

**BIRMINGHAM CITY COUNCIL****PUBLIC REPORT**

<b>Report to:</b>	<b>THE DEPUTY LEADER JOINTLY WITH THE STRATEGIC DIRECTOR FOR ECONOMY</b>
<b>Report of:</b>	<b>Strategic Director For Economy</b>
<b>Date of Decision:</b>	<b>Tuesday 19th July 2016</b>
<b>SUBJECT:</b>	<b>ASTON ADVANCED MANUFACTURING HUB: DEVELOPMENT FRAMEWORK</b>
<b>Key Decision: No</b>	<b>Relevant Forward Plan Ref:</b>
<b>If not in the Forward Plan: (please "X" box)</b>	<b>Chief Executive approved</b> <input type="checkbox"/> <b>O&amp;S Chairman approved</b> <input type="checkbox"/>
<b>Relevant Cabinet Member:</b>	<b>Councillor Ian Ward, Deputy Leader</b>
<b>Relevant O&amp;S Chairman:</b>	<b>Councillor Zafar Iqbal, Chair of the Birmingham Economy, Skills and Transport Committee</b>
<b>Wards affected:</b>	<b>Nechells and Perry Barr</b>

<b>1. Purpose of report:</b>
1.1 To seek authority to adopt the Aston Advanced Manufacturing Hub (AMH) Development Framework, attached as Appendix 1 to this report.

<b>2. Decision(s) recommended:</b>
That the Deputy Leader Jointly With The Strategic Director of Economy:
2.1 Approves the adoption of the appended Aston Advanced Manufacturing Hub Development Framework as informal planning guidance.

<b>Lead Contact Officer(s):</b>	Kelly Whitehouse- North West Planning and Regeneration Team
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### **3. Consultation**

#### **3.1 Internal**

The appended Aston AMH Development Framework has been subject to internal consultation with appropriate services, including Transportation, Legal and Finance. The local Ward Members for Perry Barr, Nechells and Aston have previously expressed support for the Regional Investment Site (RIS) and the importance of the Development Framework in helping to secure high quality development in the advanced manufacturing sector is acknowledged.

#### **3.2 External**

Public consultation was undertaken on a draft version of the framework during October and November 2015. This included local residents, businesses and major landowners. A summary of comments received and responses are provided in Appendix 2 of this report. The Aston RIS is designated in the Aston, Newtown and Lozells Area Action Plan, which was formally adopted in July 2012. The Development Framework conforms to policies within the Area Action Plan (AAP) and provides further detail on urban design principles and guidance for specific development plots within the RIS boundary. As the principle of the RIS is already established and extensive consultation has been previously undertaken to inform the AAP, a targeted consultation exercise was carried out on the Draft Development Framework.

### **4. Compliance Issues:**

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

The Development Framework has been prepared in the context of the adopted AAP, the submission version of the Birmingham Development Plan (BDP) and the Plan Inspector's Recommended Main Modifications. It contributes to the key strategic objective of the Council Business Plan and Budget 2016+ for 'A Strong Economy' by promoting employment and economic activity and improving the environmental quality of the AMH to attract major industrial occupiers to the area.

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

There are no direct financial implications to the City Council arising from the adoption of the Development Framework. The Framework has been prepared using existing Planning and Regeneration staff resources.

#### **4.3 Legal Implications**

Although the document is non-statutory, it is expected that all parties will commit to it and use it as a means of guiding and encouraging on going investment in the site. The Development Framework will sit alongside the AAP and Aston AMH Local Development Order (LDO). The latter has been prepared and adopted for the majority of the AMH, and the Development Framework illustrates how the LDO requirements can be applied. It also sets out development guidance for the areas not covered by the LDO. Public consultation recently finished on a proposed extension to the LDO. Following any relevant changes required as a result of comments received through the consultation, it is currently intended that the extended LDO will be adopted later this year. There are no further legal implications of adopting the Development Framework.

#### 4.4 Public Sector Equality Duty (see separate guidance note)

As stated above, the Aston RIS is formally designated in the adopted Aston, Newtown and Lozells AAP. A full Equality Impact Needs Assessment (EINA) was undertaken as part of the preparation of the AAP. The EINA recognises that whilst the AAP will bring a wide range of positive equality impacts, there will be an inevitable element of minor to moderate negative impact due to the transformational change proposed by the AAP in particular relating to the acquisition of property. However, measures are identified in the EINA to help mitigate against the potential negative effects. For example, by continuing to keep residents, businesses and other stakeholders in the area informed about the progress on the AAP, and to ensure that human rights issues are addressed in any compulsory purchase orders that may result from the plan's implementation.

#### **5. Relevant background/chronology of key events:**

- 5.1 The Aston, Newtown and Lozells AAP, which was adopted by the City Council in July 2012, provides a planning framework for regeneration and housing renewal in these areas over the subsequent 15 years. A key proposal within the document includes the designation of the Aston RIS, which is more recently referred to as the AMH. The RIS seeks to attract new economic investment to the area, with the potential to create a significant number of new employment opportunities, which will benefit both the local population and wider region. The project is being taken forward jointly by Birmingham City Council and the Homes and Communities Agency.
- 5.2 The RIS/AMH occupies a strategic and prominent location immediately adjacent to the M6 (Spaghetti Junction) and Aston Expressway, providing a unique urban setting for realising the RIS concept. It comprises 20 hectares, which will be developed in phases over a 15 year period, and offers the potential for state of the art accommodation, supply chain opportunities and access to a skilled workforce that will be attractive to international, national and regional investors.
- 5.3 Policy R5 within the adopted AAP refers to the preparation of a Development Framework for the RIS-AMH to ensure a comprehensive and coordinated approach to new development. Given the diversity of land uses within the immediate area and the presence of environmental and historic assets, the Framework seeks to ensure that these are protected and enhanced as part of new development. The Development Framework will sit alongside the AAP and Aston AMH LDO. The latter relates to part of the RIS and grants planning permission for operational development within use classes B1 (b), B1 (c) and B2.
- 5.4 The City Council's commitment to delivering the AMH has already seen a significant amount of public sector investment in site assembly and access improvements to de-risk development plots which is already resulted in development. Within Phase 1 (10.5 ha), the first occupier is operational (Hydraforce), another is on site (Guhring) with expected completion in early 2017, and a speculative build has recently started on site (Apollo by Trebor/Aviva). The City Council will work in partnership with education and training providers to ensure that future employees are equipped with the necessary knowledge and skills to secure employment locally in the advanced manufacturing sector.

<b>6. Evaluation of alternative option(s):</b>	
6.1	The alternative option of ‘do nothing’ would mean that there is no relevant and up-to-date guidance for coordinating the development of the Aston AMH. Development may therefore occur in an ad hoc way, which would fail to meet the policy objectives in the adopted AAP and LDO.

<b>7. Reasons for Decision(s):</b>	
7.1	To provide development and urban design guidance for the Aston AMH.

<b>Signatures</b>	<b><u>Date</u></b>
Cllr Ian Ward Deputy Leader	.....
Waheed Nazir Strategic Director, Economy	.....

<b>List of Background Documents used to compile this Report:</b>	
1.	Aston, Newtown and Lozells Area Action Plan (AAP, 2012)
2.	Aston AMH Local Development Order (LDO, 2014)
3.	Aston AMH Draft Extended Local Development Order (LDO, 2016)
4.	Submission version of the Birmingham Development Plan (BDP, 2014)
5.	BDP Inspectors Report Main Modifications Annexe (2016)
6.	EINA for the Aston, Newtown and Lozells Area Action Plan
7.	Cabinet report 30 <sup>th</sup> July 2012: East Aston Regional Investment site: Growing Places Funding
8.	Cabinet report 18 <sup>th</sup> November 2012: Advanced Manufacturing Hub: Phases 2 & 3 – Full Business Case

<b>List of Appendices accompanying this Report (if any):</b>	
1.	Aston AMH Development Framework (2016)
2.	Summary of Consultation Comments and Responses

# PROTOCOL

## PUBLIC SECTOR EQUALITY DUTY

- 1 The public sector equality duty drives the need for equality assessments (Initial and Full). An initial assessment should, be prepared from the outset based upon available knowledge and information.
- 2 If there is no adverse impact then that fact should be stated within the Report at section 4.4 and the initial assessment document appended to the Report duly signed and dated. A summary of the statutory duty is annexed to this Protocol and should be referred to in the standard section (4.4) 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 4.4 or an appendix if necessary)
  - the full equality impact assessment (as an appendix)
  - the equality duty – see page 9 (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	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"><li>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;</li><li>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li><li>(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li></ul>
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"><li>(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;</li><li>(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;</li><li>(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.</li></ul>
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"><li>(a) tackle prejudice, and</li><li>(b) promote understanding.</li></ul>
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"><li>(a) age</li><li>(b) disability</li><li>(c) gender reassignment</li><li>(d) pregnancy and maternity</li><li>(e) race</li><li>(f) religion or belief</li><li>(g) sex</li><li>(h) sexual orientation</li></ul>