS2 Ltd with engagement between HS2 Ltd and the City Council on the following basis:

- HS2 Ltd will engage with the City Council to agree the description of the scope of works;
- The scope of works will be subject to HS2 Ltd's estimating principles and cost estimates;
- HS2 Ltd will undertake the procurement, including tender evaluation, as part of a two-stage Main Works Civils Option C Contract (MWSC) based on its cost estimates and the appointment of a main contractor. Stage 1 will allow for early contractor involvement to develop a robust target cost which includes the allocation of key financial risks and a realistic delivery programme.
- Following Cabinet approval to the OBC the Council will enter Heads of Terms with HS2 Ltd to incorporate the works within the ITT and set out some key principles for how the works will be delivered. During Stage 1 and the target cost for delivering the enhanced public realm is known, a full business case will be produced, and approval will be sought to enter into a contract with HS2 Ltd. If the target cost for the enhanced public realm works exceeds the identified funding available, HS2 Ltd will engage with the City Council with an intention to negotiate a revised scope or agree additional funding. Alternatively, if there is no way forward or either party concludes that it cannot continue then project will not progress to an FBC.

7.4.4 The City Council will engage Acivico Ltd to independently appraise the delivery, construction and maintenance costs for the public realm project.

7.4.5 The Council may secure external legal advice to work with its Legal Services in the development of the proposed delivery strategy, business case, service contracts and partnership agreement(s) where it does not have the expertise or the capacity to provide such advice.

7.5 Human Resources Implications

7.5.1 There are no Human Resources implications for this report.

7.6 Public Sector Equality Duty

7.6.1 In overall terms the HS2 Curzon Station Enhanced Public Realm Project has been assessed as leading to a positive effect on the equality considerations through the promotion of economic activity, job creation and improving skills that will benefit local people. It has been assessed that the project will advance equality of opportunity as a result of its promotion of development and regeneration activity (set out in Appendix 5).

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

1. GBSLEP Funding Offer Letter
2. HS2 Birmingham Curzon Station Enhanced Public Realm Outline Business Case
3. Exempt Appendix 3 OBC Information
4. Exempt Appendix 4 OBC Cost Breakdown and Rates
5. Equalities Impact Assessment.

9 Background Documents

- 9.1 Curzon Masterplan 2014.
- 9.2 Curzon Investment Plan 2016



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James Betjemann
Head of Curzon and Enterprise Zone Development
Birmingham City Council

24 July 2019

Dear James

Enterprise Zone – Curzon Station Enhanced Public Realm

Following your recent submission of an Outline Business Case (OBC) regarding the above project to the Greater Birmingham & Solihull Local Enterprise Partnership's (GBSLEP) Enterprise Zone (EZ), I am pleased to confirm that your request was approved by the GBSLEP Board on 18th July 2019.

The Curzon Station Enhanced Public Realm project has been conditionally allocated an overall maximum capped capital funding contribution of £26,172,419 (twenty six million one hundred seventy two thousand four hundred nineteen pounds). In accordance with the [Assurance Framework](#) processes for the GBSLEP, the approval is subject to the submission and approval of a satisfactory Full Business Case (FBC) as well as EZ funding being available. The Board also approved £222,763 (two hundred twenty two thousand seven hundred sixty three pounds) from the overall allocation as development funding for work needed to progress to Full Business Case (FBC) in addition to the £1,445,512 previously approved for options analysis and design work. This letter is to confirm the approvals.

Outputs

As outlined in the OBC, the key physical components of the project are expected to consist of:

Output Description	Output quantity
1 hectare	Enhanced public realm

We understand that through project development the output may be adjusted and any such changes will be identified within the final submitted Full Business Case (FBC).

This capital grant funding is pending the submission and approval of a satisfactory FBC, in accordance with the [Assurance Framework](#) processes for the GBSLEP Local Growth Fund.

The Full Business Case is expected no later than December 2020 it will then be independently appraised prior to a final funding decision being made regarding the project

Funding Profile

The funding profile is set out below.

As part of the further project development work required to progress to FBC submission, these figures may require final revision and are subject to EZ funding being available.

£	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	Total
GBSLEP EZ	1,445,512	222,764	155,857	109,000	100,000	5,695,857	11,595,857	6,847,572	26,172,419
Total	1,445,512	222,764	155,857	109,000	100,000	5,695,857	11,595,857	6,847,572	26,172,419

Other conditions

The FBC submission date of December 2020 must be adhered to for the project to retain the conditional allocation as described within this letter and the allocation is also subject to inclusion in the FBC of;

- Justified, evidence-based costs and the contingency approach
- Updated economic and financial cases based on the evidence-based cost
- Formal agreement of the respective responsibilities of BCC and HS2 Ltd including cost overruns across all aspects of the scheme
- Demonstration of value for money through a detailed procurement process
- Information in relation to the potential HS2 commercial development
- The rationale for enhanced public realm as catalyst for commercial investment
- Clarification of the potential business rates and impact of related income timing on EZ funding

Publicity requirements

As part of the funding conditions you will be required to acknowledge GBSLEP EZ funding within all publicity materials. Please can you confirm your communications lead with us by 2nd August 2019 so that we can provide a full briefing on these marketing and PR requirements.

Monitoring and Reporting

From acceptance of this conditional offer the Project will be required to report on progress through regular Project Management Reports. GBSLEP's Project Champion will provide the template and process for this.

Contact

If you have any queries about the contents of this letter, please contact Wendy Edwards Project Champion, on 07548 712827 or by email at wendy.edwards@gbslep.co.uk

Yours sincerely



Russell Eacott
Interim Programme Director

Birmingham City Council

Birmingham Curzon - Enhanced Public Realm

Outline Business Case

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Appendix A: Environmental and wellbeing policies

Appendix B: Curzon Station Enhanced Public Realm Programme - provided separately

Appendix C: Economic Appraisal Model – provided separately

Appendix D: Risk register - Provided separately

Appendix E: Project costs profile - Provided separately

Appendix F (Part 1): Strategy to develop FBC and change approach

Appendix F (Part 2) Strategy to agree final main works cost

Appendix G: Delivery Funding Agreement: Negotiation Framework

Appendix H: WSP Enhanced Public Realm Report – provided separately

Appendix I: Acivico Cost Review Report – provided separately

1 Introduction

1.1 Overview

AMION Consulting was appointed by Birmingham City Council (BCC) to prepare a Outline Business Case (OBC) for the Curzon Enhanced Public Realm Project, which involves enhancements to the public realm that will be provided by HS2 Limited as part of the HS2 Curzon Station development in Birmingham City Centre. The proposed project will comprise two specific enhancements – the development of Paternoster Place, which will improve access to Digbeth, and additional works to Curzon Promenade and Curzon Square, which will include the creation of public realm in areas outside of the HS2 boundary. The project is seeking approval from the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) for additional Enterprise Zone funding of £26,172,419 million (excluding the £1.445 million already approved). This approval would be for a maximum sum, with the final figures confirmed as part of an FBC update once the tendering process is complete.

The HS2 station at Curzon is expected to be operational in 2026. In order to maximise the economic potential of HS2, BCC published the Curzon Masterplan in 2014. This sets out how the growth and regeneration opportunities around the terminus station could be unlocked. Through infrastructure investment, including in the public realm, the strategy set out in the Masterplan is to deliver a fully integrated and connected world class station, which will support the development of the City Centre and the wider area, in particular, through five 'Big Moves':

- (i) Station design to create a landmark building and arrival experience;
- (ii) Paternoster Place;
- (iii) Curzon Promenade and Curzon Square;
- (iv) Station Square and Moor Street Queensway; and
- (v) Curzon Station Metro Tram Stop.

This project relates to Big Moves (ii) and (iii).

The Birmingham City Centre Enterprise Zone was first established in 2011 by the GBSLEP. As part of the West Midlands Devolution Deal (2015) the Enterprise Zone was extended to cover the Curzon area in order to enable the delivery of local infrastructure and to drive growth associated with the arrival of HS2. As a consequence, the number of sites within the Enterprise Zone was increased from its original 26 to 39 covering 113 hectares (ha).

In July 2016, the GBSLEP Board approved the Curzon Investment Plan, which included the allocation of additional EZ funding of £556.8m towards a £724m local infrastructure investment package to maximise the impact of HS2 arriving in the region in 2026. The package is being delivered in two phases:

- Phase One - upfront investment in the infrastructure required to unlock growth immediately around the station including the Big Move projects and the Metro Extension to Digbeth; and

- Phase Two - further investment over a wider area including area wide public realm and local transport/highway improvements, and social Infrastructure to support new residential neighbourhoods.

In June 2018 a single draft Enterprise Zone Investment Plan (EZIP) was prepared for all Enterprise Zone sites. This identified a budget of £40 million for the HS2 Curzon Station Public Realm. The draft Enterprise Zone Investment Plan is funded through the projected growth in business rates generated within the Enterprise Zone sites managed through a financial model. The investment is borrowed by the Accountable Body (BCC) and repaid through the growth in business rates generated on designated Enterprise Zone sites.

GBSLEP has already approved £1.05 million in funding for HS2's advisors WSP to assess alternative enhanced public realm options for the Curzon enhance public realm and to develop a preferred costed scheme. The costs prepared by WSP have been appraised by Acivico on behalf of BCC as part of due diligence to prepare this OBC. The costs include a series of additional fees, including those associated with HS2. It is proposed that all of these and the contractors proposed price for the works are reviewed again following the tendering process.

1.2 Approach

This OBC has been prepared to demonstrate that the proposed EZ funding in the Curzon Public Realm Enhancement project provides value for money, is affordable and deliverable.

It has been produced in line with HM Treasury's best practice 'Five Case Model', The Green Book: appraisal and evaluation in central government (2018)¹ and the now Ministry of Housing, Communities and Local Government (MHCLG) Appraisal Guide². It establishes that the proposed public sector investment:

- is supported by a robust case – the Strategic Case;
- offers Value for Money (VfM) – the Economic Case;
- is feasible – the Commercial Case;
- is financially affordable – the Financial Case; and
- can be delivered successfully – the Management Case.

A long-list of options have been considered for the Curzon Enhanced Public Realm Project. Four options have been short-listed and were subject to economic appraisal. The economic case is based on the HM Treasury Green Book (2018) and the now Ministry of Communities, Housing and Local Government (MHCLG) Appraisal Guide methodology, which uses land value uplift and externalities to measure economic benefits, although consideration is also given to the local strategic case based on the level of jobs, Gross Value Added (GVA)³ and homes created.

¹ <https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-government>

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/576427/161129_Appraisal_Guidance.pdf

³ GVA is a measure of the economic value of goods and services produced in an area. It is defined by the Office for National Statistics (ONS) as "... the difference between the value of goods and services produced and the cost of raw materials and other inputs which are used up in production".

1.1 Structure

The OBC continues in six sections, as follows:

- **Section 2** – provides a description of the proposed enhanced public realm, detailing its aims and objectives;
- **Section 3** – sets out the Strategic Case by identifying the need for change and rationale for public sector support;
- **Section 4** – establishes the Economic Case by assessing the long-listed and short-listed options, presenting an analysis of the economic costs, impacts, benefits, value for money, and risks and sensitivities;
- **Section 5** – provides the Commercial Case by assessing the delivery arrangements, need for public sector support, risk allocation and State aid position;
- **Section 6** – sets out the Financial Case in terms of costs, funding and affordability; and
- **Section 7** – establishes the Management Case with regard to governance, management arrangements, the programme plan, communication and stakeholders, risk management, benefits realisation, and monitoring and evaluation.

2 Curzon Enhanced Public Realm Project

2.1 Introduction

This Section sets out details of the proposed Enhanced Public Realm project. It explains how the proposals have been developed jointly by BCC and HS2 Ltd, as well as setting out the aims and objectives of the project.

2.2 Project description

2.2.1 *Identified need and opportunity*

The Birmingham Curzon HS2 Masterplan covers 141ha of the City Centre extending across the Eastside and Digbeth quarters and the eastern fringe of the City Centre Core. It provides the framework and principles to guide development, regeneration and connectivity to ensure that the City can capitalise upon the arrival of the HS2 railway.

The Masterplan presents the proposed HS2 railway as a once in a century opportunity to radically enhance the City's national rail connectivity and accelerate its economic growth potential. The new line and terminus will provide a catalyst to transform areas of the City Centre and unlock major regeneration sites. The Masterplan:

- promotes the City's expectation that Birmingham Curzon HS2 station will be a world-class 21st century landmark building that further strengthens a positive image for Birmingham and its economic role.
- seeks to ensure the station is fully integrated into the urban fabric of the City Centre and opens up accessibility between the City Centre Core, Eastside and Digbeth.
- sets out the key requirements for the station design and proposals to ensure that high quality and efficient walking, cycling and public transport connections continue into and throughout the City Centre.

The Masterplan envisages the delivery of 14,000 (net) jobs, 600,000 sq m of new business space, 2,000 new homes, and £1.3 billion economic uplift.

Key proposals within the Masterplan include:

- promoting the principle of securing a world-class arrival for Birmingham Curzon HS2 Station;
- identifying an extension to the Metro to create a new integrated public transport hub at New Canal Street, through Digbeth to a new park and ride facility at Adderley Street;
- key development opportunities including Martineau Square and Exchange Square, Beorma Quarter, Typhoo Wharf, Banbury Wharf, Eastside Locks, Birmingham Science Park Aston, Curzon Point and within the Fazeley area of Digbeth; and
- major new areas of public realm and open space including new squares at Moor Street Queensway and Paternoster Place; Curzon Promenade, Duddeston Viaduct Skypark, Eastside Locks and opportunities along the canal and River Rea corridors.

2.2.2 The enhanced public realm scheme

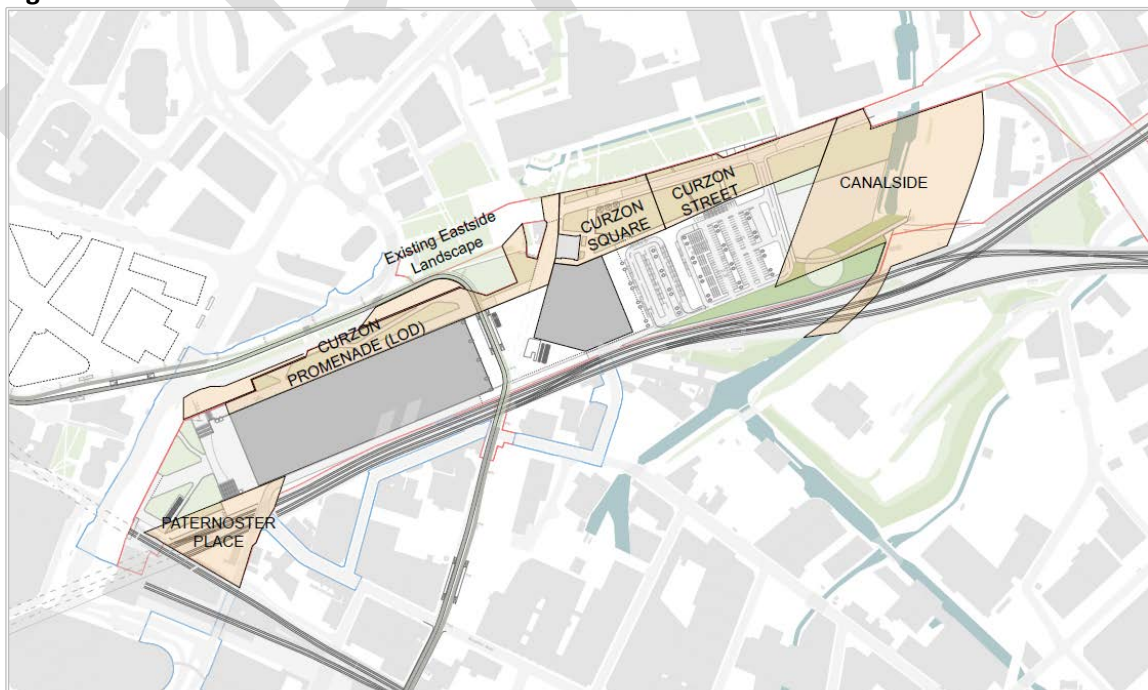
HS2 and BCC have been working collaboratively to maximise the benefit of the HS2 Curzon Station. HS2 has a specific budget and fixed powers under the HS2 Phase 1 Act (Base Scheme) and BCC has asked HS2 to provide design services from WSP, who have been appointed as the station design services contractor, to undertake concept design optioneering and subsequent scheme design to enhance the base public realm surrounding the station. BCC provided a detailed brief for this work.

As noted above, Enterprise Zone funding totaling £1.05 million has been made available to date for this design and feasibility work. The funding has been paid to HS2 to design and assess potential public realm enhancement schemes in five locations, based on the requirements set out within the 'Birmingham Curzon Public Realm' design brief, as follows:

- (i) Paternoster Place – area to the south east of the HS2 Station frontage and Station Square, including operational rail lines at a lower level and Park Street Bridge with links to Digbeth via Bordesley Street;
- (ii) Curzon Promenade – area to the northern side of the HS2 station which will include bus and Sprint stops, along with Midland Metro,
- (iii) Curzon Square – area around the former Curzon Street Station, which is a Grade 1 listed Building to the rear of the HS2 station
- (iv) Curzon Street – area adjacent to the existing Eastside City Park, Millennium Point and Birmingham City University (BCU) campus; and
- (v) Curzon Canalside – to the rear of the HS2 Station area close to Curzon Circus.

Figure 2.1 shows the location of each of these areas.

Figure 2.1: Potential Public Realm Enhancement Areas



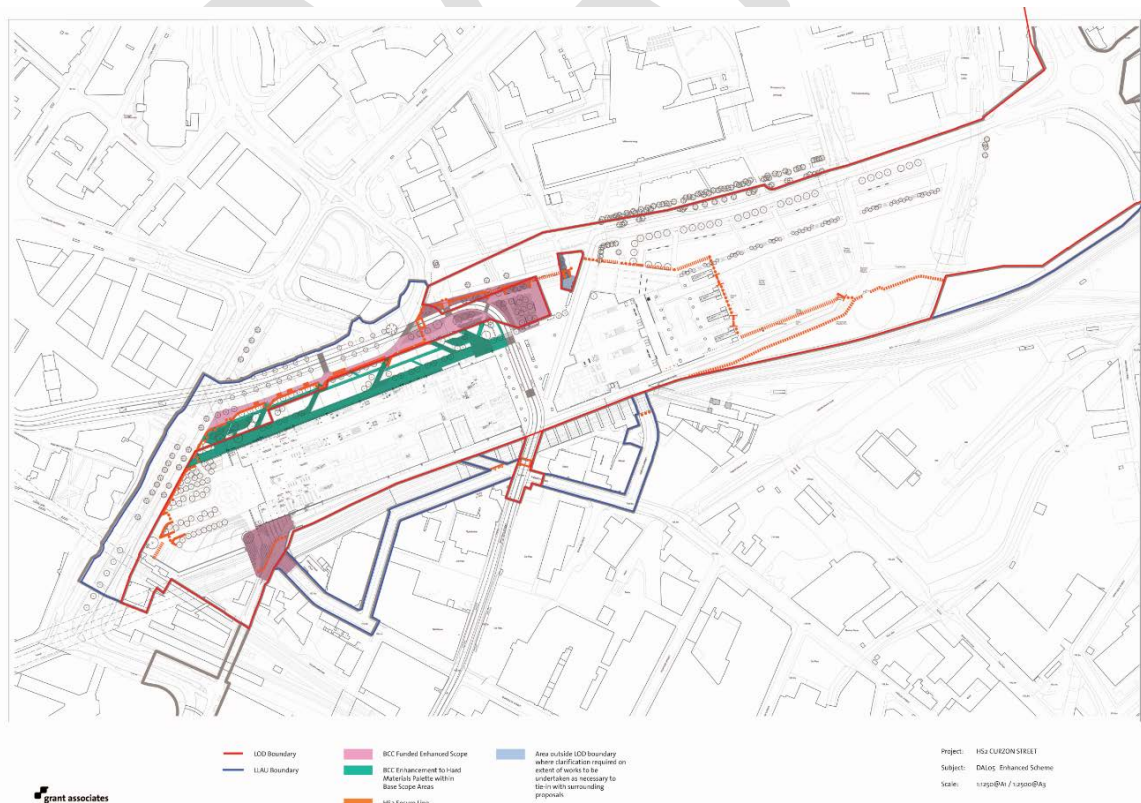
This approach has ensured that the station and associated public realm works are designed by a single team, thus taking the opportunity to create a station which is integrated with the surrounding area and maximises connectivity with the City core and Digbeth.

Following appraisal, the preferred enhanced public realm proposals now focuses on three of the five areas. These have been grouped as follows:

- **Paternoster Place** – as a gateway to Digbeth, Paternoster Place will provide a wide, attractive pedestrian route that will open up the regeneration potential of the Digbeth area, bringing activity and investment to Enterprise Zone sites and help realise the potential of the underutilised land and buildings. As well as enhancing the base scheme, the works will include over bridging the existing lower level rail lines; and
- **Curzon Promenade and Curzon Square** - celebrating the view of the former Curzon Street Station, Curzon Promenade will become an extension of Eastside City Park as a pedestrian plaza enlivened with new shops and cafes built into the façade of Birmingham Curzon station. The project will include works outside of the red lined HS2 base scheme, as well as enhancements to the HS2 proposed scheme. It is also intended that an extended Metro line and Sprint rapid transit vehicles will share a route along the northern side of the promenade allowing for a transformation of public transport links into Eastside, Digbeth and ultimately to regeneration opportunities in the east of the City.

Figure 2.2 shows the proposed areas for enhancement.

Figure 2.2: Proposed Public Realm Enhancement Areas



The proposed project will link with proposals for **Station Square and Moor Street**, which will be delivered by HS2 Ltd. Station Square will become a new destination space where people can relax, it will also be the pivotal point where the City Centre Core blends into Eastside and the Eastside City Park. The station and surrounding new developments should address the square with a range of retail and restaurant uses that will bring life and vitality to the space throughout the day until late at night. Moor Street will involve a fundamental change in the character of Moor Street Queensway through re-focusing it as a major public square will be essential in ensuring the successful integration of Birmingham Curzon into the City Centre Core and maximising the regeneration potential of the station around some of the areas of highest land-value.

The current situation is that the land identified for the enhanced public realm works is public sector owned land or infrastructure either within the HS2 Curzon station site or immediately adjacent to it, with the exception of the area above the operational rail lines. The drivers for change are the arrival of HS2, the planned development of the new Birmingham Curzon HS2 station and its associated base public realm provision.

2.3 Key aims, objectives and principles

The City Council's overall vision and aim set out in the Birmingham Curzon HS2 Masterplan (2015) is to maximise the regeneration and development potential of HS2 in the City Centre, in particular the Eastside, Digbeth, and eastern side of the City Centre core.

The arrival of HS2 with Birmingham Curzon station provides the opportunity to unlock a range of development sites and accelerate regeneration initiatives. This Masterplan seeks to maximise those benefits by identifying 6 'Places for Growth' located across Eastside, Digbeth and the City Centre Core. The station's location brings opportunities for all major economic and growth sectors within the City Centre - the 'arrival' opportunity for the station itself; for retail, office, leisure, education and research, creative enterprises and new residential communities. The project will address the problem that the base public realm works that form an essential part of the overall Curzon scheme do not fully meet the aims of the City Council and its partners in maximising the opportunities arising.

The Council's objectives in relation to 'places for growth – arrival' are that Birmingham Curzon will become a landmark station that will provide a catalyst for growth through the creation of well-designed, widely accessible, buildings which integrate fully and open connections to surrounding areas. Derived from this, the SMART objectives for the Curzon Enhanced Public Realm project are that:

- by 2026 some 1 ha of enhanced public realm will be created adjacent to the HS2 Curzon station, including improved and extended schemes for Paternoster Place and Curzon Promenade and Curzon square;
- by 2026 the access to Digbeth will be enhanced by the completion of the enhanced Paternoster Place component of the project; and

- in the period after 2026 the enhanced public realm will help to facilitate the development of new commercial, retail and residential developments and the growth of the GBSLEP economy. Overall, the proposed scheme is forecast to result in the creation of over 1,900 net additional jobs.

The key principles that are being sought for the development of the wider HS2 Station area are:

- (i) a statement HS2 Station building of world-class architectural quality;
- (ii) 360° station accessibility with good quality station entrances/exits facing the City Centre Core, Eastside and Digbeth;
- (iii) efficient and attractive integration with public transport connections;
- (iv) maximised pedestrian connectivity with high quality public realm and landscaping;
- (v) new pedestrian connections to Digbeth;
- (vi) a major public square fronting the station on Moor Street;
- (vii) second access to the station at New Canal Street; and
- (viii) high standards of sustainability and design.

The Curzon Enhanced Public Realm project will contribute to the achievement of principles (iv), (v) and (viii).

3 Strategic case

3.1 Introduction

This section assesses the Strategic Case for the scheme. It describes how the project fits with national, regional and local strategies and considers evidence in terms of the impacts of public realm. The local property market context is also reviewed. The involvement of key stakeholders in the project is assessed and the rationale for intervention considered. In addition, the key constraints and dependencies are analysed.

3.2 Strategic fit

3.2.1 National strategic context

The strategic context at the UK level, in terms of economic development policy, remains focused on improving the country's long-term competitiveness and tackling its underlying weaknesses, in particular the large productivity gap that continues to exist between the UK and leading advanced economies and the disparity in economic performance between different parts of the UK. This policy focus is evident in the Government's original **Productivity Plan, Fixing the Foundations** (July 2015). The Plan sets out a framework for raising productivity, built around two pillars: encouraging long-term investment in economic capital, including infrastructure, skills and knowledge; and promoting a dynamic economy that encourages innovation and helps resources flow to their most productive use. The Curzon Enhanced Public Realm proposals, and in particular the key development principles around connectivity, facilitating a dynamic mix of uses and sustainable development, is strongly aligned with these aspirations.

In November 2017, the Government published its **Industrial Strategy**, which set out its approach to achieving the core aim of improving living standards and economic growth by increasing productivity and driving growth across the whole country. The Strategy is organised around five foundations and four grand challenges to the UK:

Foundations –

- Ideas: the world's most innovative economy;
- People: good jobs and greater earning power for all;
- Infrastructure: a major upgrade to the UK's infrastructure;
- Business Environment: the best place to start and grow a business; and
- Places: prosperous communities across the UK.

Grand challenges -

- put the UK at the forefront of the artificial intelligence and data revolution;
- maximise the advantages for UK industry from the global shift to clean growth;
- become a world leader in shaping the future of mobility; and
- harness the power of innovation to help meet the needs of an ageing society.

The Strategy recognises that every region in the UK has a role to play in boosting the national economy and announces an intention to further develop city, growth and devolution deals and continue to work in partnership with local leaders to drive productivity. As well as introducing Local Industrial Strategies, of particular relevance to the Curzon Enhanced Public Realm project are the commitments to create more connected infrastructure and ensuring land is available for housing and economic growth. The delivery of a new high-speed rail network (referred to as HS2) forms an important component of the infrastructure foundation.

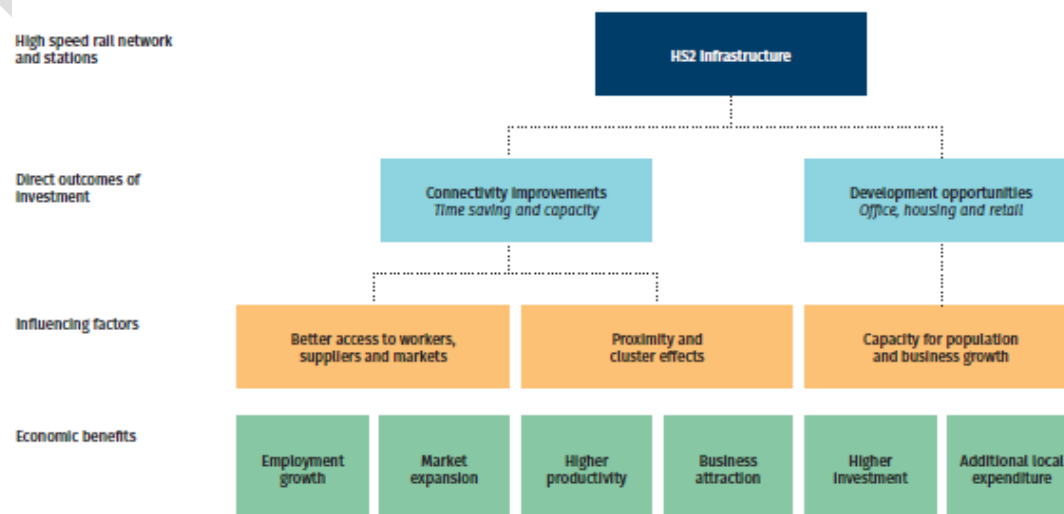
The Government is to build HS2, which will initially link London to Birmingham (Phase 1), then go on to Manchester and Leeds (Phase 2) forming what is known as the Y-Network. In February 2017, the HS2 Bill gained Royal Assent for Phase 1, successfully completing over three years of Parliamentary scrutiny. The West Midlands will be the first region to receive HS2 and will be served by two stations, Birmingham Curzon and Solihull Interchange.

HS2 will provide increased speed, capacity and connectivity producing better links between businesses in the West Midlands and locations southwards and northwards. It will help to solve the capacity problem facing the existing railway network and provide better connectivity across the UK by decreasing journey times – for example, journey times from Birmingham to London will be cut to just 49 minutes – and offer more reliable journeys. HS2 will link eight of Britain's ten largest cities and serve one in five of the UK population.

HS2 therefore has the potential to greatly improve accessibility in terms of time, cost and convenience between businesses and their suppliers, employees and customers. Enhancing connectivity can result in productivity gains through cost savings or increased efficiencies to businesses locating close to the Station.

International evidence shows that with appropriate interventions the development of high-speed rail networks can result in significant economic benefits, with new development and growth clustered around stations. In addition, there are a growing number of transport hubs that are becoming a focal point for economic activity. Figure 3.1 shows how HS2 can be a catalyst for economic growth.

Figure 3.1: HS2 – Catalyst for growth



In terms of economic impacts, outward or market-facing activities would be expected to make greater use than back office-type functions and higher skilled, higher value occupations are more likely to benefit from the presence of HS2 than other occupations. These are the type activities that would locate within Birmingham City Centre if the right conditions and opportunities are created.

3.2.2 *Regional strategic context*

The strategic context at the regional level is provided through the **Midlands Engine** proposals and through the strategic direction of the West Midlands Combined Authority (WMCA) and the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP).

The Midlands Engine concept aimed to close the gap in productivity between the Midlands and the rest of the UK, retain more graduates, increase residents' skill levels and improve transport links between areas. The **Midlands Engine Strategy** (March 2017) sets out the five themes underpinning the Midlands Engine concept:

- Midlands Connect – the long-term transport strategy for the Midlands;
- Innovation and Enterprise – initiatives to improve productivity and competitiveness;
- Skills – ensuring that skills training is tailored to employer demand;
- International Trade and Investment – increasing employment and diversifying the business base; and
- Shape Great Places – strengthening the Midlands' reputation across global markets and supporting UK economic growth prospects.

With the Strategy recognising the importance of Birmingham within the UK, realizing the potential of HS2 and the Curzon station area is fully aligned to each of the five Midlands Engine themes through a comprehensive development scheme to address the key aims of the Midlands Engine concept and strategy.

The **WMCA Strategic Economic Plan** sets out the economic plan for the West Midlands by highlighting the vision, objectives and actions to improve the economic wellbeing of the region. The Plan recognises Birmingham City Centre as the heart of the area's economic geography. The Plan highlights the City Centre as a both a key strength and opportunity for the region, together with acknowledging the importance of key City Centre development programmes that will reinforce Birmingham's pivotal role in the country. The WMCA has adopted the **Midlands HS2 Growth Strategy**, which sets out the opportunities that the arrival of HS2 affords the region. It aims to leverage the benefits delivered by HS2 to drive local growth on a nationally-significant scale over and above the construction of HS2. Realising the potential of the Curzon area forms a key part of the Strategy.

The GBSLEP **Strategic Economic Plan (SEP) 2016-2030** sets out the vision and strategy for delivering smarter, more sustainable and more inclusive growth for the benefit of the GBSLEP area, the wider West Midlands region and the UK as a whole. It focuses on the following strategic priorities:

- a world leader in innovation and creativity;

- taking full advantage of our global connections; and
- creating stronger conditions for growth.

The SEP recognises Birmingham City Centre as the regional economic hub and a natural focal point for growth and investment. It emphasises the importance of harnessing the transformational opportunity presented by HS2 and identifies that the two HS2 stations will drive new areas for regeneration, housing and business growth. In addition, it highlights that the GBSLEP will deliver its £1 billion City Centre and Curzon Enterprise Zone Investment Plans, which include the Curzon HS2 scheme.

The draft Enterprise Zone Investment Plan (EZIP) 2018 sets out the next steps in creating the conditions for economic growth within the Birmingham and Curzon Enterprise Zone over the period 2018-2028, through a phased programme of investment in major schemes and infrastructure. It describes how investment will continue to accelerate development across the Enterprise Zone to maximise the potential of HS2 arriving in 2026 and the expansion of the Midland Metro Tram network from the City Centre through East Birmingham to North Solihull and UK Central. With nearly £1 billion of planned investment, GBSLEP and BCC aim to unlock the delivery of 1.1 million sq m of new commercial floorspace, create over 71,000 new jobs and contribute £2.3 billion GVA per annum (p.a.) to the economy. Ensuring that both residents and businesses share in the benefits that will be generated, will be of paramount importance. The draft EZIP includes an indicative allocation of £40 million for the Curzon Enhanced Public Realm project.

3.2.3 Local strategic context

(i) Growth

The Birmingham Curzon Enhanced Public Realm project is designed to be a key part of delivering the City Council's vision for a sustainable and connected City, and its strategic growth plans as defined in the Birmingham Development Plan 2031 and the Big City Plan.

Fully realising the potential of Birmingham Curzon and HS2 will contribute to the City's **Growth Agenda**, which includes delivering 51,100 new homes, 100,000 jobs and new infrastructure by 2031 to support the City's growing population and to continue to strengthen its national and international standing. The City Centre is central to this future growth agenda as the economic hub for the City and the principal visitor and cultural destination.

The **Birmingham Development Plan** (BDP 2031), adopted in January 2017, sets out Birmingham Council's vision and a strategy for the sustainable growth of the City for the period up to 2031. Birmingham Curzon forms an important part of the wider development of the City Centre, which is identified under Policy GA 1.2 (Growth and Wider Areas of Change). The project will contribute to the development of the Eastside area. The BDP notes that, *"The ongoing regeneration of this area will enable the City Centre Core to expand eastwards and will require well designed mixed use developments including office, technology, residential, learning and leisure. Any proposals for a HS2 station will need to be integrated into the area creating a world class arrival experience with enhanced connectivity to surrounding areas including Digbeth and the City Centre Core."*

The **Big City Plan (July 2011)** sits alongside the BDP as a non-statutory document that sets out a vision and framework for how the City Centre will be transformed, reflecting the key proposals in the BDP. The Big City Plan sets out the vision for the future transformation of the City Centre over a 20-year period to 2031. It identifies the opportunities available in the City Centre and the actions that would need to be taken to deliver long-term economic growth and secure a competitive and successful centre for the future. As one of the five “areas of transformation”, the Eastside area aims to expand the City Core eastwards, with the new HS2 rail terminus identified as providing a significant catalyst for growth.

The **Birmingham Curzon HS2 Masterplan** (2015) to which this Business Case relates identifies the proposals to radically enhance the City’s national rail connectivity and accelerate its economic growth potential. The new line and terminus will provide a catalyst to transform areas of the City centre and unlock major regeneration sites including Curzon, with the area around the station becoming one of the best connected and most productive business locations in the country. The masterplan provides the framework and principles to guide development, regeneration, and connectivity to ensure that the City can capitalise on the arrival of HS2 and fully realise its transformational impact.

The Masterplan identifies six ‘Places for Growth’:

- ‘Arrival’ – the quarter incorporating the new HS2 station and certain ‘Big Moves’ which integrates fully and opens connections to surrounding areas;
- ‘Retail’ – the quarter that links the new station with the traditional retail core of the City centre by creating a retail frontage to a new Station Square through a redesigned Moor Street Queensway through to the transformed retail High Street;
- ‘Visit’ – the quarter that links ‘Arrival’ with ‘Learning & Research’ and builds on and enhances the existing visitor destinations of Millennium Point and Eastside City Park;
- ‘Creative’ – the largest of the quarters and including much of Digbeth, it provides the opportunity to enhance the existing creative industries sector and the growing number of companies involved in digital technologies, design, TV production, and arts, and to create new mixed development and a new canal-side residential neighbourhood;
- ‘Business’ – this quarter is intended to open up new opportunities to extend the traditional office core from the Colmore Business District with new developments such as Martineau Square and Exchange Square aligned with the extension of the Metro line; and
- ‘Learning & Research’ – this quarter will further develop the R&D business and educational focus around the Birmingham Science Park Aston and the Birmingham Metropolitan University campus, with opportunities to deliver a major mixed-use commercial, leisure, and residential development at the Eastside Locks site.

The Curzon Enhanced Public Real project forms part of the ‘Arrival Places for Growth’ and as noted above will deliver two of the five ‘Big Moves’ needed as part of the delivery of the station to transform Birmingham, reinforcing and expanding the City as a destination and creating a wider economic impact.

(ii) Environmental, active travel and wellbeing policies

A number of regional and local policies promote transport infrastructure and public realm interventions with the aim of increasing active modes of transport such as cycling and walking. The wider economic, health and environmental benefits are widely referenced as the rationale of these local policies. Through policy initiatives such as “Smart Network, Smarter Choices”, the West Midlands Combined Authority (WMCA) is able to change people’s travel behaviour and engineer “an average 4% shift from travel to work by car to active travel and public transport” within its long-term aim of “low-carbon, sustainable growth”.

The WMCA’s overarching environment strategy is outlined in “Think Global: Act Local 2014-2019” which provides strategic guidance and direction for the region to reduce the region’s impact on the environment. In an attempt to tackle global challenges, the environmental strategy promotes the role of local level policies, focusing on the sustainability of WMCA activities and promoting “leadership” and “environmental responsibility”. In 2014, the WMCA established the Low Emissions Towns and Cities Programme to promote the reduction in vehicle use, enable “a shift to sustainable transport modes” and improve the air quality and health of the region.

Currently, 25% of controllable CO₂ emissions are from the transport sector. In the West Midlands, 1,500 premature adult deaths each year are attributable to poor air quality annually and the “Movement for Growth: 2026 Delivery Plan for Transport” delivery plan outlines the importance of mobility “for health and a clean environment” explaining “poor air quality resulting from transport damages our citizens’ health, and carbon emissions contribute to climate change”. Acknowledging the “inequalities in health within the West Midlands, the delivery plan demonstrates the WMCA commitment to “improving air quality” by emphasising the “important relationships between health, wellbeing and wealth”. The plan outlines prioritises improved cycling infrastructure and provision for pedestrians with the aim of reducing health inequalities across the West Midlands, which is exacerbated by poor air quality and low levels of physical activity, and “increasing the healthy life expectancy by 2030”.

A more detailed description of these policies is included at Appendix A.

3.2.4 Birmingham City Council corporate priorities

The Council’s corporate priorities are articulated within the **Council Plan** and the **Budget 2018+** document. The Council Plan and Budget covers the 2018/19 – 2021/22 period and sets out the objectives, priorities and spending plans for the City. The Council’s vision for the future of Birmingham is for “*a city of growth, in which every child, citizen and place matters – a great city to grow up and grow old in, where people are healthier, communities grow stronger, and decent housing provides a strong foundation in which to raise families and build careers.*”

The Council Plan and Budget sets out the Council’s commitment to deliver on the targets set by the BDP identified above – to deliver 100,000 jobs and 51,100 new homes by 2031. Key to meeting these targets is the development and delivery of a series of Major Projects and Programmes, including Birmingham Curzon.

The project is specifically identified under the “Jobs and Skills” theme with the objective of *“creating the conditions for inclusive and sustainable growth that delivers and sustains jobs and homes across Birmingham”*.

The Council’s commitment to the development of the Curzon Enhanced Public Realm is reflected in its inclusion with the Draft EZIP 2018 and thus its willingness to prudentially borrow to deliver the project.

3.3 Impact of Public Realm

The effect of public realm interventions can be considerable and is reflected by significant and positive impacts on individuals, communities, local economies and land values.

Using Jan Gehl measurement of human experience of place, the Place Making: The Value of the Public Realm report (CBRE, 2017) demonstrates the value of public realm interventions in financial terms, through the impact on land value, rents and capital values. The study identifies that public realm can generate an uplift in value by a “change of image”, “creation of a destination”, “versatility of public realm” and the stimulus a public realm intervention can have “as part of wider redevelopment project”. The paper argues that public realm intervention “dramatically improves the economic competitiveness of an urban area”. In particular, the research identifies that:

- successful placemaking initiatives can revitalise an area and act as a magnet for people wanting to both live and work in a place that offers an attractive employment, with consequent benefits for real estate values (through the impact of land value and rents and capital rents);
- by altering the public image of a location, public realm intervention has a proven impact on visitor numbers and attracting retailers by improving the overall attractiveness of an urban space. The impact of “a change of image” in the Place du Marche Saint Honore public realm development in Paris has led to non-residential land values within 100 metres of the development rising by 33% and by 7.3% within 500 metres of the development. Retail values also have the potential to increase considerably and have done so by 166% in the Place du Marche Saint Honore case study;
- the “change of image” in the Place du Marche Saint Honore area has increased residential rents by 53% in the last twelve years since the project’s completion as the reimagining of the public space attracts “prosperous and dynamic new tenants”;
- the successful creation of “a sense of destination” when designing a public realm space can incentivise further regeneration in the wider area, boosting visitor numbers and increasing the attractiveness of an area to residential and retail development activity;
- the improved human experience of an urban area can readily translate into appreciating real estate values. In response to the “increased liveability” of the development of the High Line public realm in New York has facilitated the development 15 new residential buildings and the addition of 2000 new units, which equates to a 50% housing stock increase, since its creation. Moreover, the median resale price for residential real estate surrounding the

redevelopment increased to just shy of \$2.3 million, in comparison to the median sale price of the neighbourhood in general which is \$763,000;

- the increased residential value of developments can lead to wider commercial benefits. Asking rents of buildings in the immediate area surrounding the High Line in New York have risen by 51% comparable to asking rents one block away. The increase in rents has acted as a stimulus for further development activity. The demand which is driving rents higher is also prompting further development activity, in the form of an extensive 12-storey office building and the expansion of the Chelsea Market complex;
- public realm interventions, as part of wider redevelopment, can be a focal point of the visiting public especially when the area offers a wide range of uses and activities. The retail rents in the Porta Nuova public realm area, which hosts Milan Fashion Week, open-air concerts and other large-scale entertainment events, have increased by 27% from 2004 to 2009, while the wider area has seen no rental growth; and
- growth in retail rent prices in the immediate area of public realms can be more resilient than the average growth in wider area/city. The development of Liverpool One into a mixed-use commercial and residential space has increased retail rents by 17.5%, compared with a decline of 7.4% in the city overall since 2008.

Public green spaces are a common and popular form of the public realm which provide a wide range of amenities to residents alongside tangible financial gains in the form of increased land values. The Curzon Enhanced Public Real project includes the creation of a Rain Garden within the Curzon Promenade and Square. In London, it is calculated that public parks have a gross asset value in excess of £91 billion, comprising the value of recreation in the capital, huge benefits to health and land value uplift, with all sizes of functional green space within 200 metres of property having a positive impact on land prices. Analysis by the Office of National Statistics estimates that the presence of a 'small functional green space within 200 metres of a property is associated with a rise in property price of 0.5%'. The greater the size of the functional green space the greater the effect on property prices, for example, presence of very large functional green space is associated with a rise in property price of 1.4%.

In Port Sunlight, public realm intervention transformed unused land into a 30-hectare park and wetland. The creation of the park has had a considerable economic impact in the area, increasing visitor numbers to the site by 40,000 per year, generating £48,000 of revenue per year to the businesses that operate in the park and adding £7.8 million to the value of the community within 500 meters. Local property values have also increased by 5.4%, as residents enjoy access to the park for recreational purpose, shopping and volunteering opportunities.

Formal green spaces such as public gardens, parks and wilderness park have a high expected amenity value for society. Moreover, the Fields in Trust (2018) report shows that the utility individuals derive from public green spaces is not uniform, with lower socio-economic groups and Black, Asian, Minority Ethnic (BAME) groups deriving significantly more wellbeing from accessible green spaces. The willingness to pay for local parks or green spaces for lower socio-economic groups, especially in urban areas, is significantly higher than the national average at £4.32 per month while BAME groups valuing parks and green spaces more than double the UK average at £5.84 per month. The higher value ascribed to parks and green spaces by these group is also reflected in their likelihood to visit public green spaces more often.

More generally, RICS research which explored the impacts of placemaking, including public realm, on values found uplifts ranging from 5% to 56%. Research by Savills (2016) found that additional early spend on placemaking activities can cause sales values to rise by 20% and increase land values by up to 25%.

3.4 Property market context

An overview of the key trends and conditions in the local property market context is summarised below. This is informed by the commentary provided in the Curzon Growth Strategy report on development viability and funding (GVA, 2014), along with more recent market evidence.

3.4.1 Office

Birmingham is a major office location within the UK with the largest business and financial services sector outside London. The assessment of market conditions (GVA, 2014) indicated that the City had a stock of some 1.7 million sq m of floorspace, of which 1 million sq m was located in the prime core area and 372,000 sq m was Grade A. Take-up rates averaged some 66,000 sq m prior to the 2008 great recession (of which some 339,000 sq m was Grade A), although this was more subdued in the period 2010-2013 with public sector activity accounting for almost a third of larger transactions. In addition, GVA noted an encouraging level of inward investment activity, including 12,450 sq m taken by the Deutsche Bank relocation from India and the South East, which was seen as reflecting the City's increasing recognition at an international level in a market which historically appealed to indigenous occupiers. Investment was also identified from occupiers involved in HS2 construction. In terms of supply, Birmingham benefitted from a significant level of speculative development prior to the great recession, with 10 significant office buildings constructed between 2007 and 2010. This led to a surfeit of accommodation, with over 240,000 sq m of immediately available space (representing a vacancy rate of 14%). Only about 36,000 sq m of this was considered to be Grade A, and GVA expressed the view that a significant proportion of the remainder may have become immediately obsolete.

As a result, GVA indicated that available Grade A space represented an approximate 2 years' supply at average annual take-up rates and that it was anticipated that demand would exceed supply by 2015 because of the drying up of the immediate pipeline. Demand was expected to rise for a number of reasons, including a glut of lease renewals, further inward investment, and relocations from the South-East. Rental changes reflect this: prime rents peaked at £355/sq m in 2008 but fell back to £296/sq m in 2014 and were expected to gradually rise over future years. GVA identified the need to balance the large identified potential future development pipeline (including Curzon) with anticipated increases in future demand, which it suggested could rise to over 74,000 sq m per annum. Curzon was seen as meeting demand from a broad range of office users from larger corporate occupiers through to small creative businesses.

More recent evidence from the Knight Frank (The Birmingham Report, 2018) indicates the transformation taking place within the Birmingham office market and the growth of the serviced office market. It is evident that there is a requirement for Grade A accommodation, with over 50% of total take-up within central Birmingham being Grade A. This has been attributed to the ongoing necessity for occupiers to attract top talent and raise their business profile.

From a supply perspective, remaining available stock will have eroded further as we progress into 2019, this will no doubt impact on headline rental values (currently at £33.50/sqft) and pressurise the development pipeline, of which there is a significant volume of floorspace on the horizon.

3.4.2 Hotel

GVA identified a stock of some 14,000 bedrooms in Birmingham in 2014, with occupancy rates rising to 82% in September 2014 and average room rates of £72 reportedly being achieving. The main drivers of demand were identified as being corporate business, City events, and leisure visits. In terms of supply, Birmingham saw an increase of some 8% in hotels between 2004 and 2014 in particular in the budget and mid-market sectors (but with very limited 4* additions). The increase in supply is said to impact largely on secondary unbranded hotels.

In terms of future supply, an immediate potential pipeline of 17 hotels was identified together with a potential further development pipeline of an identified 15 schemes. As with office development, the report indicates that there is a need to ensure a balanced supply, with proposals for Curzon reflecting timing beyond 2026 responding to business growth, visitors, and city living and an appropriate mix of hotel gradings.

More recent evidence Colliers UK Hotel Market Index (Colliers International, 2016) which indicates that Birmingham retained an active market with an active pipeline of some 10% of stock and maintaining a relatively high market appetite and average daily rates although more middle-range occupancy rates and revenue per available room, with more subdued valuation yields.

3.4.3 Housing

The Greater Birmingham HMA Strategic Growth Study (February 2018) identifies an overall need across the West Midlands for the provision of at least 208,000 dwellings to 2031 and 258,500 homes to 2036. In comparison, the study quantifies a developable land supply of around 180,000 dwellings to 2031 and 197,000 dwellings to 2036 – resulting in a current shortfall of 28,150 dwellings to 2031 and 60,900 dwellings to 2036 across Birmingham HMA. The Study Concludes that additional housing allocations will be required as will an increase in densities – an aspiration in line with the Chancellor’s Autumn 2017 Budget Speech commitment to “building high quality, high density homes in city centres and around transport hubs”.

There is clear evidence of housing need in Birmingham. Birmingham’s population is projected to increase by 156,000 by 2031. The objectively assessed housing need in the Birmingham Development Plan for the period 2011-2031 is 89,000 new homes.

The City set out in the BDP (adopted January 2017) its approach to planning for this significant level of growth in the most sustainable way, it sought to maximise the level of housing growth accommodated within the built-up area of the city and plans for 51,100 new homes of which 45,100 will be within the built-up area. Green belt land has been released for an additional 6,000 to the north of the city. A proportion of need will therefore have to be met outside the

city boundary and the City continues to work actively with neighbouring authorities to ensure appropriate provision within the Greater Birmingham HMA.

Birmingham is an attractive place to invest in residential development. Whilst the City is currently meeting its housing trajectory, delivery needs to be accelerated to increase the rate of delivery from 2018/19 onwards. The City's growing population and limited housing supply are driver of house-price inflation.

Evidence from Knight Frank (The Birmingham Report, 2017) indicates that residential is an outperforming market with the annual growth rate for average house prices in Birmingham having averaged between 5% and 10% since mid-2015 and has outperformed the wider UK market for more than a year according to ONS data. It recorded one of strongest house price growth rates of any city in England, including London. The strong growth rate in prices seen in the past few years has contributed to a 43% rise in average residential property values since the post-crisis trough in the market in 2009 (although the average price in Greater Birmingham is still around 28% lower than the UK average of around £243,000).

3.4.4 *Retail and leisure*

GVA indicates the turbulent period for retail in Birmingham City centre in common with other cities in the UK following the global recession of 2008 prior to which conditions were at an all-time high for example in relation to Zone A rents. The report indicates that it was not until 2012 that some stability returned to the market, which was followed by the period to 2014 where there were improving conditions, led in part by the leisure sector (in particular in food and drink). Birmingham benefitted from the particularly strong retail development pipeline, including New Street Station, Grand Central, and Mailbox, which reflected positive sentiment by occupiers and rental levels remaining positive although largely flat at £300 in Zone A. GVA also noted evidence of growing requirements in the leisure sector (again, in particular in food and drink) from investors from outside the West Midlands. Within a more optimistic outlook, GVA also indicated that retail and leisure would need to respond to changing consumer requirements and the reconfiguration of Birmingham's retail core. However, Curzon is seen as being able contribute to the prospect of increases in the number of visitors and the positive response of retail and leisure occupiers, with a gradual process that could benefit development opportunities within Curzon in the medium to longer term from 2025 onwards.

More recent evidence from Knight Frank (The Birmingham Report, 2017) indicates that Birmingham has undergone a renaissance in terms of retail and leisure in recent years. Whilst the shopping experience has improved significantly, the food and beverage offer has exploded. Today Birmingham today has over 1,000 shops within a 20-minute walk of the city centre and sits fourth in CACI's UK Retail footprint ranking while the City now accommodates over 320 coffee shops. Consequently, prime ground floor rents have grown exponentially over the past five years from around £20 per sq ft to in excess of £40 per sq ft.

3.4.5 *Curzon Development Viability and Funding*

GVA was commissioned by BCC to provide advice on development viability and funding of the proposals for Curzon (GVA, December 2014) based on the Birmingham Curzon HS2 Masterplan

(although predating the final version). Its report provided an overview of property market conditions prevalent at the time and an assessment of the effects of transport infrastructure on land and property values as a context, as the basis for estimating expected development in Curzon on the basis of development appraisals of 32 individual sites under two scenarios:

- Scenario 1 (baseline) – development of the new HS2 station but with low level associated public realm and infrastructure; and
- Scenario 2 (preferred option) – development of the new HS2 station with high-quality associated public realm, infrastructure and transport improvements.

In terms of the effects on rents, GVA state that, *“With the comprehensive improvement to public realm and public transport connectivity under Scenario 2 we forecast commercial rental growth up to 2031 amounting to 37% cumulative in respect of transport improvements and 20.3% in response to public realm works.”*

GVA concluded that an estimated total of 1,057,000 sq m of commercial, community, and housing development would take place as a result of the HS2 investment under Scenario 2, compared with 745,000 sq m under Scenario 1, resulting in an additional estimated 312,000 sq m of development (+42%) with much higher development values and achievable rents.

3.5 Stakeholders

Significant engagement has already taken place through the preparation and development of the Birmingham Curzon Masterplan. This included consultation with developers, businesses and the public, on the Draft Masterplan. More than 90 per cent of those who responded backed the plan and believed HS2 would be a driver for economic growth in Birmingham.

In terms of ongoing stakeholder management, BCC is in constant discussion with HS2 and its advisors in relation to the project. In addition, there is also a close dialogue with Transport for the West Midlands (TfWM) and the Midland Metro Alliance regarding the adjacent SPRINT and tram schemes.

3.6 Rationale for intervention

3.6.1 Needs and demands

The Curzon Public Realm Enhancement project is strongly aligned with meeting the needs of the City in relation to the provision of modern housing and workspace, and repositioning of its office, retail and leisure offer which requires intervention by the public sector to unlock opportunities.

The Birmingham Curzon Growth Strategy – Development Viability and Funding report (GVA December 2014) concluded that the arrival of HS2 into the centre of Birmingham provides an unrivalled opportunity to transform areas of the city centre and in particular to implement changes that will assist significantly with the growth prospects inherent with HS2.

3.6.2 Policy imperatives

The strategic context identified above (para. 2.1.1 – 2.1.3) demonstrates that there are particular policy imperatives that support the need for the scheme, including to increase housing provision to match a range of types and tenures, to promote economic growth and diversification of key aspects of the City's offer in order to develop new employment opportunities and increase living standards, and to create an environment that will provide a setting that is commensurate with the planned development and enhances the quality of life of residents, workers, and visitors.

3.6.3 Market failures

The rationale for public sector intervention will normally involve justifying an activity in terms of its expected impact on economic efficiency, or in terms of stated Government policy objectives (such as social objectives), or some combination of the two. Improvements in economic efficiency involve the allocation of scarce resources in order to enhance utility – in other words, to secure the highest possible net social welfare. There are a number of potential market failures which provide a strong rationale for the provision of support to schemes such as Birmingham Curzon that aim to deliver economic growth and provide environmental amenity:

- **Positive externalities** - the production or consumption of a good or service can bring significant benefits to society as a whole which are not considered in the private sector decision-making process.
- **Negative externalities** – the Birmingham Curzon area represents brownfield land that has previously been developed. The costs of reclaiming and servicing sites represent a significant barrier to development. The underused nature of parts of the area has an adverse effect on the environment and image of the area.
- **Merit goods** - these are goods or services provided free for the benefit of the entire society by the public sector because they would be under-provided if left to market forces, such as new infrastructure and public open space. Infrastructure and public realm can be considered to be a merit good as they bring social and economic benefits to an area and individuals but would not be provided by the private sector in the absence of support.
- **Equity/distributional failure** - this can occur when the market has failed to provide opportunities equitably across all social groups and geographical areas. The economic context set out above identifies that the wider area has a number of challenges which the programme will help to address, particularly around unemployment and deprivation. There are significant pockets of deprivation in and around Birmingham City Centre.

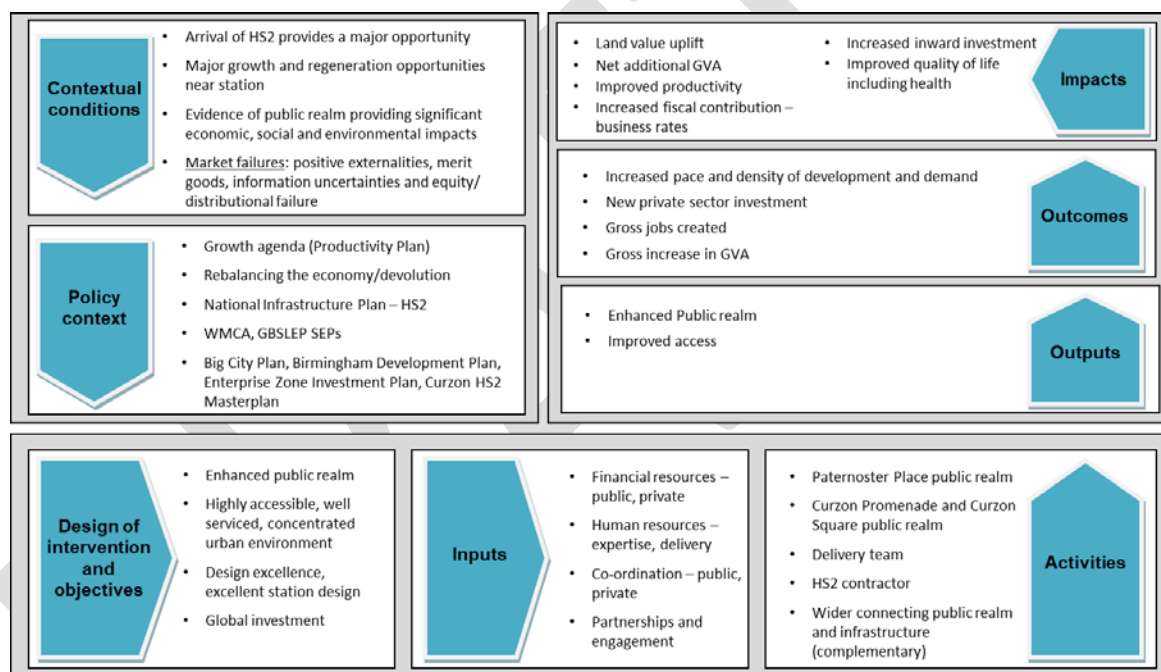
The project is expected to deliver a significant level of public goods and positive externalities, including improved public realm and public transport, which would lead to improved amenity value and connectivity. The scheme would additionally bring back brownfield land into more productive use land.

3.6.4 Logic chain

The current baseline conditions in the area are dominated by the construction works proposed for HS2's Curzon Street station. The area has been largely cleared and with much of it zoned off as a construction site. Consequently, there are very limited pedestrian, cyclist or vehicular movements taking place currently. This position will change dramatically with the opening of HS2 and the proposed enhancement project. Once the Curzon Street station is open an estimated 25,000 passengers will use it each day in 2026. This is estimated to increase to 66,000 in 2041, six years after completion of both Phases of HS2.

There is a clear logic chain linking needs and opportunities through to project outputs, outcomes and impacts. This shows how the proposed project, and the inputs it entails, is expected to deliver key outputs and outcomes and how they will contribute to wider priorities and target impacts.

Figure 3.2: Enhanced Public Realm Logic Chain



3.7 Constraints and dependencies

There are a number of key constraints and dependencies to be addressed, which are set out in the programme attached as Appendix B and Risk Register attached at Appendix D. A detailed delivery programme will be included within the FBC and is dependent on the appointment of the contractor to design and build the station. At this stage the key ones include:

(i) Constraints

- Ground conditions
- Agreement with Network Rail in relation to the overbridging of its rail lines and equipment

(ii) Dependencies

- Continued delivery of HS2
- Schedule 17 planning consent
- Procurement of the HS2 Curzon Station Design and Build contractor
- Delivery Agreement with HS2 with appropriate risk allocation and change management.
- Release of resources to develop the FBC
- Development and approval of FBC by the GBSLEP and BCC
- Development of the on-going maintenance strategy

The associated barriers to change include developing a joint approach that integrates effectively with the delivery of HS2.

4 Economic case

4.1 Introduction

This section establishes the economic case for the proposed project based on the appraisal of the costs and benefits of alternative options and an assessment of Value for Money (VfMz) to determine the appropriate way forward. The risks and sensitivities of each option are assessed, along with the wider benefits. The key findings are presented in an Appraisal Summary Table.

A copy of the economic appraisal model is provided separately as Appendix C.

4.2 Approach

A cost benefit analysis has been undertaken that compares the quantified economic costs and benefits of in order to help determine value for money. This has been accompanied by an assessment of the economic impacts (jobs and Gross Value Added (GVA)) and the wider, less easily quantifiable benefits that would be expected to be generated under each short-listed option – such impacts are important in understanding the overall economic case for intervention at both the local and national level.

The Curzon enhanced public realm project will comprise public sector support towards key works of public benefit involving augmented public realm improvements. The methodology for assessing the economic case applies an approach that is consistent with the HM Treasury's Green Book (April 2018) and MHCLG's Appraisal Guide (December 2016).

In terms of the key economic modelling inputs and assumptions for the Curzon project, these include:

- all short-listed options have been appraised over a 30-year period, consistent with appraisal guidance;
- where Present Value figures are presented, costs and values have been discounted at 3.5%, in line with the HM Treasury Green Book;
- all monetised costs and benefits have been converted to 2018 prices, with general inflation excluded;
- the costs and benefits of the three intervention options are presented in gross terms and relative to the reference case (Business as Usual (do nothing) option). Adjustments have also been made for leakage, displacement and multiplier effects where appropriate (as detailed below); and
- Optimism Bias has been calculated using HM Treasury methodology and included in the value for money analysis.

As set out within the MHCLG Appraisal Guide, projects should be appraised on the basis of a benefit cost ratio (BCR) reflecting the private benefit associated with the change in land use (land value uplift) and the external benefits (and costs) of the scheme, compared to the net

public sector cost. Table 4.1 sets out a summary from the MHCLG Appraisal Guide of the potential benefits and costs that inform the assessment of the BCR.

The guidance recommends that two BCRs are calculated. An 'initial' BCR takes into consideration all appraisal values where there is a strong underlying evidence base (for example, appraisal values based on the Green Book). The 'adjusted' BCR may include additional evidence not currently widely-recognised, but may reflect an appraiser's own accredited experience

Table 4.1: Description of the benefits and costs identified within the DCLG Appraisal guide*		
	Consumer and business impacts	External impacts and public sector finance impacts
Present value benefits (numerator)	Private benefits e.g. land value uplift [Private sector costs if not captured in land value] Public sector grant or loan if not captured in land value [Public sector loan repayments if not captured in land value] Distributional benefits	External benefits [External costs]
Present value cost (denominator)		Public sector grant and/or loan [Other public sector loan repayments] Other public sector costs [Other public sector revenues]

*The benefits and costs in brackets are negative values

In addition to the calculation of a BCR for the project in line with MHCLG's recommended methodology, the strategic importance and local economic impact has also been assessed at the GBSLEP level. This has been based on an analysis of the net additional jobs and GVA benefits that are expected to be created by the project.

The analysis focuses on the additional impact of the enhanced public realm project over and above the effects associated with the HS2 base scheme.

Based on the review of the evidence of the impacts of public realm, it is anticipated that investment will influence new development activity in a variety of ways:

- **Vacancy rates** – there is evidence that the creation of an attractive environment can reduce levels of vacancy. While this is particularly evident within a retail setting, there is indirect evidence that the amenity and image benefits associated with proximity to high quality public realm can increase demand for other commercial accommodation resulting in reduced vacancy.
- **Values** – the evidence outlined above highlights examples from the UK and overseas where investment to deliver a comprehensive public realm solution has resulted in an increase in rental values. This applies to both residential and commercial premises, and reflects the importance of location for the valuation of land and premises.

- **Intensity of development** – through enhancing values and reducing vacancy, public realm investment also has the capacity to increase the intensity of development. This is particularly relevant within a core city centre location such as Curzon.
- **Pace of development** – the creation of a high quality and cohesive public realm environment is expected to create the conditions to attract occupier and investor. Through bolstering demand, investment in public realm has the potential to mitigate risk and enable the developer to accelerate the commencement and rate of delivery. This is expected to be particularly relevant for complex, multi-phase schemes.
- **Type of activity** – through transforming the environment, public realm investment has the potential to generate development demand from alternative uses. This is particularly relevant within an edge of centre location, where investment in former industrial zones can catalyse demand for higher value uses including office, leisure and residential.

Consideration has been given to the level of impact associated with each of these variables arising as a result of public realm enhancements around the HS2 station at Curzon. The assessment has focused on sites and zones directly benefiting from investment as a result of enhanced visual amenity or improved connectivity.

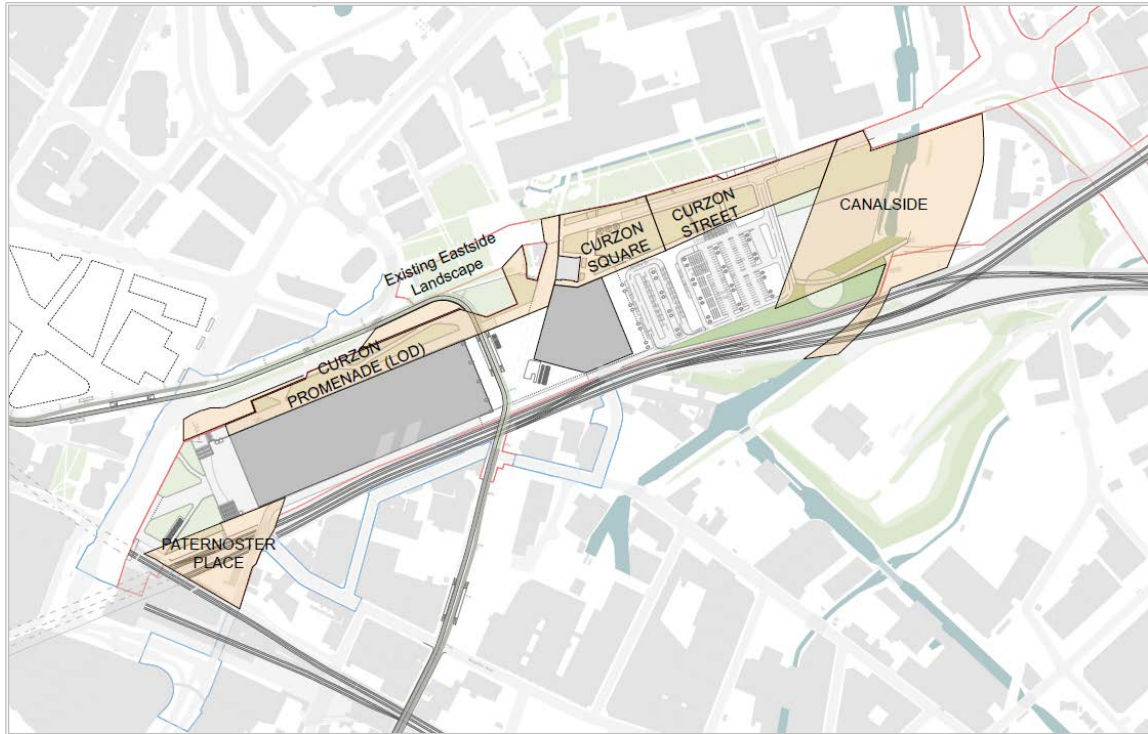
4.3 Options

4.3.1 Long-list of options

A range of alternative design options have been developed by WSP and assessed as part of the process of developing the proposed public realm proposals. Within the scope of the design-led assessment WSP has evaluated and developed concept proposals for the areas described in Figure 4.1.

The optioneering process has included consideration of 12 alternative options in relation to Paternoster Square and 3 in respect of Curzon Street and Square. Each of the options was assessed against a range of criteria. For Paternoster Square the criteria included: Strategic Goals and HS2 Programme Benefits (project specification, HS2 design vision, Curzon HS2 masterplan, and Curzon Station public realm brief); Construction Feasibility (complexity, programme, disruption, impact on 'triangular site', utilities); HS2 Operation Feasibility – Operations (vehicular access); Maintenance (maintenance and servicing arrangements); HS2 Operation Feasibility – travelling public (dispersal by mode, connectivity, security/personal safety); Demand (pedestrian and cycling growth); Environment; Health and Safety (risk to health during construction and operation); Commitments (public/BCC assurances, visual and physical connection between City Core and Digbeth, existing infrastructure, biodiversity); and Commercial Development (opportunities for appropriate commercial development). Each option was scored out of five and rated using a red, amber and green (RAG) approach.

Figure 4.1: Scope of the WSP public realm assessment



Each of these zones has been evaluated as part of a long list of options as outlined below, alongside the business as usual scenario:

- **Business as Usual** – in the absence of investment no enhancement works will be supported and the ‘base’ HS2 scheme will be delivered. As outlined above, this scheme is not expected to provide a comprehensive public realm environment.
- **Paternoster Square** – identified as a gateway to Digbeth, enhanced proposals for Paternoster Place seek to provide a wide and attractive pedestrian route. A key objective is to open up opportunities for regeneration within Digbeth, bringing forward regeneration within the Enterprise Zone. The WSP sift considered twelve options, selecting proposals for a corner chamfer to provide clear sight lines and a potential development platform for further detailed assessment. The proposals for a large chamfer (PP5) were identified as the preferred solution, with scenarios promoting a small and medium chamfer (PP3 and PP4) also advanced for further consideration.
- **Curzon Promenade** – a zone to the north of the HS2 station, part of which lies outside of the HS2 ownership. The primary design objectives relate to celebrating the view of the historic Curzon Street Station alongside enhancing connectivity, reflecting the role of the space in providing linkages with adjacent uses including the University, as well as facilitating movement between the City Centre and Eastside. The creation of a landscaped green setting for the Station was also a primary design objective. In response, WSP considered design options for an ecology and sculpture park (CP2), an active terraced garden (CP3) and

a for sports, fitness and play (CP4). Option CP2 was selected through the sift process and is reflected in the long-list outlined below.

- **Curzon Square** – designed as a grand civic space, building on the foundations of the Eastside City Park, the park is envisaged as a major arrival space. The sift considered three options for Curzon Square and Curzon Street jointly. Based on a review of options for a formal tree grove (CS2), garden square (CS3) and multi-functional garden square (CS4), the sift identified a formal tree grove as the preferred option.
- **Curzon Street** – the proposals for Curzon Street reflect the broader aspirations for the Eastside area. The design vision promotes the creation of a cohesive urban park aligned with Curzon Square. The results of the sift process at DAL3 are outlined above in relation to Curzon Square.
- **Canalside** – comprising land to the east of the HS2 station, the Canalside area lies at the interface with the Digbeth Branch Canal. It has been designed as a network of public open spaces extending across both banks of the canal, providing for enhanced access, recreation and environmental attenuation. Three options were considered through the sift. Ahead of an assessment of value for money, this identified an enhanced programme of works (CaS4) as the preferred option.

The process of deriving a short list of options has built upon the sifting process undertaken by WSP in consultation with HS2, Birmingham City Council and other professional advisors. Each of the preferred options identified through the sift have been taken forward into the long list of options.

The long list has been subject to a strategic assessment involving a review and scoring assessment, based on the ability of each option to meet key critical success factors (CSFs), namely strategic fit, potential VfM, potential achievability, and potential affordability. Scores have been applied ranging from very high (a maximum score of 5) to very low (a score of 0) in order to determine those that are most likely to meet the CSFs and that should be short-listed for more detailed appraisal. Those options that either score zero for any criterion or have an overall score of 8 or less have not been short-listed, with the exception of the Business as Usual case.

Table 4.2 sets out the results of the long-list assessment.

Table 4.2: Long-listed options

	Strategic fit	Potential VfM	Potential Achievability	Potential Affordable	Short-listed
Reference case					
Business as Usual	Does not fit with the strategic vision and policy objectives	N/A	Would be deliverable/achievable	N/A	Yes (as reference case)
Enhanced public realm components					
Paternoster Place – small corner chamfer	Enhances access to Digbeth in line with strategic objectives for the enhancement works, but impact lower than other Paternoster Place options <i>Score: 3</i>	Lower cost has potential to be offset by reduced impact arising from more limited linkage with Digbeth <i>Score: 2</i>	Likely to be achievable subject to securing agreement and rights from Network Rail There are no other major impediments to delivery <i>Score 3</i>	Expected to be affordable within the wider budget envelope of the scheme, subject to the approval of LEP capital funding <i>Score: 4</i>	No <i>Overall score: 12</i>
Paternoster Place – medium corner chamfer	Enhances access to Digbeth and directly facilitates the delivery of new commercial accommodation in accordance with the objectives of Birmingham City Council for the enhancement works <i>Score: 4</i>	Unlocks significant HS2 commercialisation opportunities, offsetting cost impact of overbridging rail line. <i>Score: 4</i>	Likely to be achievable subject to securing agreement and rights from Network Rail There are no other major impediments to delivery <i>Score 3</i>	Expected to be affordable within the wider budget envelope of the scheme, subject to the approval of LEP capital funding <i>Score: 4</i>	Yes <i>Overall score: 15</i>
Paternoster Place – large corner chamfer	Enhances access to Digbeth in accordance with the objectives of Birmingham City Council for the enhancement works <i>Score: 3</i>	Significant impact on development activity within Digbeth partly offset by cost increases <i>Score: 3</i>	Likely to be achievable subject to securing agreement and rights from Network Rail There are no other major impediments to delivery <i>Score 3</i>	Expected to be affordable within the wider budget envelope of the scheme, subject to the approval of LEP capital funding <i>Score: 4</i>	Yes <i>Overall score: 13</i>

Table 4.2: Long-listed options

	Strategic fit	Potential VfM	Potential Achievability	Potential Affordable	Short-listed
Curzon Promenade	Enhances the public realm to provide an improved arrival experience for passengers and create an environment that facilitates the delivery of new commercial and residential development <i>Score: 4</i>	Potential for costs to be offset through enhancing connectivity and environment adjacent to strategic development schemes, notably Martineau Place <i>Score: 3</i>	Achievable as land within the ownership and control of Birmingham City Council <i>Score: 4</i>	Expected to be affordable within the wider budget envelope of the scheme, subject to the approval of LEP capital funding <i>Score: 4</i>	Yes <i>Overall score: 15</i>
Curzon Square	Enhances the public realm to provide an improved arrival experience for passengers and create an environment that facilitates the delivery of new commercial and residential development <i>Score: 4</i>	Important to link effectively with existing public realm provision, but direct benefits may not be sufficient to justify level of investment envisaged <i>Score: 2</i>	Achievable as land within the ownership and control of Birmingham City Council <i>Score: 4</i>	Expected to be affordable within the wider budget envelope of the scheme, subject to the approval of LEP capital funding <i>Score: 4</i>	Yes <i>Overall score: 14</i>
Curzon Street	Enhances public realm but limited impact in terms of facilitating the delivery of new commercial and residential development <i>Score: 2</i>	Level of benefit achieved above baseline scheme potentially insufficient to justify level of investment <i>Score: 2</i>	Achievable as land within the ownership and control of Birmingham City Council <i>Score: 4</i>	Potentially affordable within the wider budget envelope of the scheme, subject to the approval of LEP capital funding <i>Score: 3</i>	No <i>Overall score: 11</i>

Table 4.2: Long-listed options

	Strategic fit	Potential VfM	Potential Achievability	Potential Affordable	Short-listed
Canalside	Enhances public realm but limited impact in terms of facilitating the delivery of new commercial and residential development <i>Score: 2</i>	Within current market conditions, the level of benefit is unlikely to be sufficient to justify the considerable delivery cost <i>Score: 2</i>	Potentially achievable as designed subject to ensuring environmental compliance and securing appropriate rights and ownerships <i>Score: 3</i>	Unlikely to be affordable within the wider budget envelope of the scheme, subject to the approval of LEP capital funding <i>Score: 1</i>	No <i>Overall score: 8</i>

4.3.2 Short-listed options

The proposed intervention option has been considered in detail, together with the 'Business as Usual (do nothing)' option (Option 1) to identify the counterfactual. These are summarised below:

- **Option 1: Business as Usual (Do Nothing)** - under this option, only the HS2 baseline scheme would be delivered. While this would create a high quality environment, opportunities to maximise the strategic impact of the HS2 station would not be realised. In particular, it would fail to secure high quality links to strategically important development sites within Digbeth. In addition, the integration with existing public realm and key institutions to the north of the station would be of a lower quality.
- **Option 2: Curzon Promenade and Curzon Square** – works to extend the baseline public realm scheme beyond the HS2 land to enhance integration and linkages along the corridor to the north of the station. Under this option, no enhancement works would be progressed at Paternoster.
- **Option 3: Paternoster (medium corner chamfer), Curzon Promenade and Curzon Square** – in addition to the works proposed under Option 2, this option would support the creation of enhanced linkages to Digbeth. The delivery of a medium chamfer would further support HS2 commercialisation opportunities, with emerging proposals for a 40,000 sq m office scheme fronting onto Station Square.
- **Option 4: Paternoster (large corner chamfer), Curzon Promenade and Curzon Square** – this option would enhance linkages with the Digbeth area. However, the chamfer would not be expected to promote the HS2 commercialisation opportunity.

4.4 Project costs

The public sector economic costs associated with the delivery of the Curzon Enhanced Public Realm project have been estimated by the project team and are expected to relate to the following items. A more detailed breakdown is set out in Appendix 3:

- **Feasibility and Design costs** - the City Council and HS2 has and will directly incur fees, legal and other costs in developing the proposed scheme up to FBC. These include cost already approved of £1,445,512 and this OBC is seeking the release of further costs of £222,764 to develop the FBC ;
- **Public realm works** – an estimate of £15.57m has been outlined within a cost plan prepared by the HS2 design team and reviewed by Birmingham City Council (Appendix I). Alongside direct construction costs, this estimate makes allowance for on-costs (preliminaries and contractor fee) and fees (including design fees, an HS2 fee and a HS2 legal fee). Adjustments are also made for a risk estimating tolerance (at 5% of total cost), risk (at 40% of cost) and inflation. Inflation has been excluded from the estimate of economic costs. Further to this, it is assumed that the estimate of risk adjusts for optimism bias. Pro-rata adjustments have been applied to inform the estimate of cost under the alternative options;

- **Land/rights** – the assessed value is estimated to be £1.15 million. This will be subject to further negotiation with Network Rail and other relevant stakeholders;
- **Management costs** – An allowance of £0.49m allowance is made for costs to manage the project, including
 - BCC project management through a part time post up to 2023
 - Further allowance is made for additional fees associated with legal and planning support, alongside fees to Acivico for contract monitoring;
- **Lifetime costs** – based on indicative information provided by BCC, it is estimated that annual provision of £60,000 should be made for ongoing maintenance in relation to the enhancement works.
- **Optimism bias** - The HM treasury's Green Book indicates that consideration should be given to the degree to which the project is subject to Optimism Bias. That is, the tendency for project sponsors to be overly optimistic about the costs of the project, the timescale necessary for delivery, and the benefits that may accrue. In the case of Curzon, there remains a need for further due diligence. Consequently, the cost plan applies a risk adjustment (optimism bias) of 40%. On this basis, optimism bias has been applied to other costs at this rate. Including the tolerance value of 5% this totals £7.31m

The public sector economic costs of the enhanced public realm works proposed under Option 3 have been estimated at £28.59 million (2019 prices) based on the assumptions outlined above. The economic costs are summarized in Table 4.3 alongside estimates for the alternative options.

Table 4.3: Public sector costs – intervention options						
	Option 2		Option 3		Option 4	
Cost item	Total (2019 prices)	Present value (2019 prices)	Total (2019 prices)	Present value (2019 prices)	Total (2019 prices)	Present value (2019 prices)
Feasibility & design	£1.50	£1.36	£1.67		£1.50	£1.36
Public realm works	£6.09	£4.96	£15.57		£13.27	£10.80
Land/Rights	£0.00	£0.00	£1.15		£1.00	£0.97
BCC management cost	£0.30	£0.28	£0.49		£0.30	£0.28
Lifetime costs	£1.41	£0.93	£2.40		£1.41	£0.93
Optimism bias	£3.89	£3.08	£7.31		£7.37	£5.92
Total	£13.19	£10.60	£28.59	£	£24.84	£20.24

On a discounted basis, the net present cost of the proposed public sector investment under Option 3 is estimated to be £22.2 million (2019 prices). This compares to £10.6 million under Option 2 and £20.2 million under Option 4.

4.5 Economic impacts

4.5.1 Introduction

The project and the alternative options will provide a range of economic impacts, together with environmental and social benefits, identified below. The assumptions made in calculating impacts and benefits in are set out below, along with the profile of impacts and benefits.

4.5.2 Public realm and infrastructure

The area of new public realm that will be created or enhanced under each option above the baseline scheme is set out in Table 4.4. In each case it is expected that this would be available for public use by 2026.

Table 4.4: Public realm (Ha)	
	Ha of public realm
Option 2 - Curzon Promenade and Curzon Square	0.81
Option 3 - Paternoster (Medium corner chamfer), Curzon Promenade and Curzon Square	0.99
Option 4 - Paternoster (large corner chamfer), Curzon Promenade and Curzon Square	1.4

4.5.3 Operational jobs

As discussed in Section 4.2 above, the public realm enhancement projects are expected to have a range of impacts on development proposals for adjacent sites. The assessment has focused on proposals for the following areas within the Enterprise Zone:

- **Masshouse** – focused on land formerly proposed for the reprovion of the Magistrates Court, alongside a small plot fronting onto the Curzon Promenade area which is identified for retail uses. Indicative proposals are outlined for a baseline scheme (informed by projections set out within the Birmingham City Council Enterprise Zone monitoring tool) comprising of 250 residential units alongside 1,300 sq m of commercial floorspace;
- **Martineau Square** – proposals for this strategic site are being developed by Hammersons. Based on historic proposals, the scheme could provide almost 94,000 sq m of commercial floorspace (including office, retail and leisure accommodation) alongside 608 residential units;
- **Paternoster** – reflecting its proximity to the HS2 terminal, the site has been identified as a target for hotel development. A baseline projection of 30,000 sq m of has been identified. HS2 has identified the western portion of the site as a major commercialization opportunity, with proposals for 40,000 sq m of office accommodation emerging. Option 3 has the potential to align directly with this scheme since it would create the context for a major office-led development, which it is assumed would be offset by a reduction in the level of new hotel provision (to 20,000 sq m). The office scheme could not be accommodated under the large corner chamfer option.;
- **Typhoo Wharf** – located in Digbeth, potential capacity has been identified for 70,000 sq m of commercial space and 535 residential units to be provided through the delivery of new and refurbished premises.

The interdependent benefits arising from public realm investment relate to reduced vacancy, enhanced values, increased intensity and pace of development, alongside a shift to higher value uses. The evidence review indicates that these impacts can be significant. However, reflecting the scope of the works proposed, Table 4.5 details the effect on adjacent development sites attributed to the enhancement works.

Enhancement works would also be expected to result in positive impacts for existing premises. However, as indicated within Table 4.5, the impact on existing premises has not been assessed at this stage. The assumptions used are considered to be conservative compared with those identified in previous studies (see Section 3.3). For example, in the case of the Place du Marche Saint Honore in Paris retail values increased by 166% and residential values by 53%. In addition, the earlier work by GVA identified forecast commercial rental growth in the Curzon area due to the enhanced public realm of 20.3%.

Table 4.5: Public realm impact		
	Paternoster	Other Sites
(i) Development Sites		
Vacancy rates	Reduce assumed vacancy rates by 5.0%	Reduce assumed vacancy rates by 2.5%
Values	Increase rents by 5.0%	For sites with direct sight line, increase rents by 2.5%
Intensity of development	Increase density of development by 2.5% above baseline	Increase density of development by 2.5%
Pace of development	Accelerate delivery by 1 year over baseline	Accelerate delivery by 1 year over baseline
Type of use	No change assumed	No change assumed
(ii) Existing premises		
Vacancy rates	No impact – as existing stock redeveloped/refurbished over time	No impact assumed

Table 4.6 provides an estimate of the gross full time equivalent (FTE) jobs attributable to the enhanced public realm works once the scheme is fully developed, which arise through the reduced vacancy rates and increased density of development.

Table 4.6: Gross marginal jobs (FTE)	
	Gross Jobs (FTE)
Option 2 - Curzon Promenade and Curzon Square	293
Option 3 - Paternoster (medium corner chamfer), Curzon Promenade and Curzon Square	3,099
Option 4 - Paternoster (large corner chamfer), Curzon Promenade and Curzon Square	480

The profile of jobs under each option is set out in Table 4.7.

Table 4.7: Gross marginal jobs profile

	Option 2	Option 3	Option 4
Office	261	3,109	417
Industrial	0	3	3
Retail	30	40	40
Leisure	3	7	7
Hotel	0	-60	14
Total	293	3,099	480

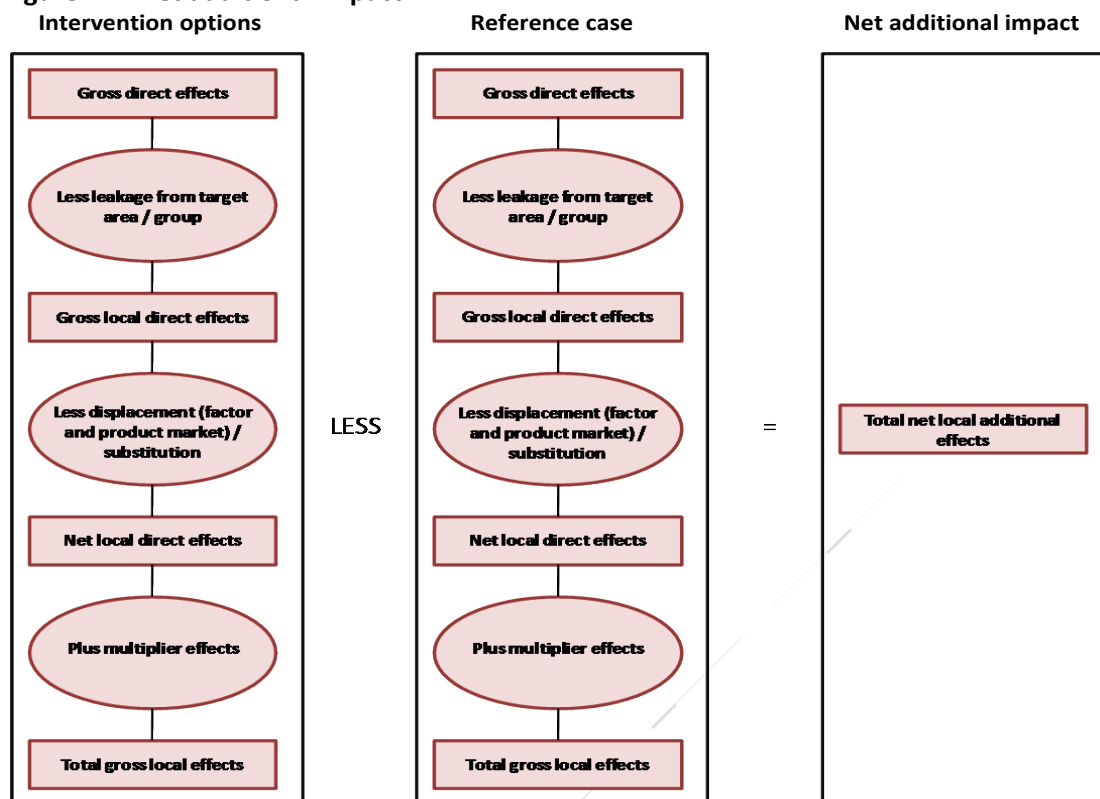
As outlined in Table 4.7, it is anticipated that Option 3 would result in a marginal reduction in hotel employment relative to the do nothing scenario (Option 1). However, the gain in office based employment significantly exceeds this loss.

As well as the gross benefits, the net additional impact of the intervention options has also been assessed – that is the extent to which activity takes place at all, on a larger scale, earlier or within a specific designated area or target group as a result of the intervention. In order to assess the additionality of the proposals, the following factors need to be considered:

- **leakage** – the proportion of outputs that benefit those outside of the target area;
- **displacement** – the proportion of the proposed development's outputs accounted for by reduced outputs elsewhere in the target area. Displacement may occur in both the factor and product markets;
- **multiplier effects** – further economic activity associated with additional local income and local supplier purchases; and
- **deadweight** – outputs which would have occurred without the proposed development.

The approach to assessing the net additional impact of each option, taking into account the above adjustments, is shown diagrammatically in Figure 4.1. The assessment of additionality in terms of economic impacts has been undertaken at the GBSLEP level, having been based upon the market assessment and best practice guidance, in order to inform local decision makers about the scale of additional effects in the region. The subsequent economic benefits analysis (see Section 4.6) assesses additionality at the national level, in line with Departmental guidance.

Figure 4.1: Net additional impact



The following assumptions have been applied:

- **leakage** – a leakage rate has been applied at the GBSLEP level, based on commuting data derived from the 2011 Census. While many of the jobs created will be in higher value sectors, there will also be a number of employment opportunities provided in business support, retail and leisure sectors, which are likely to be relatively accessible to local residents. Overall, the leakage rate is estimated to be 15%;
- **displacement** – although it is inevitable that the project will compete with other developments and existing business locations within Birmingham, the proposals will also attract new investment and economic activity to the area, helping to stimulate growth within the economy and increase the competitiveness of indigenous businesses. Displacement rates of 50% have been applied to all uses;
- **multiplier** – alongside directly supporting employment creation, the proposed development will also lead to additional job opportunities through supply chain expenditure (indirect effects) and induced effects through employee spend on goods and services within the region. In order to take into account both the indirect and induced multiplier effects associated with the scheme, reference has been made to benchmarks outlined within additionality guidance. A composite employment multiplier of 1.46 has been applied reflecting the scale of the proposed development; and

- **deadweight** – deadweight has been calculated through the assessment of the Business as Usual (do nothing) option. The outcomes under this scenario have been deducted from the assessment of the gross marginal effects outlined in Tables 4.6 and 4.7.

Table 4.8 sets out the net additional employment impact associated with the proposed scheme. It is estimated that the Curzon enhanced public realm scheme would result in the creation of almost 1,923 net additional FTE jobs. This is largely attributable to the effect of the proposed works in unlocking the delivery of significant HS2 commercialisation opportunities. These opportunities would not be realised under the alternative options and the impacts are projected to be significantly lower.

Table 4.8: Net additional operational jobs (FTE)	
	Net additional Jobs (FTE)
Option 2 - Curzon Promenade and Curzon Square	182
Option 3 - Paternoster (medium corner chamfer), Curzon Promenade and Curzon Square	1,923
Option 4 - Paternoster (large corner chamfer), Curzon Promenade and Curzon Square	298

4.5.4 Gross Value Added

The GVA generated as a result of the additional permanent jobs created under each of the intervention options has been estimated as part of the economic appraisal. The assessment of net additional GVA reflects the following assumptions:

- the net additional job estimates have been adjusted to no longer account for leakage, as GVA is a work-placed based measure; and
- an average GVA per FTE figure for the Birmingham for each sector has been applied to the adjusted estimates of net additional employment based on data derived from Experian local economic forecasts.

Table 4.9 sets out the annual net additional GVA impact once the proposed scheme is complete for each option. In total some £164.8 million per annum is forecast to be generated. The impacts under Options 2 and 4 are expected to be substantially lower at £14.8 million and £25.0 million respectively.

Table 4.9: Net additional GVA (£m, 2019 prices)*	
	GVA
Option 2 - Curzon Promenade and Curzon Square	£14.82
Option 3 - Paternoster (medium corner chamfer), Curzon Promenade and Curzon Square	£164.79
Option 4 - Paternoster (large corner chamfer), Curzon Promenade and Curzon Square	£23.97

*Per annum once development complete

Allowing for the persistence of benefits over a period of five years (assuming a decay to zero over this period), the cumulative net additional discounted GVA impact associated with Option 3 is estimated at £407 million. An impact of £42 million and £67 million is estimated for Options 2 and 4 respectively.

4.6 Economic benefits

4.6.1 Land value uplift

The benefits of the recommended preferred scheme have been assessed in line with the MHCLG Appraisal Guide, which identifies that the value to society of a given intervention can be separated into two elements: the private benefit associated with the change in land use and the net external impact of the resulting development.

In terms of the private economic benefit, land value uplift is MHCLG's recommended approach to valuing the benefit of development. The methodology applied within this Business Case has therefore involved calculating land value uplift estimates for each option, based on the option specific development appraisal. The indicative appraisals identify a residual land value for the identified development proposals under each option. The appraisal has focus on the marginal uplift under the intervention options.

The land value uplift (present value in constant 2019 prices) associated with each option is set out in Table 4.10.

Table 4.10: Land value uplift (£m, 2019 prices, discounted)	
	Land value uplift
Option 2 - Curzon Promenade and Curzon Square	£6.30
Option 3 - Paternoster (medium corner chamfer), Curzon Promenade and Curzon Square	£26.37
Option 4 - Paternoster (large corner chamfer), Curzon Promenade and Curzon Square	£10.56

4.6.2 Externalities

(i) Amenity benefits

In addition to the private benefits, there are external impacts that are likely to be associated with the enhanced public realm. For example, the MHCLG Appraisal Guide identifies amenity cost/benefit values across different 'greenspace' land types, with £109,138 per hectare per annum for "Urban Core" projects (£120,809 in 2019 prices). The development of the Curzon Enhanced Public Realm Project will result in the reuse of up to 1 ha of brownfield land for high quality public realm under Options 3 and 4, with 0.8 ha enhanced under Option 2.

The estimated amenity benefit using the MHCLG Appraisal Guide value of each option is set out in Table 4.11.

Table 4.11: Amenity benefits (2019 prices, £m, discounted)

	Amenity Benefits
Option 2 - Curzon Promenade and Curzon Square	£1.28
Option 3 - Paternoster (medium corner chamfer), Curzon Promenade and Curzon Square	£1.56
Option 4 - Paternoster (large corner chamfer), Curzon Promenade and Curzon Square	£1.56

(ii) Distributional benefits

The Curzon scheme is seeking to help rebalance activity from London and the South East to Birmingham and the West Midlands. As such it has a clear focus is on redistributing growth. Consequently, local authority level distributional weights have been applied to the benefits. The approach used to calculate these is that set out in the HM Treasury Green Book, based on equivalised disposable household income and welfare weights (the estimate of the marginal utility of income). A distributional weight of 1.4 has been applied for Birmingham.

The distributional benefits associated with Option 3 are estimated to be £11.2 million (discounted), as set out in Table 4.12. The effects under Options 2 and 4 are estimated to be £3.0 million and £4.9 million respectively.

Table 4.12: Distributional benefits (2018 prices, £m, discounted)

	Distributional Benefits
Option 2 - Curzon Promenade and Curzon Square	£3.03
Option 3 - Paternoster (medium corner chamfer), Curzon Promenade and Curzon Square	£11.17
Option 4 - Paternoster (large corner chamfer), Curzon Promenade and Curzon Square	£4.85

(iii) Overall external benefits

The monetised net external impact for the proposed intervention option, based on the benefits described above, is summarised in Table 4.13.

Table 4.13: Net external impact (discounted, £m)

	Option 2	Option 3	Option 4
Amenity benefit	£1.28	£1.56	£1.56
Distributional benefits	£3.03	£11.17	£4.85
Total net external impact	£4.31	£12.73	£6.41

4.7 Value for money

Table 4.14 brings together the costs and benefits of the short-listed intervention options and provides an overall indication of value for money in terms of the BCR and Net Present Social Value (NPSV). The Curzon enhanced public realm scheme proposed under Option 3 achieves an adjusted BCR of 1.26:1 if distributional benefits are excluded, which represents acceptable value for money, and 1.76:1, which is acceptable/good value for money, if they are included.

Table 4.14: Costs and benefits (discounted, £m)			
	Option 2	Option 3	Option 4
Present Value Costs (including OB)	£10.60	£22.24	£20.24
Present Value Benefits			
<i>Land value uplift</i>	<i>£6.30</i>	<i>£26.37</i>	<i>£10.56</i>
<i>Amenity benefit</i>	<i>£1.28</i>	<i>£1.56</i>	<i>£1.56</i>
<i>Distributional benefits</i>	<i>£3.03</i>	<i>£11.17</i>	<i>£4.85</i>
Total benefits	£10.61	£39.10	£16.96
Net Present Social Value (NPSV)	£0.01	£16.86	-£3.28
BCR (incl distributional impacts)	1.00	1.76	0.84
BCR (excl distributional impacts)	0.71	1.26	0.60

Cost per net additional job and per net additional housing unit ratios have been calculated – with costs, as with benefits, discounted at a rate of 3.5% per annum. BCRs have also been calculated, on the basis of the cumulative GVA impact under each option. In determining the cost effectiveness ratios and BCRs, the public sector cost has been attributed between economic (jobs and GVA) and housing outcomes.

As shown in Table 4.15, the attributed net public sector cost per net additional job of £11,568 under Option 3 is below benchmarks, such as the Homes and Communities Agency (HCA) cost per job benchmark (the mid-point figure being £39,850)⁴. In addition, the BCR based on cumulative GVA is superior to benchmarks for physical regeneration projects – DCLG's Valuing the Benefits of Regeneration economics paper identified a central benchmark for industrial and commercial property projects of 10:1. However, the cost per housing unit is high, reflecting the marginal effect on development intensity.

4 HCA, Calculating Cost per Job – Best Practice Note (2015, 3rd Edition)

Table 4.15 Costs, benefits and cost effectiveness			
	Option 2	Option 3	Option 4
Attributed total public sector economic costs (adjusted for optimism bias, £m)*			
Discounted marginal public sector cost	£10.60	£22.24	£20.24
Benefits			
Net additional attributable jobs	182	1,923	298
Net additional attributable cumulative (5 years) GVA (£m)	£41.97	£407.10	£67.49
Net additional attributable housing units	21	35	35
Cost effectiveness (attributed)			
Cost per net additional job	£58,233	£11,568	£67,941
BCR (GVA:economic cost)	3.96	18.30	3.33
Cost per net additional housing unit	£493,932	£638,731	£581,366

*The total public sector cost has been attributed between economic (jobs and GVA) and housing outcomes.

4.8 Risks and sensitivities

4.8.1 Risk analysis

A risk register has been developed that identifies the key risks associated with the proposed scheme and is attached as Appendix D. This will be refined in the FBC, which will include further detail on how the risks will be allocated between all parties. The overall level of risk at this stage is considered to be low-medium for all options taking account of relevant mitigation measures and is assessed to be lowest for Option 2 and highest for Option 4.

4.8.2 Sensitivity analysis

To test the sensitivity of the value for money results to changes in key variables, an analysis of 'switching values' has been carried out. This analysis calculates how much public sector costs or benefits would have to change in order for the intervention option's BCR to be less than one (i.e. is considered to represent "poor" value for money). Table 4.16 presents the results of a change in the net additional benefits.

The Curzon enhanced public realm scheme proposed under Option 3 would require costs to increase by some 76% or benefits to reduce by around 43% for its BCR to be less than one. There is very limited scope for a reduction in benefits or an increase in costs under Option 2, based on the central case BCR of one. The assessment has not been carried out for Option 4 as the central case is assessed as representing poor value for money.

Table 4.16: Switching values (adjusted BCR less than one)			
	Option 2	Option 3	Option 4
% change in net additional benefits	-0.1%	-43.1%	N/A
% change in net cost	0.1%	75.8%	N/A

In addition to the analysis of switching values, alternative scenarios have also been modelled to test the sensitivity of the BCR results to a change in a key variable. The key variables adjusted were as follows:

- **Scenario 1** – reduce the impact of the public realm enhancement works in relation to value uplift, reduced vacancy rates and intensity of development (as outlined in Table 4.5) by 50%; and
- **Scenario 2** – increase costs by adjusting optimism bias to 60% to reflect guidance for non-standard civil engineering projections.

The results of the scenario testing are set out in Table 4.17. Under each of the scenario tests, the preferred option (Option 3) has a BCR that is greater than one and therefore still represents value for money.

Table 4.17: Scenario testing (adjusted BCR inclusive of distributional benefits)			
	Option 2	Option 3	Option 4
Scenario 1	0.64	1.37	0.51
Scenario 2	0.75	1.30	0.62

4.9 Wider benefits

The development of the Curzon enhance public realm scheme is also expected to result in substantial wider unquantifiable economic benefits that are not captured in the preceding analysis, including:

- **Active travel mode effects** - the Department for Transport (DfT) recognises the important benefits that can be derived from projects such as the Curzon Enhanced Public Realm project that promote active travel, including walking and cycling. It provides guidance on estimating and reporting the impact of active travel modes outlined in the Transport Analysis Guidance (TAG) A5.1 paper. The TAG Unit identifies the key impacts of interventions of active modes of transports as comprising:
 - Physical activity impacts – which “monetise the change in mortality resulting from a change in walkers and cyclists”;
 - Absenteeism impacts - improvements in health caused by increased physical activity can lead to reduction in short term absenteeism from work;
 - Journey quality impacts – include “the majority of concerns about safety, infrastructure and environmental conditions on a route”;

- Accident impacts – show the changes in the pattern usage of different types of infrastructure by different modes of transport and the accident rates associated with each method;
- Environmental impacts – through the reduction in vehicle traffic and the externalities of these transport methods. The environment impact will encompass the noise, air pollution and greenhouse gas emissions of each transport method;
- Decongestion and indirect tax impacts – switching the mode of transport from car or vehicle to walking and cycling “will benefit those who continue to use the highways and impact on indirect tax revenues”; and
- Time saving impacts on active mode users – an increased demand for walking and cycling due to improvements in infrastructure and facilities may “result in time savings to pedestrians and cyclists through the provision of quicker or shorter routes”.

These impacts can be significant. However, due to lack of information, this paper has not been able to conduct an accurate TAG appraisal or quantify these benefits for the proposed development.

- **Agglomeration effects** – A consistent feature of modern economies is the concentration of economic activity in certain locations, most often cities or urban areas. Urban economists explain such phenomena by reference to features known as ‘localisation’ and ‘urbanisation’ economies both of which relate to the underlying proximity of economic activity. Localisation economies result from the geographic concentration of businesses in the same industry. Firms cluster together for a number of reasons all of which improve efficiency and productivity. In particular clustering:
 - allows businesses to specialise;
 - facilitates more proximate supplier linkage;
 - facilitates R&D, information and technology transfer and spillovers; and
 - reduces risk for both employers and employees by developing specialist labour pools.

Urbanisation economies results from the concentration of a large number of economic activities that are not necessarily in the same industry but emerge to serve several different industries. These result from:

- urban transport systems;
- well organised labour markets;
- legal, financial and commercial services;
- services to support and sustain large population concentrations; and
- public infrastructure.

Together, these economies are often labelled agglomeration economies and are measured in terms of a productivity ‘gain’ to firms in the urban area in the form of agglomeration

elasticities – the percentage change in area productivity given a percentage change in agglomeration.

The scale and nature of activity proposed at Curzon, along with the infrastructure links that will be created to adjacent development sites that also have substantial expansion plans, is expected to result in significant agglomeration economies. While the agglomeration impact to new firms locating to the Curzon area will be captured within the land value uplift, this will not account for the impacts which affect existing firms or individuals in the area. These effects have not been assessed.

- **Wage premium** – The proposed package of interventions is expected to help attract high value added activities to locate in the area, which will help to improve productivity. The Department for Business, Energy and Industrial Strategy (BEIS) uses a wage premium approach to monetise productivity improvements from the movement of labour into more productive sectors. However, the potential wage premium impact of the proposed project has not been assessed.
- **Impact on existing values** – the enhanced public realm is also expected to have a positive impact on the values of existing properties. The HM Treasury Green Book recognises these amenity benefits and states that, *“For example, analysis of house prices suggests that proximity to habitats, designated areas, heritage sites, domestic gardens and other natural amenities can add as much as £68,000 to the price of a £200,000 house in the UK, a premium of one-third.”* Again, these effects have not been quantified in the preceding analyses.
- **Construction and supply chain impacts** – the enhanced public realm works and additional development will also result in significant benefits to the construction sector. For example, based on estimated construction costs of £18.8 million and using the now Homes England *Calculating Cost Per Job | Best Practice Note 2015 (3rd Edition)* coefficient of output per person year of construction employment, the enhanced public realm works would be expected to support some 261 person years of employment.
- **Regeneration benefits** – the development would contribute strongly to the continued regeneration of the City Centre. It would complement the proposals for Digbeth and help to realise the substantial potential benefits of the arrival of the HS2 at Curzon. The scheme would also help unlock the wider Southern Gateway which currently comprises 68 ha of low-grade industrial uses and derelict land that is isolated from the City Centre. The scheme will provide a catalyst for this area by improving connectivity and other factors.

In addition, there are relatively high levels of deprivation within parts of Birmingham. The proposed development will support the regeneration of these neighbourhoods and the wider area. For instance, the development of new commercial floor space will lead to employment opportunities for local residents, offer opportunities for existing small businesses and attracting additional investment to the local economy. Creating a quality, mixed use environment within the local area will not only generate economic benefits but also improve the civic pride, confidence and well-being of the area’s local residents. Moreover, the public realm provided through the proposed development will be accessible to all, offering a considerable amenity benefit for the local population and a place for social

interaction and participation. The scheme will have a positive effect on the appearance of the urban fabric and create a distinct sense of place and character.

- **Community, health and wellbeing benefits** – the scheme will also have significant positive impacts through providing new safe accessible living, working, and leisure environment. It is considered that the proposals would make a valuable contribution towards the socio-economic well-being of the City and the local population as a result of:
 - increased open space area; and
 - improved public accessibility linkages;
- **Image** – much of the current site is relatively poor in its environmental and built environment quality. The scheme is designed to integrate proposed uses in to the City Centre. Furthermore, the pedestrian-friendly open streets, public realm and new squares and the associated landscaping are designed in a way that creates places that will further enhance the image of the area.
- **Tourism benefits** - the scheme is likely to bring about a number of tourism benefits, given that it will aim to attract additional day and overnight visitors and raise the profile of Birmingham City Centre's overall tourism offer.
- **Labour supply** - labour shortages can constrain the development of an economy because individuals with the necessary skills are not available. The provision of the appropriate type of housing in the right location can help to attract new residents, thereby potentially increasing the pool of skilled labour. The effect of the proposed housing development on labour supply can be a key component of its economic impact. The scale of impact will depend on the extent to which employment growth is being constrained by a lack of suitable housing. This will depend in turn on economic conditions, but local housing analyses suggest a general requirement for an increase in housing to support economic growth.

The scheme will also contribute substantial social and environmental benefits.

4.10 Key findings

The key results identifying VfM of the Economic Case are summarised in the Appraisal Summary Table (Table 4.17). In line with the MHCLG Guide, an initial BCR has been calculated that only includes impacts for which a monetised value can be applied based on Green Book and Green Book Supplementary and Departmental guidance.⁵ An adjusted BCR has also been presented, which incorporates other impacts (e.g. distributional benefits). The initial BCR is 1.26:1 which represents acceptable value for money (i.e. $1 \leq \text{BCR} < 2$). Allowing for distributional effects, the BCR increases to 1.76:1.

⁵ Amenity benefits are included in the initial assessment in accordance with DCLG appraisal guidance

Table 4.17: Appraisal Summary Table (£m)				
		Option 2	Option 3	Option 4
A	Present Value Benefits – based on Green Book principles and Green Book Supplementary and Departmental guidance	£7.58	£27.93	£12.12
B	Present Value Costs / (Surplus)	£10.60	£22.24	£20.24
C	Present Value of other quantified impacts	£3.03	£11.17	£4.85
D	Net Present Public Value A-B & [A-B+C]	-3.02 [0.01]	5.69 [16.86]	-8.13 [-3.28]
E	'Initial' Benefit-Cost Ratio [A/B]	0.71	1.26	0.60
F	'Adjusted' Benefit-Cost Ratio [A+C]/B]	1.00	1.76	0.84
G	Significant Non-monetised impacts	Active travel mode, Agglomeration, Wage premium, Amenities, Regeneration benefits, image benefits, community health and wellbeing, tourism benefits and labour supply. The benefits are expected to be greatest under Option 3, reflecting the scale of intervention and associated transformation achieved.		
H	Value for Money (VfM) Category	Poor/Acceptable	Acceptable/Acceptable	Poor
I	Switching Values and rationale for VfM category	Benefits: -0.1% Costs: 0.1%	Benefits: -43.1% Costs: 75.8%	N/A

An assessment has also been undertaken of the costs and benefits and relative value for money of each option at the sub-regional level. This has been based on the net additional impact of the Curzon enhanced public realm scheme in terms of attributable jobs, GVA and housing (as set out above), reflecting the local strategic objectives for the scheme.

As shown in Table 4.18, the attributed net public sector cost per net additional job (£11,568) under Option 3 is below benchmarks, such as the Homes and Communities Agency (HCA) cost per job benchmark (the mid-point figure being £39,850). In addition, the BCR based on cumulative GVA is superior to benchmarks for physical regeneration projects.

Table 4.18 Costs, benefits and cost effectiveness			
	Option 2	Option 3	Option 4
Cost per net additional job	£58,233	£11,568	£67,941
BCR (GVA:economic cost)	3.96	18.30	3.33
Cost per net additional housing unit	£493,932	£638,731	£581,366

*The total public sector cost has been attributed between economic (jobs and GVA) and housing outcomes.

4.11 Recommended option

The key findings of the economic analysis are that the recommended preferred Curzon enhanced public realm scheme proposed under Option 3 would offer acceptable value for money on a BCR basis. It would compare favourably with traditional unit cost and GVA value for money benchmarks. In addition, it would also deliver substantial wider benefits.

5 Commercial case

5.1 Introduction

This section considers the Commercial Case for the proposed scheme including procurement of the proposed private sector partners and the outline transaction.

5.2 Procurement strategy

5.2.1 *Procurement route and process*

The proposed works and services will be procured through HS2 Ltd. As a publicly funded organisation, HS2 Ltd is bound by EU Procurement Directives and associated UK legislation as set out in the HS2 Supplier Guide. It has established a tiered procurement structure for all aspects of HS2 requirements comprising:

- Tier 1 – HS2 Ltd will procure a relatively small number of high-value, direct, contracts through the Bravo e-procurement portal <https://hs2.bravosolution.co.uk>. Where these exceed the EU Utility Contract Directive spending thresholds (currently £363,424 for Supply, Services and Design Contracts, and £4,551,413 for Works Contracts), it is required to advertise the contract opportunities in the Official Journal of the European Union (OJEU); and
- Tiers 2–5 – Tier 1 contractors will purchase sub-contract works, supplies, and services at various levels through the CompeteFor e-procurement portal (www.competefor.com), advertising all appropriate opportunities on the website, in order to provide opportunities for organisations of all sizes to tender. HS2 Ltd indicates that these opportunities are not subject to public procurement legislation.

In addition to these categories, HS2 will have various requirements for the day-to-day management and running of its business resulting in more numerous, lower value, opportunities that may be procured via existing public sector frameworks.

Within this procurement structure, HS2 Ltd is intending to procure the baseline Curzon public realm works within the overall package of contracts for Curzon Street Station, for which designs were unveiled in October 2018. It is proposed that the enhanced Curzon public realm works will be incorporated into this process, with procurement being run by HS2 Ltd with engagement between HS2 Ltd and Birmingham CC on the following basis:

- HS2 Ltd will engage with Birmingham CC to agree the description of the scope of works;
- the scope of works will be subject to HS2 estimating principles and cost estimates;
- HS2 Ltd will undertake procurement, including tender evaluation, as part of a single-stage Main Works Civils Contract (MWSC) based on its cost estimates and the appointment of a main contractor; and

- If the selected tender price for the enhanced public realm works exceeds the identified funding available, HS2 Ltd will engage with Birmingham CC with an intention to negotiate a revised scope.

Further work is ongoing to agree and finalise the procurement and contractual arrangements and these will be reported within the FBC.

5.3 Land and other rights

The current land ownership position is that the land in relation to Curzon Promenade and Square is either owned by BCC or HS2 Ltd. The position is similar in relation to Paternoster Place, with the exception of the area above the rail lines. In relation to these rights will need to be agreed with Network Rail. Discussions are underway to negotiate these and will be reported as part of the FBC update.

5.4 Delivery structure

The proposed delivery structure is as follows:

- BCC project management and governance arrangements (described further in Section 6.1 – 6.2), which comprises internal arrangements to control the design and delivery of the proposed scheme; and
- HS2 Ltd will be a key stakeholder/partner in delivering the project. The arrangements will be formalised by means of a legal agreement the details of which will be reported in the FBC update.

BCC and HS2 Ltd have agreed a Delivery Funding Agreement: Negotiation Agreement (copy attached at Appendix G), which will involve the Negotiation Team (comprising BCC and HS2 Ltd):

- work collaboratively to draft a legally binding arrangement to deliver enhanced public realm as per the agreed scope at HS2 Birmingham Curzon St Station, within HS2 programme;
- sign the bespoke delivery agreement prior to HS2 procurement and schedule 17 submission, in accordance with the Timeline;
- identify, discuss and agree all issues that need to be addressed in the Delivery Agreement within the agreed Negotiation Timeline;
- agree commercial model(s) associated with the funding, D&B, land occupation, BCC obligations, Operational and Maintenance costs, for inclusion in the Delivery Agreement, including the means by which HS2 will recover its costs for inclusion of the Enhanced Public Realm Scope in the Main Stations Contract;
- discuss and agree Risk allocation;
- ensure appropriate representation at negotiation meetings by the Core Team members and the Negotiation Support Group members as appropriate;
- agree the notes and actions associated with each negotiation meeting.

- report negotiation progress to the parties' wider organisations as required;
- resolve issues that arise and ensure disputes are resolved in line with the agreed Escalation Process; and
- ensure compliance with HS2 Ltd and BCC internal process and procedures.

Appendix F (Part 1 and 2) sets out the strategy and interdependencies for how HS2 and BCC will develop the Third Party Funding Agreement (TPA), the FBC, including the main works cost and the approach to change management and cost overruns. Following OBC approval the TPA will be developed to confirm the conditional funding allocation from the GBSLEP EZ based on the DAL 5 design along with the key principles surrounding costs and risks. Following the procurement of the main works contractor, the FBC will be defined with the agreed price and the TPA updated accordingly. These will be presented in the FBC.

5.5 Legal implications

The scheme will be subject to legal requirements, including:

- Overbridging and other rights – BCC is expected to need to enter into suitable agreements with Network Rail involving various legal aspects;
- Contractor agreement - a legal agreement will be required with the contractor which is expected to be under HS2 Ltd's contracting arrangements; and
- Maintenance – arrangements to ensure the long-term maintenance of the enhanced public realm created will be the responsibility of BCC.

In relation to State aid, it is anticipated that the scheme will provide a 'no aid' position based on the delivery of a scheme providing public goods which will not benefit selective undertakings or distort or threaten to distort competition. In addition, it can be considered to be non-economic in relation to the Commission's guidance on the notion of State aid. As such there are not expected to be State aid issues.

In addition to GBSLEP approval of financial resources, BCC approval will be required to manage the project and meet future maintenance costs. HS2 Ltd consent will be required in relation to the base works and enhancements.

5.6 Assets

BCC will own the enhanced public realm and be responsible for any liabilities not covered by other contractual provisions, such as warranties provided by the contractor.

6 Financial case

6.1 Introduction

This section considers the Financial Case for the proposed scheme, in particular in respect of costs and funding requirements.

6.2 Budget summary

6.2.1 *Proposed capital costs*

(i) Overview

The estimated costs of the project are summarised below and in the profile attached as Appendix E. At this stage, these remain indicative and are subject to ongoing review and will be defined in the FBC following tendering once actual prices are known and the large allowances included are confirmed. All of the costs are presented in current (outturn) prices.

(ii) Feasibility, Design and business case fees

To date some £1.445 million in Enterprise Zone funding has been approved to fund the HS2 design team costs in relation to the Curzon Enhanced Public Realm project and to produce the OBC. It has been identified that an approval for further fees of £222,764 up to March 2020 are required to produce the FBC and other activity including incorporating the works within the Station Design and Build procurement, developing the funding agreement and associated project management. The costs required to develop the FBC have already been identified based on current prices and reflect pay awards etc.

(iii) Public realm works and associated costs

The overall costs of the provision of the enhanced public realm have been estimated by HS2 Ltd's advisors (January 2019) to total some £22.885m as set out in Table 6.1 and within Appendix I. The table reflects the estimated gross costs at outturn prices of the public realm works, together with design and HS2 fees. There are a number of anticipated and potential costs that are not reflected in the current estimate including rights acquisition, site investigations and surveys (including environmental), abnormals (e.g. asbestos), other fees including legal and planning/building control, cost of necessary agreements (e.g. 'party wall' issues), and unrestricted site access. These items remain to be clarified. A copy of WSP's Design report is provided separately as Appendix H.

Clarification of the proposed timing of proposed expenditure has also yet to be provided, but indicative costs of £5.6m (25%) in 2023/24, £11.5m (50%) in 2024/25, and £5.8m (25%) in 2025/26 following the profile established for the economic assessment (Section 4).

The cost estimates provided by HS2's advisors have been independently reviewed by Acivico on behalf of BCC. Its conclusion in relation to the estimated construction costs is that the allowance for the scheme appears high and should be in the order of £18.137 million, almost £5 million lower than submitted. The approach taken in estimating costs has been at the highest

end of the spectrum of values to ensure there is sufficient contingency within the OBC. Following procurement it's anticipated the actual prices within the final contract will be lower. A copy of Acivico's report is included separately as Appendix I, which includes HS2 cost estimates in the Appendices. At this stage, HS2 has not revised its budget estimate due to the fact that the costs reflect WSP's costs for material throughout the station design. It's not possible for HS2 to agree different costs for materials in the BCC areas, which will be the same materials used in other areas of the station. The proposed approach is to establish the actual cost and funding requirement following the proposed future procurement route and a review of tendered costs. Therefore, for the purposes of this assessment the HS2 advisors budget allowance has been used and the business case will be updated when the final price and programme are confirmed following procurement of the station design and build contractor. HS2 have applied a contingency of 40% to the cost of works, which is standard practice for HS2 when forecasting costs for third parties. The final cost will be determined through the procurement for the station design and build contractor, where the final price will include an appropriate level of contingency.

Table 6.1: Financial Costs			
Cost item	Sub-total	Total	%
Enhanced public realm works			
- Paternoster Place	£4.21m		
- Curzon Square	£0.96m		
- Curzon Promenade	£1.28m		
- Curzon Promenade – extended area	£0.80m		
- On-costs ⁺⁺	£11.58m	£18.832m	82.3%
Design and HS2 fees			
- Design	£0.94m		
- HS2	£3.11m	£4.053m	17.7%
Total		£22.885m	100.0%

⁺⁺ Inclusive of inflation and risk

The total station works including the enhanced public realm is estimated to be some £390 million. The Curzon Enhanced Public Realm works would account for some 6% of the total.

(iv) Network Rail rights

The Paternoster Place works involve the overbridging of an operational rail line and railway equipment. Consequently, it is anticipated that Network Rail will require payment for these rights. Discussions with Network Rail are understood to have begun. However, no estimated costs have been provided. Consequently, a figure of £1.150 million is currently included in the analysis. This will need to be updated once a more accurate cost estimate is available.

(v) BCC project costs

The BCC project costs are estimated to be:

- Commercial Legal - £30,000 per annum for 2019/20-2022/23. After this £10,000 per annum until project completion;

- Planning and Design – £15,000 per annum until project completion; and
- Project management - 50% of a GR6 officer costing £40,000 per annum up to March 2020 - the point at which Procurement finishes. A lower level of support would then be required for the period 2021-2023 to oversee the detailed design stage. Project management for the station construction programme would then be undertaken by the EZ Delivery Team, with the support of Acivico and a provisional allowance of £321,000 has been made for their fee to monitor the construction contract.

These costs have been based on an assessment of the officer time required within each discipline, based on current pay levels for 2019/20. These will be updated for the FBC to reflect any subsequent pay awards, but it's not expected to have a material impact on the costs.

(vi) Revenue cost consequences – maintenance costs

The proposed provision of public realm will lead to consequential revenue costs in relation to the maintenance of the built assets.

In respect of repair and maintenance costs, the Council intends to undertake a full range of services necessary to maintain the assets to high standards. The intention is that BCC will meet these costs, but that it will receive a contribution from HS2 equivalent to the base scheme maintenance cost that it would have incurred in the absence of the enhancement project. An initial assessment of the base and enhanced scheme maintenance costs has been undertaken by BCC.

At this stage, an indicative cost of £60,000 per annum has been identified for the enhanced public realm. This is the total estimated cost and the City Council would in reality expect HS2 to contribute the costs associated with the base scheme in these areas. Therefore, its marginal cost would be significantly lower than this. In order to ensure that the project is maintained to an appropriate standard and the benefits can be sustained over the long-term, BCC will underwrite the maintenance and other revenue costs associated with the enhanced public realm. However, it will seek to secure funding from other sources to meet these costs. This may include, but would not be limited to, income from events or licensed street vendors, the use of Community Infrastructure Levy (CIL) or Section 106 monies, and/or a potential master development partner secured through HS2's Commercialisation Strategy for Curzon, which is currently being prepared.

(vii) Cost summary

Table 6.2 summarises the estimated total cost of the Curzon Enhanced Public Realm scheme over a 30 year period.

Table 6.2: Cost summary	
Cost item	
<i>Capital costs</i>	
Direct feasibility and design fees to date	£1,445,512
Fees to produce FBC and associated activity (including £25,000 for Network Rail)	£222,764
Public realm works and associated costs	£22,885,000
Network Rail rights	£1,125,000
BCC project costs for design and build	£494,143
<i>Sub-total</i>	<i>£26,172,419</i>
<i>Revenue costs</i>	
Maintenance costs (over 30 years)	£2.40m
Total	£28.59m

6.3 Funding strategy

6.3.1 Sources of funding

It is intended that the capital costs of the enhanced public realm would be fully met by the public sector through the City Centre Enterprise Zone. The total Enterprise Zone funding will be a maximum of £26,172,419 million (including £1.445 million of feasibility and design funding already approved by GBSLEP). The exact figure will be confirmed following completion of the tendering process.

Without Enterprise Zone funding the project will not go ahead. There are no other sources of matched funding available. A loan would not be appropriate as there is no way in which the project could make repayments. The implications for funding are that both BCC and GBSLEP approval will be required.

£222,764 of the budget is required up to March 2020 to develop the FBC, including fees for HS2 and Network Rail and other costs including BCC project management, legal, design and procurement activity.

BCC will be responsible for the maintenance of the public realm and the associated revenue costs.

6.3.2 Financial management

BCC is the statutory local authority and its financial status is subject to Government oversight. It has ability to cashflow the project to bridge the gap between defrayment and receipt of Enterprise Zone funding.

Financial management of the project will be exercised within the terms of BCC's Financial Control Standards for major Projects (November 2018). These standards have been established to ensure that such projects are managed by a Project Board through a process of outline and full Business Cases, regular monitoring of delivery issues and the preparation of Project Highlight reports, and a post-implementation review, together with early warnings of potential problems, a procedure for change requests, and control over the use of contingency sums. All capital expenditure is also subject to the Council's constitution and financial procedures, including financial regulations, contract standing orders, executive decision-making, and monitoring. The project reports to the Capital Project Board, which has responsibility for the delivery of all projects above £20m and is chaired by the Leader of the Council. The membership also includes the Chief Executive, S151 Officer and Cabinet Member for Resources.

Following OBC approval, BCC and HS2 will develop a funding agreement that will set out the key principles for the responsibility and management for how costs will be agreed, including departures, changes and overruns. Appendix F (Part 1 and 2) sets out the current thinking around this issue and how it will be progressed in the coming months to develop the FBC.

HS2 Ltd has indicated that it requires payment in advance of the works being undertaken.

6.3.3 Business Rates

It is estimated that future development schemes situated adjacent to the enhancement works and benefiting from the enhanced environment will generate a total business rates income of £208 million over the remaining life of the Enterprise Zone designation (2018/19 constant prices). It is estimated that an uplift of £56.3 million could be attributable to the enhancement works as a result of enabling key commercialisation investments, while securing improvements in values, occupancy and intensity of development.

6.3.4 Assurance

BCC will ensure that project assurance is in place to provide independent and impartial confirmation that the project is on track and to confirm that the project is applying relevant practices and procedures and that the business rationale for the scheme remains aligned with the organisational strategy.

7 Project management

7.1 Governance arrangements

The governance of the proposed scheme will be provided within the framework established for BCC major projects. These are expected to be managed using standard project management processes. This will vary in the circumstances of each case, but projects must comply with the Financial Approvals Framework and Gateway process in the Council's constitution. Project management processes should include:

- a Project Board, which oversees and manages the project, with terms of reference, led by a City Council Senior Responsible Owner, and with appropriate professional membership including a Finance representative and a Project Manager.
- an Outline Business Case / Options Appraisal report to Cabinet.
- a Full Business Case Report to Cabinet, using Green Book 5 case methodology.
- regular monitoring to the Project Board including:
 - a Highlight report or dashboard
 - a Project Plan, with key milestones
 - a Benefits Register
 - a Risks and Issues Register with red, amber and green (RAG) ratings, including early warning of any potential high impact risks
 - a change request and approval process
 - a log of Change Request approvals and Contingency approvals.
- a Project Closure 'lessons learned' report (Post-Implementation Review report).

The BCC Project Board will:

- provide overall guidance and direction to the project at a strategic level to ensure that it meets directorate and corporate policy priorities and remains within any specific constraints;
- review and sign off each key project stage and key product;
- authorise any major project deviation and/or change;
- ensure resources are committed to the project; and
- arbitrate on any conflicts within the project.

The Project Board for the Curzon Enhanced Public Realm project is the Enterprise Zone and Curzon Project Delivery Board, which comprises the following individuals and will oversee day to day management of the project:

1. Richard Cowell – Assistant Director, Development
2. Phil Edwards – Assistant Director, Transport Connectivity
3. John Myatt – Capital Programmes and Partnership Manager
4. James Betjemann – Head of EZ and Curzon Delivery
5. Alison Jarrett – Assistant Director, Finance
6. Nigel Greenwood – Finance Manager
7. Jane Smith – EZ Programme Manager

In addition the project will report on a monthly basis to the BCC Capital Board, which oversees the delivery of all major BCC projects and comprises of;

1. Leader - BCC
2. Cabinet Member, – BCC Finance and Resources
3. Chief Executive – BCC
4. Section 151 Officer - BCC

7.2 Project management

Project management will continue to be managed in accordance with BCC's methodology and will be tailored to meet corporate governance and project management policies and standards.

The BCC Project Group/Team will:

- provide guidance and direction to the project to ensure that the project remains within scope and delivers the required outputs and project benefits within the agreed budget and schedule;
- monitor the development of solutions and proposals at all stages to ensure they meet the organisation's needs and progress towards targets;
- evaluate the impact of solutions and proposals on the Council and stakeholders; and
- ensure risks are being tracked and mitigated as effectively as possible.

Key roles and responsibilities have been established as follows:

- SRO – Richard Cowell, Assistant Director, Development
- Project executive – James Betjemann, Head of EZ and Curzon Delivery
- Project Manager – Nick Matthews, Project Delivery Manager
- Technical advice – Tom Button (legal) and Charlie Short (Procurement)

The Project Manager will:

- ensure that the project produces the required products within the specified tolerances of time, cost, quality, scope, risk and benefits.

- be responsible for the project producing a result capable of achieving the benefits defined in the Business Case.
- be responsible for finalising service contracts and issuing instructions and receiving highlight reports from all service providers and team managers.
- make reports to external funders as required.
- coordinate the interface, communication and information exchange expeditiously between different teams and organisations involved in the delivery of the project.
- provide regular reports to the Project Board to keep senior management routinely informed of project status and all developments that impact on the project success.

HS2 Ltd has also established a Core Team to work with the BCC Team to deliver the agreed Enhanced Public Realm project. This Team is working with BCC to draft a legally binding arrangement to deliver the project. HS2 Ltd is establishing a Negotiation Support Group, which assist its Core Negotiating Team.

The arrangements demonstrate appropriate resourcing through internal and external sources with the appropriate skills and capacity. A Project Delivery Plan will be developed to guide implementation of the project, including timescales and milestones.

7.3 Achievability

7.3.1 Key resource requirements

The following key resources have been identified to successfully deliver the project:

- BCC – the Council is the driving force behind the scheme and will contribute strategic and technical expertise, together with financial support and land assets.
- Project development team – a team within BCC has been established to project manage feasibility and design activities, working with HS2 and its design/professional advisory team;
- Professional advisers – BCC has retained advisors to review the costs provided by HS2 Ltd and to prepare the Business Case. HS2 Ltd has procured its own team to support delivery of the wider Curzon project.

The key success factors include the effective integration of the project and BCC requirements into the work of HS2 in delivering the Curzon HS2 station and adjacent public realm.

7.3.2 Experience

The Council has experience of successfully supporting the delivery of a wide range of major regeneration, redevelopment and public realm projects of a similar scale and value across the City including in a City Centre context such as Arena Central, Snow Hill, Centenary Square and Axis. In all cases the City Council has provided expertise in supporting services including compulsory purchase, planning, urban design, and transportation. This experience has provided

evidence of what has worked in the past in order to provide the most appropriate context for development of the proposed project.

7.4 Timescales and milestones

The proposed timetable for the scheme indicated by BCC is summarised in Table 7.1 and more detail is provided in Appendix B, which includes the timelines and milestones for developing the funding agreement, main works procurement, FBC Network Rail requirements and delivery of the main works.

Table 7.1: Milestones	
Milestone	Target date
OBC submitted to GBSLEP	Feb 2019
OBC approval by the GBSLEP	July 2019
OBC approval by BCC Cabinet	September 2019
Planning application submitted	September 2019
Funding Agreement	September 2019
Design and Build contract Procurement	Jan 2020 – Jan 2021
Design and build contract award	January 2021
FBC appraisal and approval by the GBSLEP	Nov 2020 – Jan 2021
Construction of Paternoster Place	Jan 2024 – Dec 2024
Construction of Curzon Promenade and Curzon Square	Jan 2025 – Dec 2025
Project evaluation	Dec 2026

7.5 Risk and risk management

An assessment of risk has been undertaken to inform the OBC. The key items of potential risks that may impact on successful delivery include:

- delivery of HS2;
- agreement with Network Rail;
- costs – including confirming HS2 legal and other fees;
- planning consent;
- confirmation of funding - significant public is required, and in-principle indication of funding will need to be committed to enable procurement of the works;
- public realm works delivery;

- ground conditions;
- wider risks – wider potential risks exist in terms of the political, economic, social, and technical environment.

With regard to post-development stages, key risk relates to the ongoing effective maintenance of the enhanced public realm and the wider public realm

It is considered that the overall level of risk of the proposals may be considered to be low-medium. Further detail is provided in the Risk Register attached as Appendix D. As the FBC is developed the risk register will be updated accordingly and appropriate arrangements will be implemented to ensure that risks are held by delivery bodies through clearly articulated risk transfer arrangements. In each instance risks will be assigned to the organisation best able to manage them. In cases where works are procured through external bodies, both procurement documents and the final contract will clearly set out responsibilities for risk management, and the associated cost implications, and will transfer operational risks accordingly with delivery of those elements of the works package.

Following procurement and confirmation of the final costs, HS2 and BCC will agree the final costs in line with the risk strategy and programme identified by the contractor. The approach will include fixing costs where possible and identifying how change events and associated cost implications will be managed and who will be responsible.

As part of internal project management procedures, all risks will also be assigned an owner to ensure transparency in risk management responsibilities. Clear reporting routes will also be in place to ensure the project manager is alerted to any changes in risk profile, for example if the likelihood of a risk arising is considered to have increased or wider implications of potential risks are identified. This approach will ensure the prompt escalation of risks and allow for necessary actions to be taken to ensure the project continues to be delivered on budget, to time and to high quality standards. Consideration of risks will also be a standing agenda item for project meetings, the GBSLEP quarterly monitoring requirements and the monthly BCC Capital Board meeting.

As part of the FBC and contract the risk register will be updated to assign risks between the BCC, HS2 and the contractor. In addition, BCC and HS2 have established Change Management processes, which will be applied in managing the delivery of the project. Further details of this will be provided as part of the FBC.

7.5.1 *Social inclusion*

Benefits realisation is expected to be focused on construction phase and the future use of the new public realm through its usage by individuals and specific groups. In terms of the construction phase the works will seek to maximise local benefits in terms of procurement and employment.

7.5.2 *Sustainability*

The scheme is expected to respond positively to sustainability through the creation of enhanced public realm in the centre for Birmingham, which will for example help to promote increased

walking, meeting best practice requirements set out in Birmingham's Zero Carbon City Framework.

7.6 Marketing and communications plan

BCC has developed a Marketing and Promotion Strategy to raise the profile for the Enterprise Zone that will enable the City to compete nationally and internationally. It is aligned to the City Council's Capital Investment Strategy which sets out a framework for targeting investment and as such will act as a key delivery mechanism, alongside other interventions such as the emerging Business and Skills Support Programme.

The Marketing and Promotion Strategy is focused on a proactive and co-ordinated approach to investment promotion, that will enable the Enterprise Zone to:

- identify and assess credible investment opportunities;
- promote investment opportunities to key overseas markets;
- support investors and facilitate investment deals in the EZ;
- increase levels of economic growth and good quality development across the EZ; and
- be proactive in engaging and targeting potential investors.

This will ensure that the investment benefits of the Curzon Enhanced Public Realm project are maximised.

7.7 Monitoring and evaluation

A Monitoring and Evaluation (M&E) Plan will be established for the scheme. This would control reporting on:

- progress on financial expenditure and claims;
- progress on output and results;
- audited accounts; and
- evaluating performance.

A financial schedule would potentially be completed and submitted to the Project Board on a monthly basis. Similarly, progress on outputs and outcomes (on the basis of agreed Key Performance Indicators - KPIs) will also be reported to the Board. An evaluation report will be prepared 12 months after the completion of the enhanced public realm works.

This work will be undertaken by the EZ Delivery Team using programme resources.

7.8 Forward Plan

A forward plan/succession strategy will involve BCC taking on responsibility for maintaining the Curzon enhanced Public Realm. This will need to be undertaken in a way that is consistent with

the longer term forward plan for the remainder of the Curzon public realm which will be the responsibility of HS2 Ltd.

Appendix A: Environmental and wellbeing policies

West Midlands Combined Authority Environmental Strategy: Think Global, Act Local 2014-2019

The West Midlands Combined Authority's (WMCA's) Environmental Strategy outlines the Councils' commitment to "deliver sustainable growth" and "promote a positive impact on the environment", through the effective policies and "environmental management of West Midlands Combined Authority operations over a five-year period". Minimising the combined authority's environmental footprint while meeting "the needs and aspirations of our local communities and stakeholders" is the main priority of the Environmental Strategy.

The overarching strategy highlights several ongoing and expired policies that the Combined Authorities has implemented such as Smart Network, Smarter Choices (SNSC), Movement for Growth and the Green Transport Charter for the West Midlands to emphasise the long-term and enduring commitment of the combined authority to be an "environmentally responsible organisation" and "tackle global challenges": "We will make great progress for a Midlands economic 'Engine for Growth'; clean air; improved health and quality of life for the people of the West Midlands. We will do this by creating a transport system befitting a sustainable, attractive and economically vibrant conurbation in the world's sixth largest economy".

West Midlands Low Emissions Towns and Cities Programme (LETCP) 2014

The Low Emissions Towns and Cities Programme (LETCP) aims to design and deliver key policies that promote the reduction in vehicle use, enable "a shift to sustainable transport modes" and promote sustainable procurement, which is defined as "a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment". Moreover, the programme aims to improve "the emissions of the vehicle fleet through the accelerated uptake of cleaner fuels and technologies" to improve air quality and health within the West Midlands.

The West Midlands area currently breaches the UK Air Quality Objective for Nitrogen Dioxide and could face substantial penalties, passed on through the Localism Act. The LETCP was established in response to the high levels of toxic air pollutants in the region to "produce a West Midlands Low Emission Strategy capable of delivering policies and measures that can reduce air pollution, simultaneously reducing greenhouse gas emissions and noise from road transport." Through increased cycling and the promotion of walking as sustainable alternatives to highly permitting vehicles, the LETCP aims to "achieve the UK Air Quality Objectives and EU Air Quality Limit Values".

Movement for Growth: The West Midlands Strategic Transport Plan 2016

The Strategic Transport Plan sets out the vision for West Midlands to build "a world class, sustainable, infrastructure system, which is proudly comparable to its European counterparts". Outlining five, interlinking core challenges of the West Midlands, the Plan establishes how the transport plan will address:

- Economic Growth and Economic Inclusion,

- Population Growth and Housing Development,
- Environment,
- Public Health and;
- Social Well-Being.

The transport plan, which priorities improvements in local air quality and compliance with all relevant European Union emission limits, will ensure the West Midlands “play its full part in reducing carbon emissions in line with the national target of an 80% reduction from 1990 levels by 2050”. Currently, 25% of controllable CO2 emissions are from transport.

The Movement for Growth strategic transport plan provides a high level policy framework and overall long term approach for improving the transport system serving the West Midlands. Within the plan, Movement for Growth addresses the public health impacts of poor air quality caused by transport emissions, on human “respiratory, cardio-vascular and neurological” systems, in an attempt to support transport policies that reduce premature death in West Midlands and help to tackle the West Midlands’ high obesity levels and diabetes through the promotion of more active travel such as walking and cycling.

Of the fifteen policies outlined to improve the transport system in the West Midlands, policies 11-13 deal with the Council’s intended improvement in Public health and are as follow:

- Policy 11. To significantly increase the amount of active travel in the West Midlands Metropolitan Area;
- Policy 12. To significantly reduce road traffic casualty numbers and severity; and
- Policy 13 To assist with the reduction of health inequalities in the West Midlands Metropolitan Area.

The delivery of strategic cycle network aims to increase the amount of active travel and “ensure that walking and cycling are a safe and attractive option” for all communities in the West Midlands. “The strategic routes will be designed to ensure cycle journey times on the routes are competitive to those on main roads”. Furthermore, the WMCA and local authorities states its commitment to pushing the economic case for “investment in cycling in both local prioritisation of investment and delivery, and in securing funding from national and local partners”.

Movement for Growth: 2026 Delivery Plan for Transport

As part of the West Midlands Combined Authority, the Transport for West Midland’s Delivery Plan for Transport is a strategic economic plan establishing the “transport initiatives and schemes” the WMCA will deliver by 2026. Them measured outlined in the Delivery Plan for Transport are in line with the long-term visions for the region outlined in “Movement for Growth: The West Midlands Strategic Transport Plan” to “unlock economic growth opportunities and support wider initiatives to improve the social well-being and lives of residents”.

Key transport priorities for the local tier are outlined as:

- The development of local cycle networks

- The creation of key walking routes
- Area Wide residential road 20 mph speed limits
- The promotion of the Smarter Choice Initiative Programme

The Plan highlights the role of the delivery of HS2 in promoting the connectivity and growth of the West Midlands. Adopting a £4.4bn HS2 Growth Strategy, the WMCA outlines how the positive impacts of HS2 will be maximised across the region: “the HS2 Growth Strategy contains approximately £1.2bn of transport connectivity investment to be delivered by 2026”, in which improved cycle links are considered.

The Delivery Plan shows the “important role of cycling” to the region and promises high quality cycle provision, with the aims “to increase cycling to 5% of all journeys by 2023”. The approved development of numerous strategic cycle networks across the WMCA region will “increase opportunities to travel safely and improve health, as well as providing affordable access to skills, education, employment and other services”. As part of the prioritisation of the combined authority to encourage active travel, “improved conditions for walking will be created through the delivery of district and city centre public realm improvements and local area enhancements”. Key walking routes are also outlined as a priority for the local tier while “green urban spaces will be promoted” to improve the attractiveness for pedestrians.

The WMCA’s delivery plan outlines the importance of mobility “for health and a clean environment” explaining “poor air quality resulting from transport damages our citizens’ health, and carbon emissions contribute to climate change”. According to Public Health England, 1,500 premature adult deaths each year are attributable to poor air quality in the West Midlands annually. The Delivery plan demonstrates its commitment to “improving air quality” by emphasising the “important relationships between health, wellbeing and wealth”, while acknowledging the “inequalities in health within the West Midlands”. Poor air quality and low levels of physical activity can exacerbate the health inequalities in West Midlands, reducing the likelihood of WMCA achieving its objective of “increasing the healthy life expectancy by 2030”. The delivery plan “includes opportunities to improve air quality” by investing in greener forms of transport infrastructure, such as:

- Opening the Camp Hill Rail Chords for rail commuters, which would shift many road based journeys onto rail;
- Reducing the number of vehicles on the roads, fewer vehicle miles travelled, lowering congestion in the region;
- Developing the local and strategic metropolitan cycle network and key walking routes; and
- Improving traffic management to improve the flow of traffic.

Transport for West Midlands, West Midlands Approach to healthy and active streets: An Evidence Statement

The West Midlands Approach to healthy and active streets promotes the provision of “good quality street environments” in the region, with resulting benefits to “health”, “problems of congestion” and “delays on the road network”. The Statement aims to reduce the number of journeys made by car of which “around 2 out of every 5 journeys under 2 miles” are made. The

Approach to Healthy and Active Streets promotes the role of street design and “walkable cities” rather than the method of transport, highlighting “well-designed spaces encourage greater use”: “in more walkable cities, journeys happen by foot in the morning and afternoon rush hours, and during the day at weekends”.

Walking and cycling represents an inclusive form of transport, where there “are no cost barriers”. The Approach to Healthy and Active Street argues “walkable streets can reduce the inequalities seen in physical activity” and “lower inequalities in the amount of activity”. The evidence statement addresses the gap in health of different areas and aims to reduce health inequalities in the West Midlands region: “people who walk in green spaces have longer life expectancies than people from similar backgrounds”.

Well-designed city design and green spaces are promoted by the Evidence Statement, acknowledging “green spaces improve wellbeing and have a positive impact on people’s self-reported mood and feeling”. The Approach to Healthy and Active Street argues the provision of high-quality parks and open spaces lead to an “increase walking and physical activity, especially in the elderly” and well-design street layouts “can avoid the buildup of pollution and reduce exposure to air pollution”.

West Midlands Cycling Charter

The West Midlands Cycling Charter seeks to deliver a step change in cycling across the West Midlands Metropolitan area, with “the target of increasing levels of cycling to 5% of all trips by 2023”. The Charter recognises cycling’s contribution to creating more sustainable places, as part of an integrated transport system in the West Midlands. This includes “improvements to the environment by helping to reduce carbon emissions, air pollution and noise” and “create better places to live and visit, by making it easy for people to move around their local communities”.

The Cycling Charter is based on four cores principles:

- Leadership and Profile
- Cycling Network
- Promoting and Encouraging Cycling
- Funding.

Alongside the environmental benefits the Cycling Charter aims to create, the Charter highlights the improvements in health that cycling can achieve by “tackling obesity” and improving air quality. The overarching purpose of “promoting and encouraging cycling” is to realise the full potential of “cycling’s contribution to the health and wealth of the West Midlands”, by “creating more sustainable suburbs, towns and cities that are healthier, safer and more desirable places to live, work and learn”.

According to the Charter, and as part of an integrated transport system, cycling can:

- improve the environment by helping to reduce carbon emissions, air pollution and noise.
- offer an affordable, convenient and low-cost travel option to access jobs, education and leisure opportunities, particularly for people without access to cars.

- increase people's physical activity levels, tackle health inequalities and improve both the physical and mental health of West Midlands residents.

Smart Network, Smarter Choices Programme

The commitment of the WMCA to “low-carbon, sustainable growth” was demonstrated by the Smart Network, Smarter Choices (SNSC) programme, which was a “£48 million programme across the West Midlands aimed at cutting carbon, supporting economic growth and connecting residents to jobs”. The initiatives and measures employed in the programme are targeted at changing people's travel behavior by enabling people to make better informed sustainable travel choices and improve walking and cycling routes to promote a more active lifestyle, with “an average 4% shift from travel to work by car to active travel and public transport”.

By working closely with local stakeholders, residents and schools, the project aimed to:

- Support 7,000 jobseekers back into work.
- Provide bespoke travel support for 20,000 residents.
- Issue travel plans for schools and colleges in the West Midlands and help further engage young people in sustainable travel.
- Create new and improved infrastructure for pedestrians and cyclists.
- Improve junctions and increase bus priority measures along congested routes
- Provide 7,800 cycle training and maintenance sessions.
- Provide support to 140 businesses across the West Midlands in reducing single car occupancy and encourage their employees to cycle, walk and use public transport more often.

Appendix C: Economic Appraisal Model – provided separately

Appendix G: Delivery Funding Agreement: Negotiation Framework

Delivery Funding Agreement: Negotiation Framework **(Final for Issue)**

Objective: To agree a Delivery Agreement (DA) for HS2 to deliver the Agreed Enhanced Public Realm Scope at HS2 Birmingham Curzon Street Station (BCS), funded by Birmingham City Council.

Core Negotiation Team

HS2 Core Team

- Jo Summers (Interface Consultant)
- Joanne Brown (Snr Commercial Manager - Commercial Agreements)
- Alexia Binns (Legal Counsel)
- TBC (r) - Note taker

As required:

- *Nicola Henderson Reid (N4 Senior Project Manager)*
- *Debbie Makinde (N4 Project Manager)*
- *Paul Haj (N4 Senior Commercial Manager)*
- *Alex Cruttwell (Senior Sponsor Area North)*
- *Phil Richardson (Head of Commercial Management, Area North Phase 1)*

BCC Core Team

- James Betjeman (Head of Curzon and Enterprise Zone Delivery)
- Nick Matthews (Project Delivery Manager)
- Laura Spinks (Development Officer)
- Tom Button (Legal Counsel)
- Charlie Short (Procurement)

Negotiation Team Purpose

1. Work collaboratively to draft a legally binding arrangement to deliver enhanced public realm as per the agreed scope at HS2 Birmingham Curzon St Station, within HS2 programme.
2. Sign the bespoke delivery agreement prior to HS2 procurement and schedule 17 submission, in accordance with the Timeline.
3. Identify, discuss and agree all issues that need to be addressed in the Delivery Agreement within the agreed Negotiation Timeline (Appendix A).
4. Agree commercial model(s) associated with the funding, D&B, land occupation, BCC obligations, Operational and Maintenance costs, for inclusion in the Delivery Agreement, including the means by which HS2 will recover its costs for inclusion of the Enhanced Public Realm Scope in the Main Stations Contract.
5. Discuss and agree Risk allocation.

High Speed Two (HS2) Limited, registered in England and Wales.

Registered office: Two Snowhill, Snow Hill Queensway, Birmingham B4 6GA. Company registration number: 06791686. VAT registration number: 181 4312 30.

6. Ensure appropriate representation at negotiation meetings by the Core Team members and the Negotiation Support Group members as appropriate.
7. Agree the notes and actions associated with each negotiation meeting.
8. Report negotiation progress to the parties' wider organisations as required.
9. Resolve issues that arise and ensure disputes are resolved in line with the agreed Escalation Process.
10. Ensure compliance with HS2 Ltd and BCC internal process and procedures.

Key Principles

- i. HS2 Ltd is fully committed to delivery of the project in full alignment with the undertakings and assurances (U&As) agreed between Secretary of State for Department for Transport (DfT) and BCC.
- ii. HS2 Ltd must operate within the constraints of its Development Agreement with DfT, including risk, cost & programme and securing value for money, for the public purse.

Negotiation Support Group

HS2 will establish a Negotiation Support Group (NSG) which will meet regularly to assist the core Negotiation Team by providing guidance, answering any technical queries and supporting the resolution of any issues that may arise. The NSG will ensure compliance of the funding agreement and ensure continuity between all third party funding agreements.

Escalation Process

The Negotiation Team will work to resolve any issues that arise during the negotiation process with guidance provided by the wider HS2 Negotiation Support Group (NSG). If the core negotiation team is unable to resolve an issue that arises during negotiation discussions and it is agreed that escalation is required, the escalation process will be activated as set out below:

HS2

Initial referral to Donovan Bailey - Head of Programme Interface Area North Phase 1 Directorate, who will add the issue to the agenda for the next NSG.

NSG – The NSG has representatives as required from Interface, Third Party Commercial Agreements, Commercial, Project Management, Legal, Estimating and Procurement.

If the issue can't be resolved then the matter will be escalated further to the Quad

The Quad

1. Programme Director Area North
2. Phase One Commercial Director
3. Director of Commercial Strategy and Rolling Stock Procurement

4. General Counsel & Company Secretary
5. Sponsorship Director

BCC

Initially all issues will be referred to Richard Cowell (Assistant Director, Development) and Phil Edwards (Assistant Director, Transport Connectivity). If the issue cannot be resolved it will be escalated to the EZ and Curzon Delivery Board.

EZ and Curzon Delivery Board

1. Richard Cowell – Assistant Director, Development
2. Phil Edwards – Assistant Director, Transport Connectivity
3. John Myatt – Capital Programmes and Partnership Manager
4. James Betjemann – Head of EZ and Curzon Delivery
5. Alison Jarrett – Assistant Director, Finance
6. Nigel Greenwood – Finance Manager
7. Jane Smith – EZ Programme Manager

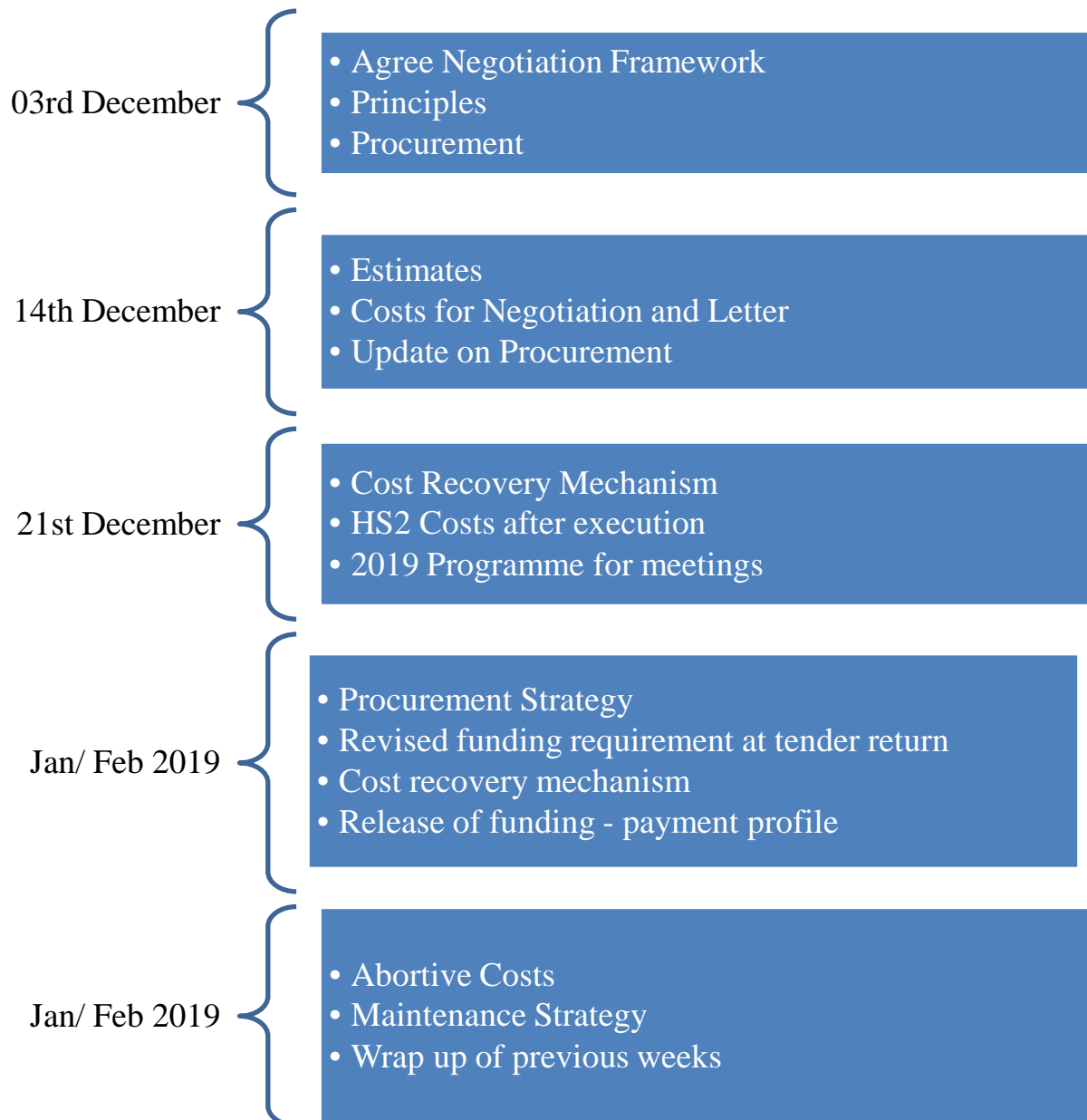
If further escalation is required then it will be referred to Waheed Nazir, Corporate Director, Economy.

Governance

The parties will work together to secure governance approvals in line with the Negotiation Timeline and key milestones. Parties will ensure the Negotiation Team is informed of any changes to the governance milestones in order that the timeline may be revisited to ensure that the Funding Agreement is completed within the HS2 programme constraints. Key Milestones to set out the required timescales for governance.

Negotiation Timeline (Refer to – Appendix A below)

Appendix A: Negotiation Timeline (Draft)



Appendix H: WSP Enhanced Public Realm Report – provided separately

Appendix I: Acivico Cost Review Report – provided separately

Curzon Street Station Procurement Programme Summary

date: 17/05/2019

N/C

DSC Programme

&B
Procurement

Design & Build Contract

Tram Construction & Testing

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CURZON PUBLIC REALM - PATERNOSTER PLACE

Risk Register

Version No: 003

Last Updated Date: 09 August 2019

RISK GUIDE

LIKELIHOOD ↑	4	Almost Certain	Material	Severe	Severe	Severe
	3	Likely	Tolerable	Material	Severe	Severe
	2	Possible	Tolerable	Material	Material	Material
	1	Unlikely	Tolerable	Tolerable	Material	Material
			Minor	Medium	Major	Critical
			1	2	3	4
		IMPACT	→			

HIGH (Severe)	Issues which may critically affect service delivery. Immediate control improvement to be made to enable business goals to be met and service delivery maintained/improved
MEDIUM (Material)	Close monitoring to be carried out and cost effective control improvements sought to ensure service delivery is maintained
LOW (Tolerable)	Regular review, low cost control improvements sought if possible

Threat Response: Avoid, Reduce, Fallback, Transfer, Accept, Share

Opportunity Response: Enhance, Exploit, Reject, Share

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
1 BUDGET & RESOURCES											
1/001		<u>Full Business Case Consultant Budget</u> Time taken to complete business case longer than expected due to limited information available from HS2 resulting in higher than originally estimated number of queries received from business case appraisal team.	2	4	High	BCC	Threat Response: Reduce Additional resources to be drawn from contingency budget.	1	4	Med	Nick Matthews Project Manager
1/002		<u>Cost Consultant Budget</u> Unexpected additional work required to independently assure updated HS2 cost estimates.	2	2	Med	BCC	Threat Response: Reduce Additional resources to be drawn from contingency budget.	1	2	Low	Nick Matthews Project Manager

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
1/003		<u>Contract Bids Exceed Expectations</u> Contractor tender return bids higher than predicted and exceed GBSLEP funding allocation for public realm projects.	4	2	Med	BCC	Threat Response: Fallback Drop one or more of the Curzon Public Realm projects to remain affordable.	3	2	Med	Nick Matthews Project Manager
1/004		<u>Insufficient Staffing</u> Delays due to staff leaving, lack of available qualified staff to manage project.	2	2	Med	BCC	Threat response: Reduce Multidisciplinary team established to cover all relevant aspects of the project. Project Board established made up of key officers to maintain oversight and ensure there is no single point of failure.	2	1	Low	Nick Matthews Project Manager
1/005		<u>Cost at FBC is higher than the OBC</u> Following procurement the cost of the works from the successful bidder is higher than set out in the OBC	3	2	Med	BCC/HS2	Threat response: Reduce 1. A high level of contingency has been built into the OBC cost to mitigate the risk of the cost at FBC being higher. Threat response: Fallback 2. If the cost is higher then measures such as reducing the scope of works will be explored.				

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
1/006		<p><u>Cost overruns</u></p> <p>Project costs exceed those outlined in the RIBA 3 estimate.</p>	3	2	Med	BCC/HS2	<p>Threat response: Reduce</p> <ol style="list-style-type: none"> 1. Negotiations with HS2 to share responsibility are underway. The cost estimates produce as part of the RIBA 3 Design have undergone independent appraisal. These estimates include a 40% contingency which is above the industry standard approach for this type of project, to reflect the complexities of delivering the works as part of a much larger scale project. 2. Following procurement the FBC will be prepared, which will include the final cost from the successful contractor. Based on the contractor's programme and risk strategy HS2 and BCC will agree which costs could be fixed, with appropriate contingencies, and which will be shared individually or jointly by the relevant organisation. <p>Threat response: Fallback</p> <ol style="list-style-type: none"> 3. De-scoping works could be explored. 	2	1	Low	Nick Matthews Project Manager and HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
1/007		<u>Insufficient resources to deliver FBC</u> Unable to appoint consultant to deliver GBSLEP Full Business Case because quotes exceed budget.	4	1	Med	BCC	Threat response: Reduce Thorough assessment of costs needed to produce FBC has been made and a significant amount of work has already been completed which has helped identify resources required to complete the work.	4	1	Med	Nick Matthews Project Manager
1/008		<u>Inadequate Contingency</u> The complex nature of the project presents a potential risk of unforeseen issues arising.	3	2	Med	BCC	Threat response: Reduce The cost estimates produce as part of the RIBA 3 Design includes a 40% contingency. This is above the industry standard approach for this type of project to reflect the complexities of delivering the works as part of a much larger scale project.	2	1	Low	Nick Matthews Project Manager
1/009		<u>Inadequate allowances</u> Allowances made for inflation, fees, Network Rail costs, etc. are insufficient and these costs exceed estimates.	3	1	Med	BCC	Threat response: Reduce Costs identified at this stage have been forecast above industry-standard standard values to allow for worst-case scenario.	1	1	Low	Nick Matthews Project Manager
2 PROCUREMENT & CONTRACT MANAGEMENT											
2/001		<u>HS2 Procurement Transparency</u> <ul style="list-style-type: none"> HS2 have revised their strategy for procurement and are now proceeding with a two-stage tender process. 	2	2	Med	BCC	Opportunity Response: Exploit The revised approach to procurement is a positive outcome for the Council. The collaborative nature of this method provides BCC with greater input into the development of its public realm projects, where influence would	2	1	Low	Nick Matthews Project Manager

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
		<ul style="list-style-type: none"> Without knowing the detail of what each stage will look like, there remains a risk that BCC could be limited in sight of the criteria or ability to make representations, which may compromise BCC's requirement to evidence value for money. 					<p>previously have been limited. It also provides much greater certainty over risk allocation, programme and costs.</p> <p>Threat Response: Transfer</p> <p>If issues remain regarding involvement and transparency of the procurement process then the issue should be escalated to the Corporate Director and HS2 Growth Delivery Board.</p>				
2/002		<p>Limited Information</p> <p>HS2 unable to share a programme risk register that includes key financial mitigation measures and a risk plan with risk management approach.</p>	2	3	Med	BCC/HS2	<p>Threat Response: Reduce</p> <p>Ongoing partnership working with HS2 through work stream cross-organisational Working Groups and the Project Board to obtain a high level risk plan that HS2 is able to share.</p>	2	1	Low	Nick Matthews Project Manager and HS2 Project Team
2/003		<p>Unable to Secure Contractor</p> <p>No suitable tender bids submitted in response to HS2's Invitation to Tender (ITT).</p>	4	3	High	HS2	<p>Threat response: Reduce</p> <p>HS2 have revised their procurement strategy and will now be undertaking a two-stage tender process. This reduces the burden on tenderers and increases the attractiveness of bidding for the contract. These works form part of a national significant infrastructure project which will generate wide international interest from Tier 1 contractors to secure the contract.</p>	3	1	Med	HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
2/004		<u>Plant and Resources</u> Extensive construction works taking place in the wider Birmingham city region. There is a risk that there may be a lack of availability within the market for construction plant and sufficiently qualified human resources to undertake the project	4	2	High	HS2	Threat response: Reduce Works will be undertaken by a Tier 1 contractor that will have a robust supply chain for available resources required.	4	1	Med	HS2 Project Team
2/005		<u>Contractor Liquidation</u> Appointed contractor unable to complete the works due to financial difficulties.	4	1	Med	HS2	Threat Response: Fallback Appoint another Tier 1 contractor with adequate supply chain and resources to take on the contract and continue the works.	2	1	Low	HS2 Project Team
2/006		<u>Paternoster Place Not Accepted</u> There is a risk that the project is not taken forward by the contractor due to the complex nature of the project and associated risks to delivery.	3	1	Med	BCC/HS2	Threat Response: Avoid 1) These works form part of a national significant infrastructure project which will secure a Tier 1 contractor with sufficient experience and resources to deliver the project. Threat Response: Fallback 2) Works could be scaled back to simplify delivery. Threat Response: Transfer 3) Alternative strategy for delivery through HS2 commercialisation work could be explored.	2	1	Low	Nick Matthews Project Manager and HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
2/007		<u>HS2 Project Cancelled</u> There is a risk that a change in government could cancel the wider HS2 project as a whole.	4	1	Med	HS2	Threat Response: Accept Legislation in place to deliver project and significant progress has already been made, therefore unlikely this outcome will occur.	4	1	Med	HS2 Project Team
3 SUPPORT AND ENGAGEMENT											
3/001		<u>GBSLEP</u> Failure to fully engage with GBSLEP leading to a lack of support and delay/refusal of EZ Funding	4	3	High	BCC	Threat Response: Reduce 1. GBSLEP have approved Outline Business Case 2. Early and ongoing engagement of GBSLEP and their appointed appraisal consultant in the development of the Full Business Case.	2	1	Low	Nick Matthews Project Manager
3/002		<u>Politicians</u> Failure to engage Councillors and Cabinet Members leading to a high volume queries resulting in a delay in obtaining cabinet approval.	4	3	High	BCC	Threat Response: Avoid a) Early consultation and ongoing engagement with Councillors and Cabinet Members. Briefing sessions with Cabinet Members following design maturity.	2	1	Low	Nick Matthews Project Manager
4 PROJECT PROGRAMME											

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
4/001		<p><u>Deadlock</u></p> <p>Programme delay due to a deadlock in agreeing the final detailed contractual arrangements, including responsibility for cost overruns.</p>	3	2	Med	BCC/HS2	<p>Threat Response: Reduce</p> <p>Following outline business case approval, agree Heads of Terms with HS2 for negotiating final contract including pain/gain share.</p>	2	1	Low	Nick Matthews Project Manager and HS2 Project Team
4/002		<p><u>HS2 Programme</u></p> <p>Slippage in HS2's procurement and/or planning submission programme may require additional legal, commercial and planning resources from both BCC and HS2. This may incur additional costs.</p>	3	2	Med	HS2	<p>Threat Response: Reduce</p> <p>Ongoing partnership working with HS2 through work stream cross-organisational Working Groups and the Project Board.</p>	2	1	Low	HS2 Project Team
4/003		<p><u>Approval Timescales</u></p> <p>Following HS2's revision of their procurement strategy (see risk 2/001), their timescales for appointing a contractor have now changed. The target price will not be fixed until the end of stage 1, but there are currently no details on how long stage 1 will take to complete and we are therefore as yet unable to determine when the Full Business Case will be submitted for approval.</p>	3	2	Med	BCC	<p>Threat Response: Reduce</p> <p>Ongoing partnership working with HS2 through work stream cross-organisational Working Groups will keep officers informed of any updates to the procurement timetable.</p>	2	1	Low	Nick Matthews Project Manager
5 GBSLEP FULL BUSINESS CASE APPROVAL											

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
5/001		<p><u>Full Business Case Completion</u></p> <p>Full Business Case not approved by GBSLEP due to failure to address red flags raised in appraisal of Interim Business Case.</p>	4	3	High	BCC	<p>Threat Response: Reduce</p> <p>a) Business case consultant fully engaged with GBSLEP and appraisal consultant to address key issues.</p> <p>b) Ongoing partnership working with HS2 through work stream cross-organisational Working Groups and the Project Board.</p>	3	1	Med	Nick Matthews Project Manager
6 <u>DELIVERY STAGE</u>											
6/001		<p><u>Planning Permission</u></p> <p>Planning permission refused or extended. This could cause delays to the programme and may incur additional planning fees from HS2.</p>	4	2	High	HS2	<p>Threat Response: Reduce</p> <p>Prior to formal pre-application discussions, BCC Planning officers have been engaged early on in the design development process and this close working has continued into the formal pre-app process.</p>	3	1	Med	HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
6/002		<u>Maintenance Arrangements</u> Strategy for agreeing maintenance responsibilities and arrangements not agreed. If agreement cannot be reached, the Business Case will state that unless alternative arrangements are made, BCC are responsible for any maintenance arising from the projects. This approach may not be approved by BCC Cabinet. Don't have funding for maintenance. Issue is strategy and working now.	3	3	High	BCC/HS2	Threat Response: Reduce Discussions are ongoing between HS2 and BCC to identify alternative funding sources. The issue has been escalated and senior officers are aware of the implications.	3	2	Med	Nick Matthews Project Manager and HS2 Project Team
6/003		<u>Unidentified Ground Constraints</u> There is a risk that the ground conditions encountered are not as anticipated.	3	1	Med	HS2	Threat Response: Reduce Enabling works underway and will be completed prior to construction of public realm.	2	1	Low	HS2 Project Team
6/004		<u>Works Deviate from Specifications</u> There is a risk that detailed designs may deviate from those agreed at DAL 5.	3	1	Med	BCC/HS2	Threat Response: Reduce Design work has been undertaken in close collaboration between HS2, Station Designers, and BCC officers and the specification of works set out in the ITT will reflect these agreed designs.	2	1	Low	Nick Matthews Project Manager and HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
6/005		<u>Brexit</u> This may impact on ability to recruit qualified staff and acquire the necessary materials for construction.	4	2	Med	HS2	Threat Response: Reduce Major contractors will have extensive Brexit contingencies in place and this will be identified during procurement process.	1	2	Low	HS2 Project Team
6/006		<u>Unchartered services</u> There is a threat that previously unidentified utilities services may be encountered during construction works, causing a delay to delivery.	3	1	Med	HS2	Threat Response: Reduce The enabling works are currently underway which will identify the location of services across the site and will be completed prior to construction of the public realm.	2	1		HS2 Project Team
6/007		<u>Adverse weather</u> There is a threat that adverse weather conditions may impact on the ability to carry out works, causing a delay to delivery.	3	3	High	HS2	Threat Response: Reduce An allowance will be built into construction programme for exceptional weather and allow for an additional programme contingency.	2	3	Med	HS2 Project Team
6/008		<u>Failure to Engage Stakeholders</u> Failure to fully engage stakeholders could result in high numbers of queries and objections resulting in a delay to the programme.	2	2	Med	BCC/HS2	Threat Response: Reduce HS2 have dedicated engagement team in place and measures are already in place to engage stakeholders on a regular basis. This will continue throughout the project.	1	1	Low	Nick Matthews Project Manager and HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
6/008		<u>Unidentified 3rd Party Ownerships</u> Unidentified landownerships delay delivery impact on ability to complete the works	3	2	Med	HS2	Threat Response: Avoid All land required for development has been identified through the legislative process and therefore the risk is minimal.	1	1	Low	HS2 Project Team
6/010		<u>Insufficient Detail of NR Future Works</u> There is a threat that Network Rail may not provide sufficient detail or change their design of the re-signalling gantry works due to take place in the area adjacent to Paternoster Place.	2	2	Med	HS2	Threat Response: Reduce HS2 have a team based within Network Rail to enable collaborative working. Discussions have commenced regarding Network Rail's future works programme. This risk is associated with unforeseen works which would only impact on the timescales for delivery.	2	1	Low	HS2 Project Team
6/011		<u>Relocation of OLE stanchion(s)</u> There is a risk that the installation of an additional bridge deck may require the relocation of an OLE stanchion(s).	3	1	Med	HS2	Threat Response: Reduce HS2 have already engaged Network Rail with the emerging designs for Paternoster Place and no additional works are currently identified. This will be confirmed at the detailed design stage.	2	1	Low	HS2 Project Team
6/012		<u>Delay to NR Approvals</u> There is a risk of delay to securing Network Rail approval to the Paternoster Place designs and the acquisition of land and air rights required to deliver it.	4	2	Med	HS2	Threat Response: Reduce HS2 have commenced the process to seek NR approvals to agree the design, works and acquisition of the necessary land and air rights.	4	1	Med	HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
6/013		<u>NR asset protection</u> There is a threat that further strengthening works of NR assets are required.	3	1		HS2	Threat Response: Reduce HS2 have already engaged Network Rail with the emerging designs for Paternoster Place and no additional works are currently identified. Detailed design stage will confirm whether further strengthening will be required and the scope of works will be adjusted accordingly to minimise the impact on delivery.	2	1		HS2 Project Team
6/014		<u>Damage to NR infrastructure</u> There is a threat that construction works may result in unforeseen damage to existing NR assets and infrastructure.	2	3		HS2	Threat Response: Reduce The delivery agreement between BCC and HS2 will stipulate that responsibility for the protection of NR assets are to be taken on by the appointed contractor.	1	2		HS2 Project Team
6/015		<u>Age of existing NR infrastructure</u> The time at which the existing structure will need significant maintenance works or replacement is currently unknown but any new structure built in the next 6-7 years would be at risk of these works.	3	3		BCC/HS2	Threat Response: Reduce Discussions with NR are already taking place and any additional requirements will be identified during the detailed design phase.	2	2		HS2 Project Team
6/016		<u>Joint Bridge Ownership</u> There is a risk that the ownership, maintenance and liability of the joint between new and existing bridge deck leads to protracted negotiations with NR	4	3		BCC/HS2	Threat Response: Reduce Discussions with NR are already taking place and any additional requirements will be identified during the detailed design phase.	2	2		HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
6/017		<p><u>NR Clearance compliance</u></p> <p>NR have indicated that they may require any new rail structure to be built to modern clearance compliances for the electrification equipment, requiring the structure to be raised above existing ground level.</p>	2	3		HS2	<p>Threat Response: Reduce</p> <p>This issue potentially affects not only Paternoster Place but the station building, new service road and the Bordesley St-Park St junction. HS2 are in discussion with NR and any additional requirements will be identified during the detailed design phase.</p>	2	2		HS2 Project Team
6/018		<p><u>NR Possession availability, overruns and cancellations</u></p> <p>There is a risk that Network Rail possessions required to build Paternoster Place will not be available to suit the construction programme.</p> <p>There is a risk that agreed NR possessions are cancelled at short notice, leading to schedule delays.</p> <p>There is a risk that works undertaken during any possession of the railway may overrun beyond the published access window.</p>	2	2		HS2	<p>Threat Response: Accept</p> <p>Extensive planning with Network Rail will take place to agree possessions. Any unforeseen cancellations will impact on the programme and any overruns will be the responsibility of the contractor.</p>	1	2		HS2 Project Team
6/019		<p><u>Lack of Information Sharing</u></p> <p>There is a risk of non-timely receipt of requested information of data, drawings, specifications, exclusions, working restrictions from HS2/Network Rail/other third parties causing delays.</p>	3	2		HS2/NR	<p>Threat response: Reduce</p> <p>Close working arrangements between HS2 and Network Rail are already in place. Both projects are at similar levels of design and potential interface issues have been recognised and are being resolved.</p>	2	1		Nick Matthews Project Manager and HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
6/020		<u>Security Measures</u> There is a risk that the proposed security measures within the public realm are not approved by HS2 security teams.	2	2		HS2	Threat response: Avoid The current level of design maturity has incorporated extensive input from HS2's security team. It is not anticipated that further issues will arise during the detailed design phase.	1	1		HS2 Project Team
6/021		<u>Access to Site</u> There is a threat that there will be frustrated access to the station worksite due to adjacent third party construction works restricting access. Road closures may not be completed ahead of public realm construction works. Utilities companies could make additional requests for protective works. An unannounced party may request access to the site.	2	2		HS2	Threat response: Avoid During the detailed design phase, the appointed contractor will identify all third party developments that may impact on the delivery of the Public Realm projects and mitigate accordingly.	1	2		HS2 Project Team
6/022		<u>Noise Restrictions</u> There is a threat that there will be noise restrictions during the construction works which may affect the sequencing and phasing of the works.	2	2		HS2	Threat response: Reduce This will be addressed by the appointed contractor during detailed design phase.	1	2		HS2 Project Team

6/02 3		<p><u>Presence of unexploded ordnance (UXO)</u></p> <p>There is a threat that an UXO may be present in the site.</p>	2	2		HS2	<p>Threat response: Avoid</p> <p>Early works are underway to remediate the site. Any further issues will be responsibility of contractor.</p>	1	2		HS2 Project Team
6/02 7		<p><u>Commercialisation</u></p> <p>There is a potential opportunity that HS2's additional Commercialisation scope will be instructed during detailed design phase.</p>	3	3		HS2/BCC	<p>Opportunity Response: Exploit</p> <p>Commercialisation is unlikely to alter the scope of works but could potentially take responsibility for the delivery of Paternoster Place and its associated risks.</p>	1	3		Nick Matthews Project Manager and HS2 Project Team
6/02 8		<p><u>Arts Strategy</u></p> <p>There is a risk that the site-wide Arts Strategy impacts on the public realm design.</p>	1	2		HS2	<p>Opportunity Response: Exploit</p> <p>The details of the Arts Strategy will be determined at planning and detailed design stages. Any additional requirements would only be accepted on the basis that they enhance the existing scope of works.</p>	1	1		HS2 Project Team
7	BENEFITS										

7/00 1		<p><u>Vacancy Rates</u></p> <p>Reduction in vacancy rates not as high as forecast.</p>	2	2		BCC	<p>Threat response: Avoid</p> <p>Detailed assessment of the impacts of the Public Realm projects has been undertaken and identified achievable reductions in vacancy rates. Significant new development is already in the pipeline on the basis of HS2 being delivered in 2026.</p>	1	1		Nick Matthews Project Manager
7/00 2		<p><u>New Jobs</u></p> <p>Level of new jobs created is not as high as forecast due to lower levels of development, for example HS2 commercialisation scheme not being delivered.</p>	2	2		BCC	<p>Threat response: Avoid</p> <p>Detailed assessment of the impacts of the Public Realm projects has been undertaken and identified achievable job creation. There are development opportunities within close proximity to the public realm which offer significant potential for new jobs.</p>	1	1		Nick Matthews Project Manager
7/00 3		<p><u>Land Value Uplift</u></p> <p>Uplift in land values not as high as forecast.</p>	2	2		BCC	<p>Threat response: Avoid</p> <p>Detailed assessment of the impacts of the Public Realm projects has been undertaken and identified realistic achievable land values. HS2 is a major national infrastructure project which is already generating significant interest in land surrounding the public realm.</p>	1	1		Nick Matthews Project Manager

CURZON PUBLIC REALM – CURZON PROMENADE & SQUARE

Risk Register

Version No: 003

Last Updated Date: 08 August 2019

RISK GUIDE

↑ LIKELIHOOD	4	Almost Certain	Material	Severe	Severe	Severe
	3	Likely	Tolerable	Material	Severe	Severe
	2	Possible	Tolerable	Material	Material	Material
	1	Unlikely	Tolerable	Tolerable	Material	Material
			Minor	Medium	Major	Critical
			1	2	3	4
		IMPACT	→			

HIGH (Severe)	Issues which may critically affect service delivery. Immediate control improvement to be made to enable business goals to be met and service delivery maintained/improved
MEDIUM (Material)	Close monitoring to be carried out and cost effective control improvements sought to ensure service delivery is maintained
LOW (Tolerable)	Regular review, low cost control improvements sought if possible

Threat Response: Avoid, Reduce, Fallback, Transfer, Accept, Share

Opportunity Response: Enhance, Exploit, Reject, Share

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
1 BUDGET & RESOURCES											
1/001		<u>Full Business Case Consultant Budget</u> Time taken to complete business case longer than expected due to limited information available from HS2 resulting in higher than originally estimated number of queries received from business case appraisal team.	2	4	High	BCC	Threat Response: Reduce Additional resources to be drawn from contingency budget.	1	4	Med	Nick Matthews Project Manager
1/002		<u>Cost Consultant Budget</u> Unexpected additional work required to independently assure updated HS2 cost estimates.	2	2	Med	BCC	Threat Response: Reduce Additional resources to be drawn from contingency budget.	1	2	Low	Nick Matthews Project Manager

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
1/003		<u>Contract Bids Exceed Expectations</u> Contractor tender return bids higher than predicted and exceed GBSLEP funding allocation for public realm projects.	4	2	Med	BCC	Threat Response: Fallback Drop one or more of the Curzon Public Realm projects to remain affordable.	3	2	Med	Nick Matthews Project Manager
1/004		<u>Insufficient Staffing</u> Delays due to staff leaving, lack of available qualified staff to manage project.	2	2	Med	BCC	Threat response: Reduce Multidisciplinary team established to cover all relevant aspects of the project. Project Board established made up of key officers to maintain oversight and ensure there is no single point of failure.	2	1	Low	Nick Matthews Project Manager
1/005		<u>Cost at FBC is higher than the OBC</u> Following procurement the cost of the works from the successful bidder is higher than set out in the OBC	3	2	Med	BCC/HS2	Threat response: Reduce A high level of contingency has been built into the OBC cost to mitigate the risk of the cost at FBC being higher. Threat response: Fallback If the cost is higher then measures such as reducing the scope of works will be explored.	2	1		Nick Matthews Project Manager and HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
1/006		<p><u>Cost overruns</u></p> <p>Project costs exceed those outlined in the RIBA 3 estimate.</p>	3	2	Med	BCC/HS2	<p>Threat response: Reduce</p> <ol style="list-style-type: none"> Negotiations with HS2 to share responsibility are underway. The cost estimates produce as part of the RIBA 3 Design have undergone independent appraisal. These estimates include a 40% contingency which is above the industry standard approach for this type of project, to reflect the complexities of delivering the works as part of a much larger scale project. Following procurement the FBC will be prepared, which will include the final cost from the successful contractor. Based on the contractor's programme and risk strategy HS2 and BCC will agree which costs could be fixed, with appropriate contingencies, and which will be shared individually or jointly by the relevant organisation. <p>Threat response: Fallback</p> <p>De-scoping works could be explored.</p>	2	1	Low	Nick Matthews Project Manager and HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
1/007		<u>Insufficient resources to deliver FBC</u> Unable to appoint consultant to deliver GBSLEP Full Business Case because quotes exceed budget.	4	2	Med	BCC	Threat response: Reduce Thorough assessment of costs needed to produce FBC has been made and a significant amount of work has already been completed which has helped identify resources required to complete the work.	4	1	Med	Nick Matthews Project Manager
1/008		<u>Inadequate Contingency</u> The complex nature of the project presents a potential risk of unforeseen issues arising.	3	2	Med	BCC	Threat response: Reduce The cost estimates produce as part of the RIBA 3 Design includes a 40% contingency. This is above the industry standard approach for this type of project to reflect the complexities of delivering the works as part of a much larger scale project.	2	1	Low	Nick Matthews Project Manager
1/009		<u>Inadequate allowances</u> Allowances made for inflation, fees, Network Rail costs, etc. are insufficient and these costs exceed estimates.	3	1	Med	BCC	Threat response: Reduce Costs identified at this stage have been forecast above industry-standard standard values to allow for worst-case scenario.	1	1	Low	Nick Matthews Project Manager
2 PROCUREMENT & CONTRACT MANAGEMENT											
2/001		<u>HS2 Procurement Transparency</u> <ul style="list-style-type: none"> HS2 have revised their strategy for procurement and are now proceeding with a two-stage tender process. 	2	2	Med	BCC	Opportunity Response: Exploit The revised approach to procurement is a positive outcome for the Council. The collaborative nature of this method provides BCC with greater input into the development of its public realm projects, where influence would	2	1	Low	Nick Matthews Project Manager

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
		<ul style="list-style-type: none"> Without knowing the detail of what each stage will look like, there remains a risk that BCC could be limited in sight of the criteria or ability to make representations, which may compromise BCC's requirement to evidence value for money. 					<p>previously have been limited. It also provides much greater certainty over risk allocation, programme and costs.</p> <p>Threat Response: Transfer</p> <p>If issues remain regarding involvement and transparency of the procurement process then the issue should be escalated to the Corporate Director and HS2 Growth Delivery Board.</p>				
2/002		<p>Limited Information</p> <p>HS2 unable to share a programme risk register that includes key financial mitigation measures and a risk plan with risk management approach.</p>	2	3	Med	BCC/HS2	<p>Threat Response: Reduce</p> <p>Ongoing partnership working with HS2 through work stream cross-organisational Working Groups and the Project Board to obtain a high level risk plan that HS2 is able to share.</p>	2	1	Low	Nick Matthews Project Manager and HS2 Project Team
2/003		<p>Unable to Secure Contractor</p> <p>No suitable tender bids submitted in response to HS2's Invitation to Tender (ITT).</p>	4	3	High	HS2	<p>Threat response: Reduce</p> <p>HS2 have revised their procurement strategy and will now be undertaking a two-stage tender process. This reduces the burden on tenderers and increases the attractiveness of bidding for the contract. These works form part of a national significant infrastructure project which will generate wide international interest from Tier 1 contractors to secure the contract.</p>	3	1	Med	HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
2/004		<u>Plant and Resources</u> Extensive construction works taking place in the wider Birmingham city region. There is a risk that there may be a lack of availability within the market for construction plant and sufficiently qualified human resources to undertake the project	4	2	High	HS2	Threat response: Reduce Works will be undertaken by a Tier 1 contractor that will have a robust supply chain for available resources required.	4	1	Med	HS2 Project Team
2/005		<u>Contractor Liquidation</u> Appointed contractor unable to complete the works due to financial difficulties.	4	1	Med	HS2	Threat Response: Fallback Appoint another Tier 1 contractor with adequate supply chain and resources to take on the contract and continue the works.	2	1	Low	HS2 Project Team
2/006		<u>HS2 Project Cancelled</u> There is a risk that a change in government could cancel the wider HS2 project as a whole.	4	1	Med	HS2	Threat Response: Accept Legislation in place to deliver project and significant progress has already been made, therefore unlikely this outcome will occur.	4	1	Med	HS2 Project Team
3 SUPPORT AND ENGAGEMENT											
3/001		<u>GBSLEP</u> Failure to fully engage with GBSLEP leading to a lack of support and delay/refusal of EZ Funding	4	3	High	BCC	Threat Response: Reduce 1. GBSLEP have approved Outline Business Case 2. Early and ongoing engagement of GBSLEP and their appointed appraisal consultant in the development of the Full Business Case.	3	1	Med	Nick Matthews Project Manager

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
3/002		Politicians Failure to engage Councillors and Cabinet Members leading to a high volume queries resulting in a delay in obtaining cabinet approval.	4	3	High	BCC	Threat Response: Avoid Early consultation and ongoing engagement with Councillors and Cabinet Members. Briefing sessions with Cabinet Members following design maturity.	2	1	Low	Nick Matthews Project Manager
4		PROJECT PROGRAMME									
4/001		Deadlock Programme delay due to a deadlock in agreeing the final detailed contractual arrangements, including responsibility for cost overruns.	3	2	Med	BCC/HS2	Threat Response: Reduce Following outline business case approval, agree Heads of Terms with HS2 for negotiating final contract including pain/gain share.	2	1	Low	Nick Matthews Project Manager and HS2 Project Team
4/002		HS2 Programme Slippage in HS2's procurement and/or planning submission programme may require additional legal, commercial and planning resources from both BCC and HS2. This may incur additional costs.	3	2	Med	HS2	Threat Response: Reduce Ongoing partnership working with HS2 through work stream cross-organisational Working Groups and the Project Board.	2	1	Low	HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
4/003		<p><u>Approval Timescales</u></p> <p>Following HS2's revision of their procurement strategy (see risk 2/001), their timescales for appointing a contractor have now changed. The target price will not be fixed until the end of stage 1, but there are currently no details on how long stage 1 will take to complete and we are therefore as yet unable to determine when the Full Business Case will be submitted for approval.</p>	3	3	High	BCC	<p>Threat Response: Reduce</p> <p>Ongoing partnership working with HS2 through work stream cross-organisational Working Groups will keep officers informed of any updates to the procurement timetable.</p>	3	1	Med	Nick Matthews Project Manager
5 GBSLEP FULL BUSINESS CASE APPROVAL											
5/001		<p><u>Full Business Case Completion</u></p> <p>Full Business Case not approved by GBSLEP due to failure to address red flags raised in appraisal of Interim Business Case.</p>	4	3	High	BCC	<p>Threat Response: Reduce</p> <ol style="list-style-type: none"> 1. Business case consultant fully engaged with GBSLEP and appraisal consultant to address key issues. 2. Ongoing partnership working with HS2 through work stream cross-organisational Working Groups and the Project Board. 	4	1	Med	Nick Matthews Project Manager
6 DELIVERY STAGE											

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
6/001		<p><u>Planning Permission</u></p> <p>Planning permission refused or extended. This could cause delays to the programme and may incur additional planning fees from HS2.</p>	4	2	High	HS2	<p>Threat Response: Reduce</p> <p>Prior to formal pre-application discussions, BCC Planning officers have been engaged early on in the design development process and this close working has continued into the formal pre-app process.</p>	3	1	Med	HS2 Project Team
6/002		<p><u>Maintenance Arrangements</u></p> <p>Strategy for agreeing maintenance responsibilities and arrangements not agreed. If agreement cannot be reached, the Business Case will state that unless alternative arrangements are made, BCC are responsible for any maintenance arising from the projects. This approach may not be approved by BCC Cabinet.</p>	3	3	High	BCC/HS2	<p>Threat Response: Reduce</p> <p>Discussions are ongoing between HS2 and BCC to identify alternative funding sources. The issue has been escalated and senior officers are aware of the implications.</p>	3	2	Med	Nick Matthews Project Manager and HS2 Project Team
6/003		<p><u>Unidentified Ground Constraints</u></p> <p>There is a risk that the ground conditions encountered are not as anticipated.</p>	3	1	Med	HS2	<p>Threat Response: Reduce</p> <p>Enabling works underway and will be completed prior to construction of public realm.</p>	2	1	Low	HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
6/004		<u>Works Deviate from Specifications</u> There is a risk that detailed designs may deviate from those agreed at DAL 5.	3	1	Med	BCC/HS2	Threat Response: Reduce Design work has been undertaken in close collaboration between HS2, Station Designers, and BCC officers and the specification of works set out in the ITT will reflect these agreed designs.	2	1	Low	Nick Matthews Project Manager and HS2 Project Team
6/005		<u>Brexit</u> This may impact on ability to recruit qualified staff and acquire the necessary materials for construction.	4	2	Med	HS2	Threat Response: Reduce Major contractors will have extensive Brexit contingencies in place and this will be identified during procurement process.	1	2	Low	HS2 Project Team
6/006		<u>Unchartered services</u> There is a threat that previously unidentified utilities services may be encountered during construction works, causing a delay to delivery.	3	1	Med	HS2	Threat Response: Reduce The enabling works are currently underway which will identify the location of services across the site and will be completed prior to construction of the public realm.	2	1		HS2 Project Team
6/007		<u>Adverse weather</u> There is a threat that adverse weather conditions may impact on the ability to carry out works, causing a delay to delivery.	3	3	High	HS2	Threat Response: Reduce An allowance will be built into construction programme for exceptional weather and allow for an additional programme contingency.	2	3	Med	HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
6/008		<p><u>Integration of Metro</u></p> <p>There is a threat that delivering an integrated programme for the West Midlands Combined Authority Tram at Curzon St Station, is more onerous and complex than anticipated</p>	3	2	Med	HS2/WMCA	<p>Threat response: Reduce</p> <p>Close working arrangements between HS2 and WMCA are already in place. Both projects are at similar levels of design and potential interface issues have been recognised and are being resolved.</p>	2	1	Low	HS2 Project Team
6/009		<p><u>Failure to Engage Stakeholders</u></p> <p>Failure to fully engage stakeholders could result in high numbers of queries and objections resulting in a delay to the programme.</p>	2	2	Med	BCC/HS2	<p>Threat Response: Reduce</p> <p>HS2 have dedicated engagement team in place and measures are already in place to engage stakeholders on a regular basis. This will continue throughout the project.</p>	1	1	Low	Nick Matthews Project Manager and HS2 Project Team
6/010		<p><u>Unidentified 3rd Party Ownerships</u></p> <p>Unidentified landownerships delay delivery impact on ability to complete the works</p>	3	2	Med	HS2	<p>Threat Response: Avoid</p> <p>All land required for development has been identified through the legislative process and therefore the risk is now minimal.</p>	1	1	Low	HS2 Project Team

Risk ID	Proximity	Detailed Description	Impact	Probability	Score	Owner	Risk Response and Mitigation Measure	Residual Risk			Action by
								Impact	Probability	Score	
6/01 1		<p><u>Lack of Information Sharing</u></p> <p>There is a risk of non-timely receipt of requested information of data, drawings, specifications, exclusions, working restrictions from HS2/WMCA/other third parties causing delays.</p>	3	2		HS2/WMCA	<p>Threat response: Reduce</p> <p>Close working arrangements between HS2 and WMCA are already in place. Both projects are at similar levels of design and potential interface issues have been recognised and are being resolved.</p>	2	1		Nick Matthews Project Manager and HS2 Project Team
6/01 2		<p><u>Security Measures</u></p> <p>There is a risk that the proposed security measures within the public realm are not approved by HS2 security teams.</p>	2	2		HS2	<p>Threat response: Avoid</p> <p>The current level of design maturity has incorporated extensive input from HS2's security team. It is not anticipated that further issues will arise during the detailed design phase.</p>	1	1		HS2 Project Team
6/01 3		<p><u>Access to Site</u></p> <p>There is a threat that there will be frustrated access to the station worksite due to adjacent third party construction works restricting access.</p> <p>Road closures may not be completed ahead of public realm construction works.</p> <p>Utilities companies could make additional requests for protective works.</p> <p>An unannounced party may request access to the site.</p>	2	2		HS2	<p>Threat response: Avoid</p> <p>During the detailed design phase, the appointed contractor will identify all third party developments that may impact on the delivery of the Public Realm projects and mitigate accordingly.</p>	1	2		HS2 Project Team

6/01 4		Noise Restrictions There is a threat that there will be noise restrictions during the construction works which may affect the sequencing and phasing of the works.	2	2		HS2	Threat response: Reduce This will be addressed by the appointed contractor during detailed design phase.	1	2		HS2 Project Team
6/01 5		Presence of unexploded ordnance (UXO) There is a threat that an UXO may be present in the site.	2	2		HS2	Threat response: Avoid Early works are underway to remediate the site. Any further issues will be responsibility of contractor.	1	2		HS2 Project Team
6/01 6		Adoption of new/revised highways not agreed The proposed access road to the car-park and station service road is not approved by BCC for adoption, and HS2 wanted it adopted so that utility diversions fall within Highway Maintainable at Public Expense. Curzon Street access and turning heads etc. at Woodman PH to be agreed Fazeley Street servicing access and vehicle waiting area Andover Street - servicing of Gun Barrel Proof House	4	4		HS2	Threat response: Reduce HS2 are reviewing: 1. Potential to keep road private and seeking wayleaves with utility companies; 2. Potential alternative utility route to be explored. BCC and HS2 are discussing requirements, impact on other traffic and land needed for turning head for vehicles that cannot access through bollards	3	2	Med	HS2 Project Team

6/01 7		<p><u>Stopping up not granted for New Canal Street</u></p> <p>There is a risk that the closure of New Canal Street is not completed in a timely manner to enable the commencement of construction works. HS2 cannot use current powers and the s247 TCPA application process appears to require a bespoke planning submission and approval.</p>	3	2		BCC/HS2	<p>Threat response: Reduce</p> <ol style="list-style-type: none"> 1. Discussions are already underway between BCC Transportation & Highways officers, DfT and HS2 to understand how best to implement the closure of New Canal Street under TCPA. 2. A TRO that restricts access may be an alternative possibility but would require BCC Highways approval to have an adopted road within the station confines, under the station and viaduct structures – see risk 6/016 above. 	2	1		Nick Matthews Project Manager and HS2 Project Team
6/01 8		<p>RISK CLOSED</p> <p><u>Photovoltaics (PV)</u></p> <p>There is a risk that the requirement for PV to achieve zero carbon and BREEAM ratings could impact the public realm design.</p>	3	2		HS2	<p>Threat response: Reduce</p> <p>This is to be resolved during the Schedule 17 Planning approvals process.</p>	1	1		HS2 Project Team
6/01 9		<p><u>Old Curzon Street Station (OCSS)</u></p> <p>There is a risk that maintaining access to OCSS during the construction of the public realm may be more onerous than initially anticipated.</p>	1	2		HS2	<p>Threat response: Reduce</p> <p>This is to be resolved at the detailed design stage.</p>	1	1		HS2 Project Team

6/02 0		<p>Arts Strategy</p> <p>There is a risk that the site-wide Arts Strategy impacts on the public realm design.</p>	1	2		HS2	<p>Opportunity Response: Exploit</p> <p>The details of the Arts Strategy will be determined at planning and detailed design stages. Any additional requirements would only be accepted on the basis that they enhance the existing scope of works.</p>	1	1		HS2 Project Team
7 BENEFITS											
7/00 1		<p>Vacancy Rates</p> <p>Reduction in vacancy rates not as high as forecast.</p>	2	2		BCC	<p>Threat response: Avoid</p> <p>Detailed assessment of the impacts of the Public Realm projects has been undertaken and identified achievable reductions in vacancy rates. Significant new development is already in the pipeline on the basis of HS2 being delivered in 2026.</p>	1	1		Nick Matthews Project Manager

7/00 2		<p><u>New Jobs</u></p> <p>Level of new jobs created is not as high as forecast due to lower levels of development, for example HS2 commercialisation scheme not being delivered.</p>	2	2		BCC	<p>Threat response: Avoid</p> <p>Detailed assessment of the impacts of the Public Realm projects has been undertaken and identified achievable job creation. There are development opportunities within close proximity to the public realm which offer significant potential for new jobs.</p>	1	1		Nick Matthews Project Manager
7/00 3		<p><u>Land Value Uplift</u></p> <p>Uplift in land values not as high as forecast.</p>	2	2		BCC	<p>Threat response: Avoid</p> <p>Detailed assessment of the impacts of the Public Realm projects has been undertaken and identified realistic achievable land values. HS2 is a major national infrastructure project which is already generating significant interest in land surrounding the public realm.</p>	1	1		Nick Matthews Project Manager

Financial Year:	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	Total
Capital code:	<div></div>											
CAPITAL EXPENDITURE												
Construction & Design costs	£ 1,197,142					£ 5,600,000	£ 11,500,000	£ 5,785,000				£ 24,082,142
Other costs to complete:												
Commercial & Legal	£ 30,000	£ 30,000	£ 30,000	£ 30,000	£ 30,000	£ 10,000	£ 10,000					£ 140,000
Planning & Design	£ 15,000	£ 15,000	£ 15,000	£ 15,000	£ 15,000	£ 15,000	£ 15,000	£ 15,000				£ 105,000
BCC Project Management	£ 25,752	£ 40,000	£ 40,000	£ 19,000	£ 10,000							£ 134,752
Acivico	£ 50,000	£ 45,857	£ 45,857	£ 20,000	£ 20,000	£ 45,857	£ 45,857	£ 47,572				£ 321,000
NR	£ 25,000	£ 25,000	£ 25,000	£ 25,000	£ 25,000	£ 25,000	£ 25,000	£ 1,000,000				£ 1,150,000
HS2	£ 172,618	£ 66,907										£ 239,525
Contingencies												
Total capital expenditure	£ 1,445,512	£ 222,764	£ 155,857	£ 109,000	£ 100,000	£ 5,695,857	£ 11,595,857	£ 6,847,572	£ -	£ -	£ -	£ 26,172,419
CAPITAL FUNDING:												
Development costs funded by:												
[please itemise]												£ -
												£ -
Other costs funded by:												
GBSLEP Enterprise Zone	£1,445,512	£ 222,764	£ 155,857	£ 109,000	£ 100,000	£ 5,695,857	£ 11,595,857	£ 6,847,572	£ -	£ -	£ -	£ 26,172,419
												£ -
												£ -
Total capital funding <i>must fund all the costs</i>	£ 1,445,512	£ 222,764	£ 155,857	£ 109,000	£ 100,000	£ 5,695,857	£ 11,595,857	£ 6,847,572	£ -	£ -	£ -	£ 26,172,419

Financial Year:	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	Total	Lifetime Total		
Revenue code:															
REVENUE CONSEQUENCES															
Revenue costs during project delivery:															
[please itemise]												£	-		
												£	-		
Operating period expenditure:															
Maintenance								£	60,000	£	60,000	£ 60,000	£ 180,000	£2,400,000	
												£	-		
												£	-		
												£	-		
Less income:															
[please itemise]												£	-		
												£	-		
Less proposed savings												£	-		
Net revenue consequences	£	-	£	-	£	-	£	-	£	-	£	-	£ 180,000	2,400,000	
REVENUE FUNDING:															
Current budget provision								£	60,000	£	60,000	£ 60,000	£ 180,000		
Other revenue resources identified:															
[please itemise]												£	-		
												£	-		
												£	-		
Total revenue funding	£	-	£	-	£	-	£	-	£	60,000	£	60,000	£ 60,000	£ 180,000	£2,400,000

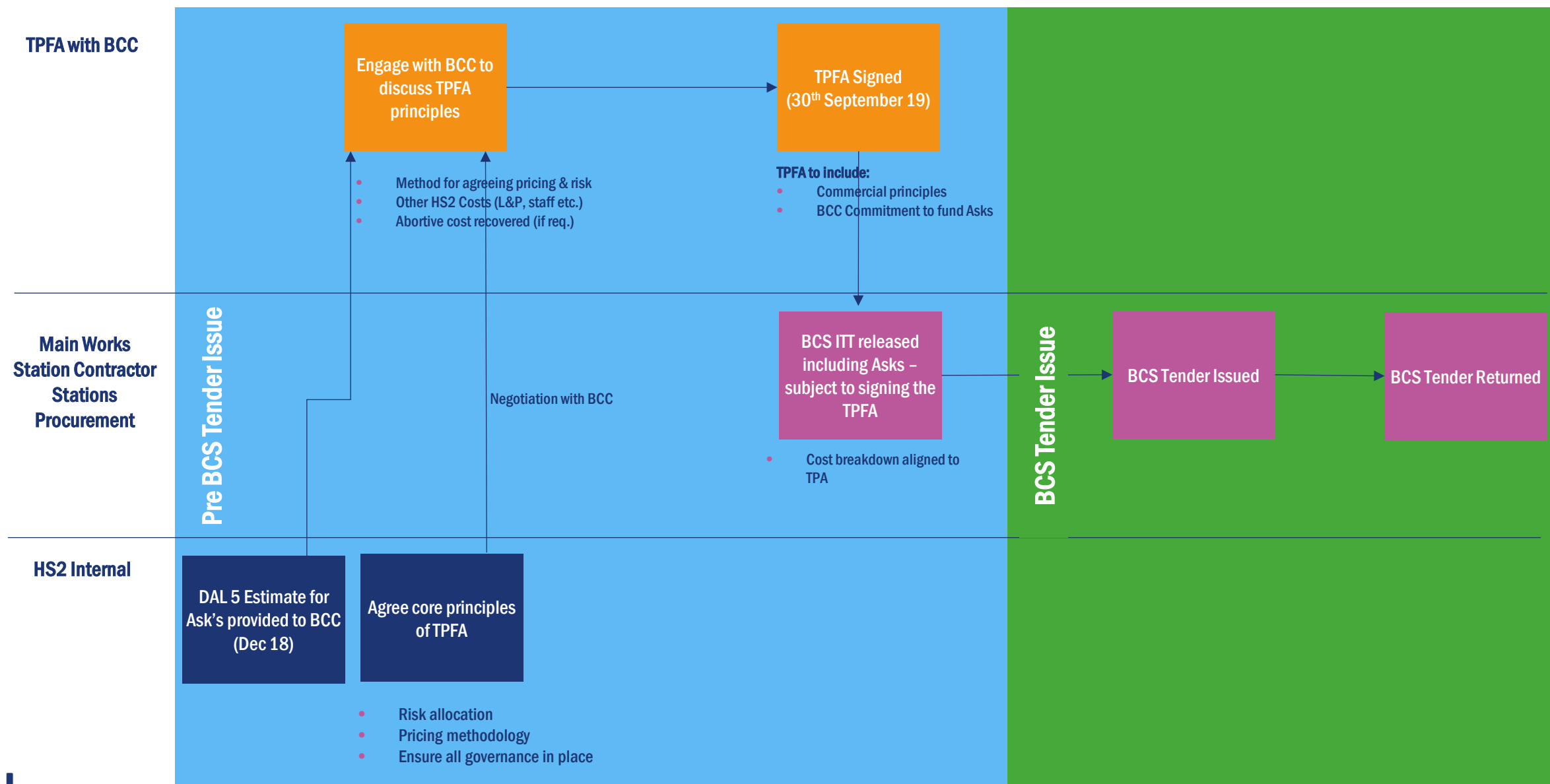
Notes

2018/19 Costs already approved by the GBSLEP
Approval for 2019/20 costs to develop the FBC is requested through the OBC
2023-2026 Construction and design costs are as per the HS2 estimate of £22.885m included within Appendix I
BCC Project Management Costs for 2020/21-2025/26 total £494k

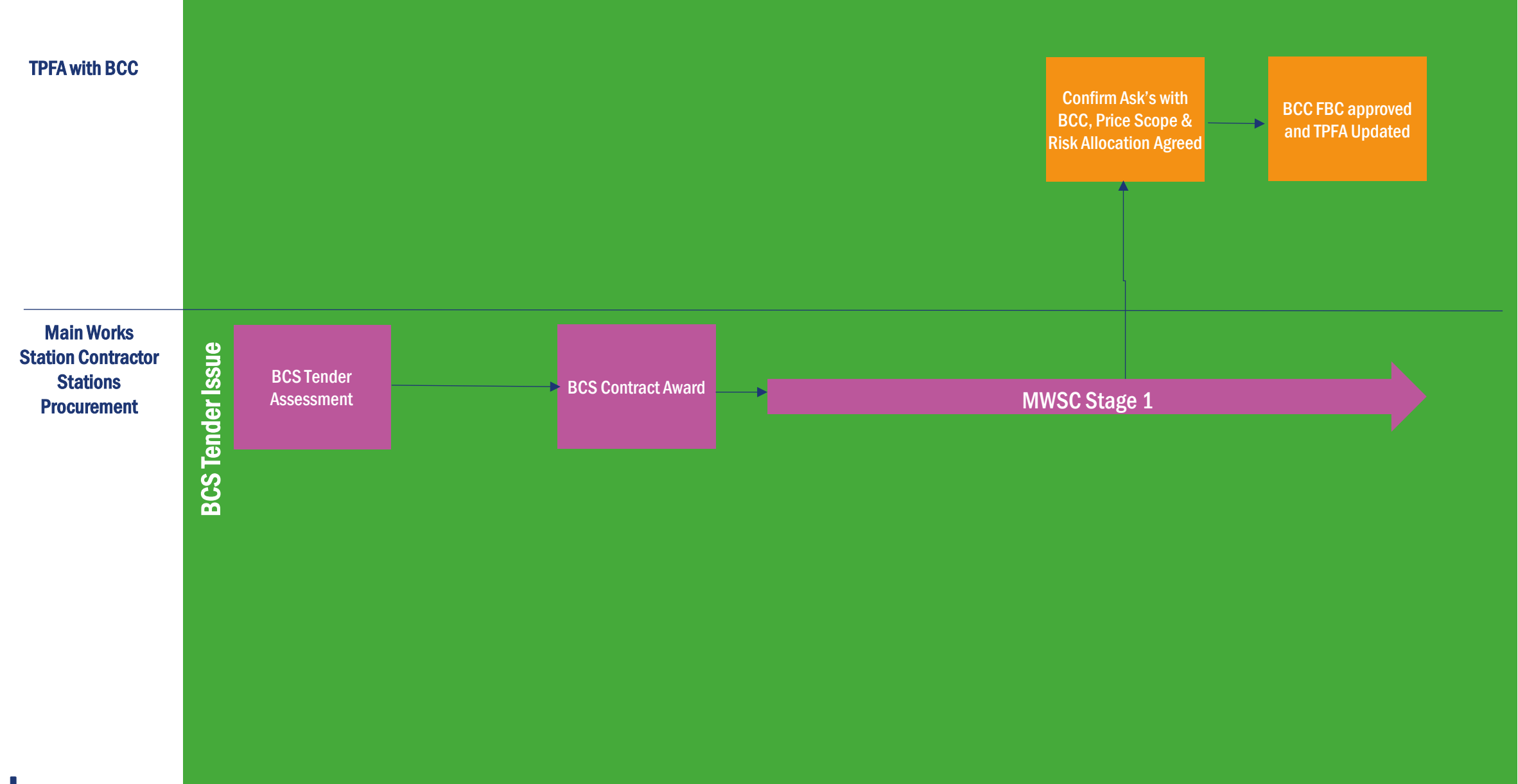
BCC Asks

TPA Agreement, Sharing of Full Business Case (FBC) Information and Change Management

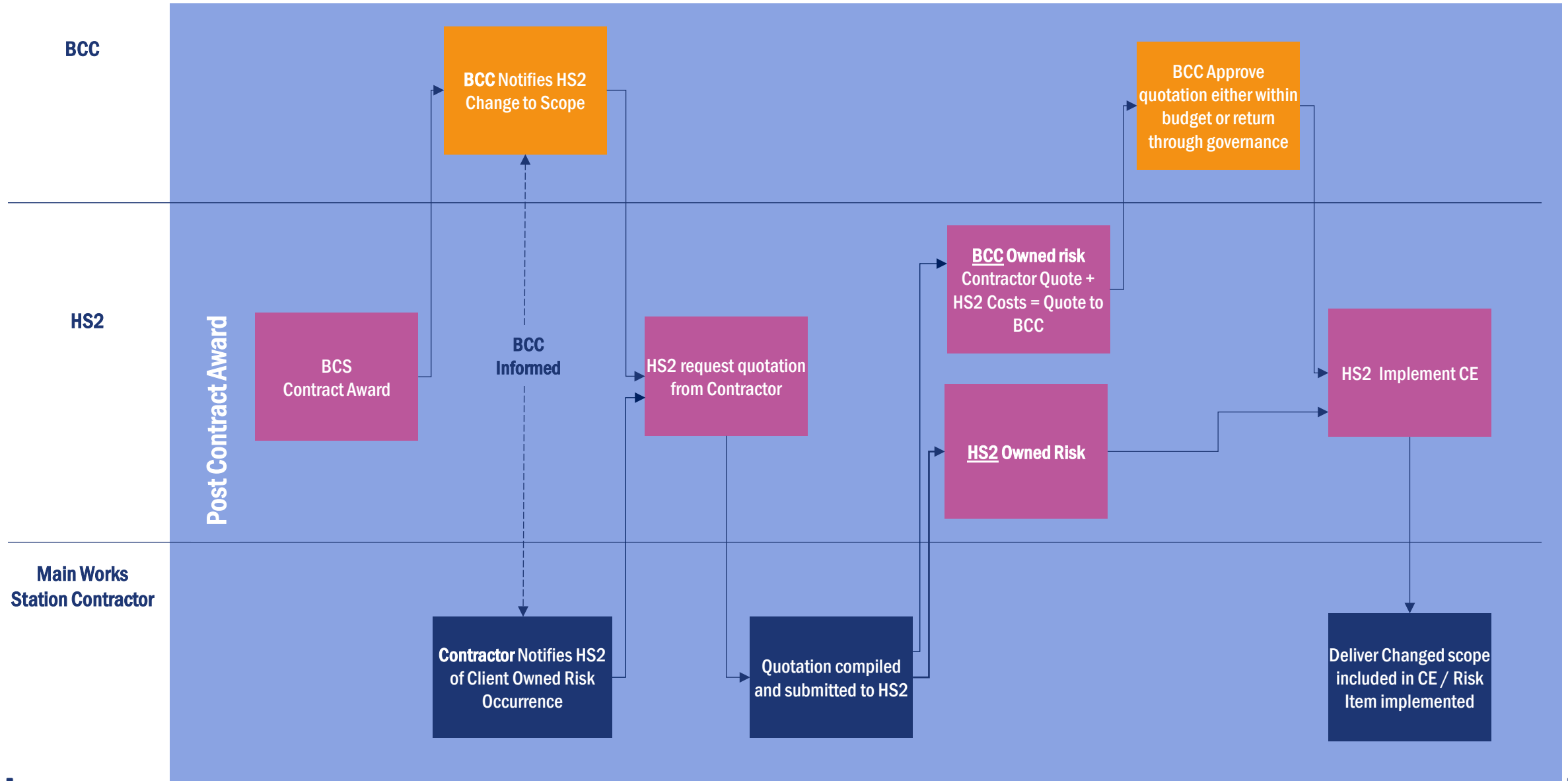
BCC Third Party Funded Agreement Flow Diagram



BCC FBC Information Shared Post MWSC Award



How change management may work in MWSC



Main Works Station Contract (MWSC) Pricing Strategy for activity relating to the BCC 'Asks' at Birmingham Curzon St Station

Asks – Curzon Promenade, Curzon Square and Paternoster Place

May 2019

Key Considerations

Pre-contract

- DfT guidance to HS2 is that all costs for third party work is to be recovered from the third party in advance
- Determination and management of the costs for Asks needs to be straightforward, the contracting strategy needs to provides a mechanism of cost recovery of 3rd party expenditure that is practicable
 - Due to similarity of scope the MWSC may not be able to accurately assign costs between core scope and some Asks
 - Where discrete work packages and/or material orders are clearly solely for 3rd party work it maybe possible to disaggregate these costs.
- In emerging cost scenarios the complexity (difficult to manage) of Pain/Gain Share needs to be assessed.
- Where specific costs attributable to the asks are incurred, they should be identified and recovered including but not limited to;
 - NWR Possession management charges
 - L&P costs
 - Other NWR Asset Protection Agreement related charges, and
 - HS2 indirect costs associated with these.
- Aim is to ensure that BCC are informed and engaged throughout the process

Pricing Strategy Proposal

Pre MWSC ITT Issue

- BCC commit to funding based on DAL 5 estimate for Asks & sign up to Third Party Funding Agreement

Stage One

- MWSC 9 month period to develop an agreed price for the asks and detail required for the FBC

Stage Two Price made up of:

Tendered Direct
Construction Costs

+

HS2 Management Costs

+

Construction Risk

- In Addition there will be an allocation of BCC and HS2 owned risks e.g NWR risk will be passed to BCC
- At tender award MWSC would be responsible for producing an appropriate risk register for all 'Asks' and this may identify additional risks that would be owned and funded by BCC

Next Steps;

- HS2 to fully endorse the recommendation and ensure that this flows through the procurement process and can be managed throughout the lifetime of the contract.
- HS2 to demonstrate compliance with HS2 and DfT guidance and gain authority for any departures
- HS2 develop drafting of agreement to secure BCC funding commitment
- Sign Agreement by 29th November 2019

Title of proposed EIA	HS2 Curzon Station Public Realm Programme
Reference No	EQUA73
EA is in support of	New Function
Review Frequency	Annually
Date of first review	02/08/2019
Directorate	Economy
Division	Transportation Services Growth and Transportation
Service Area	Project Delivery
Responsible Officer(s)	<input type="checkbox"/> Hussein Kudah
Quality Control Officer(s)	<input type="checkbox"/> Janet L Hinks
Accountable Officer(s)	<input type="checkbox"/> Simon Garrad
Purpose of proposal	
Data sources	
Please include any other sources of data	
ASSESS THE POTENTIAL IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Not Applicable
Age details:	
Protected characteristic: Disability	Service Users / Stakeholders; Wider Community
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.

Please indicate whether 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?

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

What data is required in the future?

Are there any adverse impacts on any particular group(s)

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

This Equalities Assessment reviews the recommendation to utilise Enterprise Zone funding to finance the provision of these public realm works surrounding the station to create new squares and spaces that will enhance the setting of both the station and enhance connectivity to Digbeth, Eastside and the City Centre.

Consulted People or Groups

The Chair of the Enterprise Zone Executive Board and members of the Curzon Delivery Board have been consulted. Additional consultation with HS2 Ltd, Historic England, Canal and River Trust and Birmingham City University has also been undertaken throughout the development of the HS2 Curzon Station Public Realm Programme report and its recommendations.

Informed People or Groups

Summary and evidence of findings from your EIA

The delivery of the HS2 Curzon Station Public Realm is set out as a priority in the Curzon Masterplan (2014) and forms a key part of the Curzon Investment Plan, which was approved by the Cabinet in September 2016. This supports the Council's Business Plan and Budget 2018+. In particular, the HS2 Curzon Station Public Realm Programme will contribute towards the City Council's high level outcome to deliver a strong economy by

supporting future development activity, job creation and delivering transport and other improvements.

The Equalities analysis on the original and extended Curzon investment plan concluded that the Enterprise Zone is expected to lead to a positive effect on equality consideration through the promotion of the economic activity, job creation and improving skills that will benefit the local economy and people by creating 36,000 jobs and 4,000 homes and boost the economy by creating 600,000sqm of commercial floor space and attracting £1.7bn of private sector investment.

Through the work of the City's employment and skills service, it will assess the programme to ensure employment and skills investment benefits are passed to the residents from priority neighbourhoods. The work will focus on profiling job opportunities at the earliest opportunity, working with partners to improve skills, job matching and interview support. The programme will be monitored and evaluated to ensure any equality issues arises post implementation are addressed and reviewed.

The Curzon Masterplan is key to delivery of the Big City Plan, GBSLEP Strategic Economic Plan (SEP), and the Midlands HS2 Growth Strategy which is a priority for the GBSLEP and WMCA to maximise the economic impact of HS2. The objectives and priorities for the public realm projects at the HS2 Curzon Station were set out in the Curzon Masterplan which was developed based upon extensive public consultation and was approved by Cabinet on 27th July 2015. Additional consultation with HS2 Ltd, Historic England, Canal and River Trust and Birmingham City University has also been undertaken throughout the development of this report and its recommendations.

All schemes proposed within the HS2 Curzon Station Public Realm which includes Paternoster Place, Curzon Promenade, Curzon Square

and Curzon Canalside will be provided as a public good and will be available for all members of the community and visitors alike to use. Individual scheme proposals will be further measured for equalities analysis as part of standard Council governance and approval processes. The initial impact assessment for the approval of the funding to be utilised has indicated no adverse impacts or discrimination. The facilities and measures proposed are for all users and none are excluded.

No measures are considered to discriminate against protected groups in terms of Age, Race, Religion or Beliefs, Marriage and Civil Partnership, Gender Reassignment, Sexual Orientation, Gender, Pregnancy & Maternity or Disability. Any new projects that would be funded as part of the HS2 Curzon Station Public Realm would be subject to individual EAs.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

No

Quality Control Officer comments

Discussed with Hussein and amendments made so ready for Simon to see final version for approval

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

14/09/2018

Reasons for approval or rejection

Please print and save a PDF copy for your records

Yes

Content Type: Item

Version: 69.0

Created at 02/08/2018 10:05 AM by  Hussein Kudah

Last modified at 28/09/2018 04:26 PM by Workflow on behalf of  Nathan Thomas

Close

Birmingham City Council

Report to Cabinet

29th October 2019



Subject:	PROPERTY PROSPECTUS 2 – TENDERS FOR PROPERTY DISPOSALS
Report of:	ASSISTANT DIRECTOR PROPERTY SERVICES, INCLUSIVE GROWTH
Relevant Cabinet Member:	Councillor Ian Ward – Leader of the Council
Relevant O &S Chair(s):	Councillor Tahir Ali – Economy and Skills Councillor Sir Albert Bore – Resources
Report authors:	Ian Chaplin, Head of Investment Property Management: Email: ian.chaplin@birmingham.gov.uk Tel: 0121 303 2650

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, names of wards: Newtown, Ladywood, Sparkbrook and Balsall Heath East, Soho and Jewellery Quarter, Oscott.		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: is 006426/2019.		
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Exempt Information paragraph 3 Information relating to the financial or business affairs of any particular person (including the council).		

1 Executive Summary

- 1.1 This report provides information on the outcome of the informal tender process for the disposal of Council owned land and property assets as part of the second phase of prospectus disposals, as detailed in the Disposal of Surplus Properties report approved by Cabinet on 25th June 2019. The report seeks approval to the subsequent sale of these freehold and leasehold interests.
- 1.2 The Exempt Appendix 1 contains confidential commercially sensitive information which could impact on the tender process.

2 Recommendations

That Cabinet:

- 2.1 Approves the freehold and leasehold disposal of the Council owned land and property assets identified to the highest recommendable offer as detailed in the Exempt Appendix 1.
- 2.2 Authorises the Assistant Director Property Services to revert to the under bidders where appropriate should any of the recommended sales not proceed to completion.
- 2.3 Delegates approval of the final sale terms agreed under 2.2 above to the Leader of the Council jointly with the Assistant Director Property Services.
- 2.4 Authorises the City Solicitor to negotiate, execute and complete all relevant documentation to give effect to the above recommendation.

3 Background

- 3.1 The strategic approach was outlined in a report of the Director, Inclusive Growth entitled "Property Strategy 2018/19-2023/24 (the Property Strategy) approved by Cabinet in November 2018. Southside Business Centre, Northside Business Centre and Lawson Street Car Park were declared surplus in a subsequent report entitled Disposal of Surplus Properties dated 25th June 2019. The site at Queslett Road, Old Horns Crescent was declared surplus in a report to Cabinet entitled "Disposal of Surplus Properties' dated March 2014 as part of a previous marketing exercise. The site at Upper Gough Street was declared surplus previously in a report entitled Commercial Investment Property Portfolio dated 16th March 2015 as part of the Lee Bank House disposal. As shown edged black on the plan's attached at Appendix 4.
- 3.2 The sites have been offered for sale through the Birmingham Sites Prospectus 2 (June 2019) to the open unrestricted market by informal tender, with a closing date of 15th July 2019.
- 3.3 Tenders were invited on either an unconditional or conditional subject to planning basis.
- 3.4 To assist prospective bidders, officers held planning workshops where prospective bidders were given the opportunity to discuss their development proposals and were provided with guidance on their development proposals.
- 3.5 The disposal of the assets will follow the timetable prescribed in the Birmingham Sites Prospectus 2 (June 2019) and in accordance with the original timeframe, ensuring approved sales exchange of contracts are concluded within six weeks of the offer being accepted.
- 3.6 The offers were reviewed and evaluated based on the level of financial offer and the proposed scheme plan/layout, where requested. A moderation panel comprising officers from Property Services and Legal Services reviewed the

evaluated offers. Where necessary officers have sought best and final offers as set out in and attached to Exempt Appendix 1.

- 3.7 Individual Tender Reports detailing the outcome of the process for each site is also appended as Exempt Appendix 1, and provides the confidential tender information.
- 3.8 The assets have been marketed on an unrestricted basis to ensure the maximum return to the Council and any planning proposals that may be brought forward by the successful purchaser will be protected by the prevailing planning policy. In particular sites containing Tree Preservation Orders (TPO's), Sites of Importance for Nature Conservation (SINC), (designation of high ecological value), adjoining or including a designated Nature Reserve or open space, listed buildings and those located within conservation areas must be protected and mitigated as a result of any development in accordance with the Birmingham Development Plan.
- 3.9 The recommended sales represent best consideration, and have been validated by the Assistant Director Property based upon analysis of the offers received.

4 Options considered and Recommended Proposal

- 4.1 Not to proceed would mean not realising capital receipts from the sale of surplus assets.
- 4.2 The sale of the subject sites will remove ongoing management liability to the Council.
- 4.3 The sale of the subject sites will promote private investment into the city region economy.

5. Consultation

- 5.1 The Leader of the Council has been consulted regarding the contents of this report and is fully supportive of the report proceeding to an executive decision.
- 5.2 The relevant Ward Members have been consulted and the Ward Members for Oscott Ward have commented that they object to any development proposals for the Queslett Road site. The reasons are that for many years that area has been adopted into the adjoining area of the Queslett Rd Nature Reserve and should remain so as it now forms part of an area of natural beauty. Councillor Dring and Councillor Linnecor's comments are included in full together with officer's response at Appendix 2 of this report. The site at Queslett Road, Old Horns Crescent was declared surplus in a report to Cabinet entitled "Disposal of Surplus Properties' dated March 2014.
- 5.3 No other comments have been received to the reports content. The detail of consultation is set out in Appendix 2 of this report.
- 5.4 Letters were sent to the tenants of Southside Business Centre and Northside Business Centre to inform of the proposed marketing process on the 7th of May 2019. Otherwise no external consultation has taken place regarding the contents of this report.

6. Risk Management

- 6.1 Inability to meet property market timelines: To meet the expectations of the prevailing property market the Council has committed to deliver this second programme of land and property sales in accordance with the Delivery Milestones set out in the Birmingham Sites Prospectus 2 (Appendix 1). Approval of this report will support adherence to these milestones and enable sale receipts to be realised.
- 6.2 Interim reduction in existing rental income. The disposal of assets will impact upon existing rental income budgets. The reduction in rental income from this second phase of disposals is detailed in the Finance section below in Table 1. Associated mitigation measures are noted in 7.3.6 of the Finance section.

7. Compliance Issues:

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

- 7.1.1 The Property Strategy is aligned with the strategic outcomes outlined in the Council Plan 2018-2022 – to create a city of growth where every child, citizen and place matters. The Property Strategy will help make Birmingham: an entrepreneurial city to learn, work and invest in; by releasing surplus property assets on the open market.
- 7.1.2 The Birmingham Development Plan and Birmingham Connected support the reduction of carbon emissions to mitigate against climate change in planning and development, sustainable transport and parking. Any development proposals brought forward will be in accordance with the Birmingham Development Plan and in the context of Birmingham Connected encouraging the increased use of public transport, walking and cycling.
- 7.1.3 As the largest local authority in the country with the biggest property portfolio, the Council has the opportunity to utilise its property and land assets in a strategic way to deliver its priorities.
- 7.1.4 The Property Strategy takes a medium to long term strategic approach to how the City Council utilises its commercial property assets and will ensure a balanced delivery of maximised commercial and social returns. Re-aligning the Council's property will provide a catalyst for development and underpin the social fabric of communities across the city.

7.2 Legal Implications

- 7.2.1 The power to hold, appropriate and dispose of land is contained in Sections 120 - 123 of the Local Government Act 1972.
- 7.2.2 Section 1 of the Localism Act 2011 contains the Council's general power of competence and S111 of the Local Government Act 1972 contains the Council's

ancillary financial and expenditure powers in relation to the discharge of its functions including the disposal and acquisition of property.

- 7.2.3 The information in the Exempt Appendix 1 is commercially sensitive with regard to the tender process. Exempt information is set out in section 12A of the Local Government Act 1972 (as amended) and includes information relating to the financial or business affairs of any particular person (including the council). The exempt appendix is considered to be in the public interest as it contains commercially sensitive information of a financial or business nature, which if disclosed to the public could be prejudicial to a named, individual or company.

7.3 Financial Implications

- 7.3.1 All offers received are detailed in the individual Tender Reports attached as Appendix 1 of the private report. Any unconditional offers received will be required to exchange contracts within six weeks and pay a 10% deposit, with the balance of the purchase monies payable 28 days thereafter.
- 7.3.2 The purchasers will be responsible for paying the Council's reasonable surveyors and legal fees.
- 7.3.3 The combined sales will generate a capital receipt of £8.45m, allocated between Investment Portfolio and the Non-Investment Portfolio in line with the Property Strategy, (section 2 of the private appendix 1 provides the detailed financial information). These capital resources will be utilised as follows:
- Investment Portfolio – Capital receipts from disposals of assets currently classified within the Investment Portfolio will be reinvested in new assets within the Investment Portfolio, in line with the Property Strategy and subject to Capital Board approval. To this end Cabinet approved the Property Investment Strategy report on 30th July 2019;
 - Non-Investment Portfolio – capital receipts will be available to support the Council priorities, subject to Capital Board approval and Council Governance process.
- 7.3.4 Investment Portfolio - Rationalisation of the Investment Portfolio and the associated sale of existing income generating assets will initially result in a reduction net rental revenue income of £0.116m, (as shown in Table 1 below). This loss of income will be mitigated by the allocation of the capital receipts generated from the disposals to the Investment Portfolio, either to acquire better performing assets or for re-investment in the retained estate to generate increased returns. Table 1 below provides additional information on an asset by asset basis, including the reduction in net rental revenue income:

Table 1 Investment Portfolio

Address	Ward / Portfolio	Tenure	Gross Rental Income 2018/19 £m	Gross Expenditure 2018/19 * £m	Net Rental Income Foregone £m
Southside Business Centre Ladypool Road Sparkbrook	Sparkbrook & Balsall Heath East Commercial Portfolio	Freehold subject to existing leases	(0.079)	0.060	(0.019)
Northside Business Centre Winson Green	Soho & Jewellery Quarter Commercial Portfolio	Freehold subject to all existing tenancies	(0.148)	0.051	(0.097)
Car Park Upper Gough Street City Centre **	Newtown Commercial Portfolio	250 year lease	(0.000)	(0.000)	(0.000)
Totals			(0.227)	0.111	(0.116)

* Gross expenditure comprises the total annual management cost associated with holding each asset. This includes the costs of such items as necessary repairs, staff time/costs, statutory maintenance, void business rates and bad debt provision.

** No income generated. Negligible holding costs.

7.3.5 Non-Investment Portfolio

The sale of Lawson Street Car Park in the city centre will result in a net loss of car parking income of £0.016m. This loss will be mitigated through a realignment of the Civil Parking Enforcement net income budget within the Highway service. Analysis of the outturn position for the previous financial years indicates that this increased annual net income will be deliverable on an ongoing basis.

Table 2 below provides additional information on an asset by asset basis:

Table 2 Non-Investment Portfolio

Address	Ward / Portfolio	Tenure	Gross Rental Income Budget 2018/19 £m	Gross Expenditure Budget 2018/19 *** £m	Net Rental Income /Cost Foregone £m
Car Park Lawson Street City Centre	Newtown Non-Investment Portfolio	250 year lease	(0.017)	0.001	(0.016)

Queslett Road Old Horns Crescent ****	Oscott Non- Investment portfolio	freehold	(0.000)	0.000	(0.000)
Totals			(0.017)	0.001	(0.016)

*** Gross expenditure budget comprises the total annual management cost associated with holding each asset. This includes the costs of such items as necessary repairs, staff time/costs, statutory maintenance, void business rates and bad debt provision.

**** Cleared site. No budgeted costs or income.

7.4 Human Resources Implications

- 7.4.1 Internal professional property, legal and planning resources only have thus far been utilised to deliver this programme of sales.

7.5 Public Sector Equality Duty

- 7.5.1 The Birmingham Sites Prospectus 2 (June 2019) sales programme has been undertaken in accordance with the Property Strategy. The Property Strategy is a policy document setting out the strategy principles associated with property assets and at this stage there are no specific implications. An Equality Assessment Ref No. EQUA368 dated 12th September 2019, is attached as Appendix 3. The assessment confirms there is no adverse impact on the characteristics and groups protected under the Equality Act 2010 and a full Equality Assessment is not required for the purpose of this report.

8. Background Documents

- 8.1 Relevant officer's files save for confidential documents.
Property Strategy 2018/19-2023/24 – Cabinet report 13th November 2018
Disposal of Surplus Properties – Cabinet report 25th June 2019
Property Investment Strategy – Cabinet report dated 30th July 2019
- 8.2 List of Appendices accompanying this Report (if any):
- 1. Exempt Appendix 1
 - 2. Ward Member Consultation
 - 3. Equality Assessment
 - 4. Site Plans

Appendix 2

Ward Member Consultation Property Prospectus 2 - Tenders (October 2019)

PROPERTY ADDRESS	WARD	CONSULTATION	COUNCILLOR RESPONSE	RESPONSE
<p>Site at Queslett Road. Upper Gough St Car Park. Lawson St Car Park. Southside Business Centre. Northside Business Centre. Included in the Birmingham Sites Prospectus 2</p>	Oscott	<p>Email dated 23rd September 2019 to Cllrs Dring and Linnecor. requesting comments by 2nd October 2019.</p>	<p>Councillor Dring (Oscott Ward) responded on 23rd September 2019: "Colleagues Can I thank you for this communication re the land at Queslett Rd Old Horns Crescent. Can I say from the offset that I object to any development proposals for that piece of Land. The reasons are that for many years now that area has been adopted into the adjoining area the Queslett Rd Nature Reserve and it should remain so as it now forms part of an area of natural beauty."</p> <p>Councillor Linnecor Oscott Ward responded on 23rd September 2019. "I agree this land should be incorporated into the Queslett Nature Reserve site. For many year, (until a few weeks ago when fencing was put up to stop volunteers using the land) it was regarded as part of the reserve. This can be seen for example by bird boxes put up in the in the site by both volunteers and Council workers. There are many restrictions TPO and so on, on the site and it would be far better to use it to protect wild life and extend the SINC Reserve site."</p>	<p>Any planning proposals that may be brought forward by the successful purchaser will be protected by the prevailing planning policy. In particular sites containing Tree Preservation Orders (TPO's), Sites of Importance for Nature Conservation (SINC), (designation of high ecological value), adjoining or including a designated Nature Reserve or open space, listed buildings and those located within conservation areas must be protected and mitigated as a result of any development in accordance with the Birmingham Development Plan.</p> <p>Councillor Dring's comments have been highlighted in the public report.</p>
	Ladywood	<p>Email dated 25th September 2019 to Councillor Sir Albert Bore Ladywood Ward re Car Park Upper Gough St and Car</p>	<p>Councillor Sir Albert Bore Ladywood Ward responded on 1st October 2019. "I have no comments on this draft report."</p>	<p>Noted.</p>

Ward Member Consultation Property Prospectus 2 - Tenders (October 2019)

		Park Lawson St requesting comments by 2 nd Oct 19.		
	Sparkbrook & Balsall Heath East	Email dated 24 th September 2019 to Councillor's Hussain and Azim re Southside Business Centre Sparkbrook requesting comments by 2 nd October 19.	No response	Noted.
	Soho & Jewellery Quarter	Email dated 24 th September 2019 to Councillor's Lal and Spence: re Northside Business Centre, Winson Green requesting response by 2 nd October.	No response.	Noted.

Title of proposed EIA	Property Prospectus 2 - Tenders
Reference No	EQUA368
EA is in support of	New Function
Review Frequency	Six Months
Date of first review	02/03/2020
Directorate	Inclusive Growth
Division	Property Services
Service Area	Investment Property Management
Responsible Officer(s)	<input type="checkbox"/> Felicia Saunders
Quality Control Officer(s)	<input type="checkbox"/> Eden Ottley
Accountable Officer(s)	<input type="checkbox"/> Eden Ottley
Purpose of proposal	The proposal seeks approval to the subsequent sale of freehold and leasehold interests.
Data sources	Consultation Results; relevant reports/strategies
Please include any other sources of data	
ASSESS THE POTENTIAL IMPACT AGAINST THE 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.

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?

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

What data is required in the future?

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

The proposal provides information on the outcome of the informal tender process for the disposal of Council owned land and property assets as part of the Prospectus 2 disposals programme, as detailed in the Birmingham Sites Prospectus 2 (June 2019) (Appendix 1) and approved by Cabinet through the Property Strategy 2018/19-2023/24. The report seeks approval to the subsequent sale of freehold and leasehold interests.

Consulted People or Groups

The Leader of the Council, the relevant Ward Members, relevant officers from Inclusive Growth, Finance and Legal & Governance and relevant tenants have been consulted.

Informed People or Groups

Summary and evidence of findings from your EIA

The proposals relate to the disposal of land and property and will contribute to the strategic outcomes outlined in Council Plan 2019-2023. The Property Strategy is aligned with the strategic outcomes outlined in the Council Plan 2019-2023 – to create a city of growth where every child, citizen and place matters.

The Property Strategy will help make Birmingham: an entrepreneurial city to learn, work and invest in; an aspirational city to grow up in; a fulfilling city to age well in; a great city to live in.

The assets have been marketed on an unrestricted basis to ensure the maximum return to the Council.

The sale of the subject sites will promote private investment and generate income into the City region economy and will contribute to the strategic outcomes outlined in the Council Plan 2019-2023.

At this stage there are no equality issues impacting this transaction and therefore there is no need for a full equality assessment.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

Yes

Quality Control Officer comments

Decision by Quality Control Officer

Submit draft to Accountable Officer?

Yes

Decision by Accountable Officer

Date approved / rejected by the Accountable Officer

12/09/2019

Reasons for approval or rejection

Please print and save a PDF copy for your records

Yes

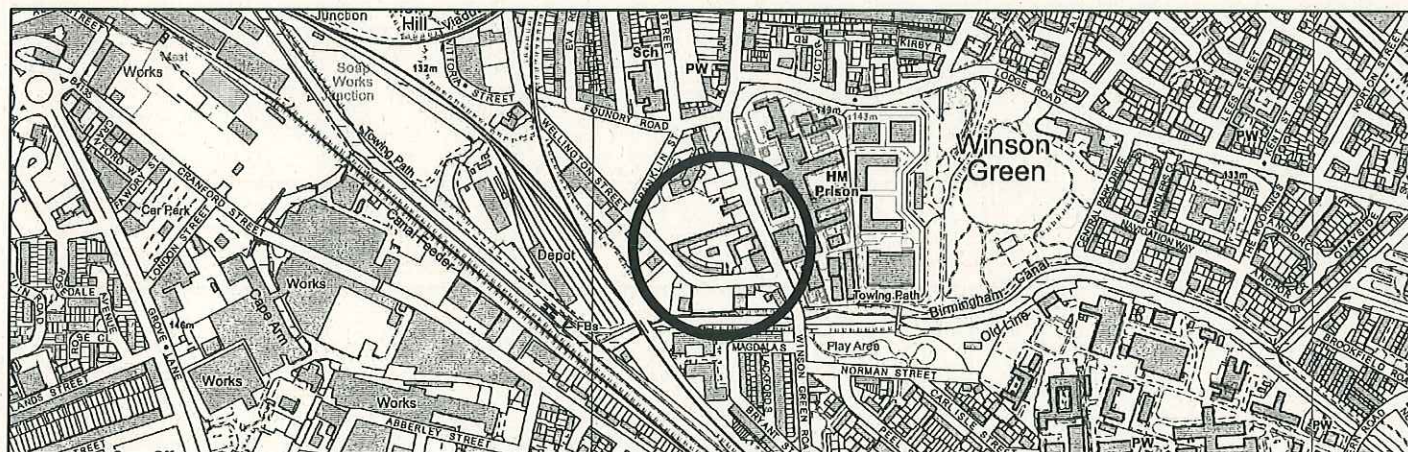
Content Type: Item

Version: 19.0

Created at 02/09/2019 02:46 PM by ☐ Felicia Saunders

Last modified at 12/09/2019 11:07 AM by Workflow on behalf of ☐ Eden Ottley

Close



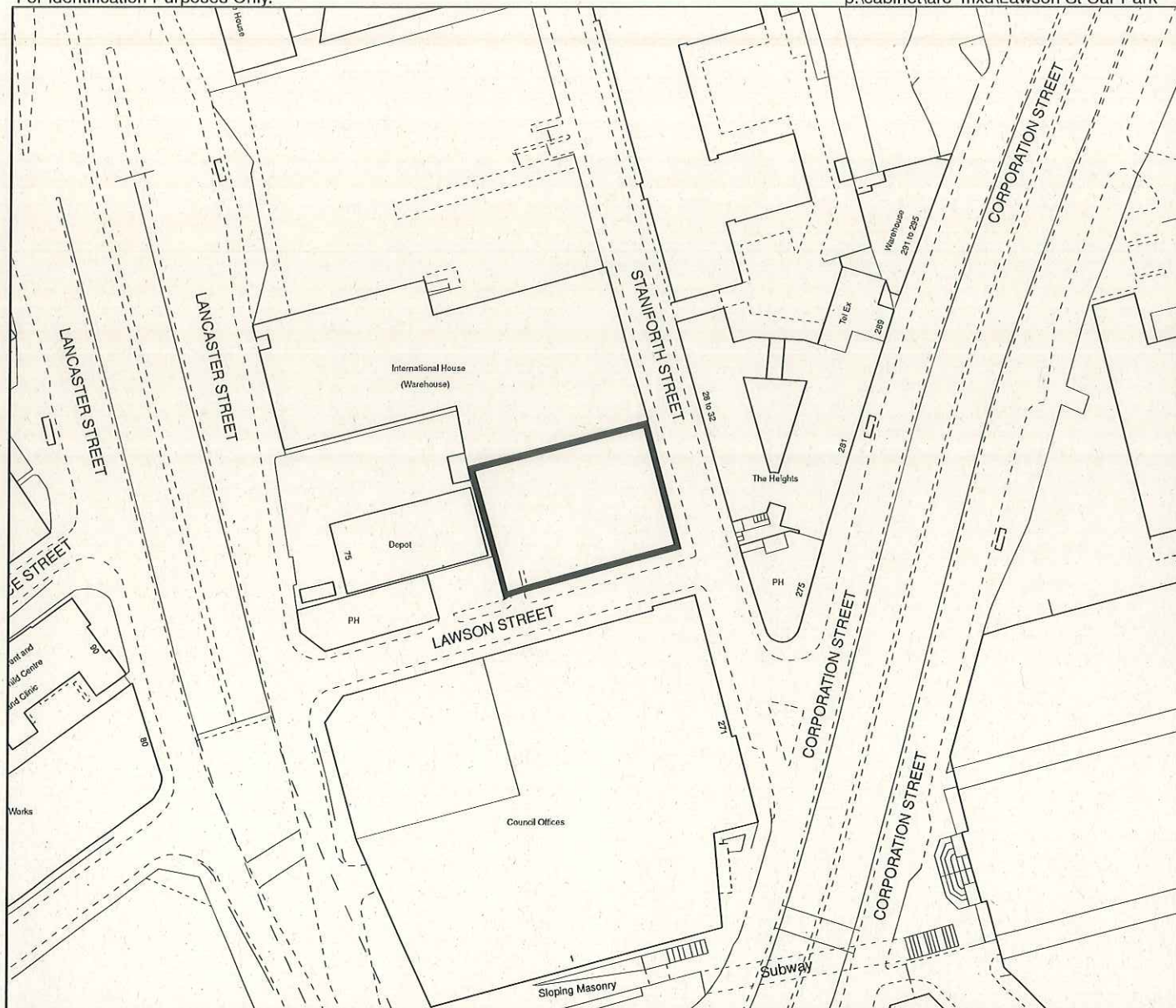
Waheed Nazir
Director - Inclusive Growth
1 Lancaster Circus
PO Box 14439
Birmingham, B2 2JE



Date _____

17/10/2019

Page 985 of 1088



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Birmingham
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Car Park Site At
Lawson Street
Aston



Scale (Main Map)

1:1,250

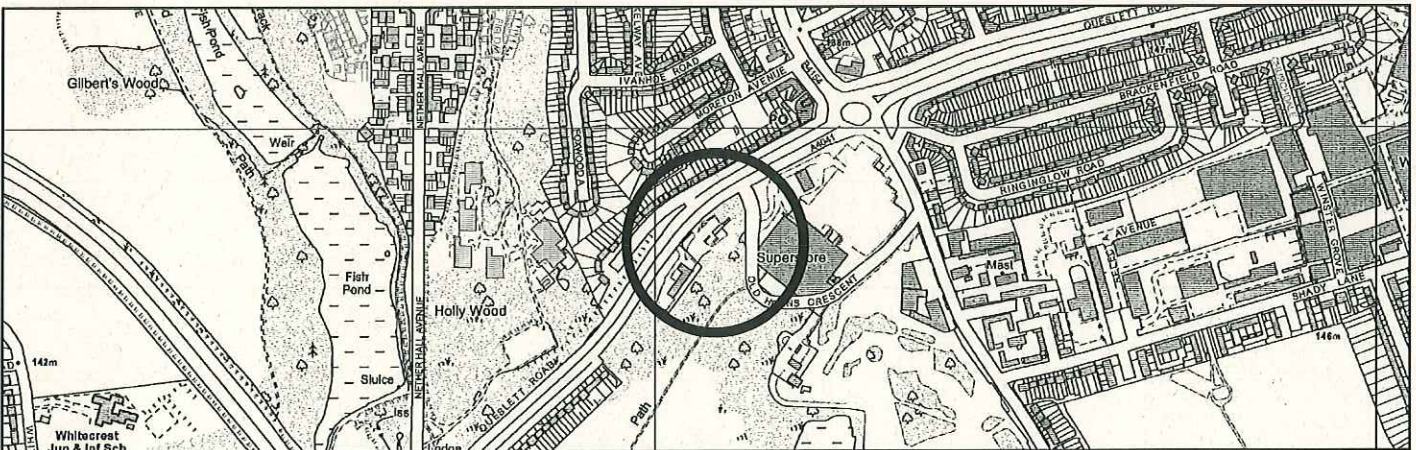
Drawn

Bharat Patel

Date

17/10/2019

O.S.Ref SP0787NW



Birmingham
City Council

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Land At
Queslett Road
Great Barr



Scale (Main Map)

1:1,250

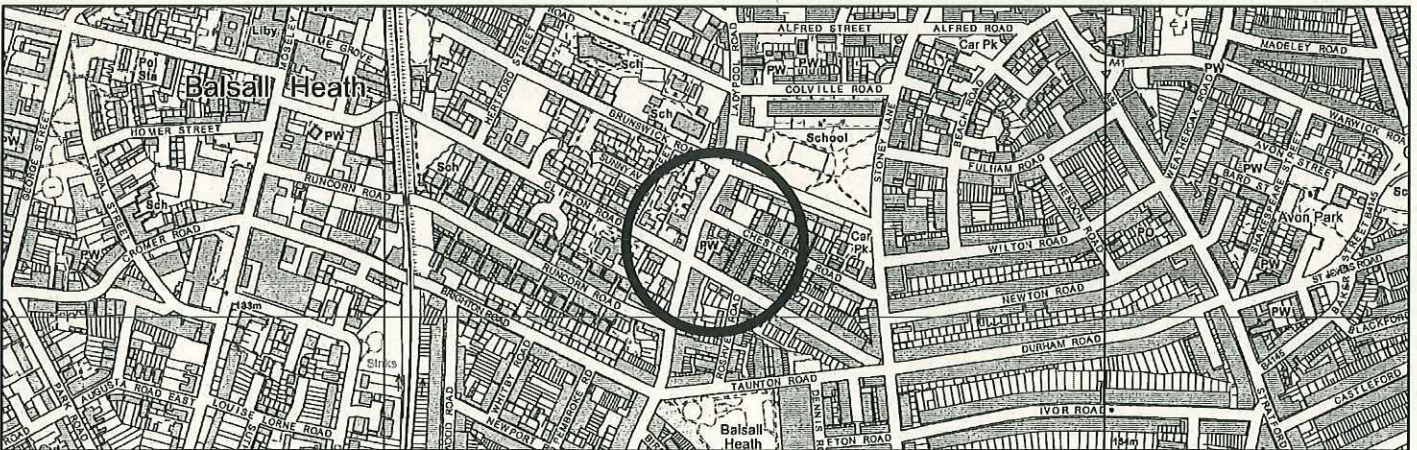
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Bharat Patel

Date _____

17/10/2019

O.S.Ref SP0694NW

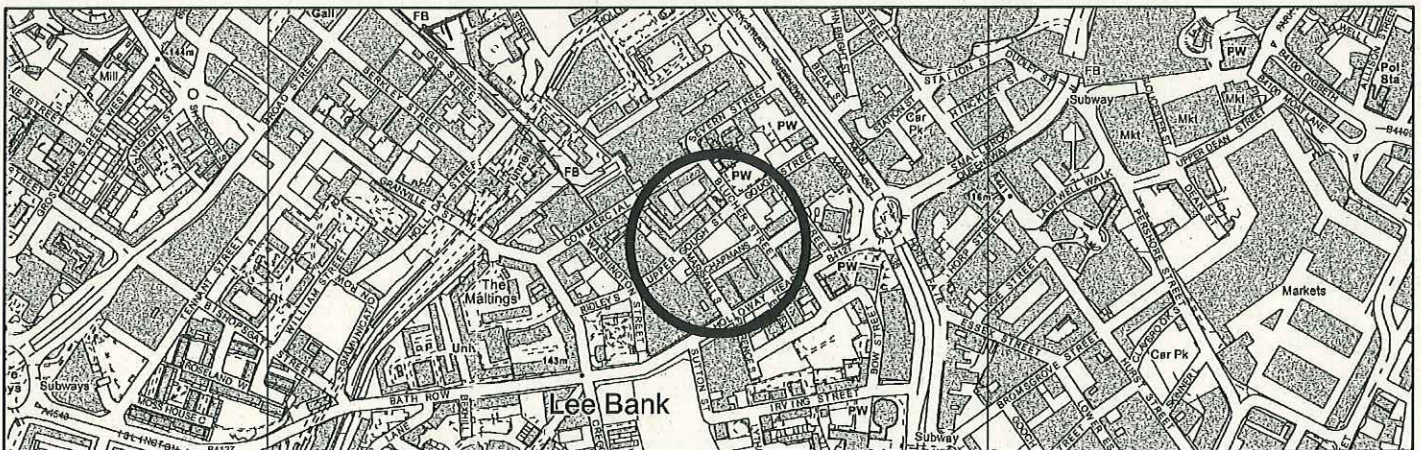
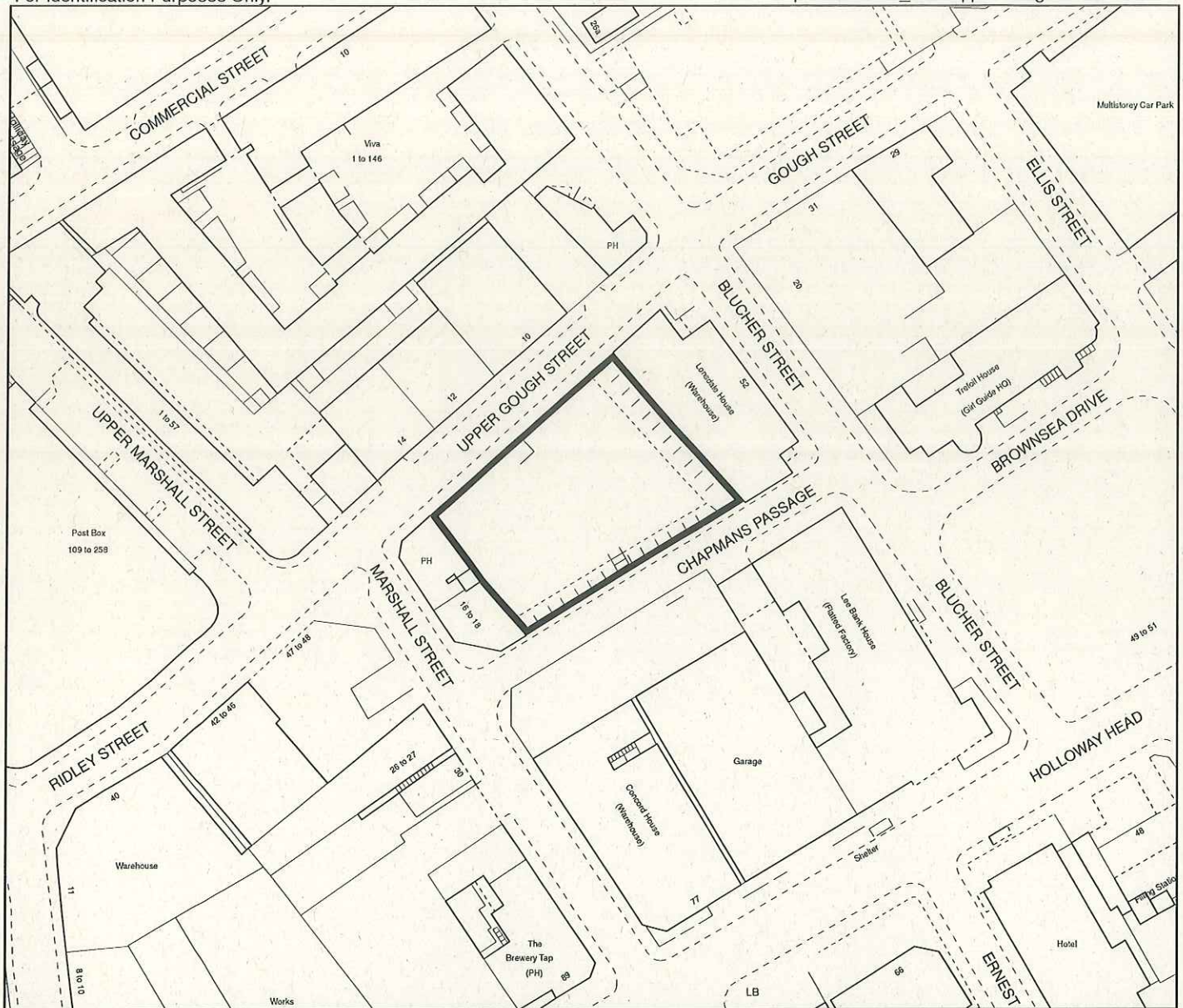


Birmingham City Council

Southside Business Centre
Ladypool Road
Sparkbrook



O.S.Ref SP0884SW



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Car Park At
Upper Gough Street
Lee Bank



Scale (Main Map)

1:1,250

Drawn

Bharat Patel

Date

17/10/2019

O.S.Ref SP0686SE

Birmingham City Council

Report to Cabinet

29 October 2019



Subject: Outline Business Case: City Centre Public Realm Revitalisation

Report of: Director: Inclusive Growth

Relevant Cabinet Member: Councillor Ian Ward: Leader
Councillor Waseem Zaffar: Transport and Environment
Councillor Tristan Chatfield: Finance and Resources
Councillor John Cotton: Social Inclusion, Community Safety and Equalities

Relevant O & S Chair(s): Councillor Liz Clements: Sustainability and Transport
Councillor Sir Albert Bore: Resources
Councillor Penny Holbrook: Housing and Neighbourhoods
Councillor Tahir Ali: Economy and Skills

Report author: Philip Edwards, Assistant Director – Transport and Connectivity
Email address: Philip.Edwards@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): Ladywood		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 006460/2019		
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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Exempt information paragraph 3. Information relating to the financial or business affairs of any particular person (including the Council).		
Exempt Appendix G: contains confidential market information, which could impact on future commercial negotiations.		

1 Executive Summary

- 1.1 This report seeks approval to the Outline Business Case and procurement strategy for the comprehensive renewal of the public realm within the city centre retail core. The £25.478m project will:
- renew 40,000m² high quality public realm;
 - provide permanent hostile vehicle mitigation (HMV) measures at 19 locations;
 - repair and reinstate the Victoria Square fountain;
 - extend the pedestrian area including Victoria Square;
 - replace the pavement, street furniture, signage/wayfinding, lighting columns and CCTV; and
 - reduce and control vehicular access to the central retail area including the reduction of on street parking.
- 1.2 The project area is identified on the plan at Appendix B and will be delivered in two phases, with phase 1 to be completed prior to the Commonwealth Games in 2022. Further detail on the proposed works is set out at Appendix C.
- 1.3 This report summarises the funding strategy and the approach to consultation, stakeholder engagement and procurement.

2 Recommendations

- 2.1 Approves the Outline Business Case (OBC) at Appendix A for the delivery of a package of works at a total estimated cost of £25.478m funded by £5.0m Transforming Cities Funding (TCF) (secured), £5.0m Commonwealth Games funding (subject to approval) and £15.478m Clean Air Zone net proceeds (in line with the recommendations of the charging order report approved by Cabinet on 25th June 2019).
- 2.2 Approves the release of development funding of £0.944m funded from TCF to complete the Full Business Case and progress design and development.
- 2.3 Approves acceptance of £5.0m TCF capital grant to contribute towards works at New Street/High Street/Victoria Square.
- 2.4 Authorises the Director Inclusive Growth in conjunction with the Chief Finance Officer to prepare and submit a bid for funding to the Commonwealth Games Capital Board, and subject to approval, delegates authority to the Director Inclusive Growth in conjunction with the Chief Finance Officer to accept funding in accordance with any associated conditions.
- 2.5 In the event that the funding identified within this report is not approved or falls short of the required values/is not available within the required timeframe, approves use of corporate resources of up to £20.478m to enable progression of the programme and notes in the event of additional funding being subsequently confirmed, this will be used to repay corporate funding.

- 2.6 Notes that the Full Business Case (FBC) will be presented to Cabinet in February 2020, which will include:
- The final scheme design and delivery plan; and
 - Confirmation of the estimated capital and revenue project costs, funding sources and funding conditions.
- 2.7 Approves the Procurement Strategy set out in Appendix D.
- 2.8 Delegates authority to the Assistant Director - Transport and Connectivity to award contracts and place orders using the Council's Highways and Infrastructure Works Framework Agreement for design, subject to approval of the FBC and the cost being within the approved budget allocation.
- 2.9 Notes the breakdown of estimated costs of the project subject to procurement of the works.
- 2.10 Authorises the Acting City Solicitor to negotiate, execute, and complete all necessary agreements and documentation to give effect to the above recommendations.

3 Background

- 3.1 The Big City Plan sets out ambitious plans to transform the city centre into a world-class destination attracting international investment, jobs and visitors to the city. Central to this vision is the creation of attractive and distinctive high-quality public spaces to enhance the city's environment and connectivity. The Birmingham Development Plan (BDP) highlights the importance of the city centre as a key growth point to deliver the city's growth agenda.
- 3.2 The city centre public realm requires significant investment to provide high quality public realm to enhance the visual appearance and overall experience that visitors have of the city, and to create a place that will support retail business. To achieve this objective, the proposed public realm revitalisation project will:
- renew 40,000m² high quality public realm;
 - provide permanent hostile vehicle mitigation measures at 19 locations;
 - repair and reinstate the Victoria Square fountain;
 - extend the pedestrian area including Victoria Square;
 - replace the pavement, street furniture, signage/wayfinding, lighting columns and CCTV; and
 - reduce and control vehicular access to the central retail area including reducing on street parking.
- 3.3 Details of the proposals are set out in Appendix C: Project Proposals Summary. These concepts will be further developed as part of the detailed design development. In order to ensure the completion of key priority areas before the

Commonwealth Games, the proposed public realm works will be split into two phases as set out at Appendix B.

- 3.4 It is recognised that these are densely populated areas for businesses, visitors, residents and tourists to the city, as well as spaces for hosting a number of events including the German Market. It is therefore essential that the Council effectively manages the relationship between the contractor and stakeholders so as to ensure disruption is kept to a minimum, while ultimately delivering this key public realm revitalisation project.
- 3.5 This will be a challenging project that requires the coordination of several workstreams. Pre-contract design and surveys will inform the procurement of works and the required level of contingency within the works costs. The project plan identifies that it will be necessary to undertake a phased approach to the works, so works will be phased: pre and post Commonwealth Games. This is supported by early contractor involvement feedback. The high level of investment in the city currently may also adversely impact on the availability of resources for the project from a contractor's perspective, and this will be addressed in partnership with framework contractors.
- 3.6 Phase 1 will encompass the areas of Victoria Square, (Area 1), Colmore Row and Waterloo Street (Area 2), New Street, Lower Temple Street and Ethel Street (Area 4) and Temple Street (Area 10). The necessary HVM works will also be installed as part of Phase 1. Phase 2 will cover the remaining areas of Chamberlain Square/Eden Place (Area 3), Bennetts Hill (Area 5), Temple Row (Area 6), High Street (Area 7), Union Street, Union Passage and Warwick Passage (Area 8) and Cannon Street and Needless Alley (Area 9).
- 3.7 Victoria Square was opened in 1992 and is a key pedestrian gateway and focal point for the city, which provides space for some of the biggest visitor attractions in the city centre. The use of the square for events is however compromised by its existing design and the temporary HVM security measures in place. This project will enable the full potential of the square to be realised.
- 3.8 The water feature has been subject to minor repair work over several years prior to the decision to remove the water and to install a temporary planting scheme whilst a permanent solution for its reinstatement could be found. A comprehensive survey in 2016 identified the necessary remedial works required to repair and to reinstate the fountain.
- 3.9 Currently the city centre benefits from having temporary HVM measures installed, but a permanent solution is required as part of a comprehensive safety and security strategy. This project enables these and other security measures to be integrated into the street scene.
- 3.10 Hosting the Commonwealth Games in 2022 offers the opportunity to generate increased investment in the city and to share its attractions with a wider audience. The city centre will also be the primary strategic transport hub for the Games, anchored by New Street station, Moor Street Queensway and Snow Hill station. It

will be the first and last place where people experience the Games, not only via the transport infrastructure and interchanges available, but also the walking and cycling routes that provide the intermediate connections.

- 3.11 Given the significant volumes of spectators within the city centre, crowd management and security will also be a critical requirement. There is a significant opportunity to deliver security measures as a permanent legacy for the city.
- 3.12 The increased footfall within the city centre during the Games is likely to be unprecedented, making it critical that a high-quality public realm including legible and coherent walking and cycling environments exist. The intra-city centre street network will therefore form an essential part of the transport network, moving people between a plethora of interchange options including rail, shuttle and bus as well as movement to and from city centre venues and live sites.
- 3.13 There is then a significant opportunity to support and enhance movement within the city centre through a comprehensive package of public realm interventions, comprising of high-quality hard landscaping, a comprehensive network of signage and wayfinding (reflecting the complex interconnecting movements) and high quality and prioritised crossings at severance points.
- 3.14 The proposal to further expand the pedestrianisation of the city centre and to control traffic movement to create a more attractive and cleaner environment as well as ensuring the security of the retail centre will require changes to existing Traffic Regulation Orders (TRO). The impact on the area covered within this project is identified on the location plan at Appendix B. Currently a complex arrangement of planning conditions and TRO restrictions apply in this area, which are not consistent. Following stakeholder and public consultation as part of the development of the FBC for this project, TRO and planning proposals will be generated.

4 Options Considered and Recommended Proposal

- 4.1 As part of the development of this project several options have been considered. The detail of the costs relating to the preferred option is set out in the Exempt Appendix G, as these works will be subject to a competitive procurement exercise.

Option 1 – Do Nothing

- 4.2 The existing public realm is life expired having been last renewed in 1992 and is in a worn condition. The visual appearance and overall experience that visitors have of the city has a significant impact on the health of the high street. The fountain at Victoria Square has been in disrepair since 2009 and retention of the temporary planting was originally a short-term measure only. A permanent repair is required to reinstate the fountain as originally designed. The city centre currently benefits from temporary HVM measures, which in the main are provided on loan as part of the national barrier asset. It is essential that permanent measures are installed to ensure the continuation of the security of the city centre.

Option 2 - Do Minimum

- 4.3 The do minimum approach would focus on the implementation of permanent HVM barriers at critical locations throughout the city centre to provide a security network in preparation for the Commonwealth Games, alongside an updated TRO. However, this would reduce the scope for essential public realm work to be carried out, particularly for Victoria Square and New Street, with allowance for basic maintenance work.

Option 3 – Partial Intervention 1

- 4.4 This option provides full permanent HVM provision and public realm works to New Street, Lower Temple Street and Ethel Street areas to comply with the funding conditions of the Transforming Cities Fund.

Option 4 - Partial Intervention 2

- 4.5 This option provides full HVM provision and public realm works to Victoria Square, New Street, Lower Temple Street and Ethel Street to comply with the funding conditions of the Transforming Cities fund.
- 4.6 The public realm in the project area will require replacement/renewal in the near future. Piecemeal implementation does not provide a cohesive design and delivery of the integrated security and physical works required making partial intervention unlikely to achieve the desired overall outcome succeed.

Option 5 - Recommended Comprehensive Integrated Approach

- 4.7 The need for the renewal of the public realm in the city centre has been identified for several years and is reflected within the Big City Plan produced in 2010 to guide the future development and regeneration of the city. There is a need for a well-connected, efficient and walkable city centre with new and improved public spaces. The city centre public realm project incorporates the public realm and street works; proposals to repair the water feature within the refurbishment and renewal of Victoria Square; the provision of permanent well-designed HVM security measures integrated with the public realm and the control measures to facilitate an enhanced pedestrianised retail and visitor centre. This comprehensive approach enables the city centre to act as a gateway to the 2022 Commonwealth Games. It is also vital that the city's core is modern, inviting and enjoyable and that it leaves a lasting legacy for the city. It is this programme of works that is to be developed and recommended for delivery. This is reflected in the OBC at Appendix A.

5 Consultation

- 5.1 The ward members for Ladywood have been consulted on this report. Further feedback will be sought as part of the development of the FBC.
- 5.2 Officers from Neighbourhoods Directorate have been involved in the preparation of this report. Proposals have been shared with the West Midlands Combined

Authority as part of securing the TCF funding and the Commonwealth Games Capital Board and team as part of the intended funding bid.

- 5.3 Key stakeholders including the Police, Counter Terrorism Unit, Transport for West Midlands, Retail Business Improvement District (BID) and Colmore BID have been involved in the development of proposals to date and will continue to be consultees in the development of the Full Business Case.
- 5.4 Scheme proposals will be subject to the agreement of the Protect and Prepare Group, the joint working group responsible for ensuring the safety, security and emergency preparedness of the city.

6 Risk Management

- 6.1 The Project is managed through the City Centre Public Realm Project Board chaired by the Assistant Director - Transport and Connectivity and also reported to the Commonwealth Games Joint Transport Group (JTG) and city centre venue planning group.
- 6.2 The following are identified as key project risks:
- Failure to deliver the full transformation scheme due to the availability of funding: the current project scope is predicated on the full funding being available. £5.0m TCF funding has been secured with further funding streams identified within this report being pursued, subject to final approvals. Failure to secure the full required funding will result in a scale back of the project and amendments to existing timescales to focus on essential requirements in anticipation for the Commonwealth Games and the expected increase in visitors. There is however a further fall-back position to utilise corporate resources.
 - Programme not completed ahead of CWG: the scope of works will be continuously updated to adhere to the timescales in place in the lead up to the CWG.
 - Lack of contractor availability: there has been early engagement with framework contractors to ascertain interest and alternative options are being investigated outside of the current framework approach.
- 6.3 The project programme reflects lessons learnt for other public realm schemes including Centenary Square, in that it recognises that this is a challenging project and there are several key risk areas to its successful implementation associated with financial, delivery, procurement and reputational risks. The programme requires that the project is delivered in a realistic timeframe whilst also introducing the flexibility within works contracts to respond to the need to accelerate or pause works, and to accommodate the busy calendar of events held in the city. These issues can be managed using pre-contract surveys and partnership working with stakeholders and contractors.
- 6.4 A Risk Management Schedule is attached as Appendix E.

7 Compliance Issues:

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

- 7.1.1 The proposals set out in this report will support the delivery of the Council Plan 2018-2022. They will support the delivery of the ambition set out in the adopted Birmingham Development Plan (BDP), Big City Plan and the city's role as the Host City for the 2022 Commonwealth Games.
- 7.1.2. The improvements sought within the retail core of the city centre support the Council's core mission to be a city of growth where every child, citizen and place matters. Specifically, the project will support business, improve security and safety, and promote the growth of the city.
- 7.1.3 In addition to the creation of a cleaner safer city environment, the proposals also align to the West Midlands Strategic Transport Plan, Birmingham Connected Transport Strategy, Clean Air and Climate Change agendas by enhancing and expanding the pedestrian environment, walking, cycling, links to public transport and reducing the reliance on private vehicles.
- 7.1.4 The proposal also supports the City Centre Retail Strategy, that builds on the Big City Plan, a planning document for the retail core's future to ensure its integrity and attractiveness is maintained and its position as a top destination is strengthened.
- 7.1.5 Birmingham Business Charter for Social Responsibility (BBC4SR): The contractor(s) undertaking the Public Realm Work using the Council's Highways and Infrastructure Framework Agreement are certified signatories to the BBC4SR and will provide additional actions proportionate to the value of each contract awarded. These additional actions will be identified by the project team and will include employment opportunities and will be monitored and managed during the contract period.

7.2 Legal Implications

- 7.2.1 The Council has statutory and discretionary powers to undertake transportation, highways and infrastructure works under the relevant primary legislation including the Town and Country Planning Act 1990, the Highways Act 1980, the Road Traffic Regulation Act 1984, the Traffic Management Act 2004, the Transport Act 2000, and other related regulations, instructions, directives, and general guidance.
- 7.2.2 Under Section 111 of the Local Government Act 1972, the Council has the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

7.3 Financial Implications

Capital Funding

- 7.3.1 The estimated capital cost to deliver the City Centre Public Realm project is £25.478m. The OBC at Appendix A details the approach to the delivery of the project and its capital funding. The funding currently secured is £5.0m from the Transforming Cities Fund.
- 7.3.2 A funding allocation of £5.0m from within the Commonwealth Games Public Realm budget is subject to a formal bid and approval by the Commonwealth Games Capital Board, having been agreed as part of the £778m CWG budget announced by Government on 25 June 2019. The submission of the bid is anticipated in November 2019.
- 7.3.3 The residual costs of £15.478m will be met from the Clean Air Zone (CAZ) net proceeds. This is consistent with the recommendations of the Clean Air Zone Charging Order report as approved by Cabinet on 25th June 2019.
- 7.3.4 CAZ net proceeds are set to commence by July 2020. Where possible, grant funding will be used in the early years, to enable the use of the CAZ revenue to be profiled at the back end of the works programme. If the funding identified within this report is not approved or falls short of the required values/is not available within the required timeframe, there may be a requirement to use corporate resources of up to £20.478m to enable progression of the programme. In the event of additional funding being subsequently confirmed, this will be used to repay corporate funding.
- 7.3.5 Section E1 of the OBC attached at Appendix A shows the current indicative expenditure and funding profiles, which will be finalised during the development of the FBC.

Revenue Implications

- 7.3.6 The proposals contained within this report have potentially significant revenue implications for the Council across several service areas.
- 7.3.7 Where the replaced highway assets are on a like for like basis, they will be maintained within the overall existing highway maintenance budget. The detail of the estimated net cost of any newly created assets will be established and addressed as part of the development of the Full Business Case. Currently, the project estimate for the additional revenue requirement in respect of highway assets is £0.006m per annum. Resources have not currently been confirmed and a funding source will need to be identified during the development of the FBC. Opportunity to include previously excluded assets as well as de-accruing existing asset within the PFI contract and the costs of this approach will also be evaluated as part of the FBC.
- 7.3.8 Details of the maintenance implications will be reported in the FBC. However, it should be noted that it is proposed that all capital works

contracts will include a full repair and maintenance obligation for a minimum of 2 years.

- 7.3.9 The loss of parking revenue is estimated at up to £0.108m per annum. As with the additional highways maintenance costs this is currently unfunded and will also need to be addressed as part of the FBC development.
- 7.3.10 Provision of improved security measures for the city centre by the installation of essential permanent HVM measures and replacement CCTV will also generate an additional cost estimated at approximately £0.223m per annum. As with other unfunded revenue costs these will need to be addressed during the development of the FBC.
- 7.3.11 Repair and restoration of the Victoria Square fountain is estimated to cost up to an additional £0.064m per annum to maintain. Funding to cover this cost will need to be identified in the FBC.
- 7.3.12 Management of the HVM and CCTV will remain with the City Centre Management Team within the Neighbourhoods Directorate. This will be reviewed as part of the development of the FBC to identify if additional resources are required.
- 7.3.13 Section E1 of the OBC attached at Appendix A, shows the current indicative expenditure and funding profiles which will be finalised during the development of the FBC.

7.4 Procurement Implications

- 7.4.1 The proposed procurement strategy is detailed in Appendix D and summarised below:
- The Public Realm Works will be tendered using the Council's Highways and Infrastructure Framework Agreement Lot 4 – Works above £500,000. It is proposed to engage a Design and Build Contractor.

7.5 Human Resources Implications

- 7.5.1 This project will be resourced and managed by the Transport Projects Team within the Inclusive Growth Directorate. All fees associated with the project team in respect of this project are identified within the overall project cost.
- 7.5.2 The management and maintenance of the permanent security measures to be installed within the city centre will be managed by the existing City Centre Management Team. This will be reviewed as part of the development of the FBC to identify if additional resources are required.

7.6 Public Sector Equality Duty

- 7.6.1 An initial Equality Assessment (EQUA285) for the project was carried out in April 2019 and this is attached at Appendix F. The assessment identified that whilst protected groups will be impacted by the proposals,

consultation with relevant agencies will ensure that scheme proposals address specific requirements of protected groups and that any potential adverse impacts can be mitigated. Further assessments will be carried out as part of the development of each scheme within the programme and will be reported at FBC stage.

8 Appendices

- A. Outline Business Case
- B. Project Location Plan
- C. Project Proposals Summary.
- D. Procurement Strategy
- E Risk Management Schedule
- F. Equality Analysis EQUA285 April 2019
- G. Exempt Appendix – Cost Breakdown

9. Background Documents

- 9.1 Big City Plan
- 9.2 Birmingham Development Plan
- 9.3 Birmingham Connected Transport Strategy
- 9.4 Clean Air Zone Charging Order and Use of Net Proceeds: Report to Cabinet: Director of Inclusive Growth, June 2019.

APPENDIX A

OUTLINE BUSINESS CASE (OBC)

A. GENERAL INFORMATION

A1. General

Project Title <i>(as per Voyager)</i>	City Centre Public Realm Revitalisation		
Voyager code			
Portfolio /Committee	Transport and Environment; Social Inclusion, Community Safety and Equalities Finance and Resources	Directorate	Inclusive Growth
Approved by Project Sponsor	Philip Edwards: 18.10.2019	Approved by Finance Business Partner	Simon. Ansell, 17.10.2019

A2. Project Description

The project will deliver a package of works resulting in the comprehensive renewal of the public realm within the city centre retail core. This will include the wholesale replacement of the surface materials, which are now at the end of their useful life, and in some areas, the further pedestrianisation of the streets. The repair of the Victoria Square fountain will also form part of the renewal of the square to provide an improved civic space and setting for events.

A key part of the scheme will be the provision of permanent hostile vehicle mitigation (HVM) measures (which will in the main be rise and fall bollards) to replace the current temporary measures which manage the access of vehicles to the retail area and thereby improve security within the city. To support the daytime pedestrianisation of the retail core of the city centre and its security, a revised Traffic Regulation Order will also be introduced, subject to consultation.

As a result of the project, the public realm improvements will provide a major asset to support future economic growth benefitting all within Birmingham, support the safety and security of its residents and visitors and provide the backdrop to the Commonwealth Games.

B. STRATEGIC CASE

This sets out the case for change and the project's fit to the Council Plan objectives

B1. Project objectives and outcomes

The case for change including the contribution to Council Plan objectives and outcomes

The proposals set out in this report will support the delivery of the Council Plan 2018-22. They will also support the delivery of the ambition set out in the adopted Birmingham Development Plan (BDP), Big City Plan, the city's role as the host city for the 2022 Commonwealth Games and the Clean Air Zone and Climate Change agendas.

The improvements sought within the retail core of the city centre, support the Council's

core mission to be a city of growth where every child, citizen and place matters. Specifically, the project will support business, improve security and safety, and promote the growth of the city.

In addition to the creation of a cleaner safer city environment, the proposals are also aligned to the West Midlands Strategic Transport Plan, Birmingham Connected Transport Strategy and Clean Air agendas, by enhancing the pedestrian environment, improving walking, cycling, access to public transport and making the area less desirable for private vehicles.

The proposal also supports the City Centre Retail Strategy, which builds on the Big City Plan, a planning document for the retail core's future to ensure its integrity and attractiveness is maintained and its position as a top destination is strengthened.

Transport Objectives: A transformed city centre environment in New Street, Temple Street and High Street will support the inclusive growth of the city by creating safe, convenient and attractive spaces for pedestrians and cyclists, and will provide a high quality of living. It will make it easier to access the city centre, with improved legibility and wayfinding helping to make the connections between public transport modes. These links will play a vital role during events such as the Commonwealth Games.

The proposals will also support the reduction of traffic congestion in the city centre and improve air quality by providing attractive, safe and connected public spaces to encourage the use of active travel modes and public transport, thereby reducing the use of private cars. The reduction of access and loading periods will enhance pedestrian access and permeability. This will have a positive impact on levels of traffic congestion in the city centre This project will support the implementation of a Clean Air Zone in the city centre to meet air quality targets as mandated by Central Government.

This project will seek to create a connected and walkable centre which will link Birmingham's sustainable transport network with the retail core. It will form the next stage in linking the three city centre stations (New Street, Snow Hill and Moor Street), Centenary Square and Paradise Developments, HS2 and the Metro extension, encouraging modal shift to sustainable transport. The opportunity for cycling within the centre will also be considered as part of the design process.

The project is also aligned to key WMCA priorities and supports the Commonwealth Games.

An improved wayfinding experience is essential to facilitate connections between transport modes for the high number of visitors to the city. It is also vital that the city's core is modern, inviting and enjoyable, and that it leaves a legacy for Birmingham.

B2. Project Deliverables

1. Replacement of approximately 40,000m² existing life expired public realm with high quality street scape throughout the city centre retail core.
2. The enlargement of Victoria Square as an event space.
3. Repair and reinstatement of The River (Victoria Square Fountain).
4. Improved legibility and permeability of the retail core, and links across the city centre for public transport interchange and access to destinations and events as part of the Commonwealth Games.
5. Replacing ageing materials and street furniture to reflect modern retail environment and the integration of Hostile Vehicle mitigation (HVM) measures.
6. Implementing a revised TRO that will rationalise access and loading periods and allow greater pedestrian priority during peak hours across the area.
7. Extended pedestrian area.
8. Introduction of permanent hostile vehicle mitigation measures within the project area.

B3. Project Benefits

These are the social benefits and outcomes from the project, e.g. additional school places or economic benefits.

Measure	Outline Impact
<i>List at least one measure associated with each of the objectives and outcomes in B1 above</i>	<i>What the estimated impact of the project will be on the measure identified</i>
Reduced congestion	Creation of a cleaner safer city environment by reduced car use in the retail core
Improvement to air quality	Creation of a cleaner safer city environment by reduced car use in the retail core
Increased footfall and consumer spend	Support business by improved commercial environment supporting retail businesses
Limit vehicular access to retail core	Improves security and safety by providing permanent hostile vehicle mitigation measures
Increased visitor numbers and encourage repeat visits	Supports business and growth of the city
Rationalisation of street furniture	Improves connectivity

B4. Property implications

Describe any implications for Council properties and for the Council's property strategies

The works will be undertaken on existing highway and land owned by the Council.

The only exception to this being the potential need for forecourt agreements where frontage to frontage public realm works are proposed.

C. ECONOMIC CASE - OPTIONS APPRAISAL

This sets out the options that have been considered to determine the best value for money in achieving the Council's priorities

C1. Options reviewed

A full description and review of each option is in Section G1

Option 1 - Business as Usual (Do nothing)

The existing public realm is life expired having been last renewed in 1992/3; and is in a worn condition. Further increases in pedestrian flows will create safety concerns. The visual appearance and overall experience that visitors have of the city has a significant impact on the health of the high street. In the current challenging retail environment, it is therefore imperative that the retail centre is supported through updating and extending high quality public realm improvements.

The fountain at Victoria Square has been in disrepair since 2009 and retention of the temporary planting was only ever intended as a short-term measure. A permanent repair is required to reinstate the fountain as originally designed.

The city centre currently benefits from temporary physical security measures, which in the main are provided on loan as part of the national barrier asset. It is essential that permanent measures are installed to ensure the continuation of the security of the city centre. The increased visitor numbers anticipated during the Commonwealth Games exacerbates this requirement.

Option 2 – Do Minimum

The do minimum approach would focus on the implementation of HVM barriers at critical locations throughout the city centre to provide a security network in preparation for the Commonwealth Games, alongside an updated TRO. However, this would reduce the scope for essential public realm work to be carried out, particularly for Victoria Square and New Street with allowance for basic maintenance work.

Options 3 & 4 - Partial intervention - Reduced Cost Options

Reduced Cost: The entirety of the public realm in the project area is in worn condition and life expired and will require replacement/renewal soon. A previous intervention to bring forward proposals for individual streets within the city centre was rejected in 2017 as it was recognised that the piecemeal development of the retail area could not provide the cohesive design and delivery of the integrated security and physical works required. The further daytime pedestrianisation of the city centre also needs to be underpinned by a revised traffic regulation order. This complex combination of traditional physical works; security measures and traffic movement measures requires an integrated approach to the entirety of the area, making partial intervention unlikely to achieve the desired overall outcome sought.

A reduced minimum cost project must include the implementation of the HVM barriers to ensure the current existing security requirements for the city. It is essential that these are provided prior to the Commonwealth Games and to be effective the revised TRO must

also be implemented. Public realm works to the areas of New Street, Lower Temple Street and Ethel Street must also be included to meet the conditions of the existing approved funding from the Transforming Cities Fund. The renewal of Victoria Square aligns with the existing works being carried out by the Metro and Paradise developments and must be improved to provide the setting for the Games.

Two options for a reduced scheme have been considered:

Option 3: This option would provide full HVM provision, and public realm works to New Street, Lower Temple Street and Ethel Street to comply with the funding conditions of the Transforming Cities Fund. The estimated capital cost is £10m and the revenue cost is estimated to be £0.256m per annum

Option 4: This option provides full HVM provision, Victoria Square and public realm works to New Street, Lower Temple Street and Ethel Street to comply the funding conditions of the Transforming Cities fund. The estimated capital cost is £16m and the revenue cost is estimated to be £0.287m per annum.

Option 5 - Comprehensive Integrated Approach - Proposed Option:

The need for the renewal of the public realm in the city centre has been identified for several years and is reflected within the Big City Plan produced in 2010 to guide the future development and regeneration of the city and the need for a well-connected, efficient and walkable city centre, and new and improved public spaces.

The comprehensive integrated approach supports the delivery of a project that enables the city centre to present a high-quality destination space, particularly considering the increased visitor numbers resulting from the Commonwealth Games 2022. It is also vital that the city's core is inviting, safe and enjoyable, and that it leaves a legacy for Birmingham. Using this approach, the permanent security measures that must be implemented by the commencement of the Games can be fully integrated within the public realm. The existing public realm is life expired across the city centre and its wholesale renewal will provide the consistency to present a cohesive environment for the retail sector. By introducing the control measures alongside the physical works, an enhanced pedestrian retail and visitor centre can be achieved. The wholesale renewal of the public realm in the retail environment is extremely challenging and a comprehensive approach will allow for the development of partnership between the public and business's and the contractor. A phased programme of works prior to, and after the Commonwealth Games underpinned by a clear communication strategy will ensure the successful delivery of the project.

As the nature of retail moves to one characterised by a broader leisure experience incorporating shopping, eating, relaxing, browsing and culture, the city centre environment needs to reflect this new reality. New Street and Victoria Square are the highest profile, strategic public realm assets within the city; their success is fundamental to the city's growth agenda. The project supports Birmingham's role as a major tourist destination, supports commercial businesses and provides a vastly improved public realm

between strategic points of the city centre. The project will revitalise the heart of the city centre; support and expand pedestrian priority spaces, improve user experience and support increased levels of private sector investment.

C2. Summary of Options Appraisal – Price/Quality Matrix

	Option score (out of 10)				Weight	Weighted Score			
Criteria	5	4	3	2		5	4	3	2
1. Total capital cost	5	6	7	8	20%	100	120	140	160
2. Full year revenue consequences	5	6	7	8	20%	100	120	140	160
3. Benefits: Council priorities	10	7	5	3	40%	400	280	200	120
4. Deliverability and risks	5	6	7	8	20%	100	120	140	160
Total					100%	700	640	620	600

Further details are given in the Options Appraisal records attached at the end of this OBC.

C3. Option recommended, with reasons

Which option is recommended and the key reasons for this decision.

Option 5 is recommended

The proposed comprehensive integrated approach to the City Centre Public Realm project incorporates the public realm and street works; proposals to repair the water feature within the refurbishment and renewal of Victoria Square; the provision of permanent well designed and security measures integrated with the public realm and the control measures to facilitate an enhanced pedestrian retail and visitor centre. It is this programme of works that is to be developed and recommended for delivery.

This approach is recommended as it supports the delivery of a project that enables the city centre to act as a gateway to the Birmingham 2022 Commonwealth Games. The proposed procurement route will also ensure the completion of the priority areas for improvement prior to the Commonwealth Games, whilst also ensuring the delivery of the wider scheme leaves a legacy for the city by providing the permanent security measures required in the city centre and a modern, inviting and enjoyable retail and leisure area. The restrictions on traffic access and movement within the area through the implementation of the TRO will not only improve security but also support the clean air zone objectives. The inclusion of all the public realm works together with the security measures can ensure consistency of approach and economies of scale within the construction contract.

C4. Risks and Issues of the preferred option

This is a challenging project and there are several key risk areas to its successful implementation. These being associated with financial, delivery, procurement and reputational risks.

The primary challenge of the delivery of the project is the management of works within a busy city centre where the needs of businesses; residents and visitors need to be

balanced with the requirements of the contractors, whilst still achieving value for money. Most of the works are on the public highway, where there are a plethora of utilities within the substructure. These issues remain, regardless of the extent of the works, but to provide the comprehensive scheme in advance of the Commonwealth Games, for which there is a time constraint, requires the programming of works in a realistic timeframe whilst also introducing the flexibility within works contracts to both respond to the need to accelerate or pause the works to accommodate the busy calendar of events held in the city. These issues can be managed using pre-contract surveys and partnership working with stakeholders and contractors.

Ensuring value for money on the project is essential. There are financial risks associated with the project particularly associated with utilities and the risks associated with the repair of the fountain at Victoria Square and the proliferation of utilities and services within the city centre environment may result in a risk premium being built into the contractors pricing for the works. The use of a design and build contract will contain these risks.

Expanding further on the financial risk, it is important to note that the capital funding to carry out the preferred option is not yet fully secured and there are significant revenue implications that need to be fully quantified and appropriate funding sources identified to cover these costs as part of the FBC development.

An outline Risks and Issues Register is attached at the end of this OBC. A further risk register is provided as Appendix E.

C5. Other impacts of the preferred option

Describe other significant impacts, both positive and negative

Procurement Risk: Implementing the physical works within a busy retail environment may result in a prolonged programme for delivery. It is vital that key elements of the programme are delivered prior to the Commonwealth Games, and as such the programme will be phased accordingly. Contractor availability is recognised as a risk in view of the level of investment in the city, and as such early contractor engagement and soft market testing will be undertaken. A delivery workshop with framework contractors to inform the best approach to procurement and delivery has already been undertaken to inform the procurement strategy. The Council already works in collaboration with the various stakeholders within the city centre, utilities companies, businesses and statutory bodies. The successful delivery of this project will require close working with the Retail and Colmore Business Improvement District organisations. The Traffic Regulation Order will also require careful and extensive consultation with affected residents and businesses.

The Council hosts several events throughout the year in the city centre and the delivery of this programme will need to be considered in the programming of the works.

D. COMMERCIAL CASE

This considers whether realistic and commercial arrangements for the project can be made

D1. Partnership, Joint venture and accountable body working

Describe how the project will be controlled, managed and delivered if using these arrangements

The Commonwealth Games Capital Board will be engaged on project progression and a governance process will be established for submission and formal approval of a funding bid for monies to support the project.

D2. Procurement implications:

What is the proposed procurement strategy and route? Which Framework or OJEU?

It is proposed that the public realm works be tendered using the Council's Highways and Infrastructure Framework Agreement Lot 4 – Works above £500,000. This is the approved route for design and specification construction works of this nature.

As part of the development of the procurement strategy, a contractor's workshop has been undertaken to consider the issues associated with the project, and how best to deliver it. This is a challenging project and the current level of investment in the city means that there is potentially a shortage of resources for this project. As such the procurement strategy will need to be flexible to adapt to changes in the contractor market.

The proposed Procurement Strategy for the public realm works and repair of the Victoria Square fountain are contained at Appendix D.

E. FINANCIAL CASE*This sets out the cost and affordability of the project***E1. Financial Implications and Funding****Phase 1 – Pre-Commonwealth Games**

	Financial Year 2019/20 £'000	Financial Year 2020/21 £'000	Financial Year 2021/22 £'000	Financial Year 2022/23 £'000	Later years 23/24 onwards £'000	Total £'000
CAPITAL EXPENDITURE						
Development costs to proceed to FBC	844	100	-	-	-	944
Capital expenditure works incl. fees	-	8,668	8,734	387	-	17,789
Total Capital Expenditure	844	8,768	8,734	387	-	18,733
CAPITAL FUNDING						
Transforming Cities Fund	844	3,768	388	-	-	5,000
Commonwealth Games – Public Realm Grant	-	5,000	-	-	-	5,000
Clean Air Zone	-	-	8,346	387	-	8,733
Total Capital Funding	844	8,768	8,734	387	-	18,733

Notes

1. Internal fees have been allocated in full to the relevant financial year and not split across the individual areas and phases.
2. Commonwealth Games (CWG) funding subject to a formal bid and approval by the CWG Committee
3. Clean Air Zone funding from the net surplus receipts in line with the recommendations of the CAZ Charging Order report approved by Cabinet in June 2019.
4. In the event that the funding identified within this report is not approved or falls short of the required values/is not available within the required timeframe, there may be a requirement to use corporate resources of up to £20.478m to enable progression of the programme. In the event of additional funding being subsequently confirmed, this will be used to repay corporate funding.
5. The above table shows the current expenditure and funding profiles which will be finalised in the development of the FBC.

Phase 2 - Post Commonwealth Games

	Financial Year 2019/20 £'000	Financial Year 2020/21 £'000	Financial Year 2021/22 £'000	Financial Year 2022/23 £'000	Later years 23/24 onwards £'000	Total £'000
CAPITAL EXPENDITURE						
Capital expenditure works incl. fees	-	-	-	3,285	3,460	6,745
Total Capital Expenditure	-	-	-	3,285	3,460	6,745
CAPITAL FUNDING						
Clean Air Zone				3,285	3,460	6,745
Total Capital Funding	-	-	-	3,285	3,460	6,745

Notes

1. Internal fees have been allocated in full to the relevant financial year and not split across the individual areas and phases.
2. Commonwealth Games (CWG) funding subject to a formal bid and approval by the CWG Committee
3. Clean Air Zone funding from the net surplus receipts in line with the recommendations of the CAZ Charging Order report approved by Cabinet in June 2019.
4. In the event that the funding identified within this report is not approved or falls short of the required values/is not available within the required timeframe, there may be a requirement to use corporate resources of up to £20.478m to enable progression of the programme. In the event of additional funding being subsequently confirmed, this will be used to repay corporate funding.
5. The above table shows the current expenditure and funding profiles which will be finalised in the development of the FBC.

	<i>Financial Year 2019/20 £'000</i>	<i>Financial Year 2020/21 £'000</i>	<i>Financial Year 2021/22 £'000</i>	<i>Financial Year 2022/23 £'000</i>	<i>Later years (p.a.) £'000</i>	<i>Total over 30yrs £'000</i>
REVENUE CONSEQUENCES						
Revenue costs during project delivery.	-	-	-	-	-	
Operating Period Expenditure (30yrs)						
Highways Assets	-	6	6	6	6	180
Maintenance of HVM/replacement CCTV	-	-	223	223	223	6,690
Victoria Square fountain	-	-	64	64	64	1,920
Loss of Parking Revenue	-	108	108	108	108	3,240
Net revenue consequences		114	401	401	401	12,030
REVENUE FUNDING						
Current Budget Provision (to be confirmed at FBC)						
Additional Revenue Funding requirement (to be confirmed at FBC)						
Total revenue funding						

Notes

1. The above table shows the current expenditure and funding profiles which will be finalised in the development of the FBC.

E2. Evaluation and comment on financial implications:**Capital Funding:**

The estimated capital cost to deliver the City Centre Public Project is £25.478m.

The funding currently secured is £5.0m from the Transforming Cities Fund.

A funding allocation of £5.0m from within the Commonwealth Games Public Realm budget is subject to a formal bid and approval by the Commonwealth Games Board, having been agreed as part of the £778m CWG budget announced by the Government on 25 June 2019. The submission of the bid is anticipated in November.

The residual costs of £15.478m will be met from the Clean Air Zone (CAZ) net proceeds. This is consistent with the recommendations of the Clean Air Zone Charging Order as approved by Cabinet on 25th June 2019.

CAZ net proceeds are set to commence by July 2020. Where possible, grant funding will be used in the early years, to enable the use of the CAZ revenue to be profiled at the back end of the programme. If the funding identified within this report is not approved or falls short of the required values/is not available within the required timeframe, there may be a requirement to use corporate resources of up to £20.478m to enable progression of the programme. In the event of additional funding being subsequently confirmed, this will be used to repay corporate

funding.

Revenue Implications

As part of the Council's obligations under the HMMPFI contract Highways have been formally notified of the proposed changes to the highway inventory arising from this scheme (SSD 6227).

Where the replaced highways assets are on a like for like basis, they will be maintained within the overall existing highway maintenance budget. The detail of the estimated net cost of any newly created assets will be established and addressed as part of the development of the Full Business Case. Currently, the project estimate for the additional revenue requirement in respect of highway assets over 30 years is £0.180m. This funding is currently unsecured, and a funding source will need to be identified during the development of the FBC. Opportunity to include previously excluded assets as well as de-accruing existing asset within the PFI contract and the costs of this approach will also be evaluated as part of the FBC.

Details of the maintenance implications for each project area will be reported in the project specific Full Business Case. However, it should be noted that it is proposed that all capital works contracts will include a full repair and maintenance obligation for a minimum of 2years.

The loss of parking revenue is estimated at £0.108m per annum. As with the additional highways maintenance costs this is currently unfunded and will also need to be addressed as part of the FBC development.

Provision of improved security measures for the city centre by the installation of essential permanent Hostile Vehicle Mitigation measures, replacement CCTV will also generate an additional cost estimated at approximately £0.223m per annum. As with other unfunded revenue costs, this will be addressed during the development of the FBC.

Repair and restoration of the Victoria Square fountain is estimated to cost an additional £0.064m per annum to maintain. Funding to cover this cost will need to be identified in the FBC.

Management of the HVM and CCTV will remain with the City Centre Management Team within the Neighbourhoods Directorate. This will be reviewed as part of the development of the FBC to identify if additional resources are required.

E3. Approach to optimism bias and provision of contingency

Lessons learned from the development of Centenary Square and other public realm projects delivered within the city centre have been considered and as such a contingency figure of 20% has been applied on the main works and 40% in respect of the HVM measures, to reflect that the results of site investigations are not yet known and as such the foundation design for these works has not yet been determined. This contingency figure will be adjusted as the FBC is developed and final tendered costs are received. Final tendered costs will be included in the FBC and the related approvals to award contracts.

E4. Taxation

Describe any tax implications and how they will be managed, including VAT

It is not envisaged that there will be taxation implications at this stage. This will be further considered in the development of the FBC.

F. PROJECT MANAGEMENT CASE	
<i>This considers how project delivery plans are robust and realistic</i>	
F1a. Key Project Milestones-Public Realm works	Planned Delivery Dates
See attached high level Programme	
Pre contract Design	May 2019 –October 2019
OBC approval	29 th October 2019
Stakeholder and Public Engagement consultation	November 2019 –January 2020
Full Business Case approval	February 2020
Works procurement	November 2019 – January 2020
Contract award and commencement	March 2020
Construction period (pre-Games Phases)	July 2020- March 2022
Construction period (post Games phases)	September 2022 - March 2024
Date of Post Implementation Review	September 2024
F2. Achievability	
<i>Describe how the project can be delivered given the organisational skills and capacity available</i>	
<p>The project will be managed within the Inclusive Growth Directorate with support from external technical advisors. A project team has been set up to deliver this project comprising of officers from the Project Delivery Team; Transport Projects; Planning and the City Centre Management Team. The internal team is supported by consultants providing pre contract design cost and procurement support. This is a challenging project which requires the coordination of several work streams. Pre contract design and surveys will inform the procurement of works.</p> <p>A full project programme identifies that it will be necessary to undertake a phased approach to the works. As such the works will be phased into pre and post Commonwealth Games work programmes. This is supported by early contractor involvement feedback. The high level of investment in the city currently may adversely impact on the availability of resources for the project from a contractor's perspective, and this will be addressed in partnership with framework contractors. The phased delivery plan will also take in to account the events schedule for the city centre and incorporate this within the timeline for works to be completed.</p> <p>The proposals for a revised Traffic Regulation Order to support the daytime pedestrianisation of the retail core will be subject to consultation with businesses, residents and stakeholders. The Council has extensive experience of securing TRO's any risks associated with the achievement of this element of the project is reflected in the project risk register.</p>	
F3. Dependencies on other projects or activities	
<p>Delivery of the comprehensive programme of works is subject to funding approvals as set out in this report. Contract awards will not commence until these approvals are in place. The programme is impacted on by the programme of events held within the city centre environment. The programme reflects the potential delay caused by these events.</p> <p>Works to Victoria Square cannot commence until completion of the ENGIE (infrastructure works) works which are to commence in spring 2020 in respect of a connection to Colmore Row.</p> <p>The implementation of HVM measures is subject to additional technical approvals. All</p>	

programme activities are reflected in the projects programme, that is regularly updated by the project team and reported to the project board											
F4. Products required to produce Full Business Case <i>This should be a full list of the items required in order to produce a Full Business Case.</i>											
<ul style="list-style-type: none"> • Programme and Risk Register • Financial plan including funding • Concept design • Pre contract surveys • Pre tender costs and value for money statement • Tender Pack to include specification of works during project development) • Consultation/Stakeholder analysis • TRO proposals and consultation feedback • Revenue implications and budgets identified 											
F5. Estimated time to complete project development to FBC <i>Give an estimate of how long it will take to complete the delivery of all the products stated above, and incorporate them into a Full Business Case.</i>											
The proposals are currently being developed and pre contract costs being prepared to enable the issue of tenders in November 2019. The full business case and tender acceptance awards will be completed by March 2020 following the procurement process for the works.											
F6. Estimated cost to complete project development to FBC <i>Provide details of the development costs shown in Section F1 above (capital and revenue). This should include an estimate of the costs of delivering all the products stated above, and incorporating them into a Full Business Case. The cost of internal resources, where these are charged to the project budget, should be included. A separate analysis may be attached.</i>											
Pre contract design, cost and procurement consultant appointed. Costs met from existing contract and approved budget (TCF funding)											
<table> <tr> <td>Development costs</td><td>£</td></tr> <tr> <td>Internal Fees</td><td>151,210</td></tr> <tr> <td>External fees</td><td>292,845</td></tr> <tr> <td>Pre contract Surveys</td><td>500,000</td></tr> <tr> <td>Total</td><td>944,055</td></tr> </table>		Development costs	£	Internal Fees	151,210	External fees	292,845	Pre contract Surveys	500,000	Total	944,055
Development costs	£										
Internal Fees	151,210										
External fees	292,845										
Pre contract Surveys	500,000										
Total	944,055										
F7. Funding of development costs <i>Provide details of development costs funding shown in Section F1 above.</i>											
The preparation of the concept design and tender package and costs of the site investigations will be met from the Transforming Cities Fund. All development costs to FBC can be met from within the existing approved funding sources.											
F8. Officer support											
Project Manager: Julia Martin/Craig Richards											
Project Accountant: Simon Ansell											
Project Sponsor: Philip Edwards											
F9. Project Management <i>Describe how the project will be managed, including the responsible Project Board and who its members are</i>											
<p>The project is directed by a Project Board, consisting of</p> <ul style="list-style-type: none"> • Phil Edwards, Assistant Director: Transport and Connectivity • Kevin Hicks, Assistant Director: Highways and Infrastructure. • Paul Lankester Interim Assistant Director: - Regulation and Enforcement 											

- Andy Middleton BCR/Commonwealth Games Transport Programme Manager
- Gary Woodward, Planning Manager
- Rob Pace, Finance Manager

G. SUPPORTING INFORMATION

(Please adapt or replace the formats as appropriate to the project)

G1. OBC OPTIONS APPRAISAL RECORDS (these are summarised in section C2)

The following sections are evidence of the different options that have been considered in arriving at the proposed solution. All options should be documented individually.

Option 1	Business as Usual (Do Nothing)
Information Considered	<ul style="list-style-type: none"> • Strategic Fit • Impact on and by the Commonwealth Games • Existing site conditions • Costs • Long term sustainability • Available resources and funding opportunities
Pros and Cons of Option	<p>Having been last renewed in the early 1990's the existing public realm now needs replacing. The security requirements for the city centre have also developed over time and the implementation of integrated hostile vehicle mitigation measures is essential to the safety of residents and visitors to the city. The comprehensive renewal would enable these key issues to be addressed, whilst also supporting the reduction in vehicle use within the city centre.</p> <p>The business as usual, or do-nothing option, would mean that the existing public realm would not be renewed, and only general maintenance would be carried out. Funding has already been provided to carry out improvements to the Lower Temple Street/New Street area as part of the Transforming Cities Fund. Failure to progress these works would result in the loss of this funding. The existing security measures would remain in place however as these are provided on a temporary basis on loan as part of the national barrier asset. These could be removed at any time should they be recalled due to another priority area.</p> <p>The increased visitor numbers anticipated during the Commonwealth Games exacerbates this security requirement.</p> <p>There are currently conflicts between existing planning conditions and traffic restrictions and concerns regarding the lack of enforcement of current loading restrictions. The barriers would support the ability to manage the access control of vehicles to the centre.</p> <p><i>The advantages/positive aspects of this option include</i></p> <ul style="list-style-type: none"> • Reduced capital costs.

APPENDIX A

	<ul style="list-style-type: none"> • No additional revenue obligations beyond existing commitments • No disturbance to commercial premises arising from project. <p><i>The disadvantages/negative aspects of this option include</i></p> <ul style="list-style-type: none"> • Risk of removal of temporary security measures with no permanent measures put in place. • The current public realm not fit for purpose in changing commercial climate • Deterioration of the city centre environment potential decline in visitor numbers: Does not take advantage of major strategic assets within city centre to support city growth agenda • Negative perception of city centre environment considering the Commonwealth Games. • Does not address the existing revenue shortfall • Loss of existing funding of £5.0m
People Consulted	<p>The complex nature of the road and surroundings require joint working with several partners:</p> <ul style="list-style-type: none"> • Midland Metro Alliance - (Metro) • Birmingham City Council (Planning & Regeneration [Client], Transport Strategy, Highways, • Paradise developers • Retail Business Improvement District (BID) • Local commercial businesses.
Recommendation	Abandon
Principal Reason for Decision	Status quo would not support Council and service priorities. Misses opportunity to present high quality experience for Commonwealth Games visitors and does not appropriately respond to changing retail climate. Does not address the safety and security needs of the city centre.

Option 2	Do Minimum
Information Considered	<ul style="list-style-type: none"> • Strategic Fit • Impact on and by the Commonwealth Games • Existing site conditions • Costs • Long term sustainability • Available resources and funding opportunities
Pros and Cons of Option	<p>The do minimum approach would allow for the implementation of HVM barriers in some key areas throughout the city centre identified as safety risks. The HVM safety mitigation would replace the existing temporary barrier assets and provide less obtrusive protection and therefore allowing for greater pedestrian permeability in the process. This would satisfy some of the security requirement for the increased number of visitors expected for the Commonwealth Games.</p>

	<p>However, the do minimum approach does not allow for a comprehensive renewal and upgrading of the public realm in the city centre, which is required.</p> <p><i>The advantages/positive aspects of this option include</i></p> <ul style="list-style-type: none"> • Reduced capital costs. • Limited impact to commercial premises arising from project. • Replacement of temporary barriers with HVM bollards allowing for more accessibility. • Increases project delivery timescale for CWG. <p><i>The disadvantages/negative aspects of this option include</i></p> <ul style="list-style-type: none"> • Does not address the required renewal of core streets within the city centre and therefore preventing any benefits that would arise from a comprehensive approach.
People Consulted	<p>The complex nature of the road and surroundings require joint working with several partners:</p> <ul style="list-style-type: none"> • Midland Metro Alliance - (Metro) • Birmingham City Council (Planning & Regeneration [Client], Transport Strategy, • Paradise developers • Retail Business Improvement District (BID) • Local commercial businesses. Who was consulted regarding development of key elements of this option
Recommendation	Abandon
Principal Reason for Decision	Do minimum approach would not support council and service priorities. Misses opportunity to present high quality experience for Commonwealth Games visitors and does not appropriately respond to changing retail climate.

Option 3	Partial Intervention 1
Information Considered	<ul style="list-style-type: none"> • Strategic Fit • Impact on and by the Commonwealth Games • Existing site conditions • Costs • Long term sustainability • Available resources and funding opportunities
Pros and Cons of Option	<p>The need for the renewal of the public realm in the city centre has been identified for several years and is reflected within the Big City Plan produced in 2010 to guide the future development and regeneration of the city and the need for a well-connected, efficient and walkable city centre, and new and improved public spaces. The piecemeal approach to the renewal of the public realm in the city centre was rejected in 2017 following 'The Making the Connections' project which</p>

	<p>endeavoured to bring forward proposals for individual streets and locations within the city centre.</p> <p>This approach was rejected as it was recognised that the piecemeal development of the retail area could not provide the cohesive design and delivery of the integrated security and physical works required. The further daytime pedestrianisation of the city centre also needs to be underpinned by a revised traffic regulation order. This complex combination of traditional physical works; security measures and traffic movement measures requires an integrated approach to the entirety of the area, making partial intervention unlikely to achieve the desired overall outcome succeed.</p> <p>The advantages/positive aspects of this option include</p> <ul style="list-style-type: none"> • Focuses attention on high priority streets • Reduces time to deliver ensuring works are completed prior to CWG <p>The disadvantages/negative aspects of this option include</p> <ul style="list-style-type: none"> • Does not adequately address the integrated, holistic characteristic of the city core. Each street has a corresponding impact on its surroundings; by dealing with a street in isolation it does not provide the accelerated benefits that would arise from a comprehensive approach. • The HVM security measures are required across the city centre in any event so partial scheme would not negate the disruption and requirement to undertake extensive works prior to the Games.
People Consulted	<p>The complex nature of the road and surroundings require joint working with several partners:</p> <ul style="list-style-type: none"> • Midland Metro Alliance - (Metro) • Birmingham City Council (Planning & Regeneration [Client], Transport Strategy, • Paradise developers • Retail Business Improvement District (BID) • Local commercial businesses. Who was consulted regarding development of key elements of this option
Recommendation	Abandon
Principal Reason for Decision	Leads to disjointed approach to city core public realm. Needs a comprehensive approach looking at the city core holistically.

Options 4	Partial Intervention 2
Information Considered	<ul style="list-style-type: none"> • Strategic Fit • Impact on and by the Commonwealth Games • Existing site conditions • Costs • Long term sustainability • Available resources and funding opportunities
Pros and Cons of Option	<p>This covers the proposals set out in option 3 in addition to further renewal and enhancement of Victoria Square.</p> <p>The advantages/positive aspects of this option include</p> <ul style="list-style-type: none"> • Focuses attention on high priority streets • Establishes the longevity of Victoria Square as an event space and central element of the city centre • Reduces time to deliver ensuring works are completed prior to CWG <p>The disadvantages/negative aspects of this option include</p> <ul style="list-style-type: none"> • Does not adequately address the integrated, holistic characteristic of the city core. Each street has a corresponding impact on its surroundings; by dealing with a street in isolation it does not provide the accelerated benefits that would arise from a comprehensive approach. • The HVM security measures are required across the city centre in any event so partial scheme would not negate the disruption and requirement to undertake extensive works prior to the Games.
People Consulted	<p>The complex nature of the road and surroundings require joint working with several partners:</p> <ul style="list-style-type: none"> • Midland Metro Alliance - (Metro) • Birmingham City Council (Planning & Regeneration [Client], Transport Strategy, • Paradise developers • Retail Business Improvement District (BID) • Local commercial businesses. Who was consulted regarding development of key elements of this option
Recommendation	Abandon
Principal Reason for Decision	Leads to disjointed approach to city core public realm. Needs a comprehensive approach looking at the city core holistically.

Option 5	Comprehensive Integrated Approach
Information Considered	<ul style="list-style-type: none"> • <i>Strategic Fit</i> • <i>Impact on and by the Commonwealth Games</i> • <i>Existing site conditions</i> • <i>Costs</i> • <i>Long term sustainability</i> • <i>Available resources and funding opportunities</i>
Pros and Cons of Option	<p>The City Centre Public Realm project incorporates the public realm and street works; proposals to repair the water feature within the refurbishment and renewal of Victoria Square; the provision of permanent well designed and security measures integrated with the public realm and the control measures to facilitate an enhanced pedestrian retail and visitor centre. This comprehensive approach supports the delivery of a project that enables the city centre to act as a gateway to Birmingham 2022 Commonwealth Games. It is also vital that the city's core is modern, inviting and enjoyable, and that it leaves a legacy for Birmingham. It is this programme of works that is to be developed and recommended for delivery. This is reflected in the OBC at Appendix A.</p> <p><i>The advantages/positive aspects of this option include</i></p> <ul style="list-style-type: none"> • Provides the long-term benefits providing the necessary outputs to transition the city core into a high-quality destination space. • Supports strategic objectives outlined in Big City Plan, Birmingham Development Plan, Council Plan, Clean Air and Climate Change. • Enables the integration of the HVM within the public realm. • Supports the further daytime pedestrianisation of the city centre <p><i>The disadvantages/negative aspects of this option include;</i></p> <ul style="list-style-type: none"> • Significant capital cost and associated additional revenue costs. • There will be disruption within the centre due to the works to be carried out resulting in the risk of claims from businesses and reduced revenue to the Council. • The risk of priority areas not being completed in time for CWG increases.
People Consulted	<p>The complex nature of the road and surroundings require joint working with several partners:</p> <ul style="list-style-type: none"> • Midland Metro Alliance - (Metro) • Birmingham City Council (Planning & Regeneration [Client], Transport Strategy, • Paradise developers • Retail Business Improvement District (BID) • Local commercial businesses. Who was consulted regarding development of key elements of this option

Recommendation	Proceed
Principal Reason for Decision	Delivers on key strategic priorities. Supports the showcase of the city as part of the Commonwealth Games Ensures the provision of the security measures required prior to the Games Supports the clean air objectives

G2. OUTLINE RISKS AND ISSUES REGISTER

Risks should include Optimism Bias, and risks during the development to FBC

Grading of severity and likelihood: High – Significant – Medium - Low

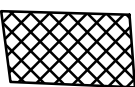



		Risk after Mitigation:	
Risk or issue	Mitigation	Likelihood	Severity
A reduced scheme may have to be provided in event of reduced funding	Working with Partners to ensure all available funding streams are unlocked. The £5m from TCF will allow development of the wider scheme and for delivery to commence.	medium	high
Programme over run so not complete ahead of CWG	The programme will include a contingency but be phased to ensure completion of priority areas prior to the CWG. Phased approach to the works	high	medium
Failure to secure approved TRO	Detailed stakeholder management plan produced to ensure the Retail BID are involved throughout the consultation process and to alleviate concerns surrounding the TRO implementation.	medium	medium
Objection to TRO leads to Judicial Review	Additional legal advice sought with regards to TRO implementation	medium	high
Adverse impact of construction programme slippage.	Phased programme and break clause to endure delivery of key works prior to Commonwealth games	medium	low
Lack of contractor availability due to the level of other investments in the city currently.	Council are working closely with contractors through our frameworks to ensure resources are available. Flexibility within the procurement strategy to utilise alternate frameworks.	medium	medium
Failure to address full revenue implications of the	Further workshops or consultations to be held to identify the revenue	medium	medium

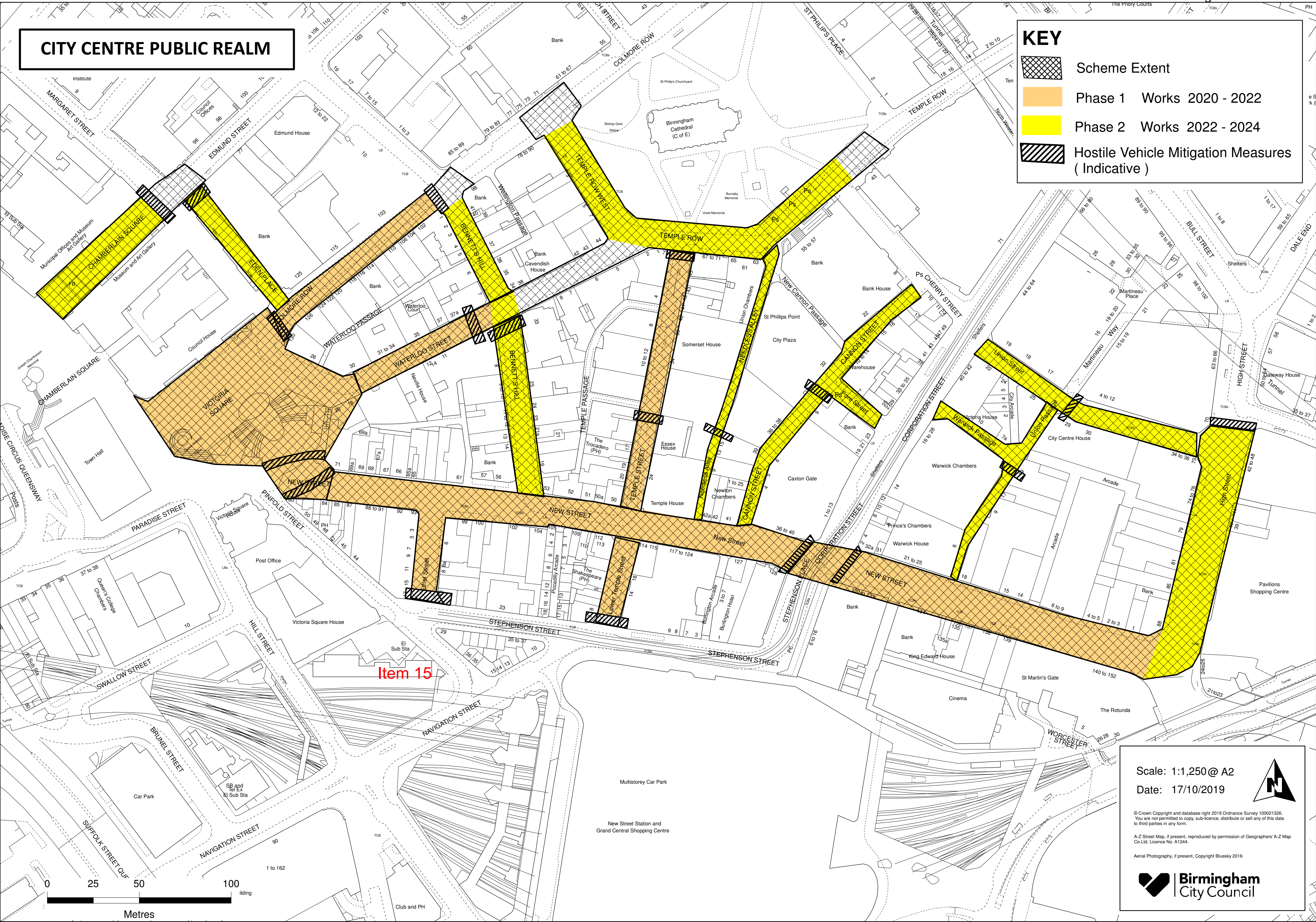
APPENDIX A

improvement works	budget that is required to support the structural alterations after completion of the scheme.		
Cost overruns. Unknown Stats costs emerging during construction	Contingency of 20%-40% has been included in cost estimates until more detailed design work is complete	low	medium
Resilience of transport network given high number of schemes being delivered pre CWG/HS2	TfWM have appointed a resilience director to co-ordinate the delivery of infrastructure schemes by all partners across the West Midlands This scheme is in an area of the city which is already largely pedestrianised so should have limited direct impact on Public Transport and/or general traffic	low	low
Risk of compensation claims and subsequent increase in costs	Ongoing stakeholder engagement and phased programme of works in consultation with stakeholders to minimise risk of claim. Obligation placed on contractor to address claims.	low	medium

CITY CENTRE PUBLIC REALM

KEY

-  Scheme Extent
-  Phase 1 Works 2020 - 2022
-  Phase 2 Works 2022 - 2024
-  Hostile Vehicle Mitigation Measures (Indicative)



Scale: 1:1,250@ A2

Date: 17/10/2019

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BIRMINGHAM CITY CENTRE PUBLIC REALM 2022



Concept design drawings

Rev 03.

October 2019

Notice

This document and its contents have been prepared and are intended solely for Birmingham City Council’s information and use in relation to the Options Appraisal of the Enterprise Zone - City Centre Connectivity project.

Atkins Transportation assumes no responsibility to any other party in respect of or arising out of or in connection with this document and/or its contents.

Document history

Job number:					
Revision	Purpose description	Originated	Reviewed	Authorised	Date
00	First Issue	RH & GC	GW	EZ	12/06/19
01	Changes to surface material	RH&GC	GW	EZ	17/06/19
02	Materials palette added	RH&GC	GW	EZ	21/06/19
03	Updated as per clients comments	AM&GC	GW	EZ	11/10/19

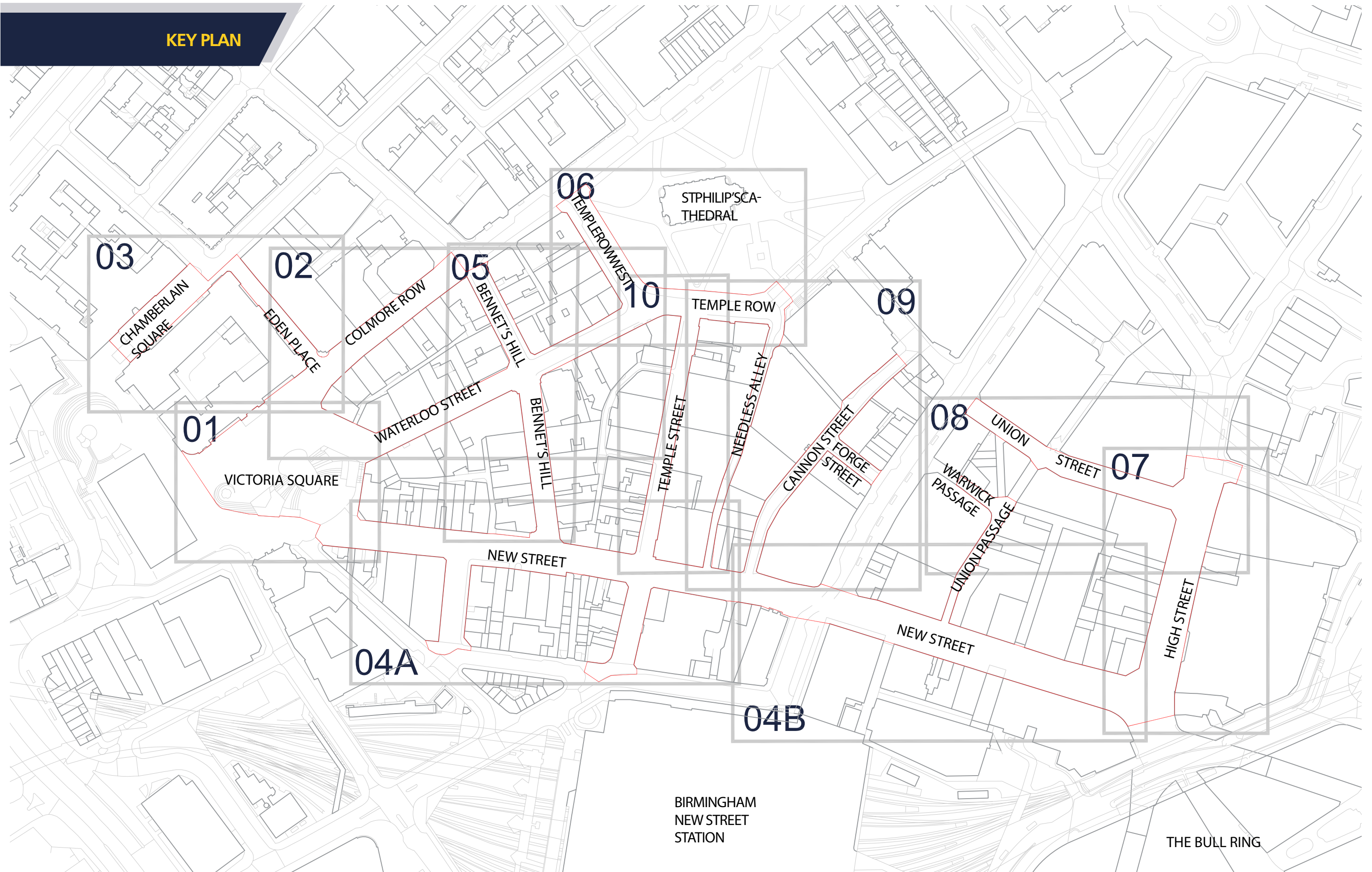
Client signoff

Client	Birmingham City Council
Project	City Centre Connectivity and Public Realm
Document title	Enterprise Zone Options Report
Job no.	5188466
Copy no.	00
Document reference	5188466 - 003

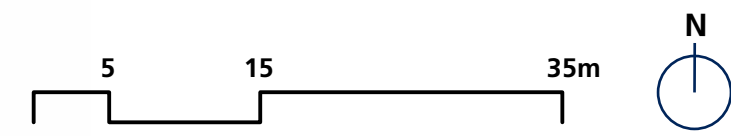
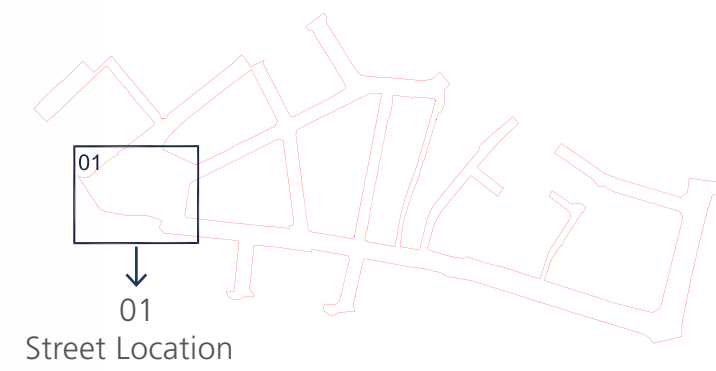
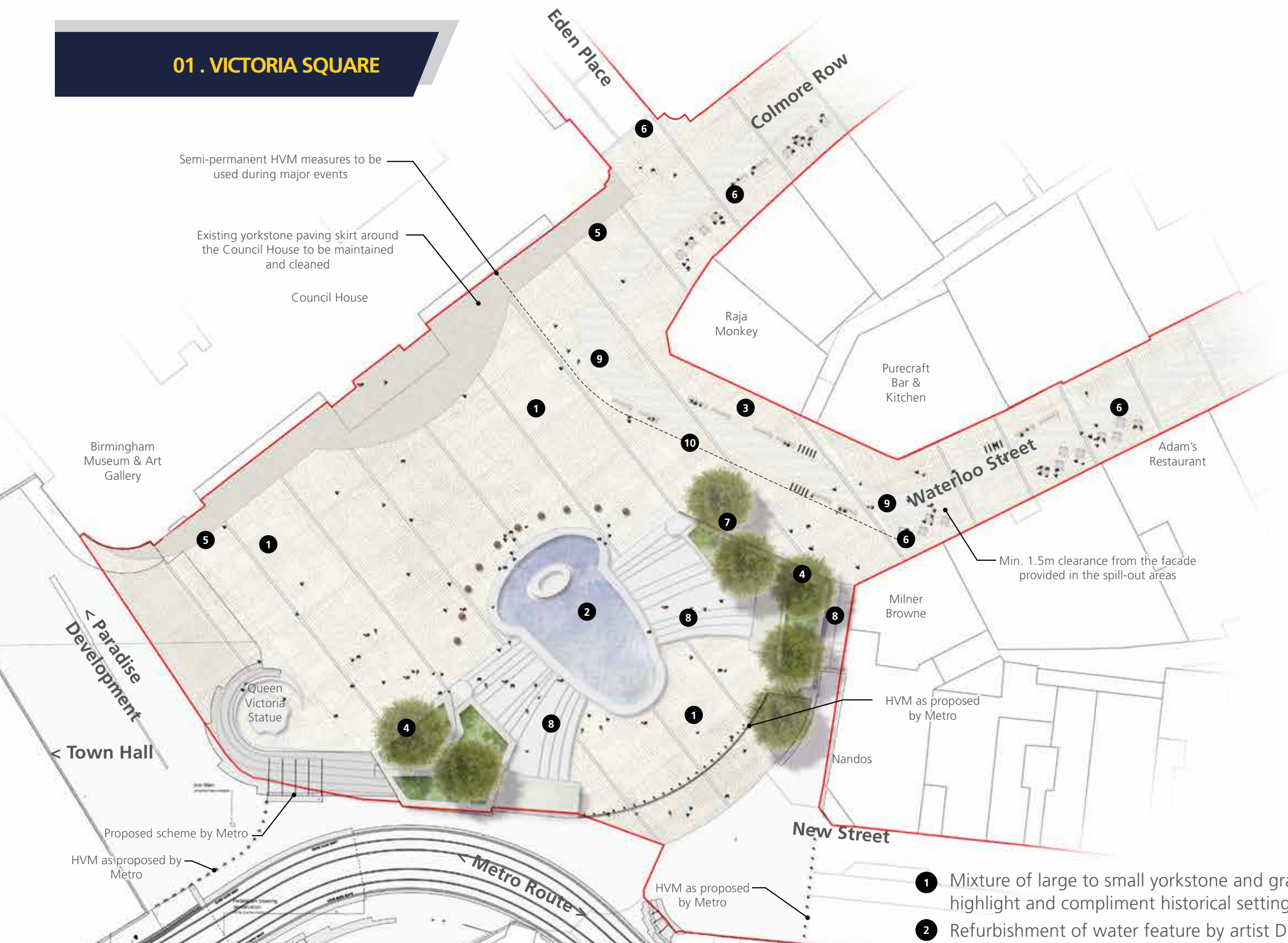
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KEY PLAN



01 . VICTORIA SQUARE



- 1 Mixture of large to small yorkstone and granite paving with subtle banding and linear form to highlight and compliment historical setting.
- 2 Refurbishment of water feature by artist Dhruva Mistry.
- 3 Rationalised street furniture providing road demarcation.
- 4 Proposed trees/ planting/removal of existing (where quality is poor).
- 5 Opportunity for public art and new wayfinding.
- 6 Spill out seating from cafes / restaurants provided along Colmore Row and Waterloo Street.
- 7 Existing retaining wall to be refurbished. Potential for reducing the height of railings.
- 8 Existing staircase to be refurbished.
- 9 Flush surface on Colmore Row and Waterloo Street to extend Victoria Square.
- 10 Semi-permanent HVM measures to be used during major events.

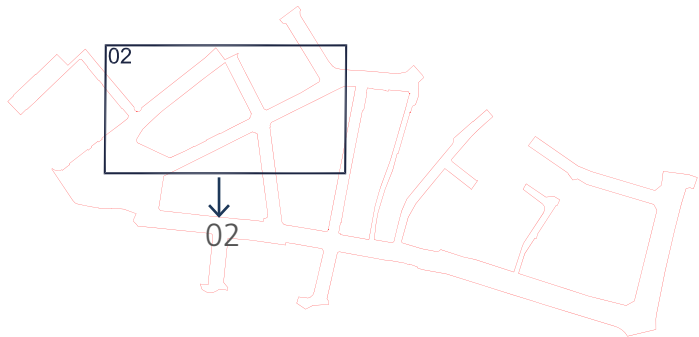
Key Features

- Design respecting the grandeur and dignity of this important civic space.
- Allowing clear vistas and framed views to landmark listed buildings - Town Hall and Council House.
- High quality, understated materials palette.
- Design to allow for a range of events and celebrations.
- Square to extend into adjoining Colmore Row and Waterloo Street forming a larger pedestrian space.

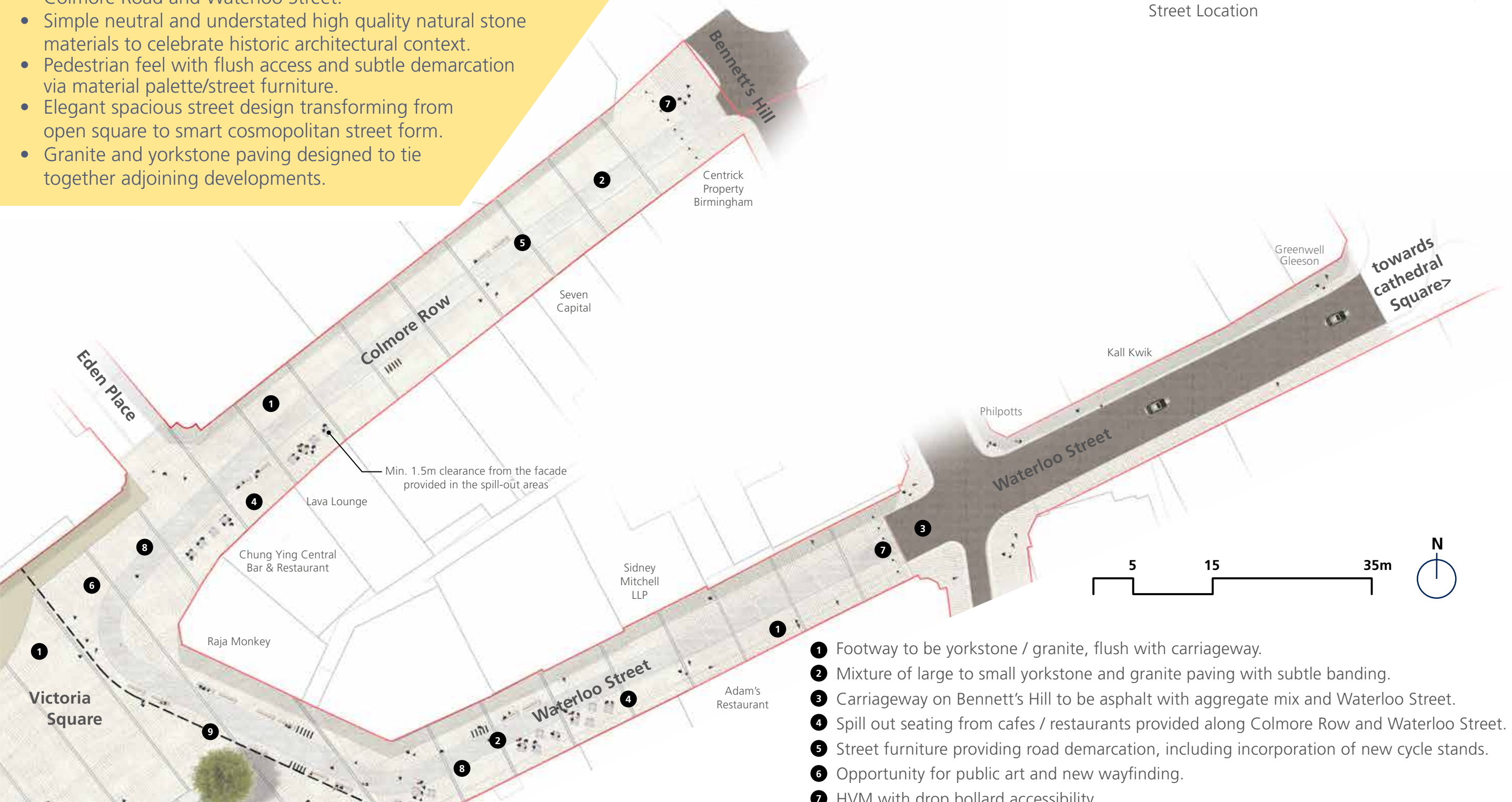
02. COLMORE ROW & WATERLOO STREET

Key Features

- Victoria Square treatment extending along approach roads - Colmore Road and Waterloo Street.
- Simple neutral and understated high quality natural stone materials to celebrate historic architectural context.
- Pedestrian feel with flush access and subtle demarcation via material palette/street furniture.
- Elegant spacious street design transforming from open square to smart cosmopolitan street form.
- Granite and yorkstone paving designed to tie together adjoining developments.

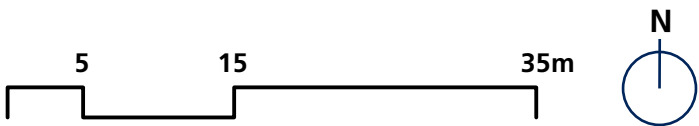
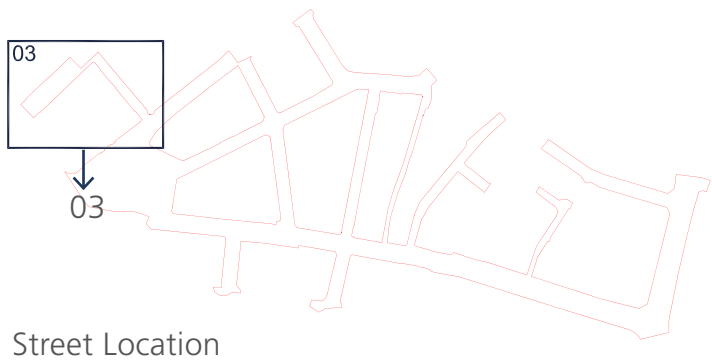
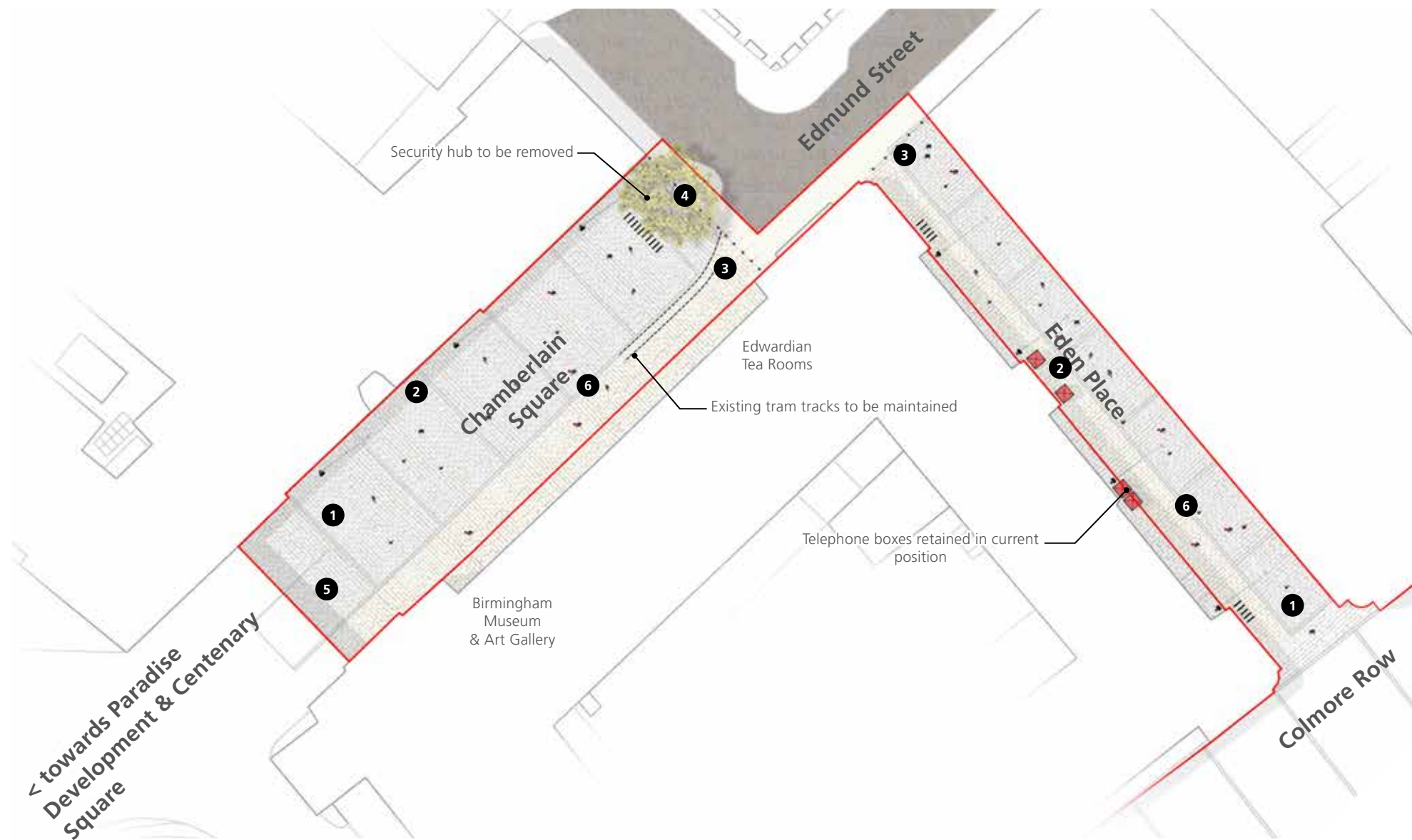


Street Location



- 1 Footway to be yorkstone / granite, flush with carriageway.
- 2 Mixture of large to small yorkstone and granite paving with subtle banding.
- 3 Carriageway on Bennett's Hill to be asphalt with aggregate mix and Waterloo Street.
- 4 Spill out seating from cafes / restaurants provided along Colmore Row and Waterloo Street.
- 5 Street furniture providing road demarcation, including incorporation of new cycle stands.
- 6 Opportunity for public art and new wayfinding.
- 7 HVM with drop bollard accessibility.
- 8 Flush kerb along Colmore Row and Waterloo Street.
- 9 Semi-permanent HVM measures to be used during major events.

03. CHAMBERLAIN SQUARE & EDEN PLACE



Key Features:

- High quality natural stone respecting historic context.
- Generous, open pedestrian feel with clear unobstructed route.
- Footway to be granite paving with feature banding.
- Rationalisation of cycle parking and bollards.
- De-cluttering of existing street furniture.
- Lighting columns retained subject to agreement.

- ❶ Granite and yorkstone paving to tie in with Paradise Development and Victoria Square proposals.
- ❷ Feature paving to highlight building entrances.
- ❸ HVM with drop bollard accessibility.
- ❹ Existing tree retained.
- ❺ Access maintained to underground car park.
- ❻ Existing kerb (no change to the existing)

04A. NEW STREET, ETHEL STREET & LOWER TEMPLE STREET



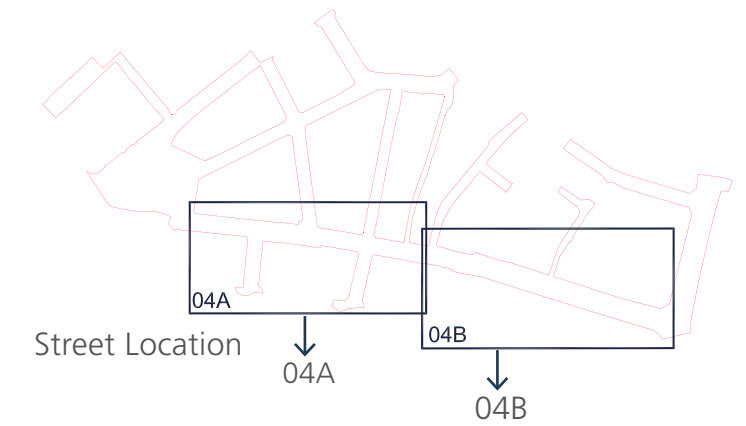
Key Features:

- An elegant spacious street, transforming into quieter intimate side streets either side.
- Paving palette composed of granite paving, with introduction of yorkstone to tie in with other streets in key locations.
- A simple palette of high quality materials, for durability and understated characterful design.
- Central feature path - a rich mix of materials, in-ground lighting and public art.
- Simple uncomplicated natural stone pavement as link to buildings.
- Trees provide green aerial canopy to street activity below.

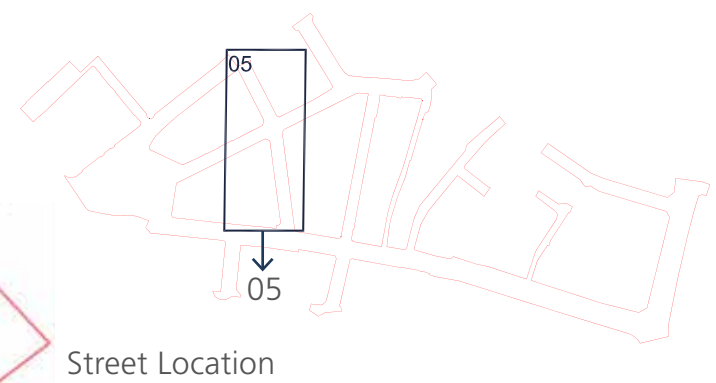
- 1 Footway / frontage surfacing in granite flags; detail in yorkstone to tie with surrounding areas.
- 2 Subtle central 'feature' pathway using contrasting paving to frontage surfacing.
- 3 HVM measures.
- 4 Proposed small containerised trees.
- 5 Temple Street to Bennett's Hill loop open for occasional access.
- 6 Flushed kerb to be introduced between Bennett's Hill and Temple Street.
- 7 Existing trees - crown lifted and thinned.
- 8 Metro route.
- 9 Existing feature space - "Elipse"
- 10 Central terraced 'street rooms' defined by stepped edges.
- 11 Space provided for loading.

04B. NEW STREET, ETHEL STREET & LOWER TEMPLE STREET

- 12 Spill out seating from cafes / restaurants provided.
- 13 New cycle stands.
- 14 Decluttered and unobstructed way through for pedestrians between Birmingham New Street and Colmore Row district.



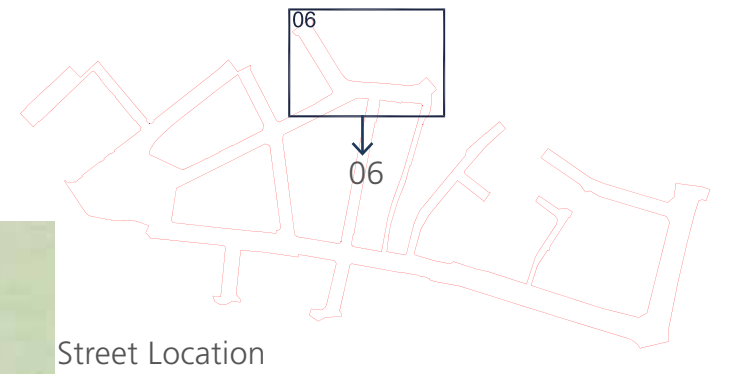
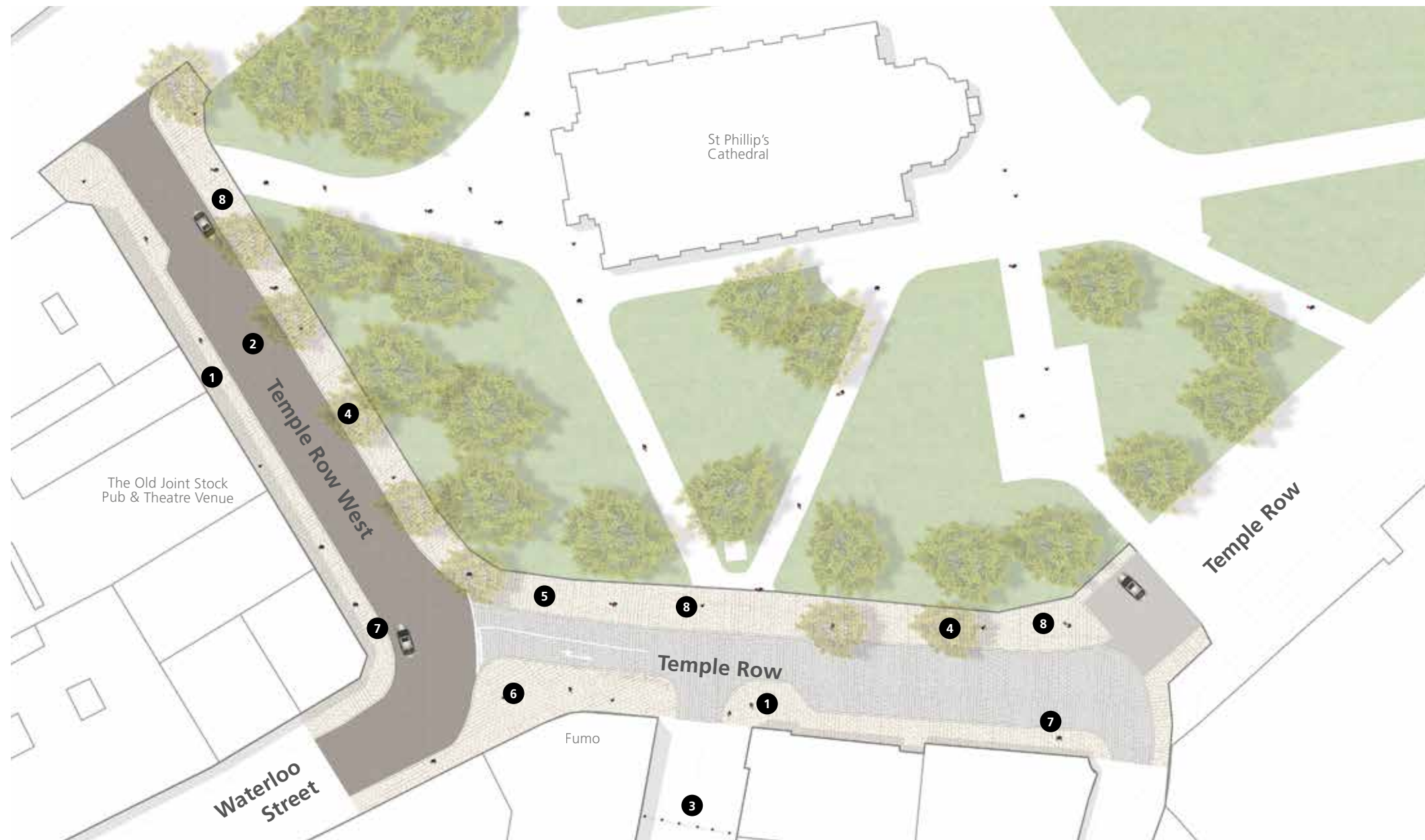
05. BENNETT'S HILL



- Key Features:
- Celebrated historic character.
 - Cosmopolitan feeling, clear pedestrian route.
 - Generous, clear pedestrian route.
 - Cafe spill-out space for southern part of Bennett's Hill.
 - Footways to be yorkstone / granite, flush with carriageway between New Street and Waterloo Street.
 - Street trees in scale with street.
 - Maintain existing one-way traffic flow

- 1 Footways to be yorkstone / granite, flush with carriageway on south part of Bennett's Hill.
- 2 Carriageway to be asphalt with aggregate mix.
- 3 Loading / taxi bays, flush with pavement, material pattern demarcation.
- 4 Spill-out space for cafe culture and generous pedestrian footway.
- 5 New seating and bicycle stands aligned with pedestrian flow.
- 6 Conservation cast-iron lighting columns at 20m centres.
- 7 New tree planting / planters for greening, improving street quality.
- 8 Flush surfacing to south for improved pedestrian experience.
- 9 Hostile vehicle mitigation with drop bollard accessibility.
- 10 Drop kerb northern section of Bennett's Hill.
- 11 Existing surface maintained north of Waterloo Street junction.
- 12 Flush kerb between New Street and Waterloo Street.

06. TEMPLE ROW & TEMPLE ROW WEST

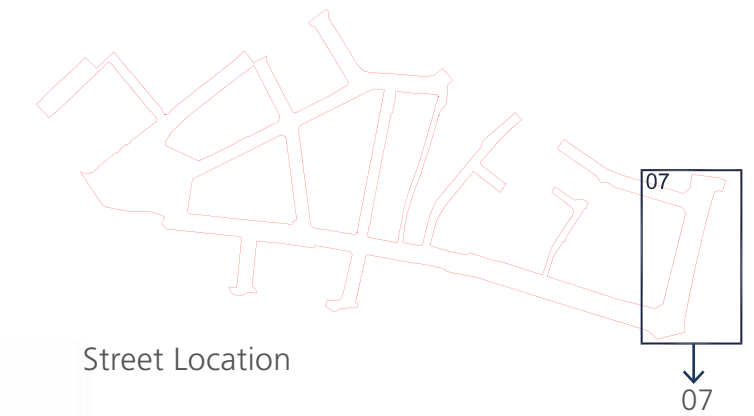
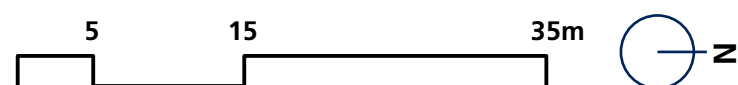


Key Features:

- Widened footways to provide more generous pedestrianised space.
- Simpler pedestrian navigation of roads with introduced one way system.
- Cosmopolitan feeling of walkable city.
- Enhance character around St Phillip's Cathedral.
- Yorkstone and granite paving mix to fit with conservation area.

- 1 Footway materials of yorkstone and granite mix.
- 2 Carriageway to be asphalt with aggregate mix along Temple Row West.
- 3 Traffic bollards with drop bollard accessibility.
- 4 Retained street trees.
- 5 New lighting columns.
- 6 Opportunity for enhanced wayfinding.
- 7 Retained motorcycle parking.
- 8 Existing yorkstone retained.

07. HIGH STREET

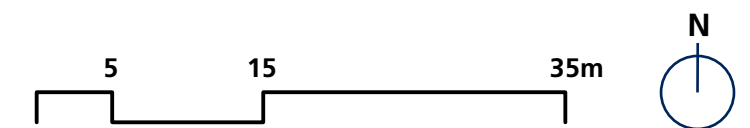
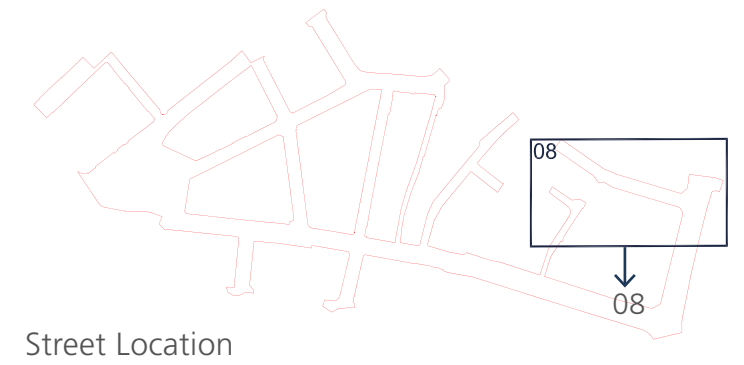
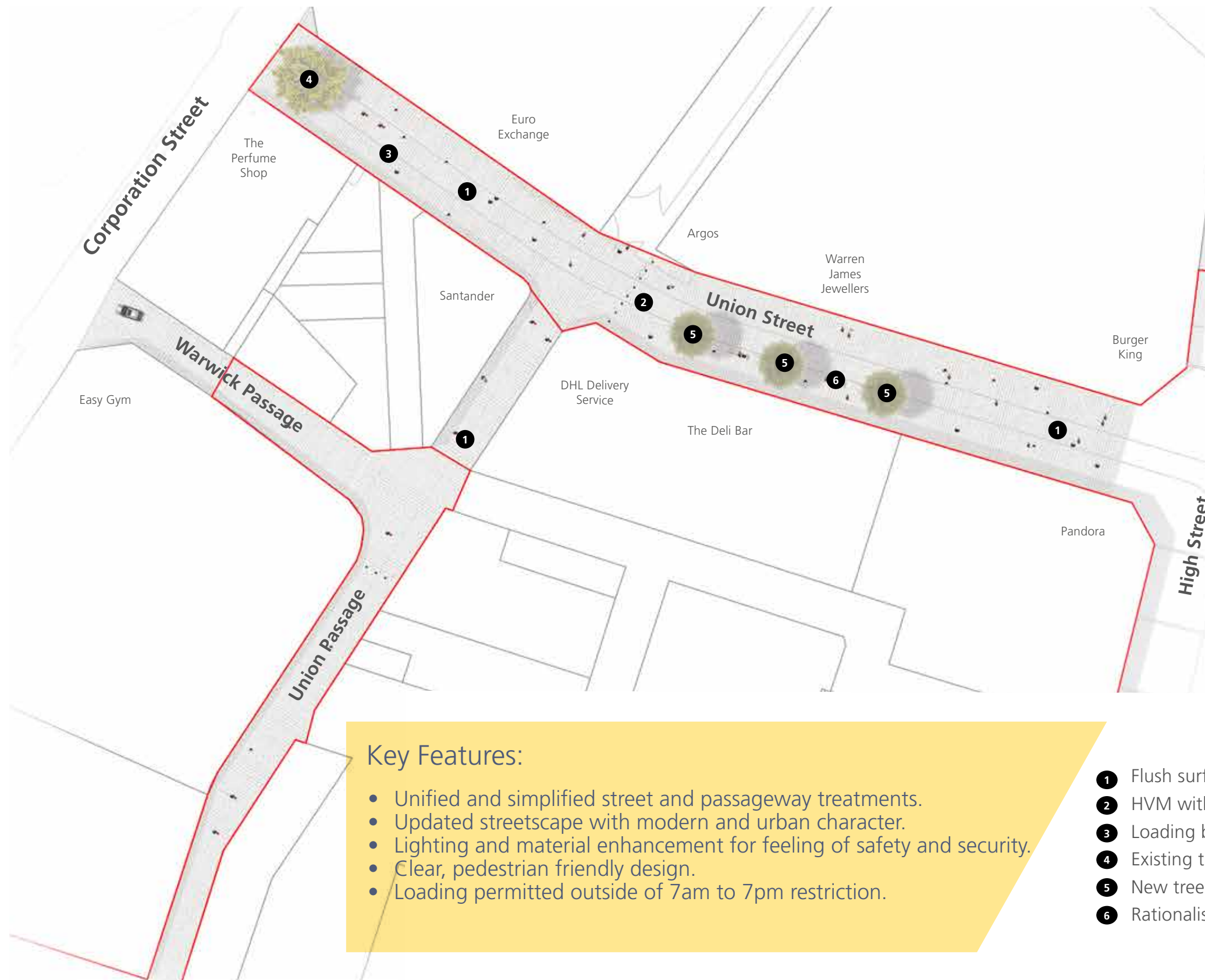


Key Features:

- Simplified public realm layout.
- More spacious and elegant feel.
- High quality durable materials to tie in with Bull Ring development.
- Reconfigured kerb layout to provide more comfortable pedestrian circulation.
- Loading permitted outside of 7am to 7pm.
- Pedestrian feel with flush access and subtle demarcation via material palette/street furniture.

- 1 Granite material tie in with Bull Ring development surfacing.
- 2 Reconfigured kerb layout with defined loading bays.
- 3 Flush surfaces to retain pedestrianised feel.
- 4 Opportunity for extension of wayfinding information.
- 5 New tree planting proposed to improve quality of the public realm.
- 6 Existing trees retained, layout rationalised with new tree planting.
- 7 Hostile vehicle mitigation with drop bollard accessibility, or opportunity for HVM planters.
- 8 Rationalised street furniture layout.

08. UNION STREET, UNION PASSAGE & WARWICK PASSAGE

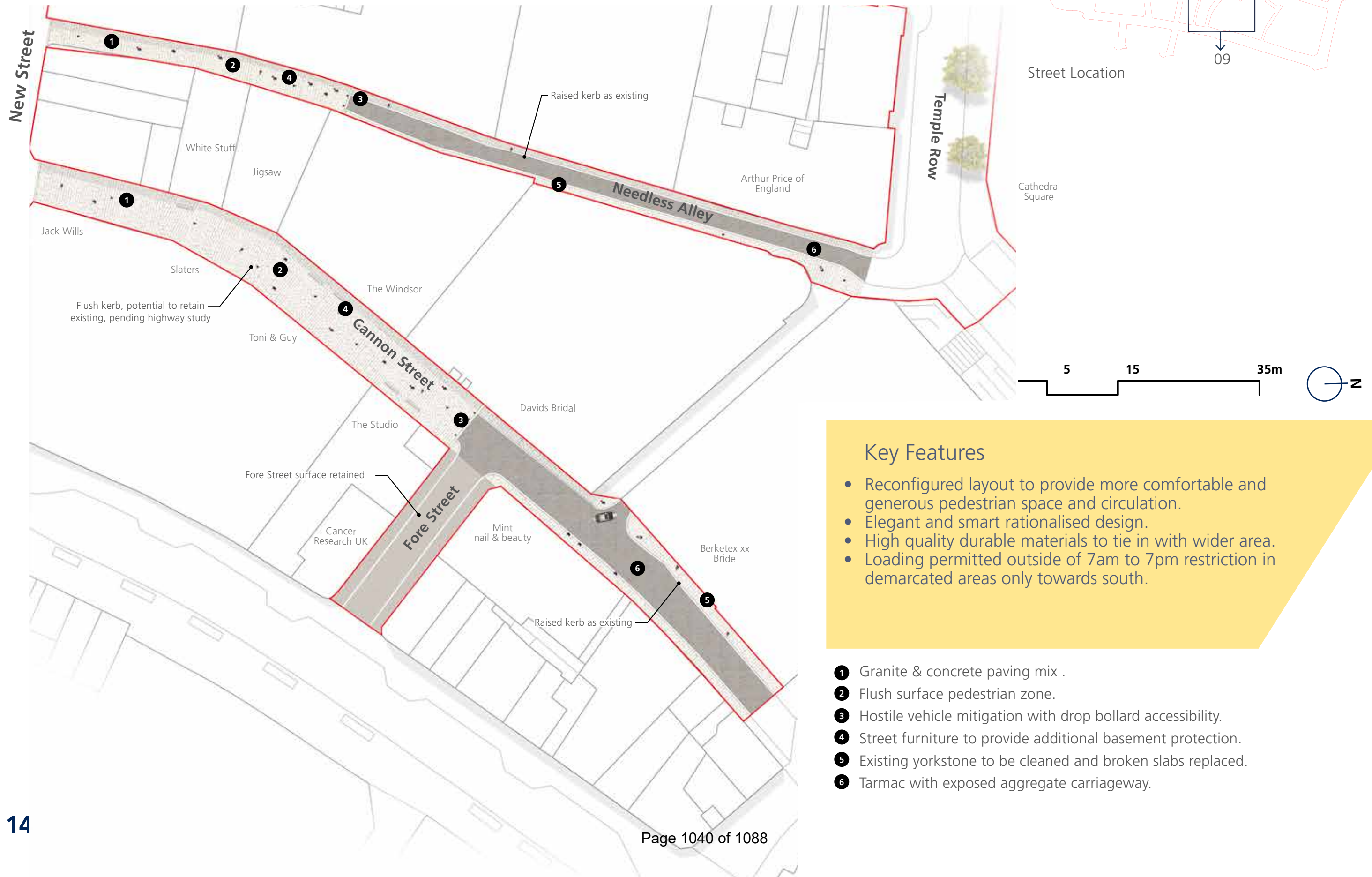


Key Features:

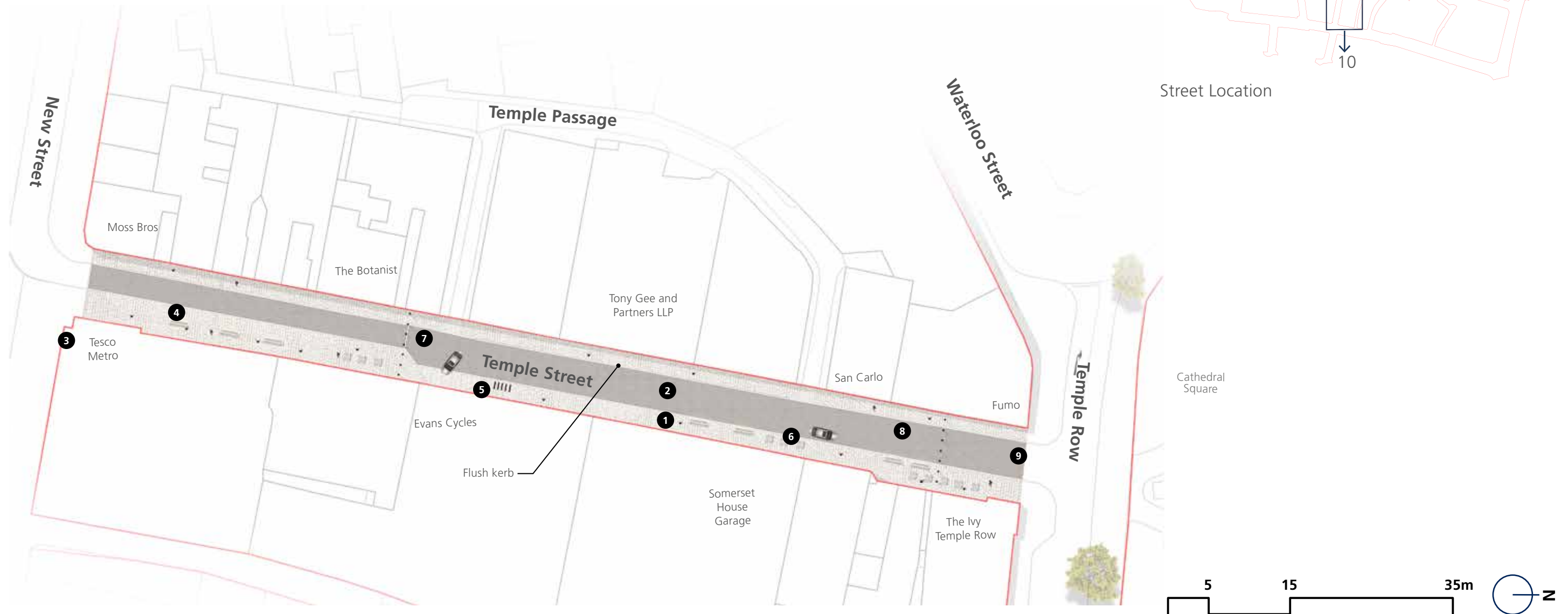
- Unified and simplified street and passageway treatments.
- Updated streetscape with modern and urban character.
- Lighting and material enhancement for feeling of safety and security.
- Clear, pedestrian friendly design.
- Loading permitted outside of 7am to 7pm restriction.

- 1 Flush surfaces of granite and concrete paving mix, tie in with High Street.
- 2 HVM with drop bollard accessibility.
- 3 Loading bays defined by surface materials palette.
- 4 Existing tree retained.
- 5 New tree planting to help create clear street character.
- 6 Rationalised street furniture layout.

09. CANNON STREET & NEEDLESS ALLEY



10. TEMPLE STREET



Key Features:

- Celebrated historic character.
- Pedestrian feel with flush access and subtle demarcation via material palette/street furniture.
- Simple understated quality, with footway of yorkstone and granite mix.
- Carriageway to be asphalt with aggregate mix.
- Loading permitted outside of 7am to 7pm restriction.

- 1 Footways in yorkstone and granite flags.
- 2 Carriageway to be asphalt with aggregate mix.
- 3 Existing building mounted public art to be referenced with accompanying information about the sculpture.
- 4 Existing loading bay retained and reconfigured to provide greater space at intersection, defined by material palette.
- 5 Cycle stands to be provided in the vicinity of cycling stores.
- 6 Existing taxi bay relocated to nearby Temple Row.
- 7 HVM with drop bollard accessibility.
- 8 Flush street level, on upper section of Temple Street to become part of two way flow of traffic during unrestricted times.
- 9 Traffic bollards with drop bollard accessibility.

11. MATERIALS PALETTE

11.1 NATURAL STONE - YORKSTONE



Yorkstone and granite mix in Bristol City Centre.



Yorkstone and granite mix in Bristol City Centre.



Yorkstone and granite mix in buff colours.



Yorkstone and granite mix at the pavement/carriageway interface.

11. MATERIALS PALETTE



Visualisation of New Street.

11. MATERIALS PALETTE

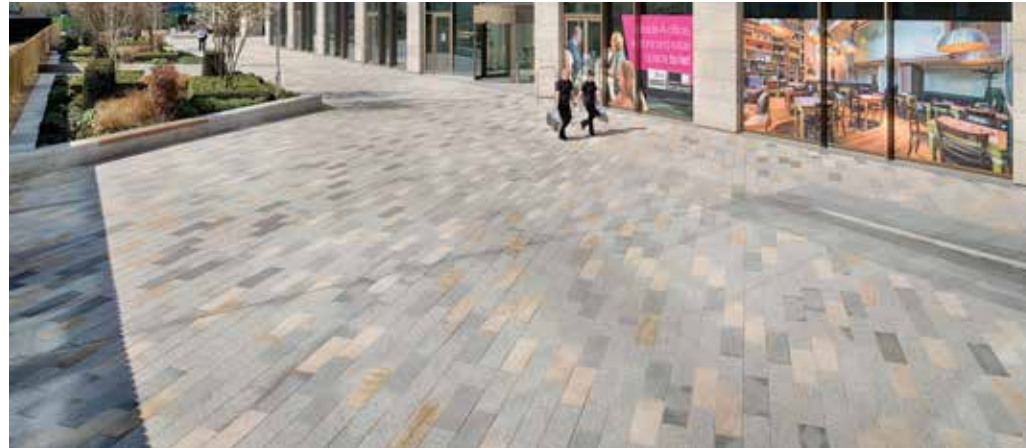
11.2 NATURAL STONE - GRANITE



Granite paving in buff shades.



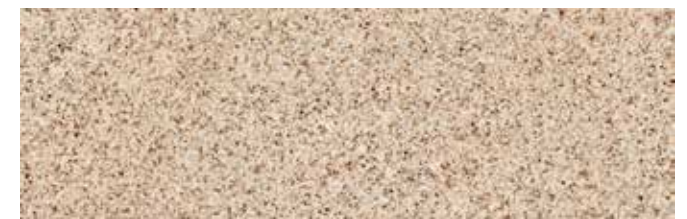
Granite and yorkstone interface.



Granite paving at 3 Wellington Place, Leeds.



Granite paving with variety of sizes delineate different functions. Brighton.



Granite colour variants.

11. MATERIALS PALETTE



Mariahilfer Strasse - Vienna longest and busiest shopping street.



11. MATERIALS PALETTE

11.3 CONCRETE PAVING



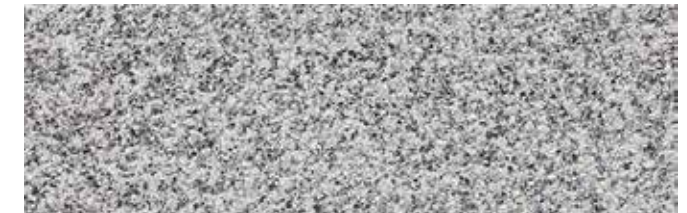
Example of creative paving patterns and mixes.



Combined concrete block and flag textured paving.



Wide variety of slab sizes.



Colour variants.

11. MATERIALS PALETTE

11.4 CARRIAGEWAY



Buff coloured aggregate road surface. Cornmarket Street, Oxford.



Demarcation studs for cycleway.



Tarmacadam road surface with with exposed aggregate



Granite kerb.

11. MATERIALS PALETTE

11.5 STREET FURNITURE



Timber contemporary benches.



Stone furniture could support HVM provision.



Stone and timber linear benches/ditching walls.



Urban chairs.

11. MATERIALS PALETTE



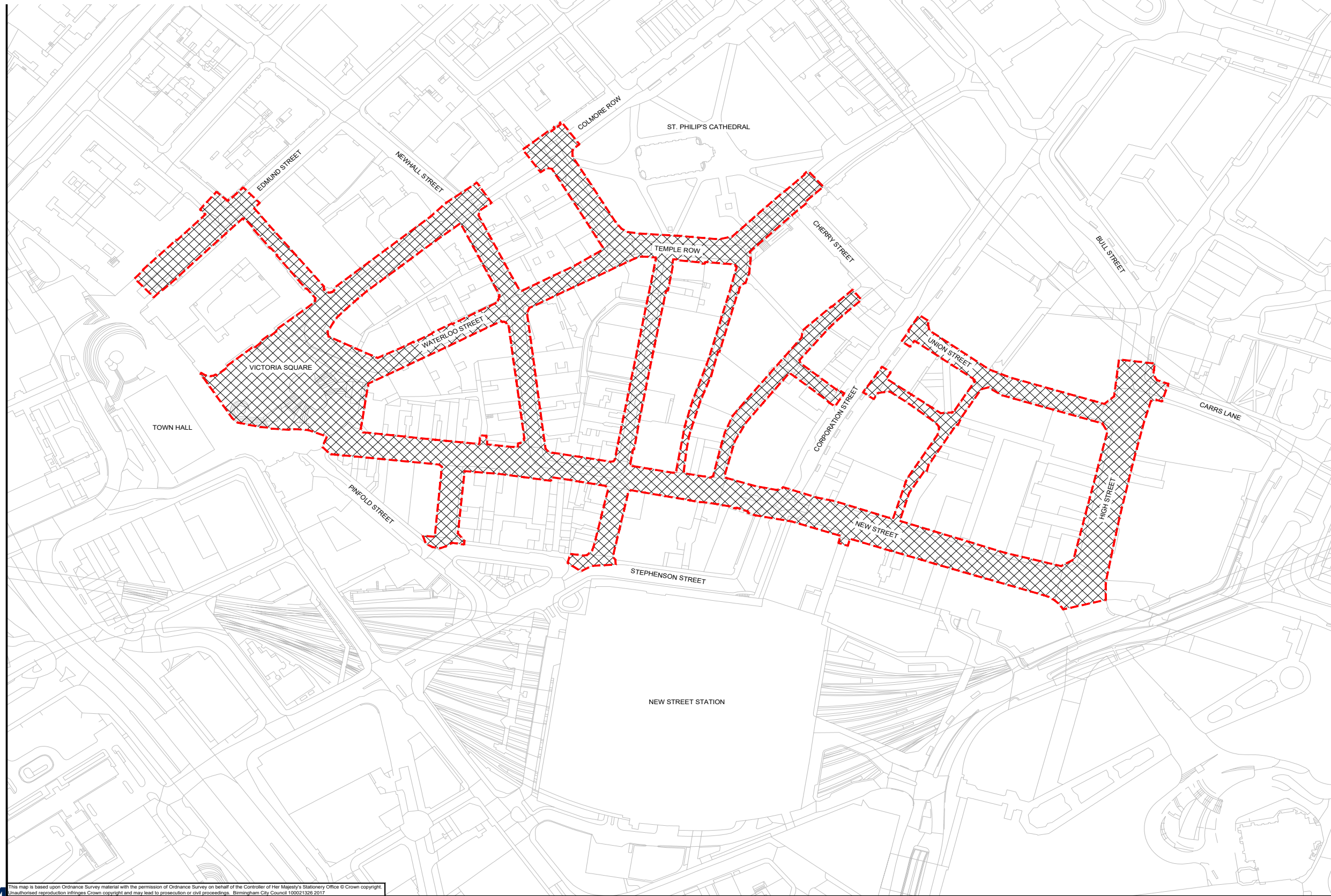
Bespoke, contemporary street furniture units.




12. TECHNICAL INFORMATION

12.1 PROJECT AREA PLAN

DO NOT SCALE



KEY:

 SCHEME EXTENTS

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following significant residual risks (Reference shall also be made to the design hazard log).

Construction
NONE

Maintenance / Cleaning
NONE

Use
NONE

Decommissioning / Demolition
NONE

Rev.	Date	Description	By	Chkd	App'd
P01	26/04/19	FIRST ISSUE		PW	TVDH


Drawing Status: **FOR INFORMATION** Suitability: **S2**

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Client

 **Birmingham City Council**

Project Title
CITY CENTRE PUBLIC REALM CONNECTIVITY AND PUBLIC REALM

Drawing Title
PROJECT AREA PLAN

Scale	Designed / Drawn	Checked	Approved	Authorised
1:1250	PW	PW	TVDH	TVDH

Original Size	Date	Date	Date	Date
A1	08/02/19	08/02/19	29/03/19	29/03/19

Drawing Number	Project	Originator	Volume	Project Ref. No.
				5188466

Location	Type	Role	Number
			P01

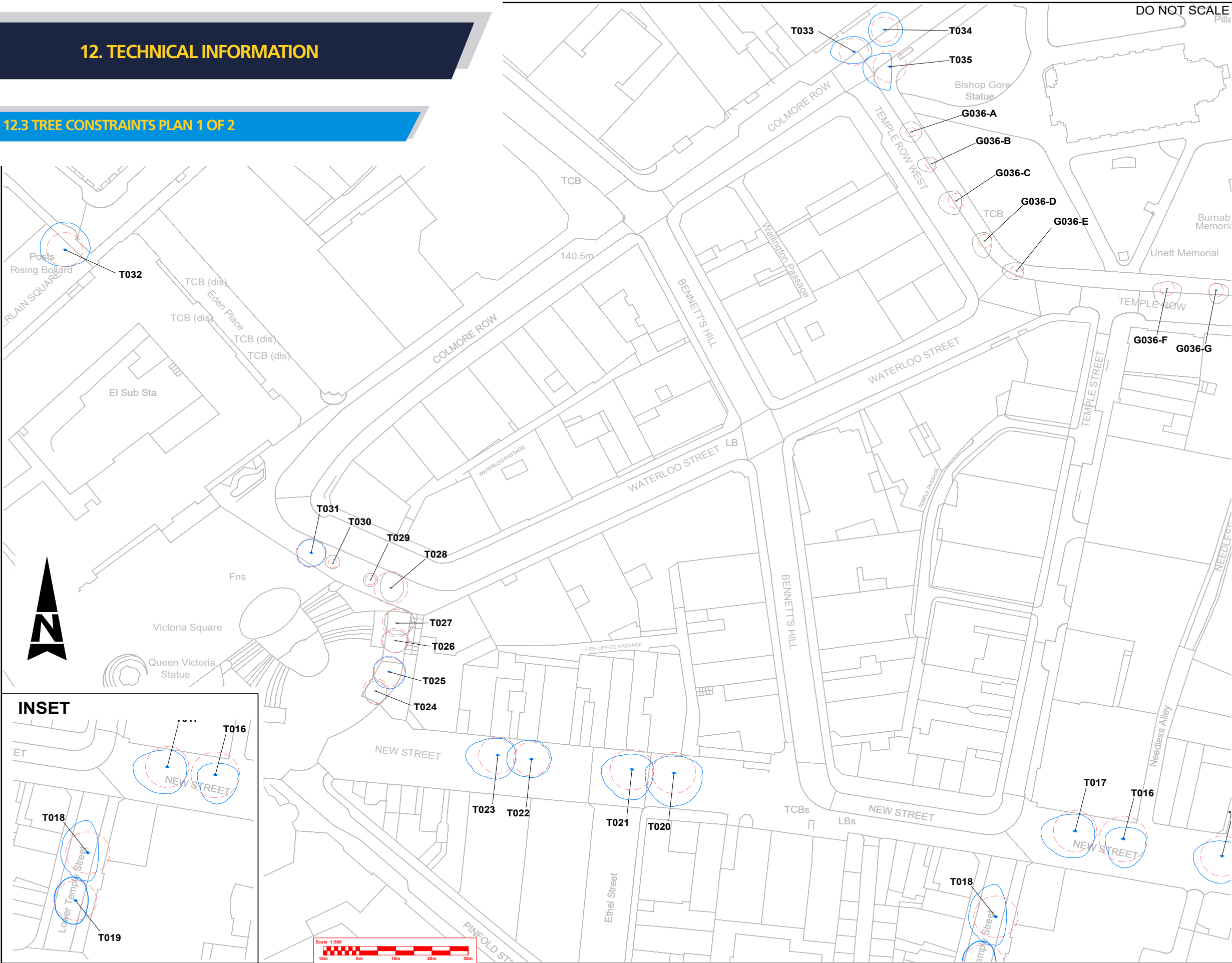
12. TECHNICAL INFORMATION

12.2 2D SCHEME LAYOUT



12. TECHNICAL INFORMATION

12.3 TREE CONSTRAINTS PLAN 1 OF 2



KEY (not to scale)

Category A tree

Category B tree

Category C tree

Category U tree

Root Protection Area (RPA)

T/G/H001

Tree/group/hedge reference number

SHEET LAYOUT

P01	20/05/19	ORIGINAL	AA	TD	TD
Rev.	Date	Description	By	Chk'd	App'd

Drawing Status

Suitability

SNC-LAVALIN

ATKINS

Member of the SNC-Lavalin Group

Birmingham City Council

Project Title

CITY CENTRE PUBLIC REALM

Drawing Title

TREE CONSTRAINTS PLAN
SHEET 1 OF 2

Scale	Designed	Drawn	Checked	Authorised
1:500	AA		TD	TD
Original Size	Date	Date	Date	Date
A1	20/05/19		20/05/19	20/05/19

Drawing Number

5188466-ATK-ARB001

Revision

P01

Internal Project Number: 5188466

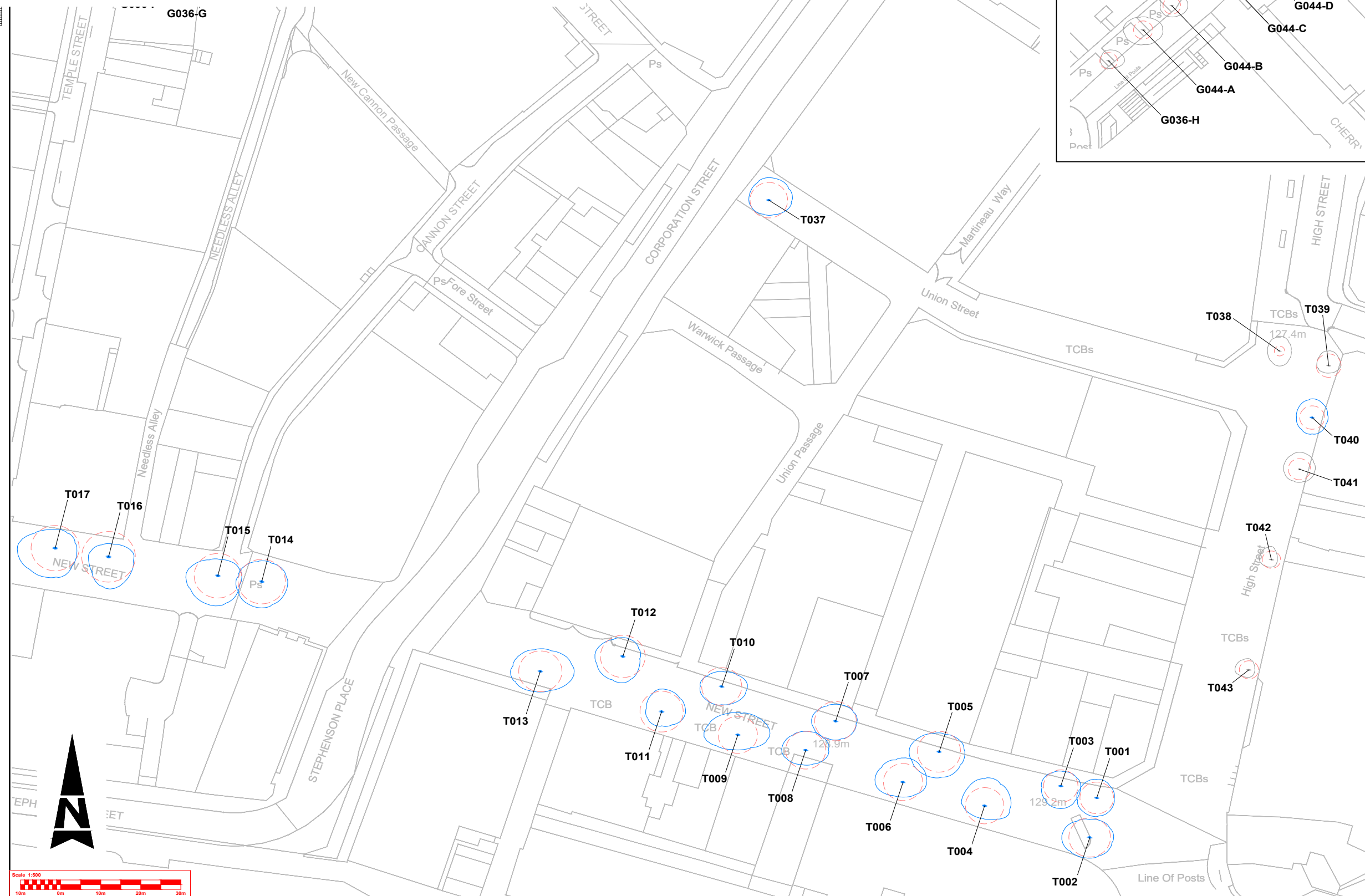
CLASSIFICATION - Base Line (Low Risk)

26

Page 1052 of 1088

12. TECHNICAL INFORMATION






12.4 TREE CONSTRAINTS PLAN 2 OF 2



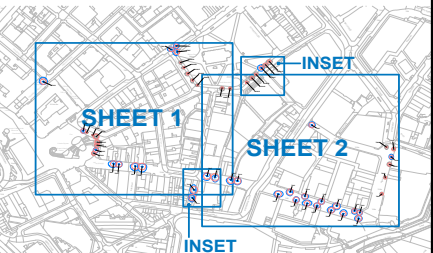
INSET

DO NOT SCALE

KEY (not to scale)

- | | |
|---|-----------------------------------|
|  | Category A tree |
|  | Category B tree |
|  | Category C tree |
|  | Category U tree |
|  | Root Protection Area (RPA) |
| T/G/H001 | Tree/group/hedge reference number |

SHEET LAYOUT



P01	20/05/19	ORIGINAL	AA	TD	TD
Rev.	Date	Description	By	Chk'd	App'd

Drawing Status	FIT FOR INFORMATION	Suitability	S2
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Client  **Birmingham**
City Council

Project Title

CITY CENTRE PUBLIC REALM

Drawing Title

TREE CONSTRAINTS PLAN
SHEET 2 OF 2

Scale 1:500	Designed AA	Drawn	Checked TD	Authorised TD
Original Size A1	Date 20/05/19	Date	Date 20/05/19	Date 20/05/19

Drawing Number	Revision
5188466-ATK-ARB001	P01

CLASSIFICATION - Base Line (Low Risk)

12. TECHNICAL INFORMATION

12.5 2D SCHEME LAYOUT WITH AUTOTRACK



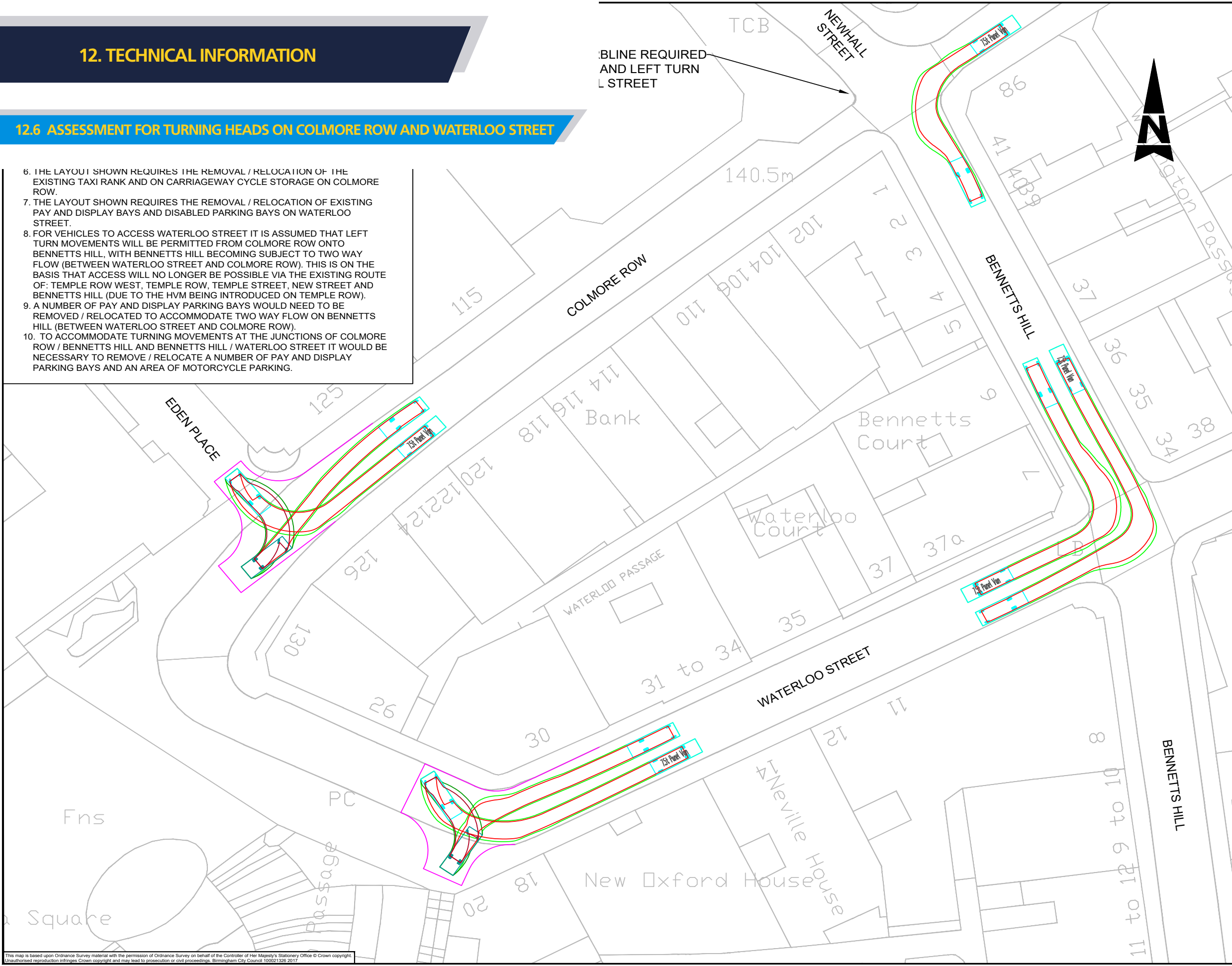
12. TECHNICAL INFORMATION

12.6 ASSESSMENT FOR TURNING HEADS ON COLMORE ROW AND WATERLOO STREET

DO NOT SCALE

- 6. THE LAYOUT SHOWN REQUIRES THE REMOVAL / RELOCATION OF THE EXISTING TAXI RANK AND ON CARRIAGEWAY CYCLE STORAGE ON COLMORE ROW.
- 7. THE LAYOUT SHOWN REQUIRES THE REMOVAL / RELOCATION OF EXISTING PAY AND DISPLAY BAYS AND DISABLED PARKING BAYS ON WATERLOO STREET.
- 8. FOR VEHICLES TO ACCESS WATERLOO STREET IT IS ASSUMED THAT LEFT TURN MOVEMENTS WILL BE PERMITTED FROM COLMORE ROW ONTO BENNETTS HILL, WITH BENNETTS HILL BECOMING SUBJECT TO TWO WAY FLOW (BETWEEN WATERLOO STREET AND COLMORE ROW). THIS IS ON THE BASIS THAT ACCESS WILL NO LONGER BE POSSIBLE VIA THE EXISTING ROUTE OF: TEMPLE ROW WEST, TEMPLE ROW, TEMPLE STREET, NEW STREET AND BENNETTS HILL (DUE TO THE HVM BEING INTRODUCED ON TEMPLE ROW).
- 9. A NUMBER OF PAY AND DISPLAY PARKING BAYS WOULD NEED TO BE REMOVED / RELOCATED TO ACCOMMODATE TWO WAY FLOW ON BENNETTS HILL (BETWEEN WATERLOO STREET AND COLMORE ROW).
- 10. TO ACCOMMODATE TURNING MOVEMENTS AT THE JUNCTIONS OF COLMORE ROW / BENNETTS HILL AND BENNETTS HILL / WATERLOO STREET IT WOULD BE NECESSARY TO REMOVE / RELOCATE A NUMBER OF PAY AND DISPLAY PARKING BAYS AND AN AREA OF MOTORCYCLE PARKING.

BLINE REQUIRED
AND LEFT TURN
L STREET



KEY:

PROPOSED KERBLINE

SWEPT PATHS ASSESSED USING:

7.5t Panel Van
Overall Length 7.210m
Overall Width 2.150m
Overall Body Height 2.544m
Min Body Ground Clearance 0.318m
Track Width 1.863m
Lock to lock time 4.005s
Kerb to Kerb Turning Radius 7.400m

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following significant residual risks (Reference shall also be made to the design hazard log).

Construction	None
Maintenance / Cleaning	None
Use	None
Decommissioning / Demolition	None

P01	18/04/19	First Issue		JS	PW	TVDH
Rev.	Date	Description	By	CHK'd	App'd	

Drawing Status	Suitability
FOR INFORMATION	S2

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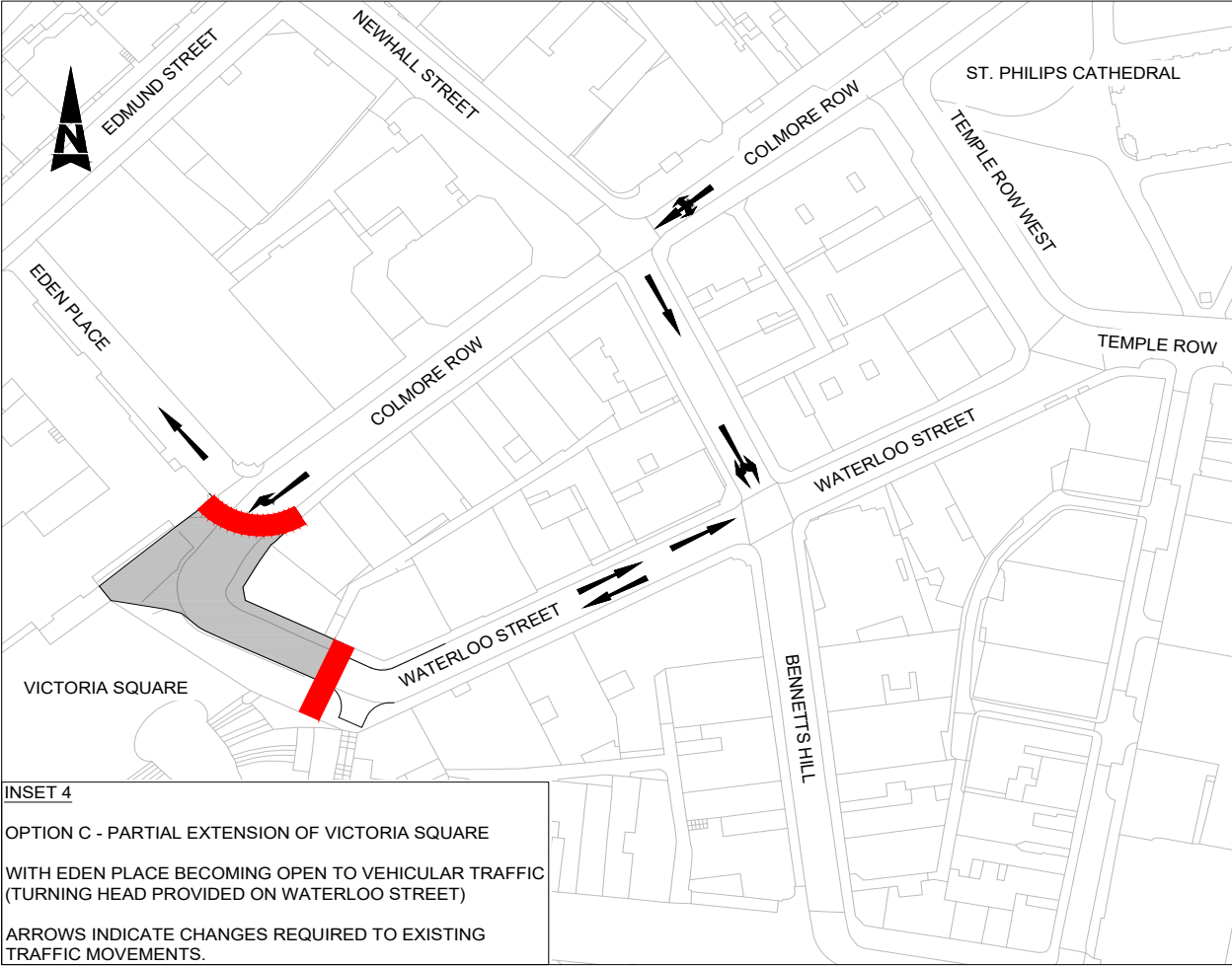
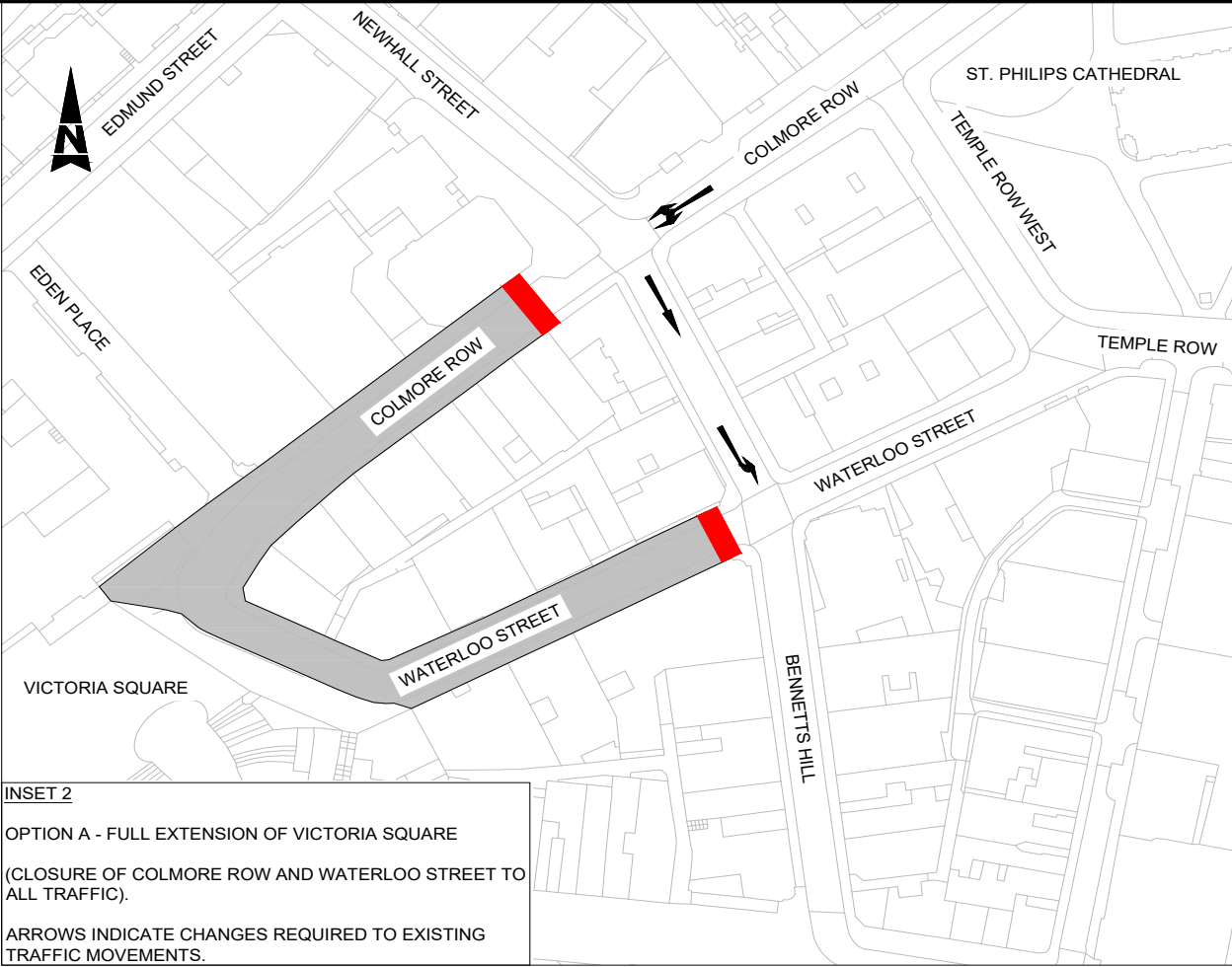
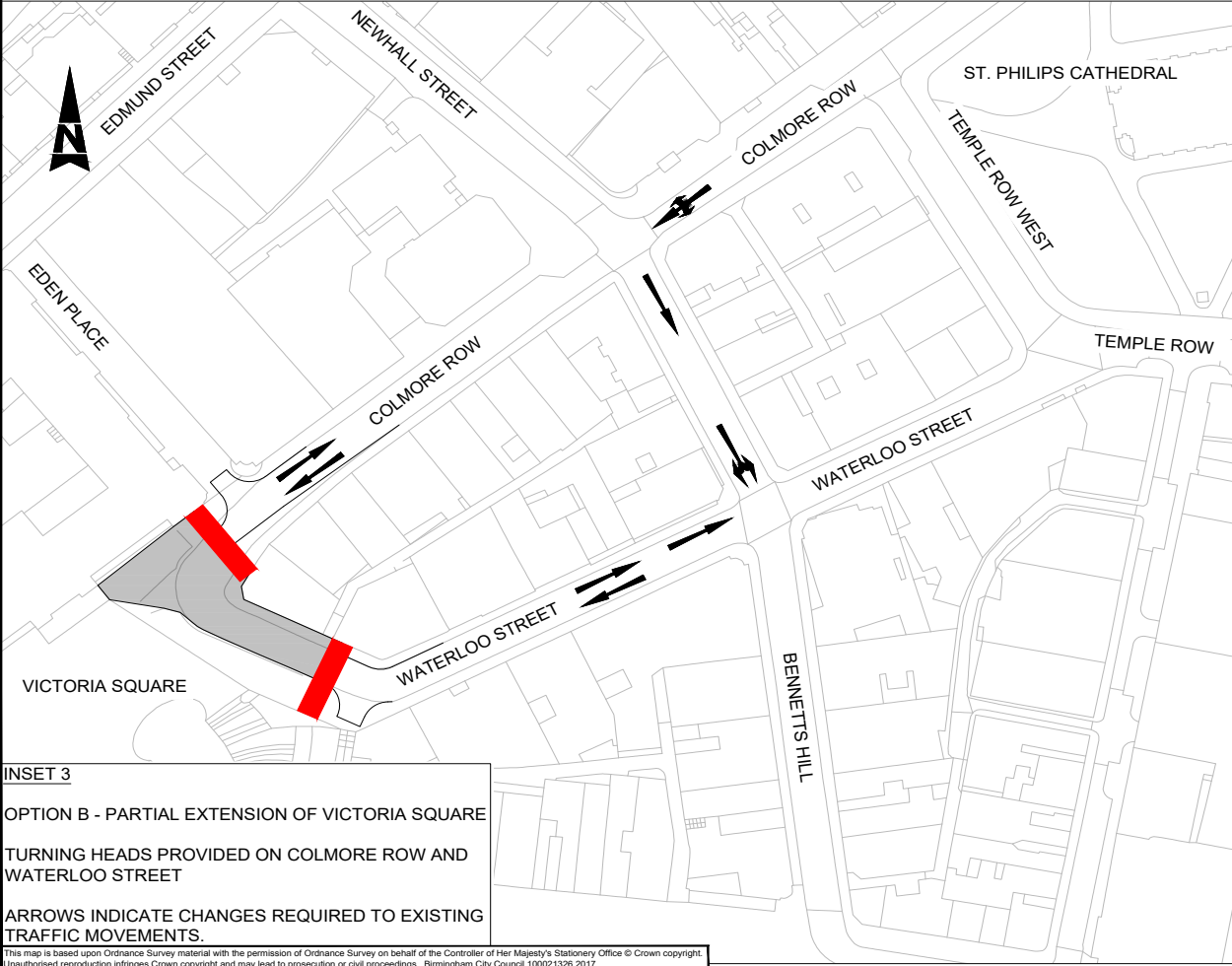
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Birmingham City Council

Project Title					
BIRMINGHAM CITY CENTRE PUBLIC REALM					
Drawing Title					
POTENTIAL TURNING HEADS ON COLMORE ROW AND WATERLOO STREET					
Scale	Designed / Drawn	Checked	Approved	Authorised	
1:500	JS	PW	TVDH	TVDH	
Original Size	Date	Date	Date	Date	
A3	11/04/19	18/04/19	18/04/19	18/04/19	
Drawing Number	Project	Originator	Volume	Project Ref. No.	
5188466-ATK-HGN-DR-C-0002				5188466	
Location	Type	Role	Number	Revision	
				P01	

12. TECHNICAL INFORMATION

12.7 VICTORIA SQUARE EXTENSION TRAFFIC MOVEMENT OPTIONS



KEY:

- EXTENSION TO VICTORIA SQUARE (VARIES FOR EACH OPTION)
- POTENTIAL LOCATION FOR HOSTILE VEHICLE MITIGATION (HVM)

NOTES:

- THIS DRAWING IS FOR OPTION APPRAISAL PURPOSES ONLY.
- THE OPTIONS PROPOSED ILLUSTRATE POTENTIAL OPTIONS TO ACHIEVE THE ASPIRATION TO EXTEND VICTORIA SQUARE AND DO NOT CONSTITUTE RECOMMENDATIONS.
- BEYOND THE IDENTIFICATION OF POTENTIAL CHANGES TO VEHICLE MOVEMENTS NO OTHER VALIDATION OF THE OPTIONS HAS BEEN CARRIED OUT E.G. SWEEP PATH ASSESSMENT, JUNCTION ANALYSIS ETC.
- THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE TECHNICAL NOTE TITLED 'VICTORIA SQUARE EXTENSION - COLMORE ROW AND WATERLOO STREET VEHICLE MOVEMENTS'.
- ALL DRAWING INFORMATION IS BASED ON OS MAPPING. FURTHER REFINEMENT OF THE OPTIONS IS NECESSARY WHEN A TOPOGRAPHICAL SURVEY IS AVAILABLE.

SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION

In addition to the hazards/risks normally associated with the types of work detailed on this drawing, note the following significant residual risks (Reference shall also be made to the design hazard log).

Construction
NONE IDENTIFIED AT THIS STAGE

Maintenance / Cleaning
NONE IDENTIFIED AT THIS STAGE

Use
NONE IDENTIFIED AT THIS STAGE

Decommissioning / Demolition
NONE IDENTIFIED AT THIS STAGE

Rev.	Date	Description	By	Chk'd	App'd
P01	13/05/19	FIRST ISSUE	PW	PW	TVDH

Drawing Status: FOR INFORMATION

Suitability: S2

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Client: **Birmingham City Council**

Project Title: CITY CENTRE PUBLIC REALM
CONNECTIVITY AND PUBLIC REALM

Drawing Title: VICTORIA SQUARE EXTENSION
TRAFFIC MOVEMENT OPTIONS

Scale	Designed / Drawn	Checked	Approved	Authorised
NTS	PW	PW	TVDH	TVDH
Original Size	Date	Date	Date	Date
A1	10/05/19	10/05/19	13/05/19	13/05/19

Drawing Number	Project	Originator	Volume	Project Ref. No.
5188466	ATK-HGN-DR-C-0003			5188466

Location	Type	Role	Number
			P01

12. TECHNICAL INFORMATION

12.8 OVERVIEW OF TOPOGRAPHICAL SURVEY



Station Information:

Station Easting (m) Northing (m) Level (m)

BCC1	406936.919	286965.662	139.031
BCC3	406865.779	286928.866	136.609
GH114	406938.265	286870.525	131.986
GH115	406949.908	286951.599	137.777
GH117	406918.685	286968.623	139.332
S1	407252.723	286877.635	127.777
S2	407250.638	286812.222	129.556
S3	407227.402	286737.796	128.737
S4	407181.178	286758.099	129.171
S5	407098.521	286773.772	128.510
S6	407040.780	286792.551	128.456
S7	406986.129	286800.188	128.647
S8	406919.926	286813.899	128.518
S9	406871.741	286822.745	129.813
S10	406817.574	286831.956	131.530
S11	406744.942	286844.490	134.087
S12	406690.001	286846.783	136.573
S13	406685.636	286871.112	137.945
S14	406723.284	286902.986	139.001
S15	406741.127	286937.557	139.763
S16	406826.333	286988.286	140.257
S17	406653.396	286962.922	138.807
S19	406845.600	286973.552	139.072
S20	406933.415	286963.168	139.060
S10A	406816.701	286771.603	128.093
S15A	406766.893	286884.400	136.592
S15B	406878.900	286969.786	137.979
S5A	407118.703	286823.286	129.995
S5B	407160.289	286885.915	132.086
S5C	407248.198	286851.159	128.554
S7A	406999.102	286850.424	131.020
S7B	407033.193	286892.608	133.325
S7C	407057.424	286922.963	134.207
S8A	406960.659	286965.964	138.760
S8B	407011.263	286973.099	138.420
S8C	407052.892	287012.448	137.670
S8D	406927.901	286789.170	127.343
STNF	406935.596	287073.197	137.981
STNG	406882.691	287028.282	139.532
STNH	406821.389	286995.367	140.520
STNH1	406725.026	286916.122	139.143
STNH2	406761.626	286887.482	138.639

Legend:

Boundary	Contour Lines	Drainage	Electricity	Level	Manhole	Obstacle	Other
...

1 04.06.19 Transformed to exg grid SS GH5196

greenhatch group

Topographical Surveys, Site Engineering, Utility / CCTV Surveys, Measured Building Surveys, 3D Laser Scanning, Revit & BIM Models

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Newcastle, 24 Jesmond Road, Newcastle, Tyne and Wear, NE4 7LJ, t: (01912) 736391
London, 37, Cornhill, Temple Meads, Regent Park, London, W1P 8SL, t: (02072) 241806

CLIENT		Atkins	
PROJECT			
Birmingham City Centre B2 5BN			
TITLE			
Topographical Survey			
SCALE		DATE	
A1@ 1: 1000		June 19	
DRAWN		QUALITY REF	
SS		GH5196	
Level datum		Previous Survey - See note	
Grid orientation		Previous Survey - See note	
Job number		24736	
Drawing No.		Rev.	
24736_T		1	
Comments			
This plan should only be used for its original purpose. Greenhatch Group accepts no responsibility for this plan if supplied to any party other than the original client.			
All dimensions should be checked on site prior to design and construction.			
Drainage information (where applicable) has been visually inspected from the surface and therefore should be treated as approximate only.			
Notes: This survey has been orientated to the coordinate system of StatSurv.org Colmore Row Birmingham 10022a (August 2018)			

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APPENDIX D – Procurement Strategy

The City Centre Public Realm project comprises of a number of individual elements and in view of its scale and location within a busy retail and business environment will require a phased delivery programme.

The project is intended to provide a backdrop for the hosting of the Commonwealth Games in 2022, and as such it is vital that key areas are completed prior to Spring 2022.

The project will however also leave a lasting legacy for the city in providing an improved safe and modern city centre, after the Games and as such the project will extend beyond the 2022 and the balance of the works be completed by 2024.

1. Service Requirements

There is a requirement for the following works and services:

- Public Realm works to replace the existing poor quality public realm with high quality street scape throughout the City Centre retail core. This comprises:
 - a. Renewal of up to 40,000m² paving and hard surfacing
 - b. Enlargement of Victoria Square pedestrian area
 - c. Replacement lighting columns and CCTV
 - d. Replacement of street furniture
 - e. Tree works
 - f. Infrastructure to support future events
- The provision of permanent security Hostile Vehicle Mitigation measures in 19 locations including access control and CCTV to support its operation.
- The repair of the Victoria Square Water Feature - The River
- The introduction of a revised Traffic Regulation Order
- Signage works to support a Revised Traffic Regulation Order as required

2. Packaging of the Works

- 2.1. The approved approach to procurement of works of this nature is to use the Council's the Highways and Infrastructure Framework Agreement. As part of the development of the procurement strategy, a works shop was held with the framework contractors in order to ensure that a coherent approach for the works is taken for successful outcomes for the schemes
- 2.2. As part of the workshop the constraints and options for delivery were discussed and the outcome of this meeting has informed the strategy for packaging the works.
- 2.3. Following feedback from the workshop, the following options for packaging the works were considered:

To tender for the work as separate packages:

Pros	Cons
Individual contracts will enable various elements of the project to be progressed independently to meet programme requirements.	Resource required for up to three procurement exercises to be undertaken

Contract for repair work to the fountain may be brought forward.	Additional management of separate contracts required
Reduces reliance on single main contractor	Will require coordination of the contractors to avoid adverse impact on the delivery of the overall project.
	This was not an attractive option for the framework contractors. Some schemes not be less attractive than others and result in no bids.
	Additional set up and fee costs.

A single tender for all the Work Packages.

Pros	Cons
Potential price benefits from economies of scale	Potential additional risk to contractor due to the complexity of the project and extent of scope, is priced in by tenderers resulting in higher price to client
Single tender process	Delivery risk of reliance on a single main contractor
The combination of the fountain repair works; HVM and traditional public realm and paving scheme is of greater interest to the contractors allowing them to spread their risk and derive value from the scheme.	Specialist sub-contractors are required for elements of the work that may affect overall programme timescales.
A single contractor will be able to co-ordinate works between subcontractors with overall responsibility	
This would enable the contractor to be given the surety of appointment, allowing for the early ordering of materials, and mobilisation in advance of completion of detailed design.	

2.4. Other feedback from the workshop included:

- 2.4..1. The Council needs to be clear on the works required; its priorities and the phasing required.
- 2.4..2. That the pre-Games works and post Games works can either be delivered in separate contracts or one contract. As long as sectional completion dates are included. There is no preference on approach by contractors.
- 2.4..3. Key dates that cannot be missed should be provided in the tender documentation
- 2.4..4. The Council needs to be able to provide the largest areas possible in which works can be undertaken at any time. This might be enabled by suspension of traffic in some areas to allow clear run at works; not putting too much limitation on working times etc.
- 2.4..5. The management of stakeholders needs to be shared between the contractor and the Council
- 2.4..6. The Council needs to streamline and if possible, accelerate required formal approvals associated with works to the highway to prevent delays to delivery
- 2.4..7. A greater weighting should be applied to quality in tender evaluation

- 2.4..8. Require sufficient certainty that design parameters are agreed prior to formal contractor design process.
- 2.4..9. The current two stage approach to procurement i.e. the appointment for design and subsequent appointment for works is not favoured in view of the condensed time available for the design process.

- 2.5. The recommended option is to package the works as a single tender exercise and award to one contractor to undertake the work on the basis that the use of separate work packages for procurement; whilst reducing the reliance on a single contractor could potentially cause a problem for the coordination of works in an already busy city centre environment where there is significant amount of development work being undertaken. Victoria Square is a priority area for delivery before the Commonwealth Games and as such a single contractor can co-ordinate these works.

3. Procurement Approach – Route

Council's Highways and Infrastructure Framework Agreement

- 3.1. The approved approach for the procurement of works of this nature is to use the Council's Highways and Infrastructure Framework Agreement. It is proposed that the Public Realm Works be tendered using the Lot 4 – Works above £500,000. This is the approved route for design and specification construction works of this nature.
- 3.2. It is proposed that a single stage tender process is carried out on a design and build basis to design and construct the works.
- 3.3. The proposed procurement route is to follow the process set out below and will be undertaken using the evaluation criteria for call offs from the framework agreement:
 - 3.3..1. An invitation to tender would be issued to framework contractors that will result in the evaluation of tenders with the recommendation to appoint a Contractor to provide the design and construction of the works for a fixed price.

4. Indicative Implementation Plan

Cabinet Approval (Strategy)	29 th October 2019
FITT Issued	5 th November
FITT Return	20 th December 2019
Evaluation Period	Dec –Jan 2020
Approval (Award)	January 2020
Contract Award	March 2020
Contract Start	March 2020
Sectional Completion Pre Games works	March 2022
Practical completion all works (including sectional completions	Dec 2024

5. Tender Structure (Including Evaluation and Selection Criteria)

- 5.1. It is proposed to undertake a competition exercise for this project using Lot 4 of the Council's Highways and Infrastructure Works Framework Agreement. Tender documentation will be sent out to the framework providers that express an interest in tendering. The agreed weightings for further competition exercises approved by Cabinet using the framework agreement are 60% price, 30% quality and 10% Social Value.
- 5.2. In order to deliver this contract on time, the Council needs to make it clear to tenderers that behaviours and techniques that are focussed on timely delivery are important differentiators for this project. The contractors will need to demonstrate in their bids that they have the right behaviours and processes to ensure that the scheme is delivered in time, in particular for those schemes to be delivered before the Commonwealth Games. In order to succeed, there is a need to show contractors that these attributes are considered to be important by weighting them appropriately. If not, then there is a risk in attracting the right delivery partner and putting the reputation of the Council at risk.
- 5.3. To do this and recognise the right attributes and after feedback from the market place, there is a requirement to increase the weighting of the quality part of the bid to 50%. This will give a revised weighting of 50% quality, 40% price and 10% social value. This revised weighting will demonstrate to tenderers that they can invest in the project by putting their best people on the project and that demonstrating exceptional quality will enhance their chance of winning. There is a risk that this will increase tender prices, but this is one instance where the Council has to be prepared to pay for increased quality. Securing the right contractor will deliver the most cost-effective solution in the long run.
- 5.4. The award of a contract for the Public Realm Works will be subject to securing Full Business Case approval.

6. Work Package : Revised Traffic Regulation Order and Associated Works

- 6.1. As part of the overall scheme a single revised traffic regulation order is to be introduced in the retail core of the city centre to replace a number of existing orders, and control access. This will support the security measures introduced as part of the main works. The timetable for delivery may follow the main works, due to the consultation requirements of this process. The implementation of the revised TRO will require works such as changes to signage. The proposed route for this work is a direct award from the Council's Highways and Infrastructure Framework Agreement. In the event of the cost of these works exceeding £50k, an alternate framework will be utilised.
- 6.2. The contracts will be managed by the Project Manager and will be monitored and reported to the Heads of Infrastructure Delivery who will have overall responsibility.
- 6.3. The contractors' performance in delivery of the works will be monitored through the use of Key Performance Indicators (KPIs) and the result may be used to determine whether a contractor is selected for future work.

7. Professional Services

- 7.1. Should there be any further professional services required to deliver the project Council's West Midlands Transportation Professional Services Agreement will be utilised. Where it is found that this framework agreement does not cover the scope of services required or the organisations on the framework agreement do not have the capacity to deliver, alternative procurement routes will be considered including using other public sector framework agreements such as Crown Commercial Services Framework or carrying out a full procurement process. The selected route will be carried out in accordance with the Council's Standing Orders and Procurement Governance Arrangements.
- 7.2. Approval is sought through the executive report to delegate to the appropriate decision-maker in accordance with the Procurement Governance Arrangements to award contracts for professional services to support the project.

Appendix E – Risk Assessment

Risk No	Risk description	Risk mitigation	Residual / current risk			Additional steps to be taken
			Likelihood	Impact	Prioritisation	
1.	Failure to secure funding to deliver entirety of anticipated scheme	Working with Partners to ensure all available funding streams are unlocked. The £5m from TCF will allow development of the wider scheme and for delivery to commence.	Medium	High	Material	In principle approval to remaining required funding secured. Subject to final approvals.
2.	Programme over run so not complete ahead of CWG	Programme design will include contingency but also allow for works to be halted at suitable points until after the CWG if delays mean that over run is likely. Works to be phased pre and post games	Medium	High	Tolerable	The scope of work will be continuously updated to adhere to the timescales in place when leading up to the CWG.
3.	Failure to secure approved TRO	Detailed stakeholder management plan produced to ensure the Retail BID are involved throughout the consultation process and to alleviate concerns surrounding the TRO implementation.	High	Medium	Tolerable	Consultation Ongoing
4.	Objection to TRO leads to public enquiry	Additional legal advice sought with regards to TRO implementation.	Medium	High	Tolerable	Consultation ongoing
5.	Site constraints to HVM proposed	Site investigations being undertaken to establish the	Medium	Medium	Tolerable	Consideration to be taken for any structural issues identified when site

	measures	appropriate location for HVM. Measures to be erected.				investigations are completed.
6.	Design changes leading to increased construction cost	A robust specification has been outlined for the design process to adhere to, while a design and build contract will be utilised.	<i>Low</i>	<i>Low</i>	<i>Tolerable</i>	Ongoing
7.	Lack of contractor availability	Early engagement with framework contractors. Investigate alternate frameworks consider OJEU open route. Early design to support risk management for contractor and BCC.	<i>Medium</i>	<i>High</i>	<i>Tolerable</i>	Framework contractors engagement programme commencing with workshop held in August 2019 Ongoing
8.	Revenue implications not fully addressed.	Revenue requirements to be identified and secured prior to approval to proceed with works contracts	<i>High</i>	<i>Medium</i>	<i>Tolerable</i>	Ongoing
9.	Costs overrun due to unknown factors emerging during construction	A contingency of 20% and 40% has been applied to elements of the work to reflect risk, until more detailed design work is complete.	<i>Low</i>	<i>Medium</i>	<i>Tolerable</i>	Ongoing
10.	Resilience of transport network given high number of schemes being delivered pre CWG/HS2	TfWM have appointed a resilience director to co-ordinate the delivery of infrastructure schemes by all partners across the West Midlands this scheme is in an area of the city	<i>Low</i>	<i>Low</i>	<i>Tolerable</i>	Ongoing

		which is already largely pedestrianised so should have limited direct impact on Public Transport and/or general traffic.				
11.	Financial impact of disruption due to the works.	Development of consultation and stakeholder plan to ensure good communication between the council contractor and business; visitors and other stakeholders	<i>Medium</i>	<i>Low</i>	<i>Tolerable</i>	Ensure adherence to key performance indicators by contractors to minimise disruption

Measures of likelihood/ Impact:

Description	Likelihood Description	Impact Description
High	Almost certain, is expected to occur in most circumstances. Greater than 80% chance.	Critical impact on the achievement of objectives and overall performance. Critical opportunity to innovate/improve performance missed/wasted. Huge impact on costs and/or reputation. Very difficult to recover from and possibly requiring a long term recovery period.
Significant	Likely, will probably occur in most circumstances. 50% - 80% chance.	Major impact on costs and objectives. Substantial opportunity to innovate/improve performance missed/wasted. Serious impact on output and/or quality and reputation. Medium to long term effect and expensive to recover from.
Medium	Possible, might occur at some time. 20% - 50% chance.	Waste of time and resources. Good opportunity to innovate/improve performance missed/wasted. Moderate impact on operational efficiency, output and quality. Medium term effect which may be expensive to recover from.
Low	Unlikely, but could occur at some time. Less than 20% chance.	Minor loss, delay, inconvenience or interruption. Opportunity to innovate/make minor improvements to performance missed/wasted. Short to medium term effect.

Title of proposed EIA *	<div>Equality Impact Assessment for the City Centre Public Realm Improv</div> <div>Please provide the title of your policy or service area.</div>
Reference No	<div>EQUA285</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>New Strategy</div>
Review Frequency *	<div>Annually</div> <div>Please select how regularly you plan to review the assessment.</div>
Date of first review *	<div>06/04/2020</div> <div>Based on the review frequency, please enter the date when your first review will take place.</div>
Directorate *	<div>Inclusive Growth</div>
Division	<div>Transport and Connectivity</div>
Service Area	<div>Project Delivery Team</div> <div>Please add if applicable</div>
Responsible Officer(s) *	<div>Osman Mohammed x</div> <div>This is the person responsible for completing, submitting and reviewing the assessment. If you get the message 'The user does not exist or is not unique'. Please enter the full email address.</div>
Quality Control Officer(s) *	<div>Janet L Hinks x</div> <div>This is the person responsible for checking the quality of the assessment. If you get the message 'The user does not exist or is not unique'. Please enter their full email address.</div>
Accountable Officer(s) *	<div>Simon Garrad x</div> <div>This is the person responsible for making the final decision on the EIA and the policy, plan, procedure etc. If you get the message 'The user does not exist or is not unique'. Please enter their full email address.</div>
Purpose of proposal *	<div>To enhance and improve areas of the public realm in the City Centre</div>
Data sources	<div> <input 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 checked="" 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></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 checked="" type="checkbox"/> Wider Community <input type="checkbox"/> Not Applicable </div> <div>Please select those directly impacted or affected.</div>
Age details:	<div>It is anticipated that as the works are being carried out for the enhancement of the public realm in the City Centre, there is potential for disruption and intrusion to pedestrians. In particular, elderly citizens that are less mobile may find additional difficulty in traversing the City</div>

Centre public realm while structural works are being carried out to improve it. However, to mitigate this problem, intrusive site investigations will be carried out to identify appropriate timescales for the work to be completed – likely to be weekend and evening work, which will ensure that pedestrians are not adversely affected by large parts of the City Centre are not cordoned off for sustained periods.

Furthermore, the scope of the work is anticipated to have some positive impacts with regards to age of users. For example, the proposed installation of permanent Hostile Vehicle Mitigation (HVM) measures to displace the current obtrusive temporary National Barrier Asset deployed will result in greater access and mobility options. Also, the improvements to the public realm with respect to lighting and pavement enhancements will potentially support usage for elderly pedestrians.

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:

The 2011 Census reported that 9% of the population of Birmingham (98,181 people) reported a long term health problem or disability that was significantly limiting their day-to-day activities. A similar percentage of the population reported their day-to-day activities were slightly limited by a health problem or disability.

The proposed improvements to the City Centre public realm will impact upon the disabled, both during the works being carried out (with respect to disruption of path-ways and access points) and after the work has been completed. It is imperative that the enhancements cater to the needs of the disabled, including those living within the vicinity of the selected area, regular visitors to the City Centre and in anticipation for the increased footfall from the Commonwealth Games in 2022.

The design and survey phase of the project will have to take in to account the needs of people with disabilities and to ensure that access points and mobility to amenities such as local transport, shops and businesses are not impeded or restricted. Furthermore, a Traffic Regulation Order (TRO) is proposed to improve connectivity and safety in the higher footfall areas – aiming for improved pedestrian access. However, it is important to consider the impact the proposed changes to the public realm will have on travel within the City Centre for the disabled and whether parking

arrangements will be negatively affected. In particular, mitigating factors for the potential loss of disabled parking bays has to be considered in the design phase, with consultation (including planning, disability groups and transport) required to understand the full impact of the TRO.

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:

It is not anticipated that the City Centre Public Realm project will negatively impact upon gender.

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: Gender Reassignment *

- ☐ Service Users / Stakeholders
☐ Employees
☐ Wider Community
☒ Not Applicable

Please select those directly impacted or affected.

Gender reassignment details:

It is not anticipated the City Centre Public Realm project will negatively impact upon individuals with gender reassignment.

Protected characteristics: Marriage and Civil Partnership *

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.

- ☐ Service Users/ Stakeholders
☐ Employees
☐ Wider Community
☒ Not Applicable

Please select those directly impacted or affected.

Marriage and civil partnership details:

It is not anticipated the City Centre Public Realm project will negatively impact upon marriage and civil partnership.

Protected characteristics: Pregnancy and Maternity *

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.

- ☒ Service Users / Stakeholders
☐ Employees
☒ Wider Community
☐ Not Applicable

Please select those directly impacted or affected.

Pregnancy and maternity details:

With significant construction work occurring in the City Centre in preparation for the Common Wealth Games, further changes to the public realm may cause disruption or nuisance. In particular, pregnant women or those with very young children will potentially find traversal across the public realm more difficult. As stated previously, it is necessary to take in to account the impact of the additional construction, during the preliminary design and surveying steps. For example, this could consist of making a thorough and detailed plan to ensure only small parts of the impacted streets are inaccessible to pedestrians at any given time – while ensuring appropriate signage is in place.

Furthermore, a full consultation should take place regarding the erection of the Hostile Vehicle Mitigation (HVM) measures to replace the existing temporary barriers that

are in place. This is required to ensure that the replacement barriers are suitably spaced for easy-access for parents with prams. Also, the eventual changes to the City Centre are proposed improve accessibility, lighting and safety within the public realm which will have a positive long-term impact for pregnant women and mothers.

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:

It is not anticipated the City Centre Public Realm project will negatively impact upon Race.

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:

It is not anticipated the City Centre Public Realm project will negatively impact upon Religion or Beliefs.

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:

It is not anticipated the City Centre Public Realm project will negatively impact upon Sexual Characteristics.

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.

Please indicate any actions arising from completing this screening exercise.

Please indicate whether a full impact assessment is recommended

NO 

If yes, please continue to complete the remaining questions. If no, please go to the quality control section below.

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

What are the main findings from the analysis of the data?

Consultation analysis

Who was consulted, what are the results of the consultation exercise?

Adverse impact on any people with protected characteristics.

Based on the analysis of the data does the policy/proposal have any adverse impact?

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

Can 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?

Please describe the data needed to ensure effective monitoring of this policy/proposal?

Are there any adverse impacts on any particular group(s)

☐

If yes, please explain your reasons for going ahead.

Initial equality impact assessment of your proposal

At this stage the project is an initial design phase with various proposals being considered by the contractors to meet the needs of the various stakeholders, while delivering on the basic requirements of the development. Throughout this phase of the project, a consultation will take place in the form of focus groups, surveys and interviews with the various protected characteristics, which may be impacted, such as age, disability, and pregnancy and maternity. The outcome of which will subsequently inform the equalities impact analysis - and will therefore be updated regularly to support any design decisions.

An existing stakeholder engagement strategy exists with the local Business Improvement District (BID), which consists of monthly updates meeting. This consultation approach will be extended to other relevant parties in the near future (consisting of the protected characteristics), whose instruction will help guide the eventual proposed changes to the City Centre public realm. The consultation methods will take in to account the strict timescales of the project, while endeavouring to cover a variety of different stakeholders.

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 *

A full assessment will be completed after a proper and thorough consultation with the relevant protected characteristics. The result of this consultation will then be used to complete the Equalities Impact Assessment.

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 CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

☐

Please tick this box and 'Save' the document once you have finished. Your nominated Quality Control Officer will be notified to review the assessment and decide whether it can proceed for approval or reject it.

Quality Control Officer comments

Please untick 'Submit to quality control officer box' before saving.

Decision by Quality Control Officer

IMPORTANT: Quality Control Officer - Please untick the above box 'Submit to the Quality Control Officer for reviewing?' before providing 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

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: 48.0

Created at 04/04/2019 03:40 PM by  Peter A Bethell

Last modified at 07/06/2019 04:53 PM by Workflow on behalf of  Osman Mohammed

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Birmingham City Council

Report to Cabinet

Date: 29th October 2019



Subject: **PLANNED PROCUREMENT ACTIVITIES (NOVEMBER 2019 – JANUARY 2020)**

Report of: **ASSISTANT DIRECTOR DEVELOPMENT & COMMERCIAL FINANCE**

Relevant Cabinet Member: **Councillor Tristan Chatfield, Finance and Resources**

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

Report author: Richard Tibbatts, Head of Contract Management
Telephone No: 0121 303 6610
Email Address: richard.tibbatts@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 checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, provide exempt information paragraph number or reason if confidential :		
3. Information relating to the financial or business affairs of any particular person (including the council)		

1 Executive Summary

- 1.1 This report provides details of the planned procurement activity for the period November 2019 – January 2020. Planned procurement activities reported previously are not repeated in this report.

- 1.2 The report enables Cabinet to identify whether any reports for procurement activities should be brought to this meeting for specific executive decision, otherwise they will be dealt with under Chief Officer delegations up to the value of £10m, unless TUPE applies to current Council staff.

2 Recommendations

- 2.1 Notes the planned procurement activities under chief officer delegations set out in the Constitution for the period November 2019 – January 2020 as detailed in Appendix 1.

3 Background

- 3.1 At the 1 March 2016 meeting of Council changes to procurement governance were agreed which gives Chief Officers the delegated authority to approve procurement contracts up to the value of £10m over the life of the contract. Where it is likely that the award of a contract will result in staff employed by the Council transferring to the successful contract under TUPE, the contract award decision has to be made by Cabinet.
- 3.2 In line with the Procurement Governance Arrangements that form part of the Council's Constitution, this report acts as the process to consult with and take soundings from Cabinet Members and the Resources Overview & Scrutiny Committee.
- 3.3 This report sets out the planned procurement activity over the next few months where the contract value is between the EU threshold (£181,302) and £10m. This will give members visibility of all procurement activity within these thresholds and the opportunity to identify whether any procurement reports should be brought to Cabinet for approval even though they are below the £10m delegation threshold.
- 3.4 It should be noted that the EU threshold has changed from £164,176 to £181,302 and will apply from 1st January 2019 for a period of 2 years.
- 3.5 Individual procurements may be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Resources Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.
- 3.6 Procurements below £10m contract value that are not listed on this or subsequent monthly reports can only be delegated to Chief Officers if specific approval is sought from Cabinet. Procurements above £10m contract value will still require an individual report to Cabinet in order for the award decision to be delegated to Chief Officers if appropriate.
- 3.7 A briefing note with details for each item to be procured is listed in Appendix 2. The financial information for each item is detailed in Appendix 3 – Exempt Information.

4 Options considered and Recommended Proposal

4.1 The report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process. The options considered are:

- To refer the procurement strategy and contract award of individual procurements to Cabinet for decision.
- To continue with the existing process – this is the recommended option

5 Consultation

5.1 Internal

This report to Cabinet is copied to Cabinet Support Officers and to Resources Overview & Scrutiny Committee and is the process for consulting with relevant cabinet and scrutiny members. At the point of submitting this report Cabinet Members/ Resources Overview & Scrutiny Committee Chair have not indicated that any of the planned procurement activity needs to be brought back to Cabinet for executive decision.

5.2 External

None.

6 Risk Management

6.1 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports

7 Compliance Issues:

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

7.1.1 Details of how the contracts listed in Appendix 1 and Appendix 2 support relevant Council policies, plans or strategies, will be set out in the individual reports.

7.2 Legal Implications

7.2.1 Details of all relevant implications will be included in individual reports.

7.3 Financial Implications

7.3.1 Details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.

7.4 Procurement Implications (if required)

7.4.1 This is a procurement report and the implications are detailed in the appendices

7.5 Human Resources Implications (if required)

7.5.1 None.

7.6 Public Sector Equality Duty

7.6.1 Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.

8 Background Documents

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

- 1. Appendix 1 - Planned Procurement Activity November 2019 – January 2020
- 2. Appendix 2 – Background Briefing Paper
- 3. Appendix 3 – Exempt Information

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (NOVEMBER 2019 – JANUARY 2020)

Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio Finance and Resources Plus	Finance Officer	Contact Name	Planned CO Decision Date
Strategy / Award	Construction of the New Job Centre Plus Building on Aston Lane as part of the Wider Perry Regeneration Programme	TBC	There is a requirement for the Council to construct a new building to accommodate the relocation of the Job Centre Plus on Aston Lane, Perry Barr which the Council has acquired and will demolish in order make way for the construction of the new National Express Depot as part of the wider Perry Barr Regeneration Programme.	8 months	Inclusive Growth	Leaader	Guy Olivant	Mohammed Islam / Charlie Short	25/11/2019

APPENDIX 2

BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES **CABINET – 29th October 2019**

Title of Contract	Construction of the New Job Centre Plus Building on Aston Lane as part of the Wider Perry Regeneration Programme
Briefly describe the service required	<p>There is a requirement for the Council to construct a new building to accommodate the relocation of the Job Centre Plus on Aston Lane, Perry Barr which the Council has acquired and will demolish in order make way for the construction of the new National Express Depot as part of the wider Perry Barr Regeneration Programme.</p> <p>The project design and the construction contract will be managed by Acivico as project architects and contract administrators. The scope of works includes;</p> <ul style="list-style-type: none">• Design and Constructions of the new Job Centre Plus building using modular build construction methods• Construction of belmouth access and car park.
Is the Council under a statutory duty to provide this service? If not what is the justification for providing it?	<p>The Job Centre is a Crown interest and therefore the City cannot acquire the site using powers under Compulsory Purchase Order process. The acquisition is being made in agreement with the Department for Work and Pensions, which requires that the City supports the relocation of the Job Centre Plus provision to an alternate appropriate facility to cover its geographic catchment. Therefore, for the Job Centre to maintain and deliver services, the construction of the new modular build facility is required to provide an appropriate building for their relocation.</p>
What are the existing arrangements? Is there an existing contract? If so when does that expire?	<p>This is a one-off requirement.</p>
What budget is the funding from for this service?	<p>The costs will be managed within the overall cash envelope for delivery of the Village as approved in the Full Business Case approved on 6 June 2019.</p>
What is the proposed procurement route?	<p>The competition exercise will be undertaken using the Crown Commercial Services, Modular Buildings Solution (Lot 6).</p>
If single /multiple contractor negotiations are proposed, what is the reason for not tendering the requirement, how do we ensure value for money and compliance with the Birmingham Business Charter for Social Responsibility (BBC4SR)?	<p>Not applicable.</p>
Proposed start date and duration of the new contract	<p>The proposed start date is January 2020 for duration of 8 months.</p>

Birmingham City Council

Report to Cabinet

29 October 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 Carl Rice, 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

- 2.1 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

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

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 – 29 October 2019 – Appointments to Outside Bodies

APPENDIX TO REPORT TO CABINET 29 October 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.

ANNUAL APPOINTMENTS

Further to the meeting on 25 June 2019, the following amendments are proposed to the schedule of annual appointments:-

2. Northfield Business Improvement District (BID)

Two Representatives, in total, appointed for a year.

The other Representative is Cllr Eddie Freeman (Con).

Therefore it is

RECOMMENDED:-

To appoint Cllr Olly Armstrong (Lab) from 29 October 2019 until 23 June 2020, as Representative.

NON ANNUAL APPOINTMENT**3. The Joseph Hopkins & Henry James Sayer Charity**

Two Trustees in total. May but need not be Members of the Council. Appointed for a term of 7 years.

The Other Trustee is Lady Cynthia Zissman (Con).

Therefore it is

RECOMMENDED:-

To appoint Cllr Zafar Iqbal (Lab) from 29 October 2019 until 28 October 2026 as Trustee.

