

BIRMINGHAM CITY COUNCIL

CABINET

TUESDAY, 17 JANUARY 2023 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 Chair to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) 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 they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at this meeting.

If a disclosable pecuniary interest is declared a Member must not participate in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If other registerable interests are declared a Member may speak on the matter only if members of the public are allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', Members do not have to disclose the nature of the interest, just that they have an interest.

Information on the Local Government Association's Model Councillor Code of Conduct is set out via <http://bit.ly/3WtGQnN>. This includes, at Appendix 1, an interests flowchart which provides a simple guide to declaring interests at meetings.

5 - 24

4 **MINUTES**

To confirm and sign the Minutes of the meeting held on the 13 December 2022.

5 **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.

25 - 58

6 **A DIGITALLY CONNECTED CITY - ENABLED FOR FUTURE GROWTH**

Director, Digital and Customer Services

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7 **BUSINESS RATES INCOME 2023/24**

This report is from the Director of Council Management

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8 **FINANCIAL MONITORING REPORT MONTH 8 2022/23**

This report is from Director of Council Management

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9 **COUNCIL TAX TAX-BASE FOR 2023/24**

This report is from the Director of Council Management

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10 **PROPOSED BALSALL HEATH NEIGHBOURHOOD COUNCIL:
OUTCOME OF CONSULTATIVE BALLOT AND NEXT STEPS**

Report of Strategic Director of City Operations

<u>105 - 194</u>	11	<u>APPROVAL OF “SUPPORTED HOUSING STRATEGY: A FRAMEWORK FOR SHORT TERM SUPPORTED HOUSING (EXEMPT ACCOMMODATION)”</u>	Report of Director - Adult Social Care and Strategic Director - City Housing
<u>195 - 220</u>	12	<u>CLEAN AIR ZONE REVENUES – UPDATE ON REVENUES FORECAST AND ALLOCATION OF NET SURPLUS REVENUES</u>	Report of Strategic Director Place, Prosperity and Sustainability
<u>221 - 400</u>	13	<u>ACTIVE TRAVEL FUND TRANCHE 2 - PACKAGE 2: KINGS HEATH AND MOSELEY PLACES FOR PEOPLE OUTLINE BUSINESS CASE</u>	Strategic Director of Place, Prosperity and Sustainability
<u>401 - 576</u>	14	<u>CITYWIDE ADDITIONAL LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION</u>	Report of Strategic Director
<u>577 - 588</u>	15	<u>PRIVATE RENTED SECTOR LEASING SCHEME - CAPITAL GRANT 2023</u>	Report of Acting Strategic Director - City Housing
<u>589 - 642</u>	16	<u>MULTIPLY FINANCIAL LITERACY PROGRAMME</u>	Report of Director for Children & Families
<u>643 - 656</u>	17	<u>DOMESTIC ABUSE HOMELESSNESS PREVENTION WAIVER</u>	Report of Strategic Director - Council Management
<u>657 - 662</u>	18	<u>APPOINTMENTS TO OUTSIDE BODIES</u>	Report of the City Solicitor.
<u>663 - 676</u>	19	<u>KEY DECISION PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2023 – APRIL 2023)</u>	Report of Assistant Director - Procurement
<u>677 - 682</u>	20	<u>NON KEY DECISION PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2023 – APRIL 2023)</u>	Report of Assistant Director - Procurement
	21	<u>OTHER URGENT BUSINESS</u>	To consider any items of business by reason of special circumstances (to be specified) that in the opinion of the Chair are matters of urgency.

BIRMINGHAM CITY COUNCIL

CABINET MEETING TUESDAY, 13 DECEMBER 2022
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MINUTES OF A MEETING OF THE CABINET COMMITTEE HELD ON
TUESDAY 13 DECEMBER 2022 AT 1000 HOURS IN COMMITTEE
ROOMS 3&4, COUNCIL HOUSE, VICTORIA SQUARE, BIRMINGHAM, B1
1BB

PRESENT: -

Councillor Liz Clements, Cabinet Member for Transport
 Councillor Jayne Francis, Cabinet Member for Digital, Culture, Heritage and Tourism
 Councillor Mariam Khan, Cabinet Member for Health and Social Care
 Councillor Majid Mahmood, Cabinet Member for Environment
 Councillor Karen McCarthy, Cabinet Member for Children, Young People and Families
 Councillor Yvonne Mosquito, Cabinet Member for Finance and Resources
 Councillor Sharon Thompson, Cabinet Member for Housing and Homelessness
 Councillor Ian Ward, Leader of the City Council

ALSO PRESENT:-

Councillor Robert Alden, Leader of the Opposition (Conservative)
 Councillor Jon Hunt, Leader of the Opposition (Liberal Democrat)
 Councillor Ewan Mackey, Deputy Leader of the Opposition (Conservative)
 Janie Berry, City Solicitor and Monitoring Officer
 Professor Graeme Betts, Director Adult Social Care (DASS) (online)
 Deborah Cadman, Chief Executive
 Paul Clarke, Assistant Director (Programmes, Performance and Improvement)
 Wendy Griffiths, Assistant Director, Customer Services and Business Support
 Susan Harrison, Director for Children and Families, BCC
 Robert James, Strategic Director, City Operations
 Mel Jones, Head of Transport Planning and Network Strategy
 Chris Jordan, Assistant Director, Neighbourhoods
 Paul Kitson, Strategic Director, Place, Prosperity and Sustainability
 Paul Langford, Interim Director, Housing Management
 Naomi Morris, Housing Modernisation Partnership Manager (online)
 Sara Pitt, Director of Finance (Deputy Section 151 Officer), Council Management Directorate
 Steve Sandercock, Assistant Director, Procurement (online)
 Lesley Steel, Property Programme Manager
 Dr Justin Varney, Director of Public Health
 Dave Wagg, Head of Sport and Physical Activity (online)
 Paul Walls, Leisure Projects and Client Manager (online)
 Mark Wiltshire, Interim Director, Digital and Customer Services
 Errol Wilson, Committee Services

NOTICE OF RECORDING/WEBCAST

33. The Chair welcomed attendees and advised, and the Committee noted, that this meeting will be webcast for live or subsequent broadcast via the Council's meeting You Tube site (www.youtube.com/channel/UCT2kT7ZRPFCXq6_5dnVnYlw) and that members of the press/public may record and take photographs except where there are confidential or exempt items.
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APOLOGIES

34. Apologies for absence were submitted on behalf of Councillor John Cotton, Cabinet Member for Social Justice, Community Safety and Equalities; Councillor Brigid Jones, Deputy Leader of the City Council; Richard Brooks, Director, Strategy Equalities and Partnerships; Rebecca Hellard, Director, Council Management and Darren Hockaday, Interim Director, People Services.
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DECLARATIONS OF INTERESTS

35. The Chair reminded Members that they must declare all relevant pecuniary and other registerable interests arising from any business to be discussed at the meeting.

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Any declarations will be recorded in the minutes of the meeting.

MINUTES

36. **RESOLVED: -**

The Minutes of the meeting held on 8 November 2022, having been previously circulated, were confirmed and signed by the Chair.

EXEMPT INFORMATION – POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC

37. The Chair advised that the report at Agenda items 9, 13, 14, 19 and 20 contained exempt appendices within the meaning of Section 100I of the Local Government Act 1972.

The Chair then enquired whether there were any matters that Members would like to raise on the exempt appendix that may affect the decision to be made or to ask for clarification on a point on the exempt appendix.

As there were no matters that Members wished to raise in relation to the exempt appendices, the Chair advised that the public meeting would carry on to consider the recommendations.

CORPORATE SAFEGUARDING POLICY

Councillor Mariam Khan, Cabinet Member for Health and Social Care introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

(See document No. 1)

A brief discussion ensued, and it was

38. **RESOLVED: -**

That Cabinet:-

- (i) Approved and adopted the Corporate Safeguarding Policy 2022, which will be implemented with immediate effect;
- (ii) Approved the proposal to ensure the Corporate Safeguarding Policy is reviewed on an annual basis (or sooner in the event of changes to local or national policy) as part of the work programme of the Corporate Safeguarding Network; and
- (iii) Noted the work that has already taken place and planned to support the implementation of refreshed arrangements.

CHILDREN'S TRAVEL SERVICE CASUAL/AGENCY TRANSPORT GUIDES PROCUREMENT STRATEGY

Councillor Karen McCarthy, Cabinet Member for Children, Young People and Families introduced the item and drew the attention of Committee to the information contained in the report highlighting the key points.

(See document No. 2)

39. **RESOLVED: -**

That Cabinet:-

1. Approved the procurement of a Council framework for a four-year period commencing 1st June 2023 (prior to the start of the 2023/24 academic year) with expiry date of 31st May 2027;
2. Approved the use of the Crown Commercial Services RM6238 framework as an interim arrangement to award contracts to 5 of the current 8 providers for a 12- month period while a compliant Council framework is procured;
3. Approved a waiver of the procurement and governance rules (as per the attached waiver at Appendix 1 to the report) to the value £560,139.00 to enable guide contracts to be awarded to the remaining 3 current providers as an interim arrangement for a 12- month period while the Council procures a compliant framework;
4. Noted that these interim arrangements (ii and iii above) are to avoid any disruption to service provision while procurement activities are undertaken, maximising continuity for children with SEND; and
5. Authorised the Director for Children and Families (or their delegate), in conjunction with the Strategic Director of Council Management (or their delegate) and the City Solicitor & Monitoring Officer (or their delegate) to approve:
 - the procurement strategy report prior to publication of the opportunity for a Council framework;
 - the award of contract to providers to be admitted to the Council framework; and
 - any call off contract relating to the Council framework.

CHANGE TO ORDER OF BUSINESS

40. The Chair advised that he would take Agenda items 10 and 11 ahead of the remaining items until Councillor Sharon Thompson arrives as she had a prior engagement.

CORPORATE PLAN 2022 – 2026: PERFORMANCE AND DELIVERY MONITORING REPORT

The Chair presented the item and drew the attention of Cabinet to the information contained in the report.

(See document No. 3)

Cabinet Committee – 13 December 2022

An extensive discussion ensued, and the following is a summary of the principal points made:-

- The recycling indicators now merges bottom ash/not bottom ash was a perennial problem which meant we were not seeing what was happening with pure recycling.
- Whether bulk collections were being recycled or whether it was incinerated.
- Social care performance was struggling, and this needed to be looked at as this was important in terms of the performance of the NHS struggles in mid-winter - social care assessment was *Red Ragged*.
- Achieving objectives pages 223 – 228 which refers to the Route to Zero Programme – an objective to develop the Green Infrastructure Strategy. Concerns were that the work in relation to this had not started and linking this to the Housing Strategy, the local plan was out for consultation at present which was a huge document on how the city developed.
- The Green Infrastructure Strategy was of importance to provide those working on those documents an underpinning sense of real progress on the green Infrastructure which was the wrong way round.
- The Council needed to be ambitious about green infrastructure going forward and the city needed to be ambitious if we were to respond to climate change.
- Kerbside recycling needed improvement, but this was not mentioned in the document and the numbers were needed.
- In terms of missed collections the information was miles away from what the number of actual missed collections were. The answers to written questions submitted at Full City Council showed that 10% of missed collections were the ones that were reported. 69,281 out of 639,711 was the numbers received at Full City Council. The question was whether this number of crew collections could be used instead. It was felt that the current figures did not help anyone.
- The number of complaints given in relation to the Service Level Agreement (SLA) the numbers given was below target as it was 82% responding within timescales.
- Two directorates were dragging down the SLA as the others had over 90% response rate. The question was which two directorates were dragging down the complaints response within the timescale and what were their percentages response rate.

The Chair then invited the appropriate Cabinet Members to respond to the points raised.

The Chair further invited Paul Kitson, Strategic Director, Place, Prosperity and Sustainability to respond to the concerns raised in relation to the Green Infrastructure Strategy that had *not yet started*. Mr Kitson stated that the wording *not yet started* did not adequately reflect the work that was ongoing. The City of Nature ... close attention was being paid to the distribution of those green spaces and whether they were in an extra distribution and a lot of work was being undertaken. The view on the 25 years agreement for an infrastructure strategy was that there were quite a few underpinning pieces of work with substance that sat underneath a 25-year strategy. The second one

being in addition to the City of Nature was the ongoing piece of work on the City Plan which fundamentally was 25 years plus those strategy document looking at the City Centre but also further out in other centres in other areas. There were a range of different things and a range of different ideas. One of the proposal was to introduce new green ways and green spaces in the City Centre and to facilitate movement plans and to introduce some resilience around cooler streets etc. Mr Kitson apologised for the wording *not yet started* a lot of work was being done around the 25-year strategy and that he was happy to provide a note for the next Cabinet summarising that point.

The Chair advised that within the report was mention of the Commonwealth Games (CWG) in the summer. The Chair pointed out that the village in Perry Barr had won a number of awards from different events across the country. In addition to that for the Peace and Sports Award we had won the Institution of the Year, the Estate Gazette Award we won City of the Year and the New Statesman's Award that was recently instituted we won the award for Impacting Local Government. Not only had the CWG put the city on an international stage and transformed our reputation nationally and internationally, but we were also getting a lot of recognition.

The Chair informed Cabinet that Councillor Majid Mahmood, Cabinet Member for Environment had also won an award for the waste collection service in relation to green infrastructure.

Councillor Mariam Khan, Cabinet Member for Health and Social Care highlighted that the Council had also won an award for Food Strategy and was the winner of the Local Free Food Publications for 2022 and the strategy would be platformed at the UN Agricultural Headquarters and at the World Food Forum in Rome. This award will be received in 2023.

The Chair advised that the city had recognition for its growing technology sector from the Centre for Cities who stated that the Government should seize the opportunities of Birmingham's growing technology sector by investing to build a new innovative district in the city.

Wendy Griffiths, Assistant Director, Customer Services and Business Support noted Councillor Ewan Mackey's query in relation to the two directorates that was dragging down the complaints response and stated that the latest performance report showed that although City Operations had the highest volume as a result of the number of transactions they undertook was greater, they had achieved 94% SLA against complaint handling response time which had exceeded the target of 90%. The two directorates (and there was specific caveats around why they did not achieve the SLA) were City Housing and Children and Families and specifically due to a handful of complaints including the level of complexity in the response time had been delayed. We did not close this until the full response was provided. Again high volumes and the majority of those were achieved in relation to the SLA but two or three that did not get completed had brought the SLA down.

It was

41. **RESOLVED:** -

That Cabinet noted the performance of the Council against the priorities and outcomes set out in the Council's Corporate Plan 2022-2026.

FINANCIAL MONITORING REPORT MONTH 7 2022/23

Councillor Yvonne Mosquito, Cabinet Member for Finance and Resources presented the item and drew the attention of Cabinet to the information contained in the report.

(See document No. 4)

Following discussions by Cabinet, it was

42. RESOLVED: -

That Cabinet:-

- a. Noted that the Council faces a number of challenges in 2022/23. However, the Council is in a strong robust position with strong financial control processes in place. Reserves are healthy and within recommended limits; and
 - b. Noted the forecast Capital spend has not changed since Month 6, as set out in paragraphs 4.5 to 4.10 to the report.
-

HOUSING STRATEGY 2023 - 2028

Councillor Sharon Thompson, Cabinet Member for Housing and Homelessness introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points

(See document No. 5)

In response to comments and questions from Members, Councillor Thompson and Paul Kitson, Strategic Director, Place, Prosperity and Sustainability made the following statements:-

- (i) The errors and typos and other issues highlighted in the Strategy by Councillor Robert Alden would be addressed.
- (ii) That the BDP targets were affordable housing targets, and it was important that that distinction was made.
- (iii) The affordable housing targets was take from advice we received from Homes England around the different affordable tenures ad it was important that we took that advice.
- (iv) It was fair to say that all of our Housing Associations fed into the Plan as it was being developed in terms of how it grows.

- (v) In terms of the exempt accommodations this could go to Scrutiny, but it was worth stating that we had brought forward a Supported Housing Accommodation Strategy in its own right.
- (vi) In terms of the linkages of green and blue spaces in the City Centre and the wider city, the City Plan was primarily focussed on the City Centre, but then broadening it out a mile or so outside the City Centre.
- (vii) As the City of Nature Plan and the work around community engagement and planning space, there was an understanding of equitable access to those spaces was citywide across the whole of the city.
- (viii) In relation to design, it was difficult to encompass absolutely every other part of the strategic landscape that the Council had bought into. There was a City Design Guide which was previously approved by Cabinet and all of these other things were happening in parallel and material consideration for affordable housing.
- (ix) It was hoped that high quality design and both place making which we know was important ... that would come through the planning system and would complement the Strategy. We acknowledged that we have not been explicit about it in the document.
- (x) We will look at the typos comments and will ensure that we reference in the document the interrelated strategies as there was so much good work that was done across the City Centre to ensure we were identifying through this piece of work. Page 4 aims to link in the Strategy with that piece of work.

It was

43. RESOLVED: -

That Cabinet:

- a. Approved the proposed Housing Strategy 2023-2028, including the delivery plan which sets out how key strategic priorities will be delivered;
 - b. Noted the nature and variation of challenges faced in Birmingham, understanding that this strategy is the start of a long-term plan to improve outcomes for citizens; and
 - c. Authorised the Strategic Director of City Housing, in consultation with the Cabinet Member for Housing and Homelessness, to make any additional minor amendments to the Housing Strategy to ensure factual accuracy and clarity prior to publication.
-

DRUIDS HEATH REGENERATION UPDATE

Councillor Sharon Thompson, Cabinet Member for Housing and Homelessness introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

(See document No. 6)

Following discussions by Cabinet, it was

44. RESOLVED: -

That Cabinet:-

- i. Approved bringing forward phase 2 (Druids Heath South) into the masterplan area so that the whole of the Druids Heath Estate is masterplanned as one;
- ii. Approved the extension of the regeneration area boundary (as shown in Plan No.1 attached) to cover the open space of the Chinn Brook Valley and Stratford Upon Avon canal. This will bring the whole area including the opposite embankment of the canal included in the Levelling Up bid into the red line. The provision of a walking and cycling bridge over the canal will enable greater connectivity and reduce reliance on the car or public transport as well as providing opportunities linked to wellbeing such as walking, running and cycling along the canal tow path;
- iii. Approved the award of a contract for the provision of employer's agent services for the wider Druids Heath area to WSP (Real Estate & Infrastructure) Ltd by direct award using the NHS Shared Business Services (SBS) Construction Consultancy Services Framework Agreement.
- iv. Approved the amendment to the scope of services of the procurement strategy approved in the Druids Heath Regeneration report to Cabinet dated 14th December 2021 as detailed in paragraph 7.5.6, to the report;
- v. Delegated authority to develop a strategy including the procurement route in consultation with The Leader, Cabinet Member for Housing and Homelessness, Cabinet Member for Finance and Resources for the delivery of the Druids Heath regeneration scheme to the Strategic Director, Place, Prosperity and Sustainability in conjunction with the Assistant Director, Procurement, the Strategic Director of Council Management and the City Solicitor and Monitoring Officer (or their delegates);
- vi. Noted the Full Business Case and the award of contract for the delivery of the Druids Heath Regeneration Scheme will be reported to Cabinet for approval;
- vii. Approved the extension of the revised and approved Local Lettings Plan to those affected by any further demolition and re-provision;

- viii. Approved ringfencing allocations for the new BMHT homes in the wider Druids Heath area to tenants affected by clearance and entitled to return, in the first instance;
 - ix. Approved the increase of the percentage of the purchase value of homes purchased under the Property Purchase scheme, from 5% to 10% to bring the homes to fit for letting standards within the Druids Heath Estate; and
 - x. Noted the timeline of an Outline Delivery Options Appraisal and Full Business Case which will be presented to Cabinet in summer 2023 following the creation of a vision for the estate.
-

CUSTOMER SERVICES PROGRAMME - NEXT PHASE

Councillor Jayne Francis, Cabinet Member for Digital, Culture, Heritage and Tourism presented the item and drew the attention of Cabinet to the information contained in the report.

(See document No. 7)

Following discussions by Cabinet, it was

45. RESOLVED: -

That Cabinet:-

- a) Noted the progress made by the Customer Service Programme to date since approval of the Enhanced Business Case in December 2021 (Table 2 to the report);
 - b) Approved the Customer Service Programme Phase 2, as defined in the report to ensure a joined-up and consistent approach to best-in-class service delivery across the Council and partner organisations, putting the customer at the heart of everything we do; and
 - c) Approved the forecast resource budget profile (Appendix A to the report) to invest reserves of £4.2m to deliver the Customer Service Programme Phase 2 to start in April 2023 until March 2025 as a drawdown of the already approved investment funds for Customer Service activity.
-

FULL BUSINESS CASE – BIRMINGHAM MUSEUM AND ART GALLERY WORKS FUNDED BY THE MUSEUM ESTATES AND DEVELOPMENT (MEND) FUND

Councillor Jayne Francis, Cabinet Member for Digital, Culture, Heritage and Tourism the item and drew the attention of Cabinet to the information contained in the report.

(See document No. 8)

Following discussions by Cabinet, it was

46. RESOLVED: -

That Cabinet:-

1. Approved the FBC in Appendix 2, to the report, for the refurbishment works at Birmingham Museum and Art Gallery at a maximum capital cost of £4.998m inclusive of works, fees and contingencies;
2. Approved the award of a construction contract to ISG Construction Ltd for the repairs and renovation works to BMAG from RIBA Plan of Work Stage 5 (construction) commencing 23rd January 2023 using the Constructing West Midlands 2 (CWM) Framework Agreement. Cabinet approved the procurement route for the project and the award of a contract to RIBA Stage 4 on 22nd March 2022 to ISG Construction Ltd which has been successfully completed; and
3. Authorised the City Solicitor and Monitoring Officer (or their delegate) to take all steps necessary for the preparation of any documents, to negotiate, execute and complete all necessary documentation to give effect to the above decisions.

NEW BUILD – ATLAS WORKS DEPOT, TYSELEY

Councillor Majid Mahmood, Cabinet Member for Environment introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

(See document No. 9)

Following discussions by Cabinet, it was

47. RESOLVED: -

That Cabinet:-

- i. Noted the increase in the overall cost of the project from £13.99m to £16.24m;
- ii. Approved the increase of the Prudential Borrowing (PB) from £2.25m to £4.50m over an extended payback period of 40 years;
- iii. Approved the increase in cost of the current contract with Morgan Sindall Construction Ltd for the construction of the new depot in the sum as set out in the Exempt Appendix 1 to the report; and

- iv. Authorised the City Solicitor and Monitoring Officer (or their delegate) to execute and complete all necessary legal documents to give effect to the above decisions.

COVID RECOVERY SUPPORT FOR SPORT AND LEISURE CONTRACTS (SOO34a)

Councillor Mariam Khan, Cabinet Member for Health and Social Care introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

(See document No. 10)

Following discussions by Cabinet, it was

48. RESOLVED: -

That Cabinet:-

1. Noted that the strategy to externalise part of the service has significantly decreased the financial pressures on the Council since 2015 and addressed issues at 9 key facilities that had reached or were approaching the end of their lifespan, delivering 4 new leisure centres and 5 refurbishments;
2. Noted that the impact of Covid-19 has had a crippling impact on leisure providers across the country with financial pressures only likely to worsen again because of rising energy prices and inflation;
3. Agreed not to receive £0.515m of management fee income and approved modification of the contract to reflect support of the no better/no worse position of £1.092m from December 2021 through to September 2022 for all 9 leisure centres operated by Birmingham Community Leisure Trust;
4. Approved use of the Finance Resilience Reserve to fund the balance remaining after cost mitigations delivered by the service. This will be no greater than £1.607m; and
5. Authorised the City Solicitor and Monitoring Officer (or their delegate) to agree and complete all necessary documents to give effect to the above decisions.

REGULATED ADULT SOCIAL CARE COMMISSIONING STRATEGY – CARE HOMES, SUPPORTED LIVING AND HOME SUPPORT SENSORY LOSS 2023+

Councillor Mariam Khan, Cabinet Member for Health and Social Care presented the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

(See document No. 11)

Following discussions by Cabinet, it was

49. RESOLVED: -

That Cabinet:-

- a. Approved the Regulated Adult Social Care Commissioning Strategy 2023+ in Appendix 1 to the report;
- b. Approved the Procurement Strategy for Home Support Sensory Loss in Appendix 2 to the report;
- c. Approved the Procurement Strategy for Care Homes (with and without nursing) and Supported Living services in Appendix 3 to the report;
- d. Approved commencement of procurement activity, including the use of the Adults CareMatch Portal to conduct the procurement, to establish an electronic system to give commissioners access to a pool of pre-qualified providers of home support sensory loss, supported living and residential care (with and without nursing) services;
- e. Delegated authority to the Strategic Director of Adult Social Care and Health in consultation with the Strategic Director of Council Management (or their delegate) and the City Solicitor (or their delegate) to appoint the successful providers to the CareMatch Portal;
- f. Delegated the award of call off contracts for these services to the Directorate of Adult Social Care, the Director of Commissioning and the Head of Commissioning (Adult Care);
- g. Delegated any modifications, to the electronic system or contracts, to the Directorate of Adult Social Care, the Director of Commissioning and the Head of Commissioning (Adult Care), including the annual setting of fees in line with the Commissioning Strategy and the Council's revenue budget and Medium-Term Financial Plan; and
- h. Delegated the recommissioning of Home Support Approved Premises to the Director of Adult Social Care and Health in consultation with the City Solicitor (or their delegate) and the Assistant Director – Procurement (or their delegate) via a contract variation to the Home Support – Prisons contract.

APPLICATION FOR MOVING TRAFFIC ENFORCEMENT POWERS

Councillor Liz Clements, Cabinet Member for Transport introduced the item and drew the attention of Cabinet to the information contained in the report highlighting the key points.

(See document No. 12)

I response to a question by Councillor Hunt, the Chair advised that any surplus monies that was created by the enforcement activities has to by law be spent on specified purposes. Therefore it could not be spent on anything.

Councillor Liz Clements then invited Mel Jones, Head of Transport Planning and Network Strategy to respond to questions and comments from Members. Ms Jones made the following statements: -

- The sites were selected on the basis of those where the Traffic Regulation Orders (TRO) were already in a position to be enforced.
- There were strict rule around qualifying for enforcement – there had to be evidence which showed there was non-compliance and the reason that was a problem.
- There had to be some evidence that showed that that has led to some traffic congestion and road safety problems. Another critical factor and this was similar to where camera enforcement was used for speeding, it had to be demonstrated that we thought of everything else with physical methods or modifications.
- It had to be demonstrated that this was a point of last resort to bring camera enforcement, not just putting it up in secrecy as an easy option.
- We had evidence for all of these locations to show that it was not a physical barrier or some other type of modification that would lead to better compliance.
- In terms of evidence issues such as getting information in relation to police accident rerecords and whether the evidence was anecdotal and what could communities do and advised that some additional camera monitoring were being done on these sites to add to the evidence base.
- We also had the collision database that we use in relation to our road safety programme, but that only record injury accidents.
- We knew that for damage only collisions there were no real accurate record for that, but we have a record of all correspondences where we had petitions, where we had complaints and we were able to access that as part of making the case all of which had to be placed in a package and submitted to the Department of Transport(DfT) along with our application submission.
- There were some locations where we would like to do this, but we needed to take some 'baby steps' as this was new technology and could be subject to Traffic Penalty Tribunal Appeal in the same way as Bus Lane Appeal to ensure that we do it and to test it and ensure the system was working before we tackle some of these more challenging locations

It was

50. RESOLVED: -

That Cabinet:-

- a. Delegated authority to the Assistant Director for Highways and the Assistant Director for Transport and Connectivity in consultation with the Cabinet Member for Transport to authorise the making of an application

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to the Department for Transport (DfT) for powers to enforce moving traffic contraventions across the City Council's jurisdiction, in accordance with Part 6 of the Traffic Management Act 2004, following consideration of all objections raised through the public consultation and taking such steps that are considered reasonable to resolve any disputes;

- b. Delegated the management of operational policy regarding camera site selection and operation to the Assistant Director for Highways in consultation with the Assistant Director for Transport and Connectivity and the Cabinet Member for Transport;
 - c. Delegated the authority to approve future camera enforcement sites to the Assistant Director for Highways in consultation with the Cabinet Member for Transport and relevant divisional members;
 - d. Approved the setting of Penalty Charge Notices to be issued with MTE at the higher level of (£70) for moving traffic contraventions;
 - e. Agreed to receive annual reports on the effectiveness of MTE by the Cabinet Member for Transport;
 - f. Ensured that any surplus revenue arising from MTE is applied in line with legislative requirements and to delegate authority to make decisions about the use of any surplus revenue to the Assistant Director for Highways in consultation with the Assistant Director for Transport and Connectivity and the Cabinet Member for Transport; and
 - g. Authorised the City Solicitor to negotiate, execute and complete any necessary legal documentation to give effect to the above decisions.
-

APPOINTMENTS TO OUTSIDE BODIES

The Chair presented the item and drew the attention of Cabinet to the information contained in the report.

(See document No. 13)

It was

51. RESOLVED: -

That Cabinet:-

- I. Agreed the appointment of Cllr Adam Higgs (Con) as one of the City Governor for the Birmingham and Midlands Institute for the remainder of the term i.e. 13 December 2022 until 27 June 2023;
- II. Agreed the replacement of Cllr Kirsten Kurt-Elli (Lab) with Cllr Jayne Francis (Lab) on the Ikon Gallery for the remainder of the term i.e. 13 December 2022 until 27 June 2023;

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- III. Agreed the replacement of Cllr Alex Aitken (Lab) with Cllr Sir Albert Bore (Lab) on B:Music for the remainder of the term i.e. 13 December 2022 until 27 June 2023;
- IV. Agreed the replacement of Cllr Sir Albert Bore (Lab) with Cllr Liz Clements (Lab) on the City of Birmingham Symphony Orchestra for the remainder of the term i.e. 13 December 2022 until 27 June 2023;
- V. Agreed the reduction of the City Council representation to one representative and that Cllr Robert Pocock is to stand down as one of the representatives but can be an observer whilst Cllr Barrie (Con) remains on the Board until 27 June 2023;
- VI. Agreed to discontinue appointments to Kings Heath BID subject to any challenge or future ballot before the 31 March 2023; and
- VII. Agreed the continuation of Councillors Paul Tilsley and Penny Wagg as nominative trustees for a further 3 year-term on Yardley Educational Foundation expiring on the 21 February 2025.

KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JANUARY 2023 – MARCH 2023) AND QUARTERLY CONTRACT AWARDS (JULY – SEPTEMBER 2022)

Councillor Yvonne Mosquito, Cabinet Member for Finance and Resources introduced the item and drew the attention of Cabinet to the information contained in the report.

(See document No. 14)

Following discussions by Cabinet, it was

52. RESOLVED: -

That Cabinet:-

- (i) Approved the planned procurement activities as set out in Appendix 1 to the report and approved Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy;
- (ii) Noted the contract award decisions made under Chief Officers delegation during the period July 2022 – September 2022 as detailed in Appendix 4 to the report.

NON-KEY DECISION PLANNED PROCUREMENT ACTIVITIES (JANUARY 2023 – MARCH 2023) AND QUARTERLY CONTRACT AWARDS (JULY 2022 - SEPTEMBER 2022)

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Councillor Yvonne Mosquito, Cabinet Member for Finance and Resources introduced the item and drew the attention of Cabinet to the information contained in the report.

(See document No. 15)

It was

53. RESOLVED: -

That Cabinet:-

1. Noted the planned procurement activities as set out in Appendix 1 to the report and Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards; and
 2. Noted the contract award decisions made under Chief Officers delegation during the period July 2022 – September 2022 as detailed in Appendix 4 to the report.
-

OTHER URGENT BUSINESS

The following items were submitted as urgent business:-

USE OF HOUSEHOLD SUPPORT FUND

Councillor Karen McCarthy, Cabinet Member for Children, Young People and Families introduced the item and drew the attention of Cabinet to the information contained in the report.

(See document No. 16)

It was

54. RESOLVED: -

That Cabinet:-

- a. Approved the use of the Household Support Fund as set out in paragraph 3.12 to the report;
- b. Delegated the management of the distribution to the Director Adult Social Care (or their delegate) in conjunction with the Director of Strategy, Commissioning and Transformation Children and Families (or their delegate) and Strategic Director of Council Management (or their delegate);
- c. Approved the transfer of £5.1m claimed from DWP to Birmingham Children's Trust to provide £4.8m in direct financial assistance to vulnerable families with children until 31st March 2023. This includes a

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£1m overspend allocation to flexibly respond to demand across the specified areas of spend on vulnerable children including those in low-income families, over the course of this winter in line with DWP guidance. This includes delivery costs of the BCT' overall package of HSF assistance which totals £300K. This will be set out in a conditions of grant aid agreement;

- d. Noted the requirement for waiver procedure required in order to establish a contract with the Post Office for delivery of cash pay-out voucher schemes at cost of £135,000 required for £2m to low income All Age Households and £2m to Pension Age households in receipt of Council Tax Support (CTS) voucher scheme. This will be carried out in accordance with the Public Contract Regulations (PCR) 2015;
- e. Delegated authority to grant award to a suitable third sector organisation, the delivery of two Targeted Hardship Grant Schemes for All Age Households and the distribution of payments to families with children that are referred by Birmingham Children's Trust partners. The estimated cost to run this is £300,000, until 31st March 2023. This provider will be selected through a grant application process with associated risk assessments;
- f. Approved a £500K top up to Local Welfare Provision funding and £87K additional staffing costs associated with direct delivery; and
- g. Authorised the City Solicitor (or delegates) to execute and complete all necessary legal documents to give effect to the above decisions.

FAREWELL TO ROBERT JAMES

55. The Chair informed Cabinet that this was the last Cabinet meeting for Robert James who will retire at the end of this month. As you were all probably aware, Robert joined Birmingham City Council at a very young age and had served the Council for 49 years. The Chair added that he first met Mr James about 20 years ago when he became the District Director for Hodge Hill, and he quickly formed a positive working relationship with him. The Chair highlighted that throughout that period he had always valued his advice and guidance and that he always gave an excellent advise to him throughout that period. The Chair stated that he knew that Mr James' service of dedication to the Council and the people of Birmingham had not gone unnoticed. The Chair added that further tributes will be paid to Mr James on Thursday 15th December, but that he did not want this opportunity to pass without mentioning Robert's long period of service. His dedication to the City of Birmingham was not only admired by the Council but people throughout the city as well.

Councillor Ewan Mackey, Deputy Leader of the Opposition (Conservative) stated that he echoed all of the Chair's comments and added that he was pleased that when he first came into contact with Birmingham City Council (BCC) in the early 90s when the Government had changed some of the tax laws. There was a lot of social housing being built by BCC (by Wimpey Homes) this was where his involvement came and when he spoke about things

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like that Mr James' corporate knowledge was such that he remembered that scenario when he brought that up at committee when everyone else had a blank look around the table, Mr James was nodding away, and he could expand on what he (Councillor Mackey) was saying. Mr James departure would be a great loss to the city as he had that joined up thinking taking us all the way through as he could see what worked and what could be expanded upon. Councillor Mackey then wished Mr James a good retirement and added that he will be missed and thanked him for all that he had done.

Councillor Jon Hunt, Leader of the Opposition (Liberal Democrat) echoed all the comments and wished Mr James all the best for his retirement. Councillor Hunt further expressed thanks to Robert for his 49 years of service.

Mr James expressed thanks for all the kind words from Elected Members and added that it was an absolute pleasure to work for the organisation for so long. Mr James stated that he had devoted his career to BCC and that he had worked with Members from all parties and that it was an absolute pleasure to have worked with everyone and that we should not forget that the reason we came here was for the people out there – the citizens and visitors. Mr James stated that a number of awards have been achieved this year which placed the city in a great way to take forward our services and provide even better services for the people of Birmingham.

The Chair commented that this was the last Cabinet meeting of the current year and wished everyone a Happy Christmas and that we will reconvene in the New Year. The Chair expressed thanks to all for everything we had done over the last 12 months. The City Council was moving forward with some pace in the right direction and that when we reflect upon 2022, this had been a quite significant year in the history of both the Council and the City of Birmingham, we could look forward to similar occasions coming in the future.

The meeting ended at 1156 hours.

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CHAIRPERSON

Birmingham City Council

Report to Cabinet

17th January 2023



Subject: A Digitally Connected City - Enabled for Future Growth

Report of: Peter Bishop, Director for Digital and Customer Services

Relevant Cabinet Member: Councillor Jayne Francis, Digital, Culture, Heritage and Tourism

Relevant O &S Chair(s): Saima Suleman, Economy and Skills Overview & Scrutiny Committee

Report author: Raj Mack, Head of Digital City and Innovation
Bipin Parmar, Head of Technology Practice, Security and Networks

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input 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: 010484/2022		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<p>The following appendices are marked as confidential under 3. Information relating to the financial or business affairs of any particular person (including the council):</p> <ul style="list-style-type: none"> - commercially sensitive information contained within provided by 3rd Parties under commercial confidence - disclosing the potential value of forthcoming procurements would give tenderers an advantage over the City Council to the extent that the Council would not be able to prove best value. <p>A – BCC Outline Business Case</p>		

B – BCC Outline Business Case Financial Model
C – BCC Outline Business Case Market Assessment
D – Procurement Approach
E – Resource estimate to support the development of the FBC [Final business case]

1. Executive Summary

- 1.1 The importance of the digital infrastructure is set out in The National Infrastructure Strategy which outlined the UK's plan to improve the quality of physical and digital infrastructure needed to boost growth and productivity, and enabling the UK to deliver its net zero emissions target by 2050. This was further re-enforced in the Government's Levelling up White Paper which set out the importance of new digital infrastructure establishing it as one of its key "Missions".
- 1.2 In recent years, the Government has initiated a number of programmes to accelerate digital infrastructure within the UK. In 2012 it launched the Superconnected cities initiative allocating £150 million to a number of local authorities to accelerate superfast broadband. In 2018, the Local Full Fibre Networks fund of £190million was announced to encourage private sector organisations to work with urban and rural local authorities to identify and accelerate opportunities to roll out full fibre digital networks in recognition that full fibre provided an ultrafast future proofed digital infrastructure.
- 1.3 In 2021, Government announced Project Gigabit, a £5billion investment to accelerate full fibre and ultrafast connectivity in hard to reach and predominantly rural areas. Unfortunately, this fund cannot be used to "infill" areas in urban locations even if there are no planned investments for full fibre deployment by the private sector.
- 1.4 The importance of creating future-proof ultrafast digital infrastructure networks has led to the establishment of numerous alternative networks in addition to the main two telecommunication providers, British Telecommunications Plc (BT) and VirginMediaO2 (VM02). These alternative network providers are often referred to as "altnets", the largest of the altnets is City Fibre and has been rolling out full fibre infrastructure across a number of Cities in the UK.
- 1.5 An analysis carried out by Hatch in March 2022- The Economic Impact of full fibre infrastructure reviewed the 285 locations where City Fibre had implemented full fibre and identified significant benefits for the deployment of full fibre. This included direct economic benefits and wider impacts:
 - (i) increased numbers of jobs in the construction supply chain leading to £1.4 billion in GVA
 - (ii) once implemented, an economic boost from 2026 of £22 billion GVA associated with a boost to productivity, business innovation and start ups

- (iii) full fibre is critical to the rollout of 5G, which could deliver a potential economic uplift of £53 billion in GVA
- (iv) it will accelerate the rollout of the Internet of Things which deliver economic benefits of £16 billion.

1.6 The availability of full fibre offers a number of opportunities for our City and the wider region. For example:

- (i) The West Midlands Tech Sector is expected to generate at least £2.7 billion for the local economy by 2025
- (ii) It is home to 18,394 start-ups and more incubators and accelerators than any other city outside London
- (iii) It has the fastest growing tech sector
- (iv) It has the largest 5G test bed across the UK.

1.7 Without the right infrastructure, there is a risk that Birmingham will not attract the level of investment outlined above and not achieve the economic returns available. Birmingham is already lagging behind other cities that have taken proactive action to support economic growth by developing their full fibre infrastructures (such as Sunderland, Coventry, Wolverhampton, Liverpool, Manchester etc.).

1.8 Extensive analysis has identified that Birmingham does not have the necessary levels of full fibre connectivity across the city to deliver the outcomes in the Council's Levelling Up Strategy, increasing the pace and scale of growth.

1.9 Access to full fibre has been identified as one of the key Digital Connectivity foundations with the Digital City Roadmap to deliver sustainable economic growth through increased productivity gains achievable by businesses. The availability of a full fibre digital infrastructure will deliver both faster speeds and lower costs, which in turn support access to a wider range of services for residents, especially for housebound and deprived households. The development of full fibre also enables SME growth and accelerates GVA growth, providing higher speeds at lower costs. Analysis presented to Cabinet in April 2022 suggested this GVA growth is estimated to be £760million based on increased productivity.

1.10 Currently Birmingham is served by two main tele-communications ("telco") providers, with no single commercial provider having ubiquitous coverage and many areas of Birmingham under the UK average of 40% full fibre coverage. Even with planned roll outs by the major providers this will not create a full fibre network across Birmingham.

1.11 Without intervention from BCC this is unlikely to change, and Birmingham could drop further behind the average coverage for major metropolitan UK cities as those cities intervene in this market.

1.12 Market expertise from Prism Consulting was sought to provide recommendations on how BCC could stimulate the market to deploy full fibre services at the rate required.

- 1.13 Following the production of an Outline Business Case (OBC) (Appendix A), it is proposed that Birmingham commercialises its current Wide Area Network contract (that provides connectivity between 500+ sites to the main BCC network to deliver IT services) to create a Joint Venture with a telco partner to accelerate the roll out of full fibre that will:
- utilise the existing BCC WAN spend of circa £1M per annum in an Anchor Tenancy Model through a Joint Venture Limited by Shares.
 - capitalise existing spend on WAN to enable investment into the joint venture that will be matched by a commercial partner.
 - target the roll out of full fibre services to the 8 constituencies that currently have under 50% full fibre coverage in the first phase.
 - in addition to providing the full fibre coverage to the areas of Birmingham that are currently underserved, over a 20-year period this will help deliver savings already built into the financial plan but could also provide opportunities for further savings/ financial efficiencies.
- 1.14 In order to take the proposal from OBC to Full Business Case (FBC) approval of £0.656M is sought to engage specialist procurement legal and technical expertise to:
- conduct the procurement for (but not limited to, based on market response) a joint venture partner
 - establish the appropriate governance and processes based on the outcome of the partner procurement
 - finalise the full business case, prior to contract award with the partner, for cabinet sign off.

2 Recommendations

- 2.1 Notes the OBC attached at Appendix 1 and the current state of full fibre coverage across the City and supports an intervention from Council in order to address the speed and coverage of full fibre roll out in Birmingham where overall plans from providers do not address underserved areas.
- 2.2 In line with the recommended option from the OBC in Section 4, the Council commences a procurement analogous to competitive dialogue (subject to a further Cabinet award report) which targets, but is not limited to, a Joint Venture Limited by Shares to:
- 2.2.1 Build, deploy and commercialise a 'City Spine' full fibre network.
- 2.2.2 Targets the underserved constituencies with less than 50% full fibre coverage
- 2.2.3 Utilises the current BCC WAN spend, in partnership with the new partner over a 20-year period, enabling an economic uplift to Birmingham and a financial return to the Council.

- 2.3 Authorise the procurement and investment request of £0.656M to procure specialist resource to deliver:
 - 2.3.1 A compliant procurement process
 - 2.3.2 The development of a final business case which will come back to Cabinet for approval
 - 2.3.3 The development of a governance model and processes for the proposed Council oversight of any proposed JV/partnership arrangements.

3 Background

3.1 National Policy & Strategy

- 3.1.1 The Government's target is for gigabit broadband (download speeds of at least 1 gigabit-per-second) to be available nationwide by 2030 and it has provided a Treasury allocation of £5 billion to support the network builders, of which £1.2 billion has been released to date. Gigabit-capable broadband can fuel the long-term post-Covid economic recovery; maintain the UK's competitive position post-Brexit; and ensure we are better prepared for any future lockdowns and pandemics. (ref Appendix A – BCC Outline Business Case, ref 2.3.1 National Policies and Strategies).
- 3.1.2 Research from CEBR[3] notes that the provision of ultrafast broadband could boost productivity by 3.2% in the UK.
- 3.1.3 The rollout of full fibre has gathered serious momentum over the last few years. There are many drivers for this, not least that the aged copper telephony networks are reaching end of life and the PSTN switch-off is set for 2025. With the Government's targets now settling on universal access to Gigabit capable broadband and 4/5G mobile connectivity by 2030, it is also one of its 12 missions to level up the UK.
- 3.1.4 The Government revealed its intentions for digital infrastructure deployment in the UK under the National Infrastructure Strategy (November 2020). [1-see page 21] Current predictions suggest that up to 60% of premises will have access to full-fibre connectivity by the end of 2021, up from 9% in 2019.[2-see page 21] Looking to the future, the Government was initially targeting 100% of UK premises to have access to full-fibre internet by 2025, however this target has now been revised down to 85% of households having access to gigabit-capable internet by 2025. It should be noted that gigabit speeds can be achieved without a full fibre network, however, it has been confirmed by market telecommunications expertise that full fibre deployment is the currently the only way to establish a future -proofed digital infrastructure.
- 3.1.5 The Levelling Up White Paper published in February 2022 set a new target for gigabit-broadband to be available nationwide by 2030. Nationwide coverage means "at least 99%" of premises. The core ambition of this strategy is to 'level-

up' the country through wider availability of gigabit-capable internet connectivity, as UK cities, towns and regions are currently lagging behind European counterparts[1-see page20].

- 3.1.6 The Government says it remains committed to meet 85% of premises by 2025. The 'nationwide-by-2030' target therefore puts a timeline for connecting the remaining 15% of premises, which will mostly require public funding support.
- 3.1.7 Current predictions suggest that up to 60% of premises will have access to full-fibre connectivity by the end of 2021, up from 9% in 2019.[2-see page 21] Already in Birmingham, there is approximately 40% full fibre coverage as a result of investments made by Openreach.
- 3.1.8 The changing of this target, along with the softening of the language away from 'full fibre' connectivity, highlights the need for more action and innovative solutions to provide access to digital connectivity.
- 3.1.9 The Government's policy is that gigabit-broadband infrastructure will be mostly built using private investment. BDUK, the Government Agency for gigabit delivery and responsible for achieving the targets, has published in its 2022 Summer Update, that trends in build to date indicate that 80% of the 2025 85% target will be built without government subsidy.
- 3.1.10 Private companies decide when and where to build infrastructure based on commercial factors. There are many companies building new networks including small operators focusing on particular geographical areas.
- 3.1.11 The Government has pledged that the Treasury funding described above will be utilised to deliver gigabit-broadband to properties not reached by the commercial market (around 15-20% of the UK). These properties are mostly in rural areas, although many 'pockets' of digital deprivation are also appearing in urban locations.
- 3.1.12 In recent years, DCMS launched the local full fibre network scheme. This was a government funded programme to accelerate full fibre across the UK available to urban and rural areas. It encouraged a number of different models to attract full fibre investment including anchor tenancy models, extension of wan services, etc. This enabled a number of urban areas to attract public and private investment within the localities.
- 3.1.13 As a result of Government funding and private sector investment a number of alternative network providers have been established often referred to as "altnets". The largest of these is CityFibre and it has invested in deploying full fibre infrastructure in 285 locations across the UK. An analysis led by Hatch and published in March 2022, identified the direct economic and wider impacts the full fibre can enable:
 - (i) increased numbers of jobs in the construction supply chain leading to £1.4 billion in GVA

- (ii) once implemented, an economic boost from 2026 of £22 billion GVA associated with a boost to productivity, business innovation and start ups
- (iii) full fibre is critical to the rollout of 5G, which could deliver a potential economic uplift of £53 billion in GVA
- (iv) it will accelerate the rollout of the Internet of Things which deliver economic benefits of £16 billion.

3.2 Regional Full Fibre Network Programmes

- 3.2.1 The issue of poor connectivity has been acknowledged at both a regional and local level. In its Digital Roadmap for 2021 – 2026, the West Midlands Combined Authority recognised the importance of digital connectivity for economic growth and innovation and has outlined 5 Missions
- (i) Securing access for everyone to digital opportunities, particularly those in poverty
 - (ii) Sharing and using data to improve people's lives
 - (iii) Becoming the UK's best-connected region
 - (iv) Realising the potential of digital to transform our economy and build economic resilience
 - (v) Using digital public services to build a fairer, greener, healthier region.
- 3.2.2 The availability of full fibre is instrumental in the deployment of 5G and WM5G are working with local authorities to develop plans to further accelerate full fibre in economic growth areas across the region. These plans are still being formalised.
- 3.2.3 Several locations within the West Midlands have already initiated their full fibre deployments following public-private investments. For example, Wolverhampton, Coventry, Solihull and Warwickshire were all successful in gaining funding through the Local Full Fibre Network programme and are currently deploying their full fibre network with digital infrastructure providers.

3.3 Local Level

- 3.2.4 Birmingham and the wider region have a thriving tech sector which is expected to generate at least £2.7 billion for the local economy by 2025. The Region has the highest number of emerging tech companies (2,946), second in the UK behind London for the region with the highest number of tech and creative companies.
- 3.2.5 In order to maximise these opportunities, Birmingham's Digital City Roadmap, which was approved by Cabinet Committee in April 2022, recognised that digital affects every layer of life in Birmingham, from the underlying connectivity required to attract businesses and enable access to digital services, to providing people with the skills required to successfully participate in the digital economy. It identified hyperconnectivity as a key element in delivering inclusive economic

growth opportunities for businesses and citizens estimating that this could deliver an economic uplift of £760million for the City.

- 3.2.6 As demonstrated from Birmingham's Digital City Roadmap, which highlighted in the WCMA work and validated through this outline Business Case, at the local level Birmingham's current fixed connectivity levels are poor, both in the city centre and in outlying districts, and whilst 5G connectivity is growing, there are certain areas of the city that will not achieve required fixed and mobile connectivity levels with current private investment methods.
- 3.2.7 During the development of the Birmingham Digital City Roadmap, stakeholders across the City said the provision of full fibre would be a significant gamechanger for the City. Many cities and regions have intervened in the full fibre market to improve access for businesses, and Central Government continues to invest in rural areas, but Cities are missing out.
- 3.2.8 The proposed hyperconnectivity projects within the scope of the Digital City Roadmap were estimated to add over £760m of gross monetary value (GVA) in the form of increased productivity across the business and consumer sectors. The projects within the Digital City Roadmap support the Council to deliver a comprehensive set of digital connectivity foundations, accelerating the deployment of both fixed and wireless connectivity technologies across the city and ensuring that no area is left behind. This will focus on the following areas:
- Increasing levels of inward investment due to the city becoming more attractive to businesses with intensive digital requirements.
 - Full Fibre enables SME growth by giving them access to higher speeds at prices 50-75% cheaper as well as the capacity and capability to innovate and develop new applications and solutions.
 - Creating additional direct jobs in digital infrastructure delivery.
 - Increasing the value of redevelopment/regeneration areas, eg Smithfield, could gain an additional £13million of productivity uplift in accordance with CEBR national analysis.
 - Providing better access to education services and employment opportunities.
 - Delivering various benefits to the public sector through enabling the delivery of more services digitally.
 - Full fibre technology enables access to a wider range of services at home especially for housebound and deprived households, closing the digital divide:
 - Medical / health-based applications
 - Video consultations

- Education
- E-commerce

3.3.8 Public services administered by local government in Birmingham could also benefit from cost and time savings in the delivery of key activities as a result of heightened connectivity, including efficiencies associated with data collection, local highway management and maintenance refuse collection, social care support and online services amongst others. By promoting increased economic activity, local authorities can also benefit both directly through additional business rate income.

3.3.9 The Digital City Programme targets 5 outcomes:

- A future proofed digital infrastructure that accelerates entrepreneurship and innovation
- Improved digital inclusion and connectivity for citizens and businesses
- Increase digital investment in the City for inclusive economic opportunities
- Maximise the use of City Data – improved collaboration and partnership work
- Establishing Birmingham as a leading international digital city.

3.3.10 The 5 Digital City Outcomes support the wider objectives of the council in the following areas:

- BCC Levelling Up Accelerator, delivering the Green and Digital Infrastructure
- City Partnership – Delivering the City's Grand Challenges and the Councils Corporate Plan 2022-26.

3.3.11 The Digital City programme was shaped through extensive stakeholder engagement in order to identify key activities that City needed to undertake to deliver economic growth. This enabled the establishment of the Digital City Roadmap which brought together a number of themes which could deliver benefits of over £1 billion economic uplift based on:

- Future generation digital infrastructure
- Enabling ecosystems of infrastructure and data for innovation and transforming services
- Increased productivity benefits for businesses
- Improved access to open city data
- Creation of high value jobs and employment impacts (open access data)
- Reduction in CO2 emissions, reduced residential and business utility bills and improved well being
- Residential social value/ wellbeing benefits.

3.3.12 A key enabler is the provision of full fibre to the residents and businesses in Birmingham.

- It has long been identified that there are several underserved areas within Birmingham that is slowing the pace of digital take up and growth.
- Many other cities such as Sunderland, Coventry, Wolverhampton, Liverpool and Manchester have taken proactive action to support economic growth by developing their full fibre infrastructures based on their economic analysis.

3.3.13 Birmingham has an opportunity to take similar action as other major cities with the impending renewal of the Council's Wide Area Network (WAN) contract in 2025. The Birmingham Councils WAN connects in excess of 500 council and partner sites across Birmingham to provide connectivity to the main council network at a cost of circa £1M per annum. A revised WAN contract could potentially be commercially structured to provide a means to attract wider inward investment to drive/ expediate the roll out of full fibre services across Birmingham. Given the complexity of the underlying market that provides these services, Prism Consulting were engaged to provide market expertise and develop evidence-based options for accelerating full fibre across the City through the creation of an Outline Business Case.

3.4 Outline Business Case

Prism Consulting were engaged across both internal BCC stakeholders and the external market to understand the level of interest, commercial avenues open to Birmingham and viability of using the WAN to stimulate inward investment for full fibre roll out following the Green Book approach. Please refer to Appendix C – BCC Outline Business Case Market Assessment for the detailed research.

3.4.1 The report confirms full fibre coverage in Birmingham is known to be problematic.

- No single commercial provider has ubiquitous coverage of Birmingham
- Several providers have partial coverage and some plans to expand
- Even with the planned coverage, Birmingham could drop further below the average coverage for major metropolitan cities in the UK. Liverpool, Manchester and Leeds already have substantial fibre build schemes in place

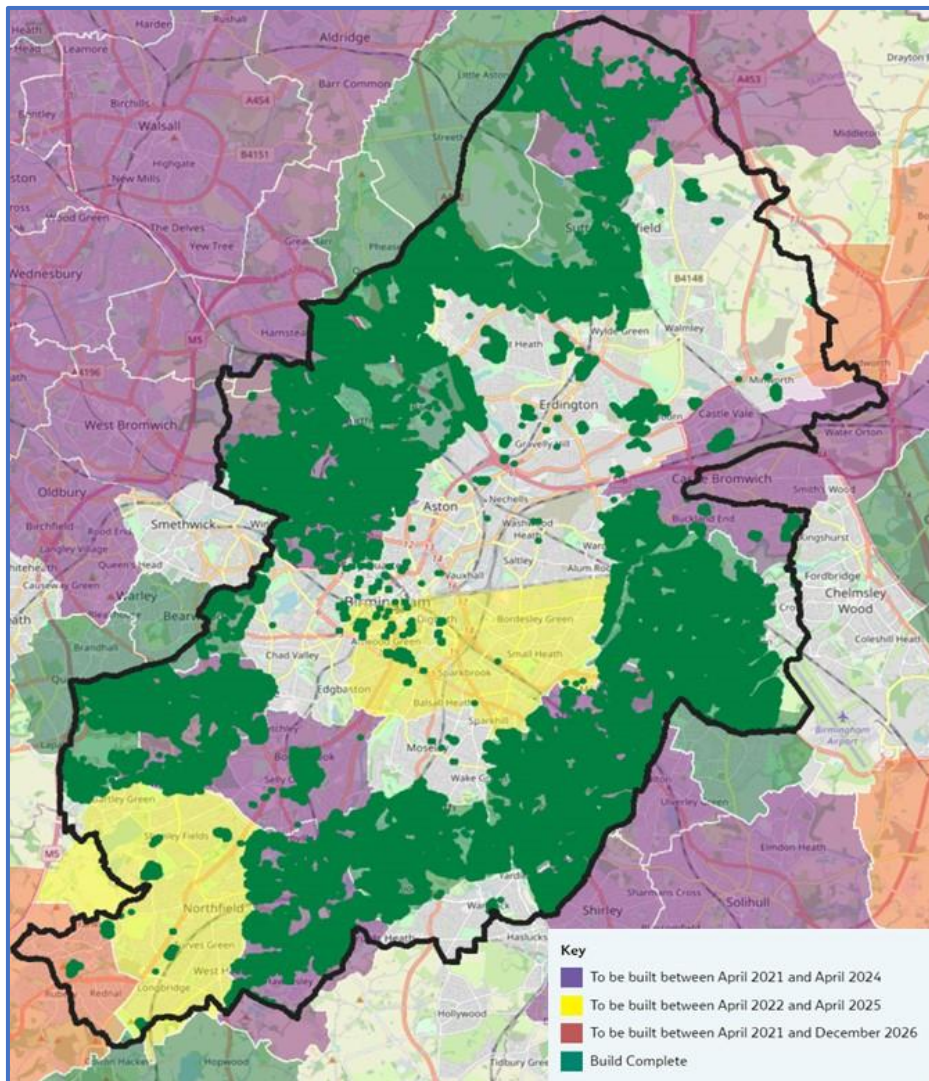
3.4.2 Birmingham is clearly suffering from pockets of 'urban connectivity deprivation'. These 'pockets' are generally caused by three factors:

- a) An area having a particularly high level of business compared to residential premises. This makes the area less commercially attractive to fibre providers, the majority of whom drive their business cases on 'high volume' residential take-up.

- b) Central urban and metropolitan areas can sometimes have higher levels of social deprivation. This leads to lower take-up of FTTP services, with lower Average Revenue Per User (ARPU). This further deflates the value of a commercial residential business case for the providers.
- c) Telecom providers protecting 'leased line' revenues. Prior to pervasive rollout of FTTP, businesses often had to take expensive leased line services to ensure sufficient bandwidth and reliability. These services are often between 8 – 12 times more expensive than an FTTP counterpart providing the same bandwidth (although potentially with less consistency or performance reliability). Providers are reluctant to dilute their revenue and profits and currently there is no regulatory obligation on them to do so.

3.4.3 Central Birmingham, in particular, suffers from all three of these factors, resulting in the poor existing fibre coverage and lack of defined plans for rollout before 2026-2030. More detailed supporting evidence of this is given in the market analysis reported separately. An example of this is shown in the planned rollout map from open reach in Figure 1:

Figure 1 – Birmingham Current & Planned Full Fibre Roll Out to 2026 (Openreach)



3.4.4 The telecoms market, particularly fixed fibre operators, have been consulted from three specific perspectives for this case:

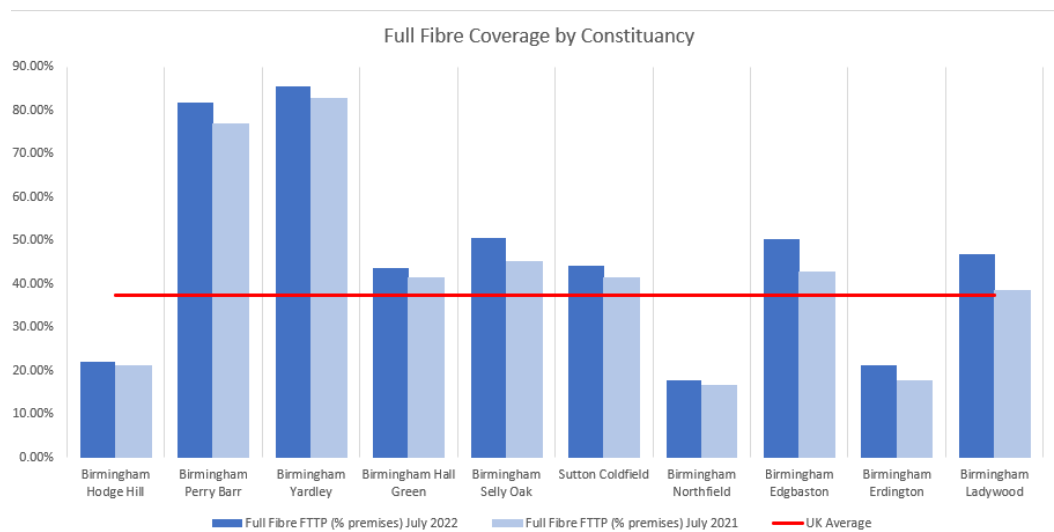
- 1) The extent of their existing fibre and FTTP/FTTH/FTTB rollout within Birmingham
- 2) Their plans for rollout between 2022 and at least 2026
- 3) Their interest in and the attractiveness of BCC's WAN to their plans

3.4.5 The results of these consultations are described in detail in the separate reports associated with this Outline Business Case (OBC) (see Appendix A) but in summary indicate that:

- a) There are areas of Birmingham that are currently significantly under-served with regards to fibre / FTTP provision, particularly towards the central Birmingham area (see figure 1). This includes three constituency areas

where the average coverage is well below the UK average and a further five that are ‘borderline’:

Figure 2 – Full Fibre Coverage by Constituency



b) There are no stated plans to commercially rollout fibre / FTTP to these areas until at least 2026 and there is little imperative to do so without intervention or enticement of some form.

c) There is significant interest in providing BCC with an upgraded WAN and using this as ‘anchor tenancy’ for further fibre deployment. Sufficient providers interviewed showed a willingness to consider a Special Purpose Vehicle (SPV) / Joint Venture (JV) partnership with BCC as a sound commercial arrangement to enable this. There is a high level of confidence that between 4 and 7 operators would bid either independently or in consortium for such a procurement.

3.4.6 BCC’s Wide Area Network

- The WAN network affects the majority of council IT Services and is fundamental to linking Council sites together and allowing staff to connect back to both line of business and corporate IT systems i.e. Internet access, telephony services, Revenues & Benefits systems, Housing systems, Waste Management systems etc.
- BCC’s current WAN solution is undergoing a ‘tactical’ refresh in order to support wider corporate programmes such as New Ways of Working (to support the exit of Lancaster Circus) and remove core network dependencies on Council Properties to provide flexibility and support future building consolidation, while also providing a more secure and robust delivery of core networking services. The

tactical refresh and associated contracts run through to June 2025 with an option for two further single year extensions (+1, +1 options).

- In readying itself for a re-competition for a new corporate WAN, BCC has undertaken Soft Market Testing for the intended scope of c.537 sites. In doing so, apart from satisfying the PCR2015 and its Finance, Procurement and Contract Governance Rules, BCC shall be obliged to seek out the following benefits:

- Reduce cost over the medium term
- Improved reliability and responsiveness
- Improved performance
- Improved edge to edge security
- Improved connectivity and traffic prioritisation
- Network agility with improved provisioning times
- Higher quality data transfer
- Improved speed
- Operational flexibility and
- Streamlining of operational activity.

- In a straight-forward procurement against an outcome-based set of requirements, vendors will almost certainly bid an alternative technology to BCC's, the technology of which is becoming outdated, to take advantage of Software Defined WAN (SDWAN) in line with wider market technology best practices. Therefore, a more extensive rework will be required.

- The current contract value of the WAN is circa £1M per annum (including smaller network connectivity sub-contracts) and so represents a significant revenue outlay to the council. However, this also provides the opportunity to use the WAN contract to leverage commercial opportunities that aid in addressing the wider market failings for full fibre coverage in Birmingham and support the Digital agenda.

- BCC Requirements offer significant anchor tenancy, providing a substantial basis for a fibre network build

- 500+ location AND 600-800 CCTV sites
- 213 MDUs plus Central Renewal Areas
- 200 other 'commercial locations'

3.4.7 Intended Strategic Outcomes

Supporting the wider Digital City Outcomes, the following intended outcomes should be targeted/ enabled based on the output from the Prism report:

- Accelerate deployment of a 'City Spine' to enable fibre connectivity throughout Birmingham by end 2026
- Enable operators to increase full-fibre coverage of all relevant business and residential premises within Birmingham to (nearly) 100%
- Support the development of smart city, 5G and other applications that will facilitate or underpin the Future City initiatives
- Enable Birmingham's ambition as a digital city to have competitive advantage over other metropolitan areas through demonstrable and evidential public / private collaboration and commitment.
- Be underpinned by realistic and achievable contributions and support from BCC
- Adopt a model that ensures effective use of BCC's contribution, in terms of governance and higher benefits return versus cost
- Convert current substantial costs of renting fibre circuits to form the council's WAN and connection services into a capital investment.

4 Options considered and Recommended Proposal

4.1 Do Nothing – do not upgrade the Council's WAN and do not intervene in the Market

4.1.1 Do nothing has been ruled out as it is not a viable option.

- BCC cannot continue with the current WAN contract beyond 2027. The current 3-year contract runs until 2025 with the option to extend via two +1's until 2027. Continuing beyond this point will put BCC in breach of procurement regulations.
- Continuing the current WAN network, even if valid from a procurement perspective, would leave BCC running legacy technology.

4.2 Upgrade the Councils WAN Only

4.2.1 This option involves a re-tendering of the existing WAN contract on a similar basis to the current WAN contract

4.2.2 This will provide the following benefits to BCC:

- New more efficient technology introduced
- Potential improved service levels and performance for the BCC core WAN

- Potential cost reductions of circa £100k to £150k per annum (£2M to £3M over a 20-year period) based on soft market test responses

4.2.3 This option **will not** contribute to the Digital City Roadmap and Outcomes, and in particular does not drive investment for full fibre to address the significantly underserved areas with regards to full fibre provision identified in section 3.3 which the market currently has no plans to address in published roll out plans to 2026.

4.3 **Recommended Option:** Utilise the Council's WAN and Spend to improve full fibre connectivity across the City via a Special Purpose Vehicle - Joint Venture.

Based on the analysis and market engagement performed by Prism Consulting at Outline Business Case stage, the most advantageous option for BCC to pursue is indicated to be a Joint Venture in order to bring direct market investment to deploy full fibre to underserved areas while also providing the BCC WAN Services. This option will be tested during the procurement phase.

This approach addresses the lack of full fibre roll out plans by the market to deliver the fibre to underserved areas and supports the wider Digital City Outcomes and wider corporate strategy objectives that the other options do not.

4.3.1 A Joint Venture Limited by Shares, is indicated at outline business case stage, as in principle it provides a better understood structure with tighter controls that enables more direct returns than alternate models such as Contractual Ventures, Limited Liability Partnerships and General Partnerships.

4.3.2 The approach will:

- Convert current BCC Opex Spend on WAN into Capital to create an Anchor Tenancy with matched funding from a partner
- The special purpose vehicle will build and commercialise a Full Fibre Core Network (the City Spine) connecting all WAN sites and capable of providing commercial connectivity
- The City Spine will target 95% utilisation of Open Reach Physical Infrastructure wherever possible and target a limit of 5% "new build" with an emphasis on re-using assets wherever possible.

4.3.3 The initial Roll Out (in line with Scenario 2 in the OBC) will focus on areas currently underserved with fibre. This limits the initial roll out to the 8 constituencies with fibre coverage below 50% and no main operator expansion plans before 2026. 70% of business premises in these constituencies will be within 250m of the City Spine, making connections to them affordable to service providers.

- 4.3.4 This option requires an investment from BCC current WAN spend Over a 20-year period it is expected that this option will help deliver savings already built into the financial plan, but could also provide opportunities for further savings/ financial efficiencies which will be confirmed in the FBC.
- 4.3.5 In order to follow the recommended approach above an initial investment of £0.656M is required in order to procure specialist skills to:
- Manage procurement of the partner (see section 8)
 - Establish the appropriate governance and processes through the procurement process
 - Input into technical design of the BCC network components with the partner for a Jan 2025 roll out
 - The finalisation of the procurement activities will provide the Full Business Case for cabinet approval prior to establishment of the special purpose vehicle in line with the procurement outcome.

5 Consultation

- 5.1 The following consultation was undertaken by the Digital City Roadmap prior to the engagement of Prism. Approximately 40 stakeholders were engaged and consulted on the development of the Digital City Roadmap. A list of these stakeholders is included within the Main Report - The Digital City Roadmap - March 2022.
- 5.2 The Corporate Leadership Team and the relevant Cabinet Members have been consulted in developing this proposal, including the Chair of Economy O&S.
- 5.3 A number of senior officers from the Chamber of Commerce, WMCA, WM5G and the WMGrowth Company were consulted.
- 5.4 The following internal consultation was undertaken by Prism Consulting in the production of the OBC.
- Housing
 - Places, Prosperity and Sustainability
 - City Operations
 - Adult Social Care
 - Digital and Customer Services
 - Children's Trust
- 5.5 External consultation with Telco and Full Fibre providers to gauge market interest. In addition, a soft market test was issued by BCC to inform the market and provide input into the Prism Business Case.

6 Risk Management

- 6.1 While market engagement has proved positive, the final outcomes and costs can only be validated once the necessary procurement activities have taken place in the next phase. As such the full business case sign off will be sought once the procurement has completed and before contract signature to de-risk commercial exposure to BCC.
- 6.2 The existing WAN contract has the option to extend from 2025 to 2027. As such, should the procurement exercise prove not to be viable, BCC have time to re-contract its core WAN services and implement these before the existing contract expires to keep service continuity.
- 6.3 Similar commercial mechanisms to those being recommended to BCC have been followed at Manchester and Liverpool, with these areas currently in the deployment phase. Further due diligence will be conducted as part of the next phase to build lessons learned into the contract structure as part of the procurement approach.
- 6.4 The commercial modelling has followed a prudent approach to addressable business market and growth.

7 Compliance Issues:

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

- Supports the Council's Be Bold statements by enhancing Birmingham's drive to be a prosperous city.
- It delivers against the City's grand challenges of increasing the opportunities for greater employment, skills and economic growth.
- It supports BCC's Levelling Up Strategy key accelerator commitment to establish the green and digital infrastructure.
- It supports the delivery of the Digital City Roadmap approved by Cabinet Committee in April 2022.

7.2 Legal Implications

- 7.2.1 The City Council will carry out this work under its General Power of Competence Section 1 of the Localism Act 2011. The use of a joint venture limited by shares, as recommended in this report, is a tried and tested method of contracting that gives BCC greater levels of control and the ability to generate returns back into the city when compared to alternatives such as outsourcing the WAN service. The legal team will work with the project team through the next phase of the project to secure a Joint Venture Partner and finalise the full business case through a process analogous to competitive dialogue. The use of, specialist, external legal counsel will be required and budget has been provisioned to enable this.

7.3 Financial Implications

7.3.1 An investment of £0.656M is required from the Place, Prosperity, Sustainability Delivery Fund in order to secure specialist market expertise to:

- Run the procurement analogous to competitive dialogue which targets, but is not limited to, based on market response, a Joint Venture and its subsequent establishment
- Achieve confirmation of the full business case at the end of the procurement phase to substantiate the outline business case prior to the finalisation of contracts

7.3.2 The Joint Venture will require an estimated capital investment in line with BCC current WAN spend from BCC with matched funding from the partner to create the initial network. A prudent approach has been taken to the financial modelling with only businesses considered in the market analysis with a 15% take up of the addressable market (see section 6 Risk Management for further assumptions). The financial model developed in the OBC is covered in Appendix B.

7.3.3 Over a 20 year period it is expected that this will help deliver savings already built into the financial plan, but could also provide opportunities for further savings/ financial efficiencies, that will be confirmed in the FBC.

7.4 Procurement Implications

7.4.1 The procurement of external consultancy services to support the wider partner procurement can be undertaken through existing compliant frameworks within IT&D for specialist resource.

7.4.2 The procurement approach is outlined in Appendix D, summarised as:

- Establishment of Joint Venture - PCR 2015 Governance
- Telecoms network is both a Works and a Service
- PCR 2015 Explicitly excludes telecom (Regulation 8)
- Directive 2002/21/EC of the European Parliament and of the Council F69 prevailed whilst the UK was part of the EU however the Electronic Communications and Wireless Telegraphy (Amendment) (European Electronic Communications Code and EU Exit) Regulations 2020 defines an electronic communications network so it falls into the Regulation 8 of PRC 2015.

7.4.3 The recommended approach is to adopt a process analogous to Competitive Dialogue as most suited to establishing a JV and the design, build of a network for SD-WAN and FTTP uses.

7.5 Human Resources Implications (if required)

7.5.1 None identified at this stage. This will be assessed as part of the next phase of work as the Joint Venture is procured /established and will be addressed in the FBC.

7.6 Public Sector Equality Duty

7.6.1 An initial screening for an Equality Analysis (EA) is being undertaken. It is unlikely that a full EA is required at this time, with no adverse impacts on the protected groups and characteristics under the Equality Act 2010. The reference number of the EA is EQUA1032.

7.7 Environmental and Sustainability Implications

7.7.1 The deployment of full fibre will provide a key enabler for the Digital City Programme which includes a Net Zero Transitions work stream with projects covering Digital Sustainability Pilots and Monitoring and Pro-active maintenance.

7.7.2 In addition, the gigabit services are transformational for video (either communication or streaming) and so supports home working and distance learning.

8 Appendices

A – BCC Outline Business Case

B – BCC Outline Business Case Financial Model

C – BCC Outline Business Case Market Assessment

D – Procurement Approach

E – Resource estimate to support the development of the FBC [Final Business Case]

F – Equality Impact Assessment EQUA1032

G – Environment and Sustainability Assessment

9 Background Documents

- Report to Cabinet Committee 26th April 2022: “Digital City Programme and Roadmap”
- Summary Roadmap: Digital City Programme “Delivering the Aspirations for a Digital Birmingham”
- Main Report: “Delivering the Aspirations for a Digital Birmingham”: Digital City Programme Final Report January 2022
- Birmingham City Council Levelling Up Strategy (Birmingham.gov.uk)
- The Corporate Plan 2022- 2026

10 Text References

[1] <https://www.gov.uk/government/publications/national-infrastructure-strategy>

[2] <https://www.gov.uk/government/news/pm-and-digital-secretary-welcome-broadband-jobs-boom>

[3] <https://www.computerweekly.com/news/252499915/UK-full-fibre-broadband-could-deliver-25bn-boost-to-productivity#:~:text=The%20report%20also%20showed%20how,to%20%C2%A359bn%20by%202025.&text=%E2%80%9CAnd%20this%20updated%20report%20highlights,people%20back%20.>

Title of proposed EIA	Full Fibre
Reference No	EQUA1032
EA is in support of	New Strategy
Review Frequency	No preference
Date of first review	01/06/2023
Directorate	Digital and Customer Services
Division	ITD
Service Area	Digital City and Innovation
Responsible Officer(s)	<input type="checkbox"/> Claire Banks
Quality Control Officer(s)	<input type="checkbox"/> Raj S Mack
Accountable Officer(s)	<input type="checkbox"/> Peter Bishop
Purpose of proposal	Seek approval to support an intervention from BCC in order to address the speed and coverage of full fibre roll out in Birmingham where overall plans from providers do not address underserved areas
Data sources	Consultation Results; Interviews; relevant reports/strategies; relevant research
Please include any other sources of data	paste docs
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	0
Protected characteristic: Age	Not Applicable
Age details:	As this is a technical infrastructure rollout, there will be no impact. The next phase is the creation of a full business case and a further EIA will be conducted in line with that for submission to cabinet
Protected characteristic: Disability	Not Applicable
Disability details:	As this is a technical infrastructure rollout, there will be no impact. The next phase is the creation of a full business case and a further EIA will be conducted in line with that for submission to cabinet
Protected characteristic: Sex	Not Applicable
Gender details:	As this is a technical infrastructure rollout, there will be no impact. The next phase is the creation of a full

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05/01/2023, 13:48		Assessments - Full Fibre	
		next phase is the creation of a full business case and a further EIA will be conducted in line with that for submission to cabinet	
Protected characteristics: Gender Reassignment		Not Applicable	
Gender reassignment details:		As this is a technical infrastructure rollout, there will be no impact. The next phase is the creation of a full business case and a further EIA will be conducted in line with that for submission to cabinet	
Protected characteristics: Marriage and Civil Partnership		Not Applicable	
Marriage and civil partnership details:		As this is a technical infrastructure rollout, there will be no impact. The next phase is the creation of a full business case and a further EIA will be conducted in line with that for submission to cabinet	
Protected characteristics: Pregnancy and Maternity		Not Applicable	
Pregnancy and maternity details:		As this is a technical infrastructure rollout, there will be no impact. The next phase is the creation of a full business case and a further EIA will be conducted in line with that for submission to cabinet	
Protected characteristics: Race		Not Applicable	
Race details:		As this is a technical infrastructure rollout, there will be no impact. The next phase is the creation of a full business case and a further EIA will be conducted in line with that for submission to cabinet	
Protected characteristics: Religion or Beliefs		Not Applicable	
Religion or beliefs details:		As this is a technical infrastructure rollout, there will be no impact. The next phase is the creation of a full business case and a further EIA will be conducted in line with that for submission to cabinet	
Protected characteristics: Sexual Orientation		Not Applicable	
Sexual orientation details:		As this is a technical infrastructure rollout, there will be no impact. The	

	next phase is the creation of a full business case and a further EIA will be conducted in line with that for submission to cabinet
Socio-economic impacts	the proposal to accelerate the rollout of full fibre across the city will be an enabler for the digital city roadmap
Please indicate any actions arising from completing this screening exercise.	non required
Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	docs
Consultation analysis	<p>The following consultation was undertaken by the Digital City Roadmap prior to the engagement of Prism. Approximately 40 stakeholders were engaged and consulted on the development of the Digital City Roadmap. A list of these stakeholders is included within the Main Report - The Digital City Roadmap - March 2022.</p> <p>The Corporate Leadership Team and the relevant Cabinet Members have been consulted in developing this proposal, including the Chair of Economy O&S.</p> <p>A number of senior officers from the Chamber of Commerce, WMCA, WM5G and the WMGrowth Company were consulted</p> <p>The following internal consultation was undertaken by Prism Consulting in the production of the Outline Business Case</p> <p>Housing</p> <p>Places, Prosperity and Sustainability</p> <p>City Operations</p> <p>Adult Social Care</p> <p>Digital and Customer Services</p> <p>Childrens Trust</p>

CHILDREN TRUST

External consultation with Telco and Full Fibre providers to gauge market interest. In addition, a soft market test was issued by BCC to inform the market and provide input into the Prism Business Case .

This consultation in total resulted in the recommendation for BCC to proceed with the necessary steps in order to form the most effective partnership to intervene in the current external comms organisation's plans to roll out full fibre: intervention designed to accelerate in a manner that best suits the City

Adverse impact on any people with protected characteristics.

no

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

not applicable - no adverse impact detected

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

At the final Full Business Case stage, a further EIA will be conducted and any effects noted for monitoring with appropriate governance

What data is required in the future?

none identified at this stage

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

Conclusion that there will be no negative impacts on any groups: one of the major aims is to be an enabler for levelling up through wider digital roadmap initiatives.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

Yes

Quality Control Officer comments

Decision by Quality Control Officer

Proceed for final approval

Submit draft to Accountable Officer?

Yes

153

Approve

05/01/2023

Approved

Yes

Close

Close

☐☐

Environment and Sustainability Assessment

Birmingham City Council is required to assess any positive or negative impacts that any policy/strategy/ decision/development proposal is likely to have on the environment. This assessment must be completed for CLT and Cabinet reports where appropriate. It is the responsibility of the Service Director signing off the report to ensure that the assessment is complete.

To complete the assessment, you should consider whether the proposal will have a positive or a negative impact on each of the key themes by placing a (✓) for positive, (x) for negative and (?) for unclear impact, and (N/A) for non-applicable impact. Further guidance on the completion of the template is available on page 4 below.

Project Title:	The Digitally Connected City – Enabled for Future Growth			
Directorate: Digital and Customer Services	Team: Digital City and Innovation		Person Responsible for assessment: Raj Mack	
Date of assessment: 9-12-2022	Is it a new or existing proposal?			
Brief description of the proposal: Conduct an appropriate competitive process to select a JV partner to roll out full fibre across the Birmingham City Council region and replace the existing WAN which is due for renewal within the next 36 months. This initial phase is to prepare a detailed businesses case to secure funding for the JV to be set up. This further detailed business case is subject to approval by Cabinet Committee				
Potential impacts of the policy/development/ decision on:	Positive Impact	Negative Impact	No Specific Impact	What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?
Natural Resources - including water, soil, air			None	For this phase of the project as it is only establishing the full detailed business case for a go, no decision and the establishment of the JV, then there are no specific impacts. However, it is anticipated full fibre roll out will focus on re-use of existing assets and infrastructure including use of Openreach PIA. Where new ducts are necessary modern techniques cause minimal disruption and the majority of spillage (>90%) is returned to infill the trench once the duct is installed

Energy use and CO ₂ emissions			None	<p>For this phase of the project as it is only establishing the full detailed business case for a go, no decision and the establishment of the JV, then there are no specific impacts.</p> <p>The fibre network will be utilised to replace the existing WAN; 70% less energy is needed to transmit the same amount of data though a fibre cable than using a copper wire. Using less energy means less heat is generated, so network equipment in an exchange doesn't need to be kept cool. This greatly reduces the network's carbon emissions.</p> <p>The deployment of full fibre will significantly increase the ability for individuals to work from home, and for businesses to hold virtual meetings. This will massively reduce the need to commute and for travelling to meetings, thereby also reducing CO₂ emissions</p>
Quality of environment			None	<p>For this phase of the project as it is only establishing the full detailed business case for a go, no decision and the establishment of the JV, then there are no specific impacts.</p> <p>Although it is anticipated there may be a requirement for digging, it is expected re-use of existing assets and PIA will keep this to a minimum. Where required, modern trenching techniques ensure minimal disruption and the depths required for duct laying are not expected to impact on any archaeological areas of interest.</p>
Impact on local green and open spaces and biodiversity			None	<p>For this phase of the project as it is only establishing the full detailed business case for a go, no decision and the establishment of the JV, then there are no specific impacts. By incorporating a 'dig-once' policy into the contractual arrangements for the delivery of this project we will ensure minimal impact on any green and open spaces by reducing any disruption to a one-time event.</p>
Use of sustainable products and			None	<p>For this phase of the project as it is only establishing the</p>

equipment				full detailed business case for a go, no decision and the establishment of the JV, then there are no specific impacts. Fibre optic is inherently sustainable. It is made of entirely sustainable materials, such as silicon dioxide commonly found in sand and rocks. Silicon dioxide is one of the most plentiful materials in the earth's crust and is extracted in a much more environmentally friendly method than copper mining. Replacing copper networks with fibre optic is therefore a very positive step for sustainability.
Minimising waste			None	For this phase of the project as it is only establishing the full detailed business case for a go, no decision and the establishment of the JV, then there are no specific impacts. It is expected that the successful contractor will maximise re-use of existing assets, including council owned ducting and Openreach PIA. New technology and hardware deployed will be of the latest leading edge design and will have incorporated and paid heed to all the newest legislation and desires to reduce waste and carbon emissions.
Council plan priority: a city that takes a leading role in tackling climate change			None	For this phase of the project as it is only establishing the full detailed business case for a go, no decision and the establishment of the JV, then there are no specific impacts. Getting to Net Zero is a matter of powering down our energy demand and powering up zero carbon energy generation and sustainable technology. Transport is a major contributor to direct carbon emissions (27% for the UK as a whole). Facilitating the ability to work from home, reduce commuting and travel to meetings depends on the reliability and functionality of Broadband. Birmingham is already falling behind major cities such as Liverpool and Manchester in the deployment of full fibre; this project is essential to enabling the Council to meet this plan priority.
Overall conclusion on the environmental and sustainability impacts of the proposal	At this stage, a further detailed business case will be required to justify the investment, a if cabinet approves the full business case – there will be environment and sustainability issues as identified in this report, but not at this stage.			

	<p>Experts at the Centre for Economics and Business Research (Cebr) took a closer look at the impact of a fully fibred nation. Their special report found that a faster and more reliable Full Fibre connection can give people the same levels of access to everything they can do online in an office, remotely from home. The research suggests that by enabling more people to work from home, a Full Fibre nation could save 300 million commuting trips each year – with three billion fewer kilometres travelled by car. That's a saving of more than 360,000 tonnes of CO2 emissions.</p> <p>A study by Telework Research Network suggests that if half the UK workforce worked from home just twice each week it would reduce UK transportation emissions by 4%, equivalent to taking 2.5 million cars off the road</p> <p>The switch to electric vehicles (EVs) – and green hydrogen power for heavy transport – is also incredibly important. Paired with zero carbon energy, net zero terrestrial transport ought to be achievable well ahead of 2050. Nearly every EV on our roads today is an internet connected vehicle, and fully autonomous EVs take that connectivity to a whole new level. They interact with people, smart road infrastructure and each other. They will form part of the ultimate transportation system: fast and convenient, multimodal, smart and fibre-enabled, with zero emissions.</p> <p>The upshot is that net zero transport and heating require full fibre networks almost as much as they need zero carbon energy. The carbon costs of building and operating those networks will be dwarfed by the carbon savings they enable.</p>
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Guidance for completing the template

Theme	Example
Natural Resources - Impact on natural resources including water, soil, air.	<p>Does the decision increase water use?</p> <p>Does the decision have an impact on air quality?</p> <p>Does the decision discourage the use of the most polluting vehicles (private and public) and promote sustainable modes of transport or working from home to reduce air pollution?</p> <p>Does the decision impact on soil?</p> <p>For example, development will typically use water for carrying out various operations and, once complete, water will be needed to service the development. Providing water to development and treating affluent water requires energy and contributes to climate change. Some of the activities including construction or disposal of waste may lead to soil pollution. The decisions may lead to more journeys thereby deteriorating air quality and thus contribution to climate change and greenhouse gases.</p>
Energy use and CO ₂ emissions.	<p>Will the decision have an impact on energy use?</p> <p>Will the decision impact on carbon emissions?</p> <p>Most day-to-day activities use energy. The main environmental impact of producing and using energy such as electricity, gas, and fuel (unless it is from a renewable source) is the emission of carbon dioxide.</p>
Quality of environment.	<p>Does the decision impact on the overall quality of the built environment?</p> <p>Decisions may have an impact on the overall setting, character and distinctiveness in the area. For example, if development involves ground digging and excavations etc. it may have an impact on the local archaeology.</p>
Impact on local green and open spaces and biodiversity	<p>The proposal may lead to localised impacts on the local green and open spaces which may have an impact on local biodiversity, trees and other vegetation in the area.</p> <p>Will the proposal lead to loss (or creation) of green and blue infrastructure?</p> <p>For example, selling an open space may reduce access to open space within an area and lead to a loss of biodiversity. However, creating a new open space would have positive effects.</p>
Use of environmentally sustainable products, equipment and packaging'	<p>Will the decision present opportunities to incorporate the use of environmentally sustainable products (such as compostable bags, paper straws etc.), recycled materials (i.e. Forest Stewardship Council (FSC) Timber/wood), non-polluting vehicles, avoid the use of single use plastics and packaging.</p>
Minimising waste	<p>Will the decision minimise waste creation and the maximise recycling during the construction and operation</p>

	of the development/programme/project? Will the decision provide opportunities to improve recycling? For example, if the proposal involves the demolition of a building or a structure, could some of the construction materials be reused in the new development or recycled back into the construction industry for use on another project?
Council plan priority: a city that takes a leading role in tackling climate change and deliver Route to Zero.	How does the proposal or decision contribute to tackling and showing leadership in tackling climate change and deliver Route to Zero aspirations?

If you require further assistance with completing this template, please contact: ESAGuidance@birmingham.gov.uk

Birmingham City Council

Report to Cabinet

17th January 2023



Subject: BUSINESS RATES INCOME 2023/24

Report of: Rebecca Hellard - Director of Council Management

Relevant Cabinet Member: Cllr Yvonne Mosquito - Finance and Resources
Cllr Brigid Jones - Deputy Leader

Relevant O &S Chair(s): Councillor Akhlaq Ahmed - Resources

Report author: Nadeem Afzal, Senior Business Analyst
Email: Nadeem.X.Afzal@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: 010446/2023		
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 seeks approval of the City Council's Business Rates estimated income projection for 2023/24. This forms the calculation of next financial year's income from Business Rates.
- 1.2 The report sets out the basis of the calculation and the assumptions which have been included.

2 Recommendations

That the Cabinet: -

- 2.1 Approves the 2023/24 Business Rates income for Birmingham as shown in Appendix 1.

3 Background

- 3.1 The Valuation Office Agency (VOA) provided the City Council with an updated version of the valuation list as at 30th November 2022. This has been used in calculating the Business Rates income projection. The Government continues to set the Business Rates multiplier which determines the level of Business Rates that each business pays. The City Council has forecast the levels of growth, appeals and non-collection that are expected to occur in 2023/24. This forecast is based on developments that are ongoing, planning approvals that are in place and expected to be completed in 2023/24 and further growth from the identification of additional rateable value as a result of external partnership work being carried out in order to maximise Business Rates Income. While reasonable prudence has been applied, there is more uncertainty in these forecasts than years prior to Covid-19, due to the ongoing impact of the cost-of-living crisis and economic uncertainty.
- 3.2 In any year a proportion of the billed Business Rates cannot be collected, for example due to businesses going into liquidation. The City Council has made an assumption of 3% for non-collection for 2023/24, the same as 2022/23. The Council has used a more cautious assumption than the 2% made in years prior to Covid-19 because of the cost-of-living crisis and economic uncertainty. Should this collection rate be improved, the resulting surplus will become available to assist in budget setting in future financial years and should this collection rate not be achieved the resulting deficit will be reflected in future budget setting.
- 3.3 Each year appeals are made against the rateable value of properties as determined by the Valuation Office Agency. Appeals that are upheld are backdated to the beginning of the ratings list period, or when the change in circumstances came into existence if later than this date. It is prudent for the City Council to make an assumption about the level of successful appeals that will be made each year and set aside adequate provision for repaying appeals. The council is assuming that these will be £21.9m, which is in line with the 2022/23 budget.
- 3.4 As a result of previous budget announcements, the Government continues to provide a package of measures to support small businesses during 2023/24 along with additional support to eligible retail, leisure and hospitality premises. These measures continue to impact both on the level of retained Business Rates generated along with the general unringfenced grants paid to compensate local authorities for loss of income.
- 3.5 As a result of Covid-19 the Central Government provided significant financial support which helped small businesses, and retail, leisure and hospitality businesses get through the pandemic by offering 100% relief to their business rates in 2020/21. In addition, they provided 100% relief during the first 3 months of 2021/22 and 66.7% relief for the remaining 9 months of 2021/22. In 2022/23 they provided a 50% relief on business rates bills for eligible retail, hospitality and leisure properties up to £110,000 per business. In the Autumn 2022 budget, the Government announced further support for businesses which includes a 75% relief on business rates bills for eligible retail, hospitality and leisure properties up to £110,000 per business. An estimate of £45.6m excluding the Enterprise Zone has been included in the 2023/24 business rates forecast, although detailed guidance notes of the scheme are yet to be published by the Government.

- 3.6 After allowing for these measures, the City Council's total projected retained income for 2023/24 from Business Rates is expected to be £375.337m. This is an increase of £23.299m when compared with 2022/23. In addition, the City Council expects to receive compensatory grants of £175.652m which is an increase of £35.201m when compared to 2022/23. Taking this into account, overall income from Business Rates related funding is expected to be £550.989m as summarised in the table below.

Retained Income	Outside the Enterprise Zone £	Enterprise Zone £	TOTAL £
Total Resources before Funded Reliefs	375,337,417	12,691,319	388,028,736
Enterprise Zone Relief retained in full (included in discretionary relief above)	0	243,245	243,245
Section 31 Grants:			
Small Business Relief	38,061,352	635,051	38,696,403
Supporting Small Business Relief	633,510	0	633,510
Retail Relief	54,826,382	1,484,376	56,310,758
Inflation (Multiplier Cap)	80,483,174	2,721,385	83,204,559
Additional Compensation for Small Business Relief Parameter Changes	1,647,636	50,373	1,698,009
Total	175,652,053	4,891,186	180,543,239
Total Resources Including Funded Reliefs	550,989,470	17,825,750	568,815,219

- 3.7 This is an increase of £58.501m or 11.9% when compared with 2022/23 and is largely a combination of an increase in the forecast gross rate yield of 4.9% due to an increase in forecasts for growth and a reduction in estimated reliefs, 7.1% increase in compensatory grants, offset by a 0.1% reduction due to an increase in the estimate for losses in collection. These have been set out in the table below.

	2023/24 Outside the Enterprise Zone	2022/23 Outside the Enterprise Zone	Movement Outside the Enterprise Zone
Gross Rate Yield after Reliefs and Growth	403,776,245	379,513,724	24,262,521
Estimate of Losses in Collection	(12,459,245)	(11,731,369)	(727,876)
Enterprise Zone Baseline less Allowance for Cost of Collection	9,708,621	9,708,621	0
Allowance for Appeals and Prior Years Adjustments	(21,896,916)	(21,896,916)	0
Net Rate Yield	379,128,704	355,594,059	23,534,646
99% of Business Rates to be retained by Birmingham	375,337,417	352,038,118	23,299,299
Total Compensatory Section 31 Grants	175,652,053	140,450,719	35,201,333
Total Resources Including Funded Reliefs	550,989,470	492,488,837	58,500,632

- 3.8 The value of Business Rates growth over and above a pre-determined baseline expected to be collected from the Enterprise Zone is required to be calculated separately from the City Council's element of total income as this resource is ring fenced in its entirety to the Enterprise Zone.
- 3.9 2023 is a revaluation year. This means that the Valuation Office Agency (VOA) will use updated rateable values of properties in England and Wales in their 2023 valuation list from 1st April 2023. Full details have not been received in time to take into account in this report. However, an initial draft list provided by the Valuation Office Agency (VOA) to the City Council indicates on average valuations have increased within Birmingham by 7.4% compared to the current 2017 valuation list as at 30th November 2022. The Government continues to set the business rates multiplier which determines the level of business rates that each business pays. At the Autumn 2022 budget announcement, the

Government announced it would freeze business rates multipliers for 2023/24 at the same level as 2022/23. Therefore, individual local authorities may see their business rates income increase or reduce as a result of re-valuation depending on whether the change in aggregate rateable value for their area has increased or decreased. However, the Government ensures the effect of the revaluation is neutralised so that the total income from business rates remains broadly equal. To neutralise any effect at a local level the Government will adjust the individual authorities' top-up grant or tariff payment due under the business rates retention scheme. The overall impact on Birmingham City Council resources of the revaluation is being assessed for the purposes of the Financial Plan, which will be sought for approval by Cabinet in February.

4 Options considered and Recommended Proposal

4.1 Not Applicable

5 Consultation

5.1 Officers in the Council Management and Place, Prosperity and Sustainability Directorates have been consulted in determining the forecast for Business Rates in 2023/24. The Assistant Director – Revenues and Benefits has been consulted in the preparation of this report.

5.2 No public consultation is required on the Business Rates Income projection. It is a statement of fact supplemented by the City Council's estimate of likely growth and other changes in Business Rates in 2023/24.

6 Risk Management

6.1 The setting of the Council's budget which includes the Business Rates Income projection, as set out in this report, is 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 completion of the Business Rates Income projection does not have any direct implications for the City Council's Corporate Policy Priorities.

7.2 Legal Implications

7.2.1 As a result of the introduction of the Business Rates Retention Scheme through the Local Government Finance Act 2012, each billing authority is required to give formal approval to the Business Rates income projection due to its strong links with the budget setting process. The calculation and approval of the Council Tax Base will similarly be considered by Cabinet elsewhere on this agenda.

7.3 Financial Implications

- 7.3.1 This Business Rates income projection will determine the income retained from Business Rates in respect of 2023/24 and will feed into budget calculations for next year. The City Council calculates the level of Business Rates in the City based on the latest information available from the Valuation Office Agency (VOA) and projects forward the level of additional Business Rates that will be collected up to 31 March 2024. Under the Business Rates Pilot, which will now be in its seventh year, the City Council will be able to plan for the retention of 99% of this income (£375.337m) in 2023/24 when setting its budget.

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 There are no specific Equality Duty or Equality Analysis issues relating to the proposals set out in this report.

8. Appendices

- 8.1 Appendix 1 – Calculation of Business Rates Income

9. Background Documents

- 9.1 None.

Calculation of Business Rates Income	2023/24		
	Outside the	Enterprise Zone	TOTAL
	Enterprise Zone	Enterprise Zone	
Number of hereditaments on the rating list 30th November 2022	46,480	1,467	47,947
	£	£	£
Aggregate rateable value on the rating list 30th November 2022	1,079,984,853	57,181,540	1,137,166,393
Small Business Non-Domestic Rating Multiplier	0.499	0.499	
Gross Calculated Rate Yield	538,912,442	28,533,588	567,446,030
Less: Mandatory Reliefs	(100,101,557)	(3,853,099)	(103,954,656)
Less: Discretionary Reliefs	(47,028,756)	(1,474,086)	(48,502,842)
Plus: Forecast for Growth	11,994,116	2,073,544	14,067,660
Gross Rate Yield after Reliefs and Growth	403,776,245	25,279,947	429,056,192
Less : Estimate of Losses in Collection for Current Year at 3%	(12,459,245)	(412,441)	(12,871,686)
Less : Allowance for Cost of Collection	(1,823,291)	0	(1,823,291)
Enterprise Zone Baseline	11,531,912	(11,531,912)	0
Net Rate Yield	401,025,621	13,335,594	414,361,215
Less: Allowance for Appeals and Prior Years Adjustments	(21,896,916)	(644,275)	(22,541,191)
Net Rate Yield after Allowance for Appeals to be distributed	379,128,704	12,691,319	391,820,023
0% of Business Rates to be paid over to Central Government	0		0
99% of Business Rates to be retained by Birmingham	375,337,417		375,337,417
1% of Business Rates to be retained by West Midlands Fire and Rescue Authority	3,791,287		3,791,287
100% of Business Rates to be retained by GB&S Local Enterprise Partnership		12,691,319	12,691,319
Total Business Rates Redistributed through Rates Retention Scheme	379,128,704	12,691,319	391,820,023

Birmingham City Council

Report to Cabinet

17th January 2023



Subject: FINANCIAL MONITORING REPORT 2022/23
MONTH 8 (UP TO 30TH NOVEMBER 2022)

Report of: Rebecca Hellard
Director of Council Management and S151 Officer

Relevant Cabinet Member: Cllr Yvonne Mosquito - Finance & Resources

Relevant O &S Chair(s): Cllr Akhlaq Ahmed - Resources

Report author: Sara Pitt
Director of Finance (Deputy S151 Officer)
Email: Sara.Pitt@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: 010525/2023		
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

The finance report attached as **Appendix A** is part of the City Council's robust financial management arrangements. Due to the extraordinary economic conditions, from Month 5 onwards, high level, exception based in year financial monitoring will be reported to Cabinet each month. The fuller quarterly in year financial monitoring reports to Cabinet will continue.

2 Recommendations

That the Cabinet:-

- 2.1 Approves the use of £8.9m of the Budget Smoothing Reserve as set out in paragraph 4.5.
- 2.2 Notes that the Council faces a number of challenges in 2022/23. However, the Council is in a strong robust position with strong financial control processes in place, including the continued application of rigorous spend controls. Reserves are healthy and within recommended limits.
- 2.3 Notes the forecast Capital spend is £663.5m a reduction of £13.0m from Month 7, as set out in paragraphs 4.6 to 4.11.
- 2.4 Notes the Treasury Management position, as set out in paragraphs 4.13 to 4.15.
- 2.5 Approves a further use of £0.5m of the Financial Resilience Reserve (FRR) to fund the Festival 2023 if this is required. This is on top of the £1.5m approved by Cabinet on 23rd September 2022. It is anticipated that the FRR will not be required as the Council expects to be able to utilise funding from Commonwealth Games underspends.

3 Background

- 3.1 At the meeting on 22nd February 2022, the Council agreed a net revenue budget for 2022/2023 of £759.2m to be met by government grants, council tax and business rates. **Appendix A** sets out the high level financial position at Month 8.

4 Key Issues

Revenue position

- 4.1 Table 1 in **Appendix A** in Section 1 shows the breakdown of risks to the value of £112.5m that have been identified at this stage in the year, a majority of which are expected to continue into future years. The table also shows that £74.8m of these risks are being mitigated through planned use of policy contingency budget and the financial resilience reserve, the latter in relation to economic shock.
- 4.2 The remaining identified risks of £37.7m are expected to be mitigated through continued due diligence on the risks themselves and through the rigorous spending controls introduced in July 2022. These spend controls have now been escalated such that all non essential spend has been stopped.
- 4.3 We undertake a rolling review of our medium term budget and planning assumptions throughout the year, so are constantly looking at the pressures we are facing or may have to face in the future, giving us an early warning and time to react and put in place actions to manage impacts.
- 4.4 The Director of Council Management presented a Medium Term Financial plan update report to Cabinet on 11th October providing an update on the financial

pressures the Council is facing and the mitigating actions being taken. This showed that the gap for 2023/24 has risen from £33m to £80m.

Reserves

- 4.5 Cabinet is asked to approve the use of £8.9m of the Budget Smoothing Reserve to cover some Corporate savings that are rated as high risk in 2022/23. These savings are complex and ambitious, but the expectation is that those savings that are on-going should still be delivered in 2023/24.

Capital Programme

- 4.6 A capital budget of £531.7m was set in the Financial Plan 2022/23 and approved by full Council on the 22nd February 2022. Like all financial years capital spend is weighted towards the later end of the year, and often spend will slip in to the following year due to the complex nature of many of the capital projects.
- 4.7 Following slippage at the end of 2021/22, Cabinet of 11th October approved an increase of £162.7m to the Capital budget for 2022/23 from £531.7m to £694.4m.
- 4.8 At Quarter 2, Cabinet of 11th November approved an increase of £29.0m due to new projects being approved and new grant allocations from Government, giving a revised total Capital programme of £723.4m.
- 4.9 Slippage within the Capital programme of £46.9m was identified at Quarter 2 giving a forecast outturn of £676.5m.
- 4.10 As at Month 8 capital spend is projected to be £663.5m. This is a reduction of £13.0m from the position reported at Month 7 due to further slippage within the City Housing Directorate. Further details are provided in paragraph 5.5 of **Appendix A**.
- 4.11 Work is being undertaken with Directorates and project managers to explore opportunities to reprofile or review capital projects. This will inform the 2022/23 projection as well as future year budgets.
- 4.12 Paragraph 5.7 of **Appendix A** covers progress against budgeted capital receipts. The 2022/23 budgeted target of capital receipts is £69.3m. At present £14.6m of receipts have been achieved. There are identified disposals at various stages of the disposal process for the remainder of the target. It should be noted that the majority of receipts are due to be received towards the end of the 2022/23 financial year and relate to a small number of high value cases.

Treasury Management

- 4.13 Gross loan debt is currently £3,273m, with the year-end projection estimated to be £3,322m, below the planned level of £3,452m. The annual cost of servicing debt represents approximately 29.4% of the net revenue budget. The planned level of debt and annual cost of servicing debt includes over £200m borrowing for

the Enterprise Zone (EZ), due to be financed from Business Rates growth within the EZ.

- 4.14 The Council resumed short-term borrowing in the last quarter, in line with the current Treasury Management Strategy, and this is currently at £304m. Short-term borrowing rates are currently higher than planned due to the scale of interest rate rises since the Financial Plan was set. Given the rising interest rate environment, the Council has reduced some refinancing risk by taking long-term borrowing from the Public Works Loan Board (PWLb).
- 4.15 The outlook for borrowing costs remain uncertain as the Bank of England looks to bring inflation to target and further Bank Rate rises are expected. Treasury Management costs for 2022/23 are expected to remain at budget based on mitigations being taken such as maintaining a balanced loans portfolio, seeking out optimal borrowing rates and ensuring accurate cash flow projections. There is a risk that further volatility in the financial markets could push treasury management costs up before the end of the financial year.

5 Options considered and Recommended Proposal

- 5.1 CLT have recently adopted a set of budget management principles to ensure the delivery of a balanced budget this year whilst delivering Best in Class Services. These principles include the agreement that all overspends, demands, growth and pressures should be managed and contained at a Directorate level. Any residual gap must be managed across CLT collectively.

6 Consultation

- 6.1 The Leader and Cabinet Members, Directors and the City Solicitor have been consulted in the preparation of this report.
- 6.2 There are no additional issues beyond consultations carried out as part of the budget setting process for 2022/23.

7 Risk Management

- 7.1 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.

8 Compliance Issues:

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

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

8.2 Legal Implications

- 8.2.1 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.
- 8.2.2 Section 111 of the Local Government Act 1972 contains the Council's ancillary financial and expenditure powers in relation to the discharge of its functions.

8.3 Financial Implications

- 8.3.1 The **Appendix** attached gives details of the risks, potential financial pressures the city council faces and actions to be taken to ensure service delivery within available resources.
- 8.3.2 Rigorous spend controls are in operation and we are continuing to undertake due diligence around the value of risks identified. Whilst we are monitoring progress on mitigations, there is no guarantee that this will mitigate in full the level of risk of overspend at the year end.
- 8.3.3 Slippage within the Capital programme of £46.9m was identified at Quarter 2. However, it is important to note that no financial resources will be lost if there is slippage in the programme's expenditure at the end of the financial year. The resources and planned expenditure will be "rolled forward" into future years.

8.4 Procurement Implications (if required)

- 8.4.1 N/A

8.5 Human Resources Implications (if required)

- 8.5.1 N/A

8.6 Public Sector Equality Duty

- 8.6.1 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.

9 Appendices

- 9.1 Appx A - Month 8 Financial Monitoring Report 2022/23

10 Background Documents

- 10.1 City Council Financial Plan 2022/23 approved at Council 22nd February 2022
- 10.2 Quarter 1 Financial Monitoring Report approved by Cabinet 26th July 2022
- 10.3 Month 4 – Resources Overview and Scrutiny Committee 8th September 2022
- 10.4 Month 5 Financial Monitoring Report approved by Cabinet 11th October 2022
- 10.5 Quarter 2 Financial Monitoring Report approved by Cabinet 8th November 2022
- 10.6 Month 7 Financial Monitoring Report approved by Cabinet 13th December 2022

Report to Cabinet – 17th January 2023

Month 8 Financial Monitoring Report 2022/23

1. High Level Summary Financial Position

- 1.1 Due to the extraordinary economic situation nationally, it has been agreed that a high level exception based Financial Monitoring Report will be provided to Cabinet each month in between more detailed quarterly reports.
- 1.2 At the Council Meeting on the 22nd February 2022 Birmingham City Council approved a net revenue budget of £759.2m for the 2022/23 financial year. This report sets out the high-level financial performance against that budget at the end of Month 8.
- 1.3 The City Council's strategic aim is to deliver a balanced revenue position by the end of the financial year. The council has implemented a return to rigorous spending controls from July 2022, in light of significant financial risks that if not addressed will result in an overspend. In order to break even, spend controls must be solidly delivering by Quarter 3.
- 1.4 The spending controls focus on staffing, facilities management and procurement. We have in place measures to ramp up the benefit of these controls.
- 1.5 We are undertaking a rolling review of reserves and balances to ensure that monies are being fully utilised for example Section 106 and Community Infrastructure Levy (CIL), specific grants including Public Health and property maintenance reserves.
- 1.6 The MTFP contains budget savings currently due to be delivered in future years. We continue to explore the opportunities to deliver future years savings sooner.
- 1.7 The City Council is implementing a transformation programme under the three pillars of People, Place and Fit for Purpose Council and where safe to do so these need to be delivered faster, meaning that the financial benefits are achieved ahead of schedule.
- 1.8 The financial risks now stand at **£37.7m**. This is an improvement of £4.6m since Month 7 report. Further details are provided in Section 2.
- 1.9 We continue to assume delivery of our budgeted savings and are closely monitoring the delivery of these. Since Month 7, the values of savings rated as high risk has reduced from **£13.0m** to **£4.1m**. Further details are provided in Section 4.

Table 1: Detail of risks and mitigations identified

Directorate	Risks	Gross Risk (£m)	Use of Contingency (£m)	Use of Reserve (£m)	Spend Controls (£m)	Other Mitigations (£m)	Net Risk (£m)
Children & Families	Inclusion and SEND	7.800		(5.345)			2.455
Children & Families	Children & Young People Travel Service (formerly H2ST)	18.100					18.100
Children & Families	Birmingham Children's Trust (BCT)	25.220					25.220
City Operations	Parking Income Shortfall	3.800		(3.800)			0.000
City Operations	Street Lighting Electricity	5.700	(5.700)				0.000
City Operations	Sports and Leisure Income Shortfall	1.000		(1.000)			0.000
City Operations	Vehicle Fuel costs	1.500				(1.500)	0.000
City Operations	Street Scene - garage income pressure	1.100				(1.100)	0.000
City Operations	Street Scene - trade waste income pressure	1.000				(1.000)	0.000
City Operations	Street Scene - additional Waste Fleet cleansing	1.400				(1.400)	0.000
City Housing	Housing Options	7.700					7.700
City Housing	Private Sector Landlord Contract	1.200				(1.200)	0.000
Adult Social Care	Potential Income shortfall	5.000		(5.000)			0.000
Adult Social Care	Packages of Care	1.991			(2.186)	(1.371)	(1.566)
Council Management	Digital Mail	0.130					0.130
Corporate	Facilities Management saving to be allocated				(1.500)		(1.500)
Corporate	Postpone contribution to Cyclical Maintenance Reserve					(0.590)	(0.590)
Corporate	Forecast costs of Pay Award above budget	14.000		(14.000)			0.000
Corporate	Forecast costs of energy for Corporate Estate above budget	10.900		(10.900)			0.000
Corporate	Cost of Living Emergency	5.000		(5.000)			0.000
Total Risks identified	Use of Cyclical Maintenance Reserve			(8.235)			(8.235)
Corporate	Use of Covid Reserve-not against specific lines	0.000		(4.000)			(4.000)
Total		112.541	(5.700)	(57.280)	(3.686)	(8.161)	37.714

1.10 Due to the extraordinary economic shocks this year, the Council considers it reasonable to use £35.9m of the Financial Resilience Reserve (FRR) as set out in paragraph 1.17.

1.11 Further details of risks and mitigations are provided in sections 2 and 3 of the report.

Spend Controls

1.12 In August we reported on the re-introduction of rigorous spending controls to mitigate against the forecasted risks. Three Spend Control Panels are in place in relation to Workforce, Procurement, and Property & Facilities Management.

a. Workforce

1.13 In summary, the workforce spend controls focus on vacancy management and reducing the use of consultants, interims and agency workers wherever possible. To date £2.2m is reflected from underspending against budgeted establishment.

b. Procurement

1.14 The aim is to apply controls to all contracts in order to manage inflation and deliver value for money. High levels of inflation do make it more difficult to achieve savings on contracts. We continue to seek best value for money in each contract and challenge the need for spend at each stage in the procurement gateway process.

c. Property & Facilities Management

1.15 The controls in place for this area relate to stopping non-essential spend whilst ensuring essential health and safety requirements are met. The Panel retains a detailed position statement on items approved/rejected. We are in the process of separating out achievement of these cost reductions from overall directorate mitigations within the overall

management of their budgets. It is estimated that £1.5m of facilities management savings will be achieved. We have reviewed the property cyclical repairs reserves of £8.2m, and are releasing this to mitigate risks. The budgeted contribution to the general cyclical maintenance reserve for 2022/23 is £0.6m which we recommend is not actioned this year.

- 1.16 Table 2 summarises the savings identified so far through spend controls notwithstanding the actions ongoing referred to above.

Table 2: Detail of savings identified through spend controls

Directorate	Saving	Spend Controls (£m)
Adult Social Care	Employee Savings-Community & Social Work Operations	1.200
Adult Social Care	Employee Savings-Commissioning	0.600
Adult Social Care	Non-essential spend controls across the Directorate	0.386
Corporate	Facilities Management saving to be allocated	1.500
Total		3.686

- 1.17 Table 3 summarises the uses of reserves to mitigate potential risks. Please note that the £35.9m potential use of Financial Resilience Reserve (FRR) can be seen in column E of Table 6 in paragraph 6.1.

Table 3 Use of Reserves to mitigate risks

Directorate	Risks	Use of FRR (£m)	Use of Covid Reserve (£m)	Use of Other Reserve (£m)	Total (£m)
Children & Families	Inclusion and SEND			(5.345)	(5.345)
Adult Social Care	Potential Income shortfall	(5.000)			(5.000)
Corporate	Forecast costs of Pay Award above budget	(14.000)			(14.000)
Corporate	Forecast costs of energy for Corporate Estate above budget	(10.900)			(10.900)
Corporate	Cost of Living Emergency	(5.000)			(5.000)
Corporate	Sports and Leisure Income Shortfall	(1.000)			(1.000)
Corporate	Use of Cyclical Maintenance Reserve			(8.235)	(8.235)
Corporate	Use of Covid Reserve		(7.800)		(7.800)
Total		(35.900)	(7.800)	(13.580)	(57.280)

- 1.18 It should be noted that our current planning assumption in the MTFP refresh is that the FRR will be required to fund inflationary costs of the Pay Award and Energy costs in 2023/24 as well as in 2022/23.

2 Risks

- 2.1 Below are details of risks where they have changed since Month 7.

Council Management – Decrease in risk £1.7m

- 2.2 Please note that previously identified risks of **£1.7m** are no longer a risk as the expenditure on Oracle are able to be capitalised.

Adult Social Care –Decrease in risk before mitigations £0.4m

- 2.3 **Packages of Care - (forecast risk of overspend £7.0m against a budget of £231.5m)**
– The Directorate is reporting a forecast risk of overspend of £7.0m at month 8. There is a risk of £5.0m relating to in year income shortfall. There is also a £2.0m demand pressure relating to packages of care if current trends continue, and this is a decrease of **£0.4m** from Month 7.
- 2.4 It is planned to use up to £5.0m of the FRR to fund the risk of £5.0m income shortfall mentioned above if it crystallises at year end. Work is continuing to minimise the call on this reserve. The expected use of the FRR has decreased by £0.2m since Month 7.
- 2.5 Other mitigations to the Adults Social Care risks are set out in paragraphs 3.2 to 3.5.

Children and Families – Increase in Risk of £6.3m

- 2.6 **Special Educational Needs Assessment and Review Service (SENAR) Service forecast risk of overspend £6.8m against a budget of £6.9m.** An increase to the forecast overspends of **£1.9m** from Month 7, Updated financial modelling of staffing costs for existing workers to the end of the financial year suggests an additional pressure of £1.9m on the £4.9m pressure reported Month 7. This additional pressure has resulted from the need to bring additional staff in to help support the service to improve and clear back log pressures. Key priorities for the new Director are to ensure that staffing levels are tightened and performance improves.
- 2.7 **SENDIASS forecast risk of overspend of £0.4m against a budget of £0.3m,** no overspend was forecast at Month 7, so this is an increase in risk of **£0.3m**. There is an immediate need to determine the required future service delivery levels and seek funding contributions from partner organisations to address any resulting budgetary gap from 1st April 2023. This forecast overspend is therefore limited to 2022/23 only and will not continue into 2023/24.
- 2.8 **SEND Early Help forecast risk of overspend of £0.6m against a nil budget,** no overspend was forecast at Month 7, so this is an increase in risk of **£0.6m**. This forecast overspend is limited to 2022/23 and will not continue past March 2023 into 2023/24 as the service is in the process of transferring to BCT and being absorbed within their existing Early Help offer.

- 2.9 **Children & Young People Travel Service forecast risk of overspend £18.1m against a budget of £40.5m.** The forecast increase in the overspend of **£2.1m** from Month 7 to Month 8 is mainly due to the impact of late applications for transport costing more than expected. Since Month 6 there has been a net increase of 165 routes bringing the total number of routes to 1,284 compared to a total of 1,119 at the end of Month 6. The service is currently working on a pricing matrix which is being discussed with major service providers, the main aim being to reduce the number of routes and the cost of those routes.
- 2.10 **Birmingham Children's Trust(BCT)** is a commissioned service. BCT reports that the current 2022/23 forecast position is a net risk of overspend of **£25.2m against a budget of £211.5m** in relation to placement costs which represents a 26.5% variation on placement budgets and 10.9% in respect of the overall Trust budget. This is an increase of **£1.3m** to the forecast previously reported

City Housing – Increase in Risk of £2.3m

- 2.11 **Housing Options (forecast risk of overspend £7.7m against a budget of £15.7m)**

The main reason for the **£2.3m** additional pressures identified in Month 8 is due to an increase in demand for temporary accommodation and in particular the use of bed & breakfast.

3 Potential Mitigation Opportunities

- 3.1 Below are details of potential opportunities where they have changed since Month 7.

Adult Social Care – reduction in mitigations of £0.4m

- 3.2 **Community & Social Work Operations – nil Forecast Mitigation** In Community and Social Work Operations there is an overall forecast underspend of £2.0m. This consists of £3.1m underspend on staffing and £1.1m overspend on non-pay budgets. The staffing underspend is due to the continuing vacancies which there has been difficulty in filling due to a National shortage of Social Workers and increasing difficulty to find agency staff to cover. The movement of **£0.8m** from Month 7 is linked to additional Supplies and Services expenditure within the Enablement service. Also assumed is £1.4m of the Omicron grant money which has been used to provide a retention payment to Social Workers. Please note that £2.0m of the staffing underspend mentioned above is being used to achieve Workforce Savings on a one-off basis.
- 3.3 **Quality & Improvement– £1.6m Forecast mitigation** –.This reflects the use of the Omicron Grant reserve as referred to above. This is an anticipated unbudgeted reserve appropriation and costs relating to this will be incurred and is included within the Community & Social Work Operations Division to support retention payments to Social Workers. For Month 8 there is an additional **£0.2m** favourable variance related to a reduction in ongoing IT support costs to the Eclipse programme draws to a close in February 2023.

- 3.4 **Commissioning – £1.6m Forecast mitigation** - The Service is reporting an underspend against employees of £0.6m linked to vacancies across the team and recharge income against base budget funded posts. Recruitment plans are ongoing and being discussed with relevant Head of Service and assumptions are currently that these will be filled during the latter part of 2022. There are also underspends projected of £0.8m against the overall third sector grant budget due to reduced activity which is ongoing after the pandemic, and it is expected this activity will increase during 2023/24. Assumed in the forecast underspend are £0.2m of contributions from the Better Care Fund towards third sector grants.
- 3.5 **Director – £0.4m Forecast mitigation** – Non-essential spend controls across the Directorate have resulted in an underspend against the Directorate of £0.8m at Month 8. This is an improvement of **£0.1m** from Month 7 and reflects further reductions in expenditure across the Directorate against discretionary budgets.

Children & Families – increase in mitigation of £0.4m.

- 3.6 The Directorate has identified £5.3m of reserves that can be used to fund the SENAR pressures in 2022/23. This mitigation has increased by £0.4m from Month 7.

Corporate – increase in mitigation of £10.5m

- 3.7 From the review of reserves and balances, it has been identified that the Council can use **£8.2m** of the Cyclical Maintenance Reserve as it is not necessary to keep such a large reserve.
- 3.8 £35.9m of the FRR is planned to be used to mitigate the effects of the extraordinary economic shocks this financial year. This is an increase of £0.8m as below.
- 3.9 There is a forecast extra use of **£1.0m** of the FRR based on the decision by Cabinet on 13th December to approve the use of up to £1.6m of the FRR to cover shortfalls in leisure income.
- 3.10 There is also a small decrease in use of **£0.2m**, as set out in paragraph 2.4.
- 3.11 There is expected to be a saving of **£1.5m** through spend controls related to facilities management, as set out in paragraph 1.15.

4 Savings / Income Targets

- 4.1 Like previous financial years the Financial Plan includes budgeted savings; for 2022/23 these total £40.8m. There are also previously undelivered savings of £2.1m that are being monitored for delivery in this year.
- 4.2 The individual forecasts for each underlying savings / income target have been RAG rated and are summarised in Table 4 below.

Table 4: Savings Risks 2022/23

Risk Profile	Month 7 (£m)	Month 8 (£m)	% of target
Delivered	10.439	20.439	48%
Low Risk	11.320	13.245	31%
Medium Risk	8.072	5.032	12%
High Risk	13.034	4.149	10%
Total	42.865	42.865	100%

- 4.3 At this stage in the financial year, this risk profile is as expected and reflects the known challenges in delivering these targets.
- 4.4 Table 4 shows that of the £42.9m savings / income to be delivered in 2022/23, £4.1m is currently rated high risk. Savings scored as high risk are not deemed as undeliverable and work is in progress to realise these targets. The budget gap detailed in Table 1 assumes that all savings will be delivered, reduction in delivery will increase the gap.
- 4.5 In particular, there is a movement of £7.2m of savings from rated high risk to delivered, £1.1m from high risk to low risk, £1.4m from medium to low risk, £1.6m from medium risk to delivered, and £0.6m from low risk to delivered. These savings are from corporate initiatives such as New Ways of Working, Procurement, and Customer Services. Whilst we have a confidence of delivery of these savings there is a timing issue to achieve those savings in this financial year and therefore, we are assuming use of £8.9m of the Budget Smoothing Reserve in this financial year. The savings that are on-going are expected to be delivering fully in 2023-24.
- 4.6 There is also an improvement of £0.6m of property services CAB savings moving from high risk to low risk, and an improvement of £0.7m in Children & Families savings that have moved from being rated a low risk to being delivered.
- 4.7 This tracking of savings / income targets is incorporated into the Corporate Programme Management Office monthly reporting to ensure programme delivery is tracked along with the delivery of savings / income targets to provide assurance and visibility of delivery.

5 Capital

- 5.1 As at Month 8 capital spend is projected to be £663.5m. This is a reduction of £13.0m from the position reported at Month 7.
- 5.2 The revised capital budget for 2022/23 at Month 8 is £723.4m. The same as Month 7. Movements between the original budget for 2022/23 and the current budget have been detailed in previous reports.
- 5.3 The additional £13.0m reduction in forecast spend relates to the Temporary Accommodation Property Acquisitions Programme in the City Housing Directorate – as detailed in paragraph 5.5 below.
- 5.4 Work is being undertaken with Directorates and project managers to explore opportunities to reprofile or review capital projects. This will inform the 2022/23 projection as well as future year budgets.

Forecast Variations:

- 5.5 **Housing Options – Temporary Accommodation Property Acquisitions** – slippage of £13m due to a longer than anticipated lead in time for setting up the partners and sourcing properties. To date 73 suitable properties have been identified for acquisition – offers have been made on 48 with 41 being accepted and of which 5 have already completed. The budget has been rephased into future years to reflect the latest forecast spend profile.

Risks and Issues:

- 5.6 Delivery of the Capital Programme is being closely monitored over the year. There remain risks to delivery, particularly relating to cost pressures and material shortages for construction projects. Project Managers are constantly keeping these under review and appropriate actions taken to mitigate the impacts.

Capital Receipts:

- 5.7 The 2022/23 budgeted target of capital receipts is £69.3m. At present £14.6m of receipts have been achieved, £6.0m against the General Disposal Programme and £8.6m against the Commercial Portfolio that will be reinvested in the Commercial Portfolio. There are identified disposals at various stages of the disposal process for the remainder of the target. It should be noted that the disposals programme is back-end loaded meaning that majority of receipts are due to be received towards the end of the 2022/23 financial year and relate to a small number of high value cases.
- 5.8 Table 5 below sets out the position at Month 8 2022/23:

Table 5 – Disposals Programme 2022/23

Capital Receipts & Disposals Programme 2022/23	
	2022/23 £m
Budget	69.3
Achieved at Month 8	14.6
Further Anticipated Receipts	54.7

6 Reserves

- 6.1 Table 6 below shows the forecast reserves position at the end of 2022/23. Further details will be provided in quarterly reports.

- 6.2 Please note that the other forecast uses of reserves of £84.1m includes the use of £35.9m of the FRR as described in paragraph 1.17, and the uses of £8.9m of the Budget Smoothing Reserve as set out in paragraph 4.5 and £8.2m of the Cyclical Maintenance Reserve as set out in paragraph 3.8.

Table 6 Forecast uses of and contributions to reserves

	A	B	C	D	E	F	G
	Balance as at 31st March 2022	Original Budgeted (Use) / Contribution	Change approved in March and at Outturn 2021/22	Original Budgeted Use / (Contribution) not to be processed	Other forecast (Use) / Contribution	Total Forecast (Use) / Contribution	Forecast Outturn Balance at 31st March 2023
Reserves	£m	£m	£m	£m	£m	£m	£m
Corporate General Fund Balance	38.382	0.000	0.000	0.000	0.000	0.000	38.382
Delivery Plan Reserve	66.196	(15.118)	(3.600)	0.000	(2.503)	(21.221)	44.975
Financial Resilience Reserve Gross	146.962	(29.956)	(1.300)	0.000	(35.900)	(67.156)	79.806
Net Borrowing from Financial Resilience Reserve	(21.480)	(0.912)	0.000	0.000	0.000	(0.912)	(22.392)
Financial Resilience Reserve Net	125.482	(30.868)	(1.300)	0.000	(35.900)	(68.068)	57.414
General Reserves and Balances	230.060	(45.986)	(4.900)	0.000	(38.403)	(89.289)	140.771
Other Corporate Reserves	322.891	(212.965)	(1.000)	30.062	(23.397)	(207.301)	115.590
Grant	340.642	(23.727)	0.000	0.000	(16.403)	(40.130)	300.513
Earmarked	82.053	(0.498)	0.000	0.000	(5.862)	(6.360)	75.694
Schools	79.888	0.000	0.000	0.000	0.000	0.000	79.888
Non Schools DSG	15.989	0.000	0.000	0.000	0.000	0.000	15.989
Subtotal Other Reserves	841.464	(237.190)	(1.000)	30.062	(45.662)	(253.790)	587.674
Grand total	1071.524	(283.176)	(5.900)	30.062	(84.065)	(343.079)	728.444

7 Housing Revenue Account (HRA)

- 7.1 The HRA is underpinned by a range of medium term and long-term affordability assumptions which will be kept under review to ensure mitigating actions, if necessary, can be undertaken in a timely, proportionate and appropriate manner.

- 7.2 Overall, the HRA spend is forecast to remain within budget this year.

8 Dedicated Schools Grant (DSG)

- 8.1 It is currently forecast that DSG will break even. Any surplus or deficit at year end will be taken to the DSG Reserve, so will not impact the General Fund

9 Borrowing

- 9.1 Gross loan debt is currently £3,273m, with the year-end projection estimated to be £3,322m, below the planned level of £3,452m. The annual cost of servicing debt represents approximately 29.4% of the net revenue budget. The planned level of debt and annual cost of servicing debt includes over £200m borrowing for the Enterprise Zone (EZ), due to be financed from Business Rates growth within the EZ.

- 9.2 The outlook for borrowing costs remain uncertain as the Bank of England looks to bring inflation to target and further Bank Rate rises are expected. Treasury Management costs

for 2022/23 are expected to remain at budget based on mitigations being taken such as maintaining a balanced loans portfolio, seeking out optimal borrowing rates and ensuring accurate cash flow projections. There is a risk that further volatility in the financial markets could push treasury management costs up before the end of the financial year.

Birmingham City Council

Report to Cabinet

17th January 2023



Subject: COUNCIL TAX TAX-BASE FOR 2023/24

Report of: Rebecca Hellard - Director of Council Management

Relevant Cabinet Member: Cllr Yvonne Mosquito - Finance and Resources
Cllr Brigid Jones - Deputy Leader

Relevant O &S Chair(s): Councillor Akhlaq Ahmed - Resources

Report author: Nadeem Afzal, Senior Business Analyst
Email: Nadeem.X.Afzal@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: 010445/2023		
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 seeks approval of the Council Tax base for 2023/24 for the City Council, New Frankley in Birmingham Parish Council and Royal Sutton Coldfield Town Council. This forms an important part of the calculation of next financial year's income from Council Tax.
- 1.2 The report sets out the basis of the calculation and the assumptions which have been included.

2 Recommendations

That Cabinet: -

- 2.1 Approves a Council Tax base for Birmingham of 263,262 Band D equivalent properties, for 2023/24, as calculated in **Appendix 2**, in accordance with the Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012.

- 2.2 Approves a Council Tax base for the New Frankley in Birmingham Parish Council of 1,373 Band D equivalent properties for 2023/24, as calculated in **Appendix 3**.
- 2.3 Approves a Council Tax base for the Royal Sutton Coldfield Town Council of 37,218 Band D equivalent properties for 2023/24, as calculated in **Appendix 4**.
- 2.4 Notes that there are no changes to the current Council Tax Support Scheme in 2023/24.

3 Background

- 3.1 The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 requires local authorities to determine their tax base for Council Tax setting purposes before 31 January each year. This means that billing authorities, like Birmingham, must calculate the number of properties where Council Tax is payable and inform other precept bodies (in our case the West Midlands Police & Crime Commissioner, the Fire and Rescue Authority, New Frankley in Birmingham Parish and Royal Sutton Coldfield Town Councils) and other levying bodies, by 31st January, of this figure for precept/levying purposes.
- 3.2 The City Council is required to determine the tax base for Council Tax setting purposes for 2023/24. The calculation in this report is based upon the valuation list as at November 2022 and takes into account forecasts of discounts, exemptions and other changes likely to affect the number of properties on which full Council Tax will be payable and is inclusive of those changes which are predicted to happen by the end of 2023/24 e.g. successful appeals against valuation bands. Details of these factors are included within **Appendix 1**.
- 3.3 There has been a net increase of 3,460 (0.8%) in the total number of domestic properties in the past year to November 2022, compared with an increase of 2,489 (0.6%) during the previous 12-month period. The table in **Appendix 1** shows the number of properties by band in Birmingham as at November 2022 and highlights the changes since November 2021. The valuation list shows that 82.3% of all domestic properties in Birmingham have been allocated to “below average value” categories (i.e. Bands A-C), a marginal reduction from last year (82.4%), indicating that there has been minimal overall change in the average banding of properties.
- 3.4 The final part of the calculation is the application of the anticipated tax collection rate. Due to the impact of the cost-of-living crisis and economic uncertainty, it is recommended that the budgeted eventual composite collection rate for 2023/24 is maintained at 96.85%, the same as 2022/23 rather than return to the Pre-Covid-19 level of 97.1% for 2023/24. On this basis, the tax base for setting Council Tax for 2023/24 will be 263,262 Band D equivalent properties. However, whilst being prudent in its planning assumptions, the Council will seek to maximise the rate of collection. In the event that collection performance exceeds the assumed rate, the resultant surplus will become available to be taken into account in setting future years’ budgets and should this collection rate not be achieved the resulting deficit will be reflected in future budget setting.
- 3.5 Before taking account of allowances for non-collection, the 2023/24 Council Tax base is an increase of 5,059 (1.9%) Band D equivalent properties from 2022/23. The main reasons for this are net increases of 1,855 (0.7%) for new Band D equivalent properties forecast for the period up to 31st March 2024.

- 3.6 There is also an increase of 2,982 (1.1%) Band D equivalent properties primarily due to a decrease in the level of Council Tax Support (CTS) discount awards and an increase of 222 (0.1%) Band D equivalent properties due to decreases in student discount awards and exemptions relating, mainly, to students. These have been set out in the table below.

Summary of adjustment to the tax base for Band D Equivalent	2023/24	2022/23	Movement
Properties on Valuation List	378,610	375,495	3,115
Forecasted new properties	3,332	4,592	(1,260)
Net increase in No. of properties	381,942	380,087	1,855
Exemptions, Discounts and Other	(48,980)	(49,202)	222
Council Tax Support	(61,139)	(64,120)	2,982
Gross Tax Base	271,824	266,765	5,059

- 3.7 Cabinet is asked to approve the tax base for Birmingham of 263,262 Band D equivalent properties. Once formally determined, this tax base cannot subsequently be altered, and will be used when the City Council sets the Council Tax for 2023/24.
- 3.8 Cabinet is asked to approve the tax base for the New Frankley in Birmingham Parish Council which, after applying the collection rate described above, produces a tax base figure of 1,373 Band D equivalent properties. This is an increase of 83 Band D equivalent properties from 2022/23.
- 3.9 Cabinet is asked to approve the tax base for the Royal Sutton Coldfield Town Council which, after applying the collection rate described above, produces a tax base figure of 37,218 Band D equivalent properties. This is an increase of 328 Band D equivalent properties from 2022/23.

4 Options considered and Recommended Proposal

- 4.1 Not Applicable

5 Consultation

- 5.1 Officers in the Council Management and Place, Prosperity and Sustainability Directorates have been consulted in determining the Council Tax Base. The Assistant Director – Revenues and Benefits has been consulted in the preparation of this report.
- 5.2 No public consultation is required on the Council Tax base. It is a statement of fact supplemented by the City Council's forecast of likely changes to the tax base in 2023/24.

6 Risk Management

- 6.1 The setting of the Council's budget which includes the setting of the Council Tax Base, as set out in this report, is 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 completion of the Council Tax base does not have any direct implications for the City Council's Corporate Policy Priorities.

7.2 Legal Implications

- 7.2.1 The Council is required to set the tax base under the Local Government Finance Act 1992. The tax base is a factor in the determination of the planned level of Council Tax income which can be collected next year. The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 requires local authorities to determine their tax base for Council Tax setting purposes before 31 January each year. This means that billing authorities, like Birmingham, must calculate the number of properties where Council Tax is payable and inform other precept bodies as detailed within the report and other levying bodies, by 31 January of this figure for precept/levying purposes.
- 7.2.2 The Local Government Act 2003 removed the requirement for this to be a matter reserved for approval by Full Council.

7.3 Financial Implications

- 7.3.1 The Council Tax base in conjunction with the Council Tax level (to be approved at the Council meeting on the 28th February 2023) will determine the total income from Council Tax in 2023/24 to be included in the approved budget for next year.

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 There are no specific Equality Duty or Equality Analysis issues relating to the proposals set out in this report.

8 Appendices

- 8.1 Appendix 1 - Council Tax Base Calculation
- 8.2 Appendix 2 - Council Tax Base Birmingham 2023/24
- 8.3 Appendix 3 - Council Tax Base New Frankley in Birmingham Parish Council 2023/24
- 8.4 Appendix 4 – Council Tax Base Sutton Coldfield Town Council 2023/24

9 Background Documents

- 9.1 Calculation of Council Tax Base (CTB October 2022) from (Department for Levelling Up, Housing and Communities - DLUHC)

- 9.2 Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018
- <http://www.legislation.gov.uk/ukpga/2018/25/section/2/enacted>

Further details of the Council Tax base Calculation

The calculation of the tax base for 2023/24 commences with the total number of properties on the Valuation Office Agency (VOA) valuation list at November 2022, as follows:

Band	2023/24				2022/23		Annual Movement	
	Number of Properties	Proportion in Band %	Cumulative Proportion %	No. Band D Equivalent	Number of Properties	No. Band D Equivalent	No. Properties	No. Band D Equivalent
A	162,380	35.5%	35.5%	108,252	161,619	107,747	761	505
B	131,141	28.7%	64.2%	101,999	130,791	101,726	350	273
C	82,660	18.1%	82.3%	73,476	81,397	72,353	1,263	1,123
D	42,765	9.4%	91.6%	42,765	42,152	42,152	613	613
E	22,419	4.9%	96.5%	27,401	22,017	26,910	402	491
F	9,012	2.0%	98.5%	13,017	8,965	12,949	47	68
G	5,929	1.3%	99.8%	9,882	5,909	9,848	20	34
H	909	0.2%	100.0%	1,818	905	1,810	4	8
Total	457,215	100.0%		378,610	453,755	375,495	3,460	3,115

The following additional factors, calculated for each of the property bands (A to H), have been included in the Tax Base calculation:

- An estimate of the number of properties which will be exempt from Council Tax;
- An estimate of the number of properties that will be reallocated to a lower tax band under the “disabled relief” scheme;
- An estimate of the number of appeals against valuation that are likely to succeed;
- An estimate of the number of new properties which will become liable for tax before 1 April 2024, together with any properties which will cease to be liable - and the proportion of the year for which that liability is likely to exist;
- An estimate of the number of properties for which discounts will apply, and the number of discounts for each property. This includes the Council Tax Support Scheme which includes a discount of up to 80%. This takes account of an assessment of the expected number and level of Council Tax Support discounts, drawing on experience of discounts awarded in 2022/23 and previous years.
- An estimate of the number of properties which will be classed as long-term empty (empty for over 2 years), attracting a premium of 100%; and an estimate for those that remain empty for at least 5 years, attracting a premium of 200%; and an estimate for those that remain empty for at least 10 years, attracting a premium of 300%.

The calculations for the assumptions above are set out in Appendix 2 to this report. The information for New Frankley in Birmingham Parish Council is shown in Appendix 3 and for Royal Sutton Coldfield Town Council in Appendix 4. These also show how the number of taxable properties in each band must be adjusted to arrive at an equivalent number of “Band D” properties, as required by legislation.

Council Tax Base - Birmingham 2023/24											Band D	
											Total	Equivalent
Property Band	Band AR	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Properties	Properties	Properties
i) Dwellings on valuation list	0	162,380	131,141	82,660	42,765	22,419	9,012	5,929	909	457,215	378,610	
ii) Estimated Exemptions	0	(8,593)	(4,631)	(3,092)	(3,293)	(1,161)	(197)	(108)	(30)	(21,105)	(17,315)	
iii) Net adjustment in respect of estimated disabled relief	254	264	(47)	(169)	(119)	(88)	(24)	(30)	(41)	0	(263)	
iv) Net adjustment in respect of estimated successful appeals and other adjustments	0	(483)	(527)	(311)	(161)	(78)	(21)	(13)	(2)	(1,597)	(1,322)	
v) Net adjustment in respect of estimated new properties	0	1,430	1,156	727	376	196	79	52	8	4,025	3,332	
No. of chargeable dwellings	254	154,998	127,091	79,815	39,568	21,287	8,850	5,830	844	438,538	363,043	
vi) Total no. of discounts (including Council Tax Support)	(100)	(63,644)	(34,618)	(14,922)	(5,055)	(1,712)	(578)	(293)	(37)	(120,959)	(91,219)	
Equivalent no. of chargeable dwellings net of discounts	154	91,354	92,473	64,893	34,513	19,575	8,272	5,538	807	317,579	271,824	
Statutory proportion	5/9	6/9	7/9	8/9	1	11/9	13/9	15/9	18/9			
Equivalent Band D properties (the "Relevant Amounts")	85	60,903	71,924	57,683	34,513	23,925	11,949	9,229	1,613	TOTAL =	271,824	
ALLOWANCE FOR NON-COLLECTION (3.15%)	(3)	(1,918)	(2,266)	(1,817)	(1,087)	(754)	(376)	(291)	(51)	TOTAL =	(8,562)	
TOTAL	82	58,985	69,658	55,866	33,426	23,171	11,573	8,938	1,562	TOTAL =	263,262	

Council Tax Base - New Frankley in Birmingham Parish Council 2023/24												Band D
											Total	Equivalent
Property Band		Band AR	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Properties	Properties
i)	Dwellings on valuation list	0	1,558	1,592	103	58	1	0	0	1	3,313	2,430
ii)	Estimated Exemptions	0	(17)	(10)	(1)	0	0	0	0	0	(28)	(20)
iii)	Net adjustment in respect of estimated disabled relief	3	1	(4)	0	0	0	0	0	0	0	(1)
iv)	No. of chargeable dwellings	3	1,542	1,578	102	58	1	0	0	1	3,285	2,409
v)	Total no. of discounts (including Council Tax Support)	(2)	(824)	(542)	(15)	(6)	0	0	0	0	(1,389)	(992)
	Equivalent no. of chargeable dwellings net of discounts	1	718	1,036	87	52	1	0	0	1	1,896	1,417
	Statutory proportion	5/9	6/9	7/9	8/9	1	11/9	13/9	15/9	18/9		
	Equivalent Band D properties (the "Relevant Amounts")	1	479	806	77	52	1	0	0	2	TOTAL =	1,417
	ALLOWANCE FOR NON-COLLECTION 3.15%	0	(15)	(25)	(2)	(2)	(0)	0	0	(0)	TOTAL =	(44)
	TOTAL	1	464	780	75	50	1	0	0	2	TOTAL =	1,373

Council Tax Base - Sutton Coldfield Town Council 2023/24												Band D	
												Total	Equivalent
Property Band		Band AR	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Properties	Properties	
i)	Dwellings on valuation list	0	3,321	5,529	7,724	9,521	8,628	4,188	2,613	397	41,921	44,645	
ii)	Estimated Exemptions	0	(96)	(90)	(122)	(152)	(95)	(39)	(19)	(2)	(615)	(603)	
iii)	Net adjustment in respect of estimated disabled relief	1	12	13	24	20	(29)	(16)	(13)	(12)	0	(44)	
iv)	No. of chargeable dwellings	1	3,237	5,452	7,626	9,389	8,504	4,133	2,581	383	41,306	43,998	
v)	Total no. of discounts (including Council Tax Support)	(1)	(1,569)	(1,445)	(1,239)	(983)	(615)	(240)	(113)	(15)	(6,220)	(5,570)	
	Equivalent no. of chargeable dwellings net of discounts	0	1,668	4,007	6,387	8,406	7,889	3,893	2,468	368	35,086	38,428	
	Statutory proportion	5/9	6/9	7/9	8/9	1	11/9	13/9	15/9	18/9			
	Equivalent Band D properties (the "Relevant Amounts")	0	1,112	3,117	5,678	8,406	9,642	5,624	4,113	736	TOTAL =	38,428	
	ALLOWANCE FOR NON-COLLECTION 3.15%	0	(35)	(98)	(179)	(265)	(304)	(177)	(130)	(23)	TOTAL =	(1,210)	
	TOTAL	0	1,077	3,019	5,499	8,141	9,338	5,447	3,983	713	TOTAL =	37,218	

Public Report

Birmingham City Council

Report to Cabinet

17 January 2023



Subject:	Proposed Balsall Heath Neighbourhood Council: Outcome of Consultative Ballot and Next Steps
Report of:	Mark Wiltshire, Interim Strategic Director of City Operations and Janie Berry, City Solicitor and Monitoring Officer
Relevant Cabinet Member:	The Leader of the Council
Relevant O & S Chair(s):	Cllr Mohammed Idrees, Chair of Homes and Neighbourhoods O&S Committee
Report author:	Tony Smith, Policy Executive tony.smith@birmingham.gov.uk Mobile number 07967 040 844

Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Balsall Heath West, Sparkbrook and Balsall Heath East		
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 A Community Governance Review consultation on the proposal to create a new parish (neighbourhood) council in Balsall Heath was carried out between January and July 2022. Cabinet then approved the recommendation of the Review that the process should move to the next stage and a consultative ballot be conducted amongst all the

electors of the area. This report informs Cabinet of the outcomes of the ballot and sets out the next steps in the process.

- 1.2 The result of the ballot is detailed in 3.6. Based on this outcome and considering the circumstances surrounding the ballot, it is proposed that further engagement and a second consultative ballot be carried out before a final decision is made on whether to proceed with the proposal.
- 1.3 Should Cabinet approve this recommendation the creation of any new parish council will not now take place this spring and any precept cannot be raised until April 2024. A further report will be brought to Cabinet on the outcomes of additional consultation.

2 Recommendations

2.1 Cabinet is recommended to approve:

- Further information provision and engagement in the area to increase awareness of the proposal amongst residents and gather further evidence of the strength of support for it
- A second consultative ballot of all electors in the area to be completed no later than the end of October 2023.

3 Background

- 3.1 The City Council published a white paper, Working Together in Birmingham's Neighbourhoods in 2019 which included a commitment to work with local community groups who were interested in creating new parish (neighbourhood) councils in their area.
- 3.2 Since then, a small number of places have expressed an interest, and these are being taken forward at different speeds. A group of interested citizens in Balsall Heath started a campaign for such a council in the area covered by the Balsall Heath Neighbourhood Plan.
- 3.3 Cabinet approved a policy statement on the process for creating new parish (neighbourhood) councils within the city in May 2021. In accordance with this policy, and relevant legislation and statutory guidance, Cabinet decided to conduct a Community Governance Review (CGR) in November 2021.
- 3.4 Cabinet received the report of that Review in July 2022 and decided to proceed to the next stage: further engagement with the community and information provision followed by a consultative ballot of all electors in the area to give a further view on whether they wish to have a new council.
- 3.5 The ballot was held between 1 November and 15 December 2022 by post. This period was extended by two weeks as there was an initial delay in posting ballot papers to electors in one of the two wards concerned.

3.6 The result of the ballot was as follows:

Number of eligible voters:	10764
Total number of votes cast:	2374
Turnout:	22.05%
Total number of valid votes counted:	2368
Number of votes found to be invalid:	6
Number voting YES (and percentage):	1839 (77.7%)
Number voting NO (and percentage):	529 (22.3%)

3.7 However, and as mentioned at paragraph 4.3 below, the ballot period did coincide with industrial action taken by Royal Mail which meant that there were concerns that not all ballot papers would be received by 15th December. To mitigate against this, all ballot papers received by 30th December were taken into account and are included in the returns set out above.

3.8 The agreed process for the creation of new parish councils suggests that a simple majority is required in such a ballot to indicate adequate support for the proposal, but that the ballot should also achieve a turnout above a threshold. The threshold should be 25% or the latest turnout in the relevant ward or wards in the latest City Council election, whichever is the lowest.

3.9 At the City Council elections in May, turnout for Sparkbrook and Balsall Heath East was 25.1% and in respect of Balsall heath West it was 30.62%. Consequently, the threshold required in this case would be 25%.

3.10 This result clearly fulfils the first requirement and shows that a large majority of those who voted supported the proposal. However, the turnout is 22%, three percentage points below the threshold.

4 Options considered and Recommended Proposal

4.1 Three options were considered:

- a) The proposal should go ahead as there is a range of evidence that it is supported in the community and the turnout threshold was almost reached
- b) The proposal should be rejected, as the turnout threshold was not met
- c) Further engagement takes place and a new consultative ballot to be held in 2023.

- 4.2 This result calls for a judgement to be made on whether the process has demonstrated adequate breadth and depth of support for the proposal in the community. On the one hand there is clearly a very strong opinion in favour amongst those who took part in the ballot, and this was echoed on the different forms of consultation undertaken last year. The turnout figure is equivalent to that achieved in the recent by-election in one of the Balsall Heath wards and is above that seen in several city council ward elections.
- 4.3 In addition, there were some complicating external factors at play during the ballot which make the result difficult to interpret. Due to an error in dispatching the ballot papers they were initially not sent to electors in one of the two wards concerned. This was discovered and rectified, and an additional two weeks allowed for the return of ballots and as such no electors were disenfranchised as all electors had at least 28 days to return their ballot papers. There was also a postal strike during the process which led to delays in deliveries and may have dissuaded some electors from taking part. All these factors make it difficult to recommend that the proposal be simply rejected.
- 4.4 On the other hand, the turnout threshold (designed to ensure that the decision is reflective of a wide cross-section of the community) was not achieved, so to approve the proposal at this point is also difficult.
- 4.5 Taking all these considerations into account it was felt that the best course of action was to continue the process, to ensure that the best possible evidence on the support for the proposal is available to Cabinet. This will also allow more time for community awareness to be increased and ideas for the activities of any neighbourhood council to be developed through dialogue.
- 4.6 Following consultation with the Leader of the Council, Cabinet is therefore recommended to continue the CGR process and conduct further consultation followed by a second ballot before a final decision is made.
- 4.7 There are some implications of this recommendation. In law, the CGR is not concluded until the final decision on the proposal is made, so the recommendation in effect simply extends the period of the Review. It is not subject to a twelve-month limit because the process was not initiated by a petition. Preparations had been made to introduce a precept for the new council, should it be established in April of this year. This cannot now happen until April 2024 at the earliest. However, it would be possible to set up a new council before then, and to conduct elections. There are also financial implications (set out below).
- 4.8 Subject to Cabinet approval, officers will engage with the community steering group and implement a process of further information and consultation, followed by a repeat ballot. The outcomes of this process will be reported back to Cabinet in the Autumn with further recommendations on next steps.

5 Consultation

- 5.1 The consultative ballot provides a robust mechanism to test the breadth of support for a new parish council by giving every elector in the area a choice to give a “yes” or “no”

view, based on the provision of full information. However, it was just one stage in a process of consultation and engagement on the proposal.

5.2 The CGR report in July set out in detail the consultation undertaken as part of the review and the feedback received. A variety of methods were used to consult residents and other stakeholders:

- A questionnaire survey on Be Heard (the City Council's on-line survey tool)
- Discussions with groups in the neighbourhood, using the Be Heard questions as prompts
- Responses by email or post (key stakeholders were sent emails inviting their comments)
- Phone calls to the Neighbourhood Development Support Unit

5.3 Awareness of the issue was raised using a variety of materials such as leaflets put through letter boxes and given to school students to take home, posters and pull-up banners, social media posts, ward forum meetings and press articles.

5.4 Responses to the CGR consultation were nearly all from residents and groups in the area itself. A significant majority of people and groups who responded were in favour of the proposal.

5.5 The councillors for the two wards which contain the proposed council area have been consulted as key stakeholders. They have also received regular email updates and attended a series of briefing meetings with the officer team. The steering group also invited local councillors to all its meetings.

6 Risk Management

6.1 The CGR process included an assessment of risks involved in creating a new neighbourhood council, as required by statutory guidance. These are mainly concerned with a) community cohesion and the likely inclusivity of the council and b) practical issues around boundaries and elections as well as the viability of the proposed council and its likely ability to fulfil the objectives set and to improve governance in the area.

6.2 There are limited risks to the City Council in terms of the future operation of any parish (neighbourhood) council and the potential impact on service delivery and community cohesion in the area and the CGR report set out how these would be addressed as well as the potential opportunities of a new council in this regard. Risks in terms of the operation of the election system have been minimised through consideration of boundaries and the warding of the area during the review process.

6.3 Financial risks for any future parish (neighbourhood) council would be addressed through the regulatory regime in place for parish councils and do not fall on the principal council (i.e., the City Council).

7 Compliance Issues:

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

- 7.1.1 The recommendations and the process adopted are in line with the Working Together in Birmingham's Neighbourhoods white paper and the Policy Statement on parish councils adopted by Cabinet in May 2021 (see background documents below). The objectives of supporting stronger communities and neighbourhood level democracy are also reflected in the council's Corporate Plan.

7.2 Legal Implications

- 7.2.1 The CGR process has been conducted in accordance with all relevant legislation and statutory guidance (see background documents below).

7.3 Financial Implications

- 7.3.1 Parish councils can raise a Council Tax precept and are therefore not reliant on the City Council for their income, so there are no direct financial implications of the creation of a new parish (neighbourhood) council. Any new parish council would be expected to meet set up and staffing costs as well as the additional costs of their elections from the precept.
- 7.3.2 The costs of the consultation and the ballot have been met within existing resources. If Cabinet agrees to the recommendation to continue the process, there would be further such costs, and these would again be met from within existing resources.

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 Equalities and community cohesion are an important aspect of the CGR process and have been a priority in carrying out the review. The proposed new council must be likely to provide for community cohesion and respect identities in the area. A full equality impact assessment will be completed at the conclusion of the process (i.e., in the report to full Council).

8 Background Documents

- [Balsall Heath Community Governance Review Terms of Reference \(January 2022\)](#)
- [Community Governance Review: Balsall Heath \(Cabinet Report\) \(December 2021\)](#)
- [Statement of the Process for Creating New Parish Councils in Birmingham \(May 2021\)](#)
- [Working Together in Birmingham's Neighbourhoods \(White Paper\) \(January 2019\)](#)
- [Report of the Community Governance Review on the proposed Balsall Heath Neighbourhood Council \(attached at Appendix 1 to the Cabinet report of July 2022\).](#)

Birmingham City Council

Report to Cabinet

17th January 2023



Subject: APPROVAL OF “SUPPORTED HOUSING STRATEGY: A FRAMEWORK FOR SHORT TERM SUPPORTED HOUSING (EXEMPT ACCOMMODATION)”

Joint Report of: Professor Graeme Betts, CBE
Strategic Director of Adult Social Care

Paul Langford
Acting Managing Director, City Housing

Relevant Cabinet Members: Cllr Sharon Thompson - Housing & Homelessness
Cllr Mariam Khan - Health and Social Care
Cllr Yvonne Mosquito - Finance and Resources

Relevant O&S Chairs: Cllr Mohammed Idrees - Housing & Neighbourhoods
Cllr Mick Brown - Health and Social Care
Cllr Akhlaq Ahmed - Resources
Cllr Sir Albert Bore - Co-ordinating

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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: 009647/2022		
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, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This report provides details of Birmingham's draft Supported Housing Strategy (**Appendix 1**), consultation outcome. This follows a one-month long consultation on Be-Heard (later extended to 5 weeks) with residents, providers, professionals, and service users with experiences of supported housing provision. The findings of the consultation on the draft strategy are presented in a consultation findings report (**Appendix 1a: Consultation Findings Report**). The findings reflect a strong consensus for the way forward set out in the strategy.
- 1.2 The focus of this strategy is on shorter-term transitional supported housing (TSH) different to the long-term provision for older people. TSH provides vital services for working age households across housing, health and social care settings. More than providing roofs over heads, TSH offers care and support so that, regardless of personal circumstances or experience, people can achieve independent, happy, and stable lives. This specific type of provision is often poorly understood due to the varied nature of service intensity, housing types, and diverse range of client groups that can benefit from it, with the term exempt accommodation used to describe it.
- 1.3 The draft strategy calls for a radical change, setting out how greater local oversight and management of supported housing can only achieve this within the context of national legislative and regulatory reforms. The position taken is largely due to a decade long period of fragmentation of policy and funding uncertainties. Birmingham's experience, reflected in other national oversight pilots is that rising demand for shorter term supported housing, is increasingly being met through the growth from unregulated provision from leased private sector housing managed by third party organisations, with mixed experiences and often poor-quality provision impacting on the supply of other types of housing such as affordable rented housing.
- 1.4 One of the key priorities of the strategy is to rebalance provision in the city, to better meet local needs and mitigate against detrimental impacts of oversupply of poor-quality provision. Implementing learning from participation of a national oversight pilot, the strategy also puts forward a range of shorter-term measures to drive up standards including rolling out voluntary local accreditation and quality standards regimes, tested over the last twelve months and working other local authorities to implement positive oversight practice at a local level.
- 1.5 The formulation of strategy has coincided with both local scrutiny and national governmental inquiries and key local and national policy developments led by national local elected members. These include the development of Birmingham's overall Housing Strategy, Overview and Scrutiny and DLUHC Select Committee inquiries on Exempt Accommodation. In addition, there has also been the introduction of a Private Members Bill in Parliament Supported Housing (Regulation and Oversight) Bill. (See background documents)
- 1.6 Upon adoption of the strategy a more detailed action plan will need to be developed carefully taking account of key local and national policy developments including any new legislation.

2 Recommendations

That Cabinet: -

- 2.1. Approves the adoption and implementation of the draft Transitional Supported Housing Strategy: A framework for Short Term Supported Housing (**Appendix 1**).
- 2.2 Notes the outcome of the consultation as detailed at **Appendix 1a**, which indicates strong support for the strategy priorities and objectives as the basis for setting the framework for change, alongside actions building upon learning gained whilst delivering its oversight on a national oversight pilot.
- 2.3 To approve that the (Interim) Strategic Director of City Housing establishes a multi-disciplinary Strategic Delivery Plan Group to undertake the development of a five-year Delivery Plan in conjunction with statutory and voluntary sector partners.
- 2.4 The (Interim) Strategic Director of City Housing will provide regular Delivery Plan updates to the Cabinet Member Housing and Homelessness and Cabinet as and when requested.
- 2.5 Delegate local enforcement and decommissioning decisions of supported housing provision in the city, to an officer led Supported Housing Oversight Board. Oversight roles and functions will be set out within a specific terms of reference, including a clear process for briefing Cabinet and Cabinet Members in line with decision making thresholds of the BCC constitution. Membership will initially be drawn from the city's current Supported Housing Sponsor Board and allow for co-opting and changes to be made, in order to ensure the relevant service areas leads are represented over the duration of the strategy.

3 Background

- 3.1 Short-term TSH housing forms an important part of social safety net across the housing, health, and social care sectors. It is predominantly funded out of housing benefit and available to vulnerable citizens including care leavers, prison leavers, rough sleepers, homeless people with substance dependencies, those with mental health needs and domestic abuse victims.
- 3.2 Birmingham is one of five local authorities involved in informing future national policy for short term transitional supported housing through its participation in a national oversight pilot programme (2020 to 2021). The pilot has focused on shorter-term supported accommodation with the aim of developing better outcomes and value for money for vulnerable people aiming to provide them with the skills to enter longer-term independent accommodation.
- 3.3 Several outputs to date have been delivered as result of this pilot. These include (1) multi-agency led inspections of properties and services of transitional supported housing; (2) a local supported housing needs assessment (**Appendix 2**); (3) bespoke training targeted at professionals from all sectors, and the development and launch of; (4) Charter of Rights for residents living in the supported housing as well as (5) a locally accredited Quality Standards regime, aimed at driving up confidence and assurance of service quality. The development of this cross-portfolio local strategy represents the final element of this work.

- 3.4 The Cabinet Member of Housing & Homelessness has been leading local, regional and national dialogue and action, concerning policy reforms of supported housing. This includes hosting a national conference event in Birmingham with the homelessness charity Crisis to engage on the development of national legislation being progressed through a Private Members Bill. Local action includes promoting post national oversight action such as the roll-out of local standards regime and promotion of a Charter of Residents for residents living in supported housing. Regionally the Cabinet Member has also supported action at West Midlands Combined Authority (WMCA) level on policy issues associated with supported housing policy reforms.
- 3.5 The draft TSH strategy seeks to rebalance supported housing provision in Birmingham and identifies the need for urgent national reforms. The reforms are necessary for a number of reasons including for the Council to effectively address the oversupply of poor-quality supported accommodation services linked to several strategic aims which include: -
- Ensuring supported accommodation meets expected standards and is properly funded.
 - Helping residents in supported housing become more independent.
 - Improving the health and wellbeing of residents.
 - Strengthening communities.
 - Making sure supported housing is available for people in the city with different needs and circumstances.

4 Options considered and Recommended Proposal –

4.1 Option 1: Defer and undertake further consultations.

Undertake further engagement with stakeholders, partners, providers, service users or others to enhance the overall numbers of people involved in consulting on it. This will mean that the strategy and action plan adoption by Cabinet will be deferred. Whilst the overall sample of size of the responses to the consultation will be increased, it will not necessarily yield a different outcome.

4.2 Option 2: Adopt high level strategy & move forwards in the development of Delivery Plan Recommended Option.

Rather than undertake additional time limited consultation on the draft strategy it is recommended ongoing engagement and consultation is embedded into the work on developing Delivery Plan for the high-level strategy.

4.3 Option 2 is the recommended proposal and reflects feedback received from several individuals and organisations that took part in the consultation.

5 Consultation

- 5.1 A one-month long consultation on Be-Heard (later extended to 5 weeks) was held over Summer of 2022, which closed on 16th September 2022. Prior to this there has

also been extensive pre-consultative engagement on the issue of exempt accommodation with various stakeholders and elected members over the course of the Birmingham's involvement in a national 12 month oversight pilot.

5.2 There were 125 responses to the Be-Heard consultation. Nearly half of the respondents were professionals (47%), including individuals and providers, followed by Birmingham residents and homeowners. 5% lived in supported accommodation and 9% were supported accommodation landlords. Key findings (**Appendix 1a**) concerning the strategic priorities and aims show: -

- 94% agree with improved quality and oversight of support provision
- Nearly 70% agree with interim management measures
- Only 17% of respondents did not agree with the priority to reduce the oversupply of some supported housing to rebalance provision in the city.
- There is a need for good quality and high standard accommodation with regulations and legislation
- Need to consider neighbourhoods and the impact and provide more support to resolve issues.
- Funding is a key issue in relation to future regulation and enforcement.
- Housing Benefits were a common theme and need to consider lack of progress on regulations.
- There needs to be stronger focus on people not money when providing support.
- Other comments received included call for set of detailed actions, how the Council would respond to potential legislation being presented in Parliament in November 2022 and measures deployed to control the growth of supported housing from the private rented sector.

Additional consultation and engagement have and is being undertaken with a City-Wide residents' group and City-Wide Exempt Accommodation Forum.

6 Risk Management

- 6.1 Given the wide-ranging role and remit of transitional short-term supported housing in providing vital services to vulnerable citizens across the housing, health and social care setting, the strategy is a high level overarching document, setting out a framework for future change. A strategy Impact Modelling paper (**Appendix 3**) has been produced to guide the development of the subsequent delivery plan.
- 6.2 An Options Appraisal process will be undertaken to inform any actions around reducing the supply of supported housing in Birmingham. This will be carried out in conjunction with all key service directorates and stakeholders.
- 6.3 Approvals for any decommissioning supported housing provision in the city is to be led and approved by the existing Supported Housing Sponsor Board.

7. Compliance Issues:

- 7.1 The recommended decisions are consistent with the Council's Corporate Plan 2022-2026 priorities, specifically supporting three of the four priority area grand challenges and associated priority themes:

Opportunities for children and young people

A BOLD Inclusive Birmingham

5. Tackle poverty and inequality
6. Empower the citizens and enable the citizen voice
7. Promote and champion diversity, civic pride and culture
8. Support and enable all children and young people to thrive

Community Resilience, Cohesion and living standards

A BOLD Safe Birmingham

9. Make the city safer
10. Protect and safeguard vulnerable citizens
11. Increase affordable, safe, green housing
12. Tackle homelessness

Health and Wellbeing

A BOLD Healthy Birmingham

13. Tackle healthy inequalities
14. Encourage and enable physical activity and healthy living
15. Champion mental health
16. Improve outcomes for adults with disabilities and older people

The strategy has also been developed in line with the development of Birmingham's overarching Housing Strategy objectives and is consistent with the new Private Rented Sector Strategy 2022-27. Homelessness Prevention Strategy 2017+ and the following specific strategies: -

- Birmingham Joint Health and Wellbeing Strategy: Creating a Bolder, Healthier City 2022-2030
- Domestic Abuse Prevention Strategy 2018+
- Refresh of Adult Social Care Vision and Strategy 2020 – 2024
- Financial Inclusion Strategy 2017-2020+
- Transition Strategy 2018+

7.2 Legal Implications

- 7.2.1 The strategy is a high-level framework for change upon which a future delivery plan will be established which will consider all legal and legislative implications including the possible progression of Supported Housing (Oversight and Regulation) Bill 2022 into law. The impacts of any new primary legislation and supporting Regulations will trigger a review of this proposed Strategy which may require further approval by Cabinet at a later date. The wider impacts of

the proposed new legislation, once known, may result in a review of other Housing related policies and procedures.

7.3 Financial Implications

- 7.3.1 The report seeks approval to adopt and implement the draft Transitional Supported Housing Strategy. This is a continuation of an existing programme within Birmingham City Council, which in 2022/23 was allocated one-off funds of £1.997m from the delivery plan reserve. Cabinet approval to bid and accept DLUHC grant funding of £3.19m was provided in June 2022. This covers the years 2023/24 and 2024/25 and delivery of the strategy will be contained within this amount. Any changes that impact the overall cost or funding position will require further approval and may need a further Cabinet decision.

7.4 Procurement Implications (if required)

- 7.4.1 Training packages have been procured as part of the work funded and undertaken during the oversight pilot phase. This is targeted at equipping housing and support practitioners to understand some the practical implications associated with using the supported housing sector.

7.5 Human Resources Implications (if required)

- 7.5.1 None

7.6 Public Sector Equality Duty

- 7.6.1 An Equalities Impact Assessment screening has been completed (**Appendix 4**) which identifies positive impacts for groups with protected characteristics, as well as vulnerable communities that use supported housing. The assessment has also identified actions to consider as part of the Delivery Plan formulation process. The EIA will be kept under review to capture any changes discovered as part of the Delivery Plan formulation process including impact assessing any consequential implementation of national primary and secondary legislation that emerges.

7.7 Environmental and Sustainability Implications

- 7.7.1 Due to the nature of the strategy being a high-level strategic framework upon which a subsequent Delivery Plan will be developed after Cabinet approval, an ESA is not applicable at this stage. The Delivery Plan will identify both positive and negative impacts on environment and sustainability considerations resulting from improving provision of supported housing in the city available to vulnerable citizens. This Delivery Plan will be overseen by the City Council's Supported Housing Oversight Sponsor Board, which over the course of strategy, holds the remit to provide assurance and oversight of the 5- year delivery plan. Impacts on environmental and sustainability concerns will be captured and reported annually. To inform this work the Strategy Impact Modelling Summary paper, which accompanies the Cabinet Report, identifies the main environmental impacts.

8. Appendices

Appendix 1: The future of Transitional Supported Housing: A strategic framework for short term supported housing.

Appendix 1a: Consultation Findings Report.

Appendix 2: Summary Findings Supported Housing Needs Assessment.

Appendix 3: Supported Housing Impact Modelling Summary Paper.

Appendix 4: Equality Impact Assessment, Supported Housing Strategy.

9. Background Documents

[Exempt Accommodation Report, Birmingham City Council Overview & Scrutiny, 2021](#)

[Department of Levelling Up Housing & Communities Inquiry Report,](#)

[Supported Housing \(Regulatory Oversight\) Bill](#)

Supported Housing Strategy: A Future Framework for Short Term Supported Housing

Pre-publication version

+ Document History			
Version			Change
No.	Date	Details of Changes included in Update	Author
V0.1	15 th March 2021 – onwards	First draft created. Structure outline agreed and added. Generic section populated. Sector analysis added	B Nolan
V0.1	21 st September 2021 - onwards	Ongoing development following internal scrutiny and external reference group input	B Nolan
V0.2	9 th February 2022 - onwards	Needs analysis added. Final section revised and refined. Updated throughout	B Nolan
V0.3	22 nd March 2022	Final section updated following Government announcement of 17 th March 2022	B Nolan
V0.3	23 rd March 2022	Circulated to Louise Collett and Kal Kohli for comment	B Nolan
V0.4	1 st April 2022	Updated following internal review	B Nolan
V.05	27 th April 2022	Revision following Sponsorship Board	B Nolan
V0.6	10 th May 2022	Final External Reference Group review	B Nolan
V0.6	17 th May 2022	Finalised for consultation	B Nolan
V0.7	8 th June 2022	Update to Regulatory Oversight Section. Finalised for internal sign off	B Nolan
V0.8	15 th June 2022	Impact Table amended Released for consultation	B Nolan
V0.9	11 th October 2022	Amended following consultation: Planning definitions corrected Consultation Section added	B Nolan
V0.10	3 rd November 2022	Amends following clarification session with Housing Directorate	B Nolan
V0.11	13 th November 2022	Amends to clarify Needs Assessment	J Hardy

Supported Housing Strategy: A Future Framework for Short Term Supported Housing

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Part 1 - Introduction

Why we need a supported housing strategy

Supported housing provides crucial help to some of the most vulnerable people in our community. It can have an enormous positive impact on an individual's quality of life: from their physical and mental health to their engagement with the community and maintain their independence.

For some people, supported housing may be a long-term option as support needs are unlikely to change throughout the course of a lifetime. For others, supported housing may be a step along the way to fully independent living, for example for those recovering after a period of mental ill-health, or can form a vital part of a planned route into mainstream housing as part of the homelessness route. Through helping people to increase or maintain their independence, supported housing can also be a cost-effective way of supporting people, by reducing their future need for more intensive support, such as residential care or more expensive statutory services.

What we mean by supported housing

Traditionally, supported housing has been primarily provided by the social housing sector managed and delivered by Registered Providers (RPs), local authorities and third sector community, voluntary or charitable providers, i.e., not-for-profit organisations.

Over the last decade, however, following a broadened definition of social housing and numerous changes in relation to governance arrangements of social housing, the numbers and types of providers in the sector providing supported housing have also grown. The broadened definition of social housing in 2016, governed by the Regulator of Social Housing (RSH), allowed RSH to award Registered Provider status to private sector 'for profit' organisations. These organisations now also make up part of the supported housing provision and represent a growing numbers of private sector organisations and landlords with RP status operating within the supported housing sector.

Supported housing is typically defined as housing designed to meet specific needs and in which there is some level of support provided as part of the accommodation offer. Within this there are broadly two categories of accommodation; Specialist Supported Housing and supported housing that meets a shorter-term need, often referred to as Transitional Supported Housing. Sheltered housing is the notable anomaly which is out of scope for this strategy.

Specialist Supported Housing is a specific type of supported housing defined in the Housing Rents (Exceptions and Miscellaneous Provisions Regulations 2016)³ as specifically designed or adapted for people who require specialised services to enable them to live independently as an alternative to a care home, and where the level of ongoing support provided is approximately the same as that provided by a care home, for residents for whom the only acceptable alternative is a care home. It must be provided by a private registered provider under an agreement with a Local Authority or the NHS, and not receive any public assistance (also defined in the regulations) for its construction or acquisition. A further needs assessment and strategy for the specialist housing sector is planned for a later date.

Transitional Supported Housing is less clearly defined as a 'model' or indeed in terms of structure or dedicated funding. Its purpose, however, is to meet a shorter term need as individuals are supported in transition to longer term independent living.

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This strategy focuses on Transitional Supported Housing. This covers both accommodation with support that is commissioned by the Local Authority or other Statutory Agency (including Government funded) and non-commissioned supported housing.

This strategy does not include mainstream housing where floating or visiting support is provided. Although this is a vital part of the wider spectrum of support, it does not form part of the accommodation offer.

The types of needs this strategy covers

There are many different types of households or communities of people who benefit from Transitional Supported Housing. With reference to Central Government's Supported Housing National Statement of Expectations (published October 2020), for the purposes of this strategy, these have been categorised into the following key groups:

- Young people leaving care, young people at risk and teenage parents
- People with experience of the criminal justice system
- People experiencing mental ill health, people with drug and alcohol dependency and people who have physical/learning disabilities that are below the threshold of care.
- People at risk of domestic abuse.
- Homeless people with identified other support needs, rough sleepers, refugees, and travellers.
- People with Multiple/complex needs

This strategy does not include older people or people with longer term or life-time support needs.

Links to other strategies and plans

There is increasing recognition of the need for different agencies to work more effectively together around joint outcomes, and in particular strong links between health, social care, and housing to meet the holistic needs of citizens. Early intervention and prevention are at the core of our approach as it serves to reduce the overall need for services in the longer term.

This strategy therefore sits alongside a range of other local strategies and plans that seek to enhance the health, care and wellbeing of households needing support services to achieve and maintain independent living. These include:

- Birmingham Development Plan
- Health and Wellbeing Strategy
- Housing Strategy
- Homelessness Prevention Strategy
- Domestic Abuse Prevention Strategy
- Private Rented Sector Strategy
- Planning Policy

Consultation

Consultation took place during September 2022.

This included

- National and Regional bodies
- Statutory and Strategic Partners
- Commissioned Providers
- Key Stakeholders
- Third Sector Providers
- Advocacy Services
- Service Users
- Public Consultation

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Consultation Responses

The key finding from the consultation were:

- 78% respondents agreed with the vision
- Over 70% agree with the six strategic aims, with 43% strongly agreeing
- Majority agree with lobbying for legislative changes, national reform and funding for support – this is backed up by comments throughout the consultation
- 83% agree with rebalancing the provision of accommodation
- 94% agree with improved quality and oversight of support provision
- Nearly 70% agree with interim management measures
- There is a need for good quality and high standard accommodation with regulations and legislation
- Need to consider neighbourhoods and the impact and provide more support to resolve issues
- Funding is a key issue and needs regulation and enforcement
- Housing Benefits are a common theme and need to consider lack of progress on regulations
- Focus should be on people not money when providing support
- There is a lack of detail in some areas and it appears woolly for example move on proposals and narrative needed for framework on page 21 and what are the proposals to be piloted?
- It's about quality not quantity
- Need to be able to demonstrate progress of individuals and support needs to be tailored to individuals
- More detail needed around interim management measures backed up by longer term strategic plans
- Need to provide access to affordable, safe, sustainable and longer-term accommodation
- Accommodation and support must be person centred and not disadvantage vulnerable people
- Partnership working is important and further research and workshops with partners would provide more detail
- Will we have the funding and resources to deliver?
- Proposals for lobbying may need to be reviewed in light of draft Supported Housing Bill due in November
- Concern over number units needed as may leave 10,000+ people seeking alternative accommodation

Additional comments received related in the main the procedural or implementation matters.

Methodology

This strategy has been developed using the associated Supported Housing Needs Assessment, the findings from a survey issued in December 2020 to all current providers of supported Housing in Birmingham, Birmingham's Overview and Scrutiny Inquiry, experience gained from partaking in the government Supported Housing Overview Pilot and the subsequent government evaluation of the five Supported Housing Oversight Pilots.

Developmental input through the formation of a stakeholder reference group. The stakeholder reference group comprised a mix of provider perspectives – including commissioned providers, non-commissioned providers, Registered Providers of Social Housing, non-Registered Providers, 'traditional' Registered Provider and leased-based only Registered Provider. This accommodated views of a broad range of organisational experts by experience.

Part 2 - Current Provision - A broken System

Background

Birmingham has circa 21,317 (14th June 2021) units in use as Transitional Supported Housing. The sector has grown rapidly. Almost doubling in size in the previous 3 years. There have been no real national comparators in terms of size and as such, Birmingham has been viewed both locally and nationally to be an outlier in terms of the size of this sector. There is however, mounting evidence that indicates growth is now spreading regionally and an expectation that, without fundamental reforms, national growth is inevitable.

‘Exempt sector’ has become the common term used to describe supported housing as the vast majority of supported housing is funded through exemptions to the capping of housing related costs set out in Housing Benefit regulations – hence the term ‘exempt’.

The costs associated with delivering supported housing are in two very distinct parts. The costs relating to the housing and service charge element and separately the costs for delivering the support. Housing Benefit funds the housing costs only. Funding for the provision of support must be found from elsewhere.

In Birmingham some of this support is commissioned using Council budgets and a small proportion in the City is funded through the voluntary sector. The Provider Survey returns indicated that a significant proportion of support delivered is self-funded from an individual’s personal income.

Where support has been commissioned by the Council provision is referred to as ‘commissioned supported housing’. Where the support has not been commissioned it is referred to as ‘non-commissioned supported housing’. The ‘Exempt Sector’ in the city therefore comprises commissioned supported housing and non-commissioned supported housing.

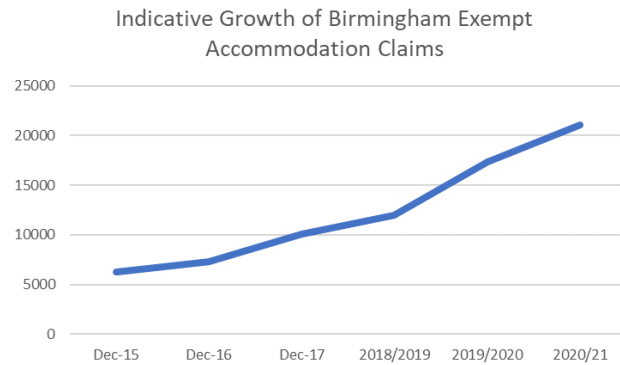
Growth

Rapid growth in Birmingham has been within the non-commissioned segment of the Transitional Supported Housing sector and this can be attributed to a number of factors:

- The roots of the growth go back to national disinvestment and deregulation. Reduction in budgets for key vulnerable groups, such as substance misuse, mental health, people with experience of the criminal justice system and the removal of the ring fence for Supporting People funding, coupled with a reduction in regulatory powers, resources and agencies has led to the residual sector being left to explore how best to meet the demand that was still there and has grown. The lack of national guidance and loose and disjointed regulations has made it easy to enter the market and meet minimal threshold requirements and standards. The Local Authority has no controls within the market.
- Birmingham has a large private rented sector and a stock profile which lends itself to house conversions to shared accommodation. As a business model this presents greater financial gains.
- Structural issues within the housing sector in the city, particularly pertaining to single person accommodation. Access to social housing is limited. The Local Housing Allowance Shared Accommodation Rates are low, rendering much of the general needs private sector inaccessible to many on low incomes. Housing options for low income, single person households are therefore extremely limited – ‘pushing’ people into supported accommodation as their only option. The threshold for demonstrating a support need within Housing Benefit regulations is low.

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Indicative growth using figures from multiple sources, local (Revenue and benefits service and commissioned accommodation), national (DWP, Freedom of Information Requests), provide proxy measures of this growth on the numbers of exempt accommodation claims (figure right).



Birmingham's Supported Housing Provision - Sector Profile

Source Data

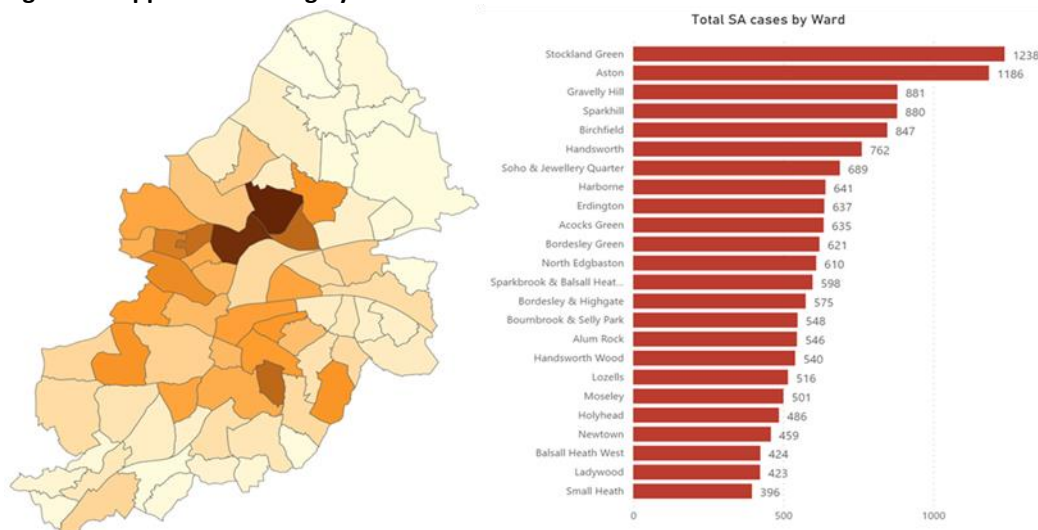
Quantitative multi-source data analysis held across Council systems have been used to inform an analysis of the sector. This has been supplemented by the findings from a survey issued to all Supported Housing Providers in the City in December 2020.

Locations, concentrations and property.

There are circa 21,317 units of supported accommodation in scope as at June 2021.

Ward level data mapping (figure x below) shows supported housing concentrations and specific locations across the city. These correspond with parts of the city where there are high volumes of accommodation types which lend themselves to multiple occupancy upon conversion within the traditional rented sector housing markets. These are large family-size houses in relatively lower property value areas compared to other parts of the city with similar property types.

Figure 1: Supported Housing by Ward



The wards with the highest concentrations are:

- Stockland Green - 1,238 units
- Aston - 1,186 units
- Gravelly Hill - 881 units
- Sparkhill - 880 units
- Birchfield - 847 units

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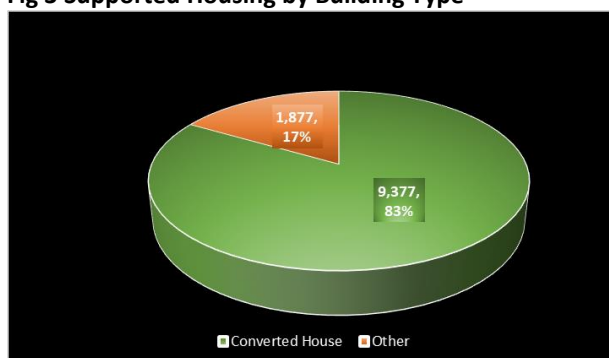
Whilst there is a mixed type of supported housing provision, the Provider survey indicated most of the supported housing is shared accommodation. The survey provided a sample equating to 53% of the total provision in the city and indicated that 79% is within shared dwellings, 47% of which is within properties with 5 or fewer households sharing and 32% in dwellings with more than 5 households sharing. A small proportion, 11% combined, is either fully or partially self-contained.

Figure 2: Supported Housing Survey Findings on Accommodation types

Accommodation Type	Number	%
Fully self-contained	854	8%
Shared 1-5 rooms	5275	47%
Shared 6 rooms and over	3546	32%
Hostel	1285	11%
Partially self-contained (En-suite bathroom)	289	3%
Number of responses Received	11,249	

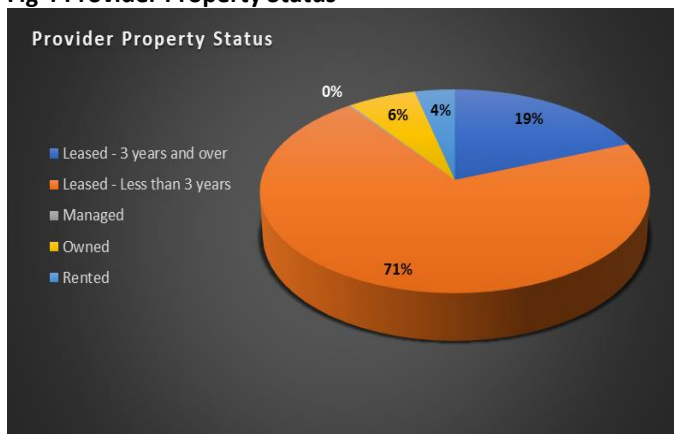
The responses from the Provider survey indicated 83% of supported housing provision is in converted houses.

Fig 3 Supported Housing by Building Type



Providers were also asked about the status of the property in use for supported housing.

Fig 4 Provider Property Status



At 90%, the vast majority of properties in use are leased by the provider.

Most, 71%, have a lease arrangement of less than 3 years.

A small proportion, at just 6%, are owned directly by the provider.

In summation the provider survey results indicated most supported housing is comprised of shared accommodation within converted houses. Most with short-term leasing arrangements. In terms of

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the sector, this could lead to high levels of instability as the long term sustainability of the housing offer is uncertain. If ownership and leased arrangements over 3 years are taken collectively, longer terms arrangements exist within a quarter of the sector only.

Occupancy

The survey of Providers indicated that most occupants (44%) had lived in their property for less than 12 months. A small proportion of occupants had resided in their accommodation for over 3 years.

Fig 5: Occupancy Periods

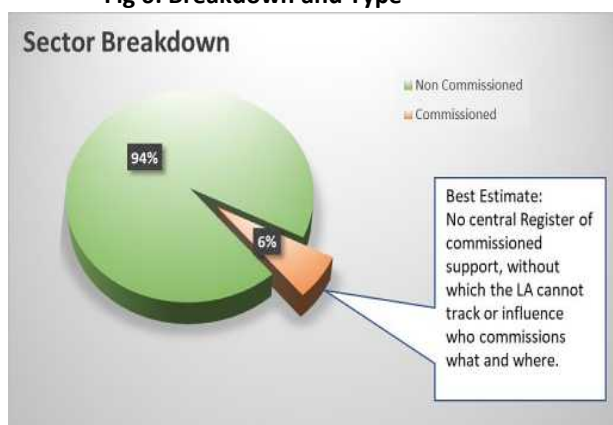
		Number	Percentage
Length of Stay	Between 1 year and 2	1,239	28%
	Between 2 years and 3	239	5%
	Less than 12 months	1,947	44%
	More than 3 years	541	12%
	Unoccupied	457	10%
		4,423	
Percentage of In Scope Provision		21%	

Who is providing Support and Housing

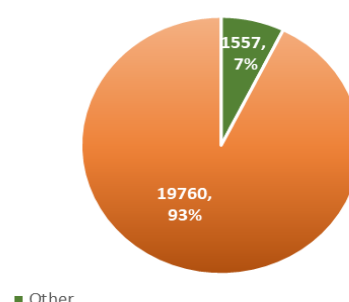
The vast majority of Transitional Supported Housing is delivered by non-commissioned Providers. This is estimated at circa 20,000 units, or 94% of the sector.

19,760 units equating to 93% of in scope provision is provided by Registered Providers of social housing.

Fig 6: Breakdown and Type



In Scope - Provider Type



Regulatory Oversight

Regulator of Social Housing

Of the in-scope provision 93% (19,760 units) is delivered by Registered Providers. Of this provision it is estimated that 65% of it has been designated as non-social housing, which means it is effectively private sector provision.

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The Regulator of Social Housing (RSH) is therefore the primary regulator of this sector. RSH provides assessments and Regulatory Judgements, mainly concern the Registered Providers governance and financial viability against a set of Regulatory Standards.

The Regulatory Status of Registered Providers delivering supported housing in Birmingham is as follows:

- 85% of the provision is known to be in regulatory difficulty. Either assessed by RSH as Non-Compliant or where a Grading Under Review (GUR) has been issued for serious regulatory concerns.
- 7% of provision is known to be compliant with RSH standards.
- 7% of provision has no regulatory judgement.

In addition to its Governance and Financial Viability Standards RSH also measure against the Rent Standard, Decent Homes Standard, Tenancy Standard, Consumer Standard, and a Value for Money Standard. However as at least 65% of the provision is designated as non-social housing. These standards cannot be measured or enforced by RSH, leaving a significant regulatory gap

Central and Local Government

Central Government oversight of the provision and funding of supported housing is disjointed. The administration of Housing Benefit, which largely funds the housing costs rests with the Department of Works and Pensions (DWP). Funding for support and the provision of housing rests with the Department for Levelling Up, Housing and Communities (DLUHC). Despite being a major player within the national housing sector, the Regulator of Social Housing does not fall within the remit of DLUHC but is responsible directly to Parliament. There is not one organisation therefore that provides overarching direction or oversight.

Fig 7: Regulation Web



Local Authorities have no control over the growth, location or type of accommodation that enters or leaves the sector. The mixed sector profile dominated by leased accommodation with large property numbers anchored within the private sector together with the levels of non-commissioned support provision renders this unachievable under current arrangements.

In terms of support provision, where this has been commissioned by the Local Authority or other statutory commissioning body, oversight of the support provision is in place. This extends to controlling costs, setting standards, ensuring the adequacy and appropriateness of support, ensuring safeguarding processes are in place, delivery monitoring and measuring outcomes. This, however, covers a relatively small part (estimated at 6%) of the overall provision.

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There is no regulatory oversight of non-commissioned support. This means that there are no corresponding assurances and monitoring of safeguarding procedures, staffing levels, project aims and outcomes, and no formalised assessment of the adequacy, suitability or appropriateness of the support provided.

Legislation

Whilst Housing Benefit Regulations, to an extent, regulates property costs (rents and eligible service charges) they do not, in themselves, consider the suitability or adequacy of the 'care, support or supervision' for an individual claimant. These regulations do not examine, or account for the capacity of the provider, the standard of accommodation or any associated effects on risk or wellbeing from a claimant's living environment. The Regulations also do not define what is meant by 'care, support or supervision' or the threshold for meeting such requirements other than 'more than minimal' or 'more than trifling' which has been established through tribunals.

Shared accommodation operated by Registered Providers are not classed as HMOs in Housing Legislation and are not subject to legislation governing HMO provision. Therefore, the majority of supported housing provision in the city is operated by Registered Providers who are exempt from statutory licensing conditions (Housing Act 2004, Schedule 14) which also includes any additional or selective licensing a local authority may adopt.

Shared accommodation delivered by Registered Providers are also exempt from the Management of Houses of Multiple Occupation (England) Regulations 2006, which governs the way such premises are managed.

Properties which are controlled by Registered Providers and accommodate between 3 to 6 people are not identified as a HMO. This means they can change from a family house to a shared house for up to 6 people without requiring planning permission. However, planning permission is required to change from a family house to HMO for 7 or more people (Sui Generis Use) regardless of who controls or manages the property.

All properties will be subject to the Housing Health and Safety Rating System (HHSRS) which governs minimum property-related safety standards, and any reported breaches of health and safety or disrepair.

Other

To a lesser extent other interested parties include the Charities Commission, the Financial Conduct Authority and the Care Quality Commission. These organisations can have some degree of oversight in regards specific elements of the provision and may overlap with the other broader

Form of regulatory oversight. This can add a further layer to the disjointed and complex oversight arrangements.

Operating Model

Oversight

The sector has seen the emergence and growth of Registered Providers who are operating a 'lease-based model' of provision. This type of provider exclusively uses a leasing model, leasing their units from the private rented sector, and operating what can be termed an 'umbrella' form of governance and control, with several managing agents underneath the Registered Provider.

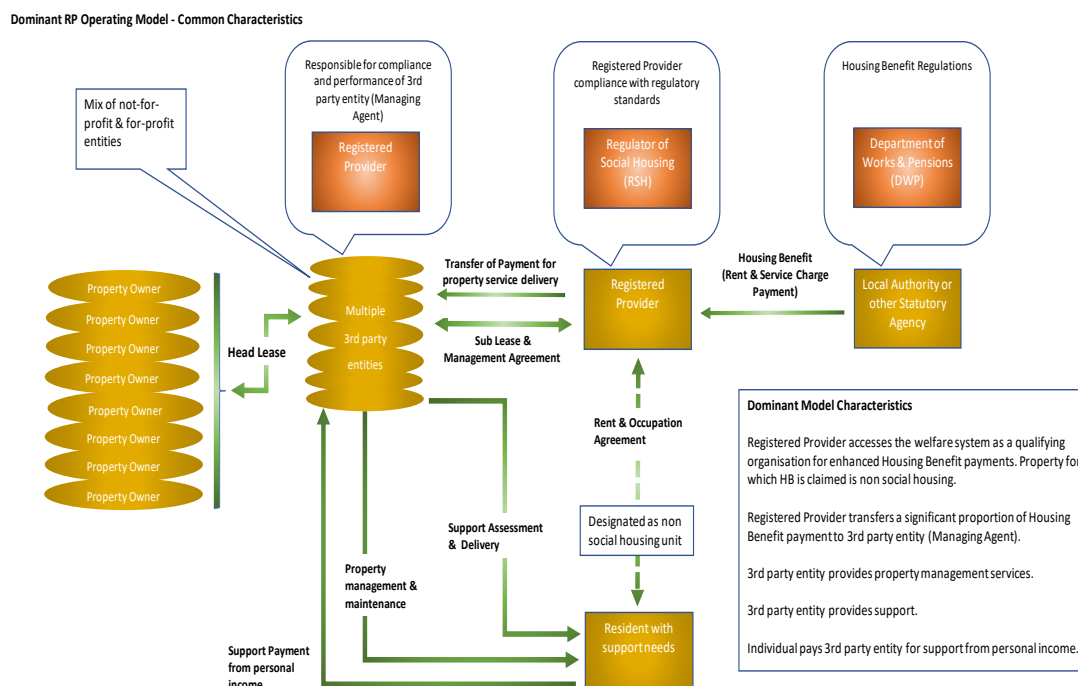
Lease-based Registered Providers are, arguably, not aligned with the traditional perceptions of 'social landlords' or 'housing associations' and notably at least 65% of their provision has been designated as private sector housing.

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Subsequently, a large and complex network of more than 100 providers with varying operating arrangements sit within the sector. There is also a heavy reliance on private sector accommodation leased to Registered Providers for the provision of supported accommodation.

Through the publication of RSH Regulatory Judgements, most notably during 2021, and insights gained through the Provider Survey conducted in late 2020, common characteristics in operating models have emerged as illustrated below

Fig 8: Dominant Operating Model (see appendix 1 for version)



In the dominant operating model Registered Providers access the welfare system as a qualifying organisation for enhanced Housing Benefit payments. The property for which the Housing Benefit is claimed may not be social housing. Registered Providers transfer a significant proportion of Housing Benefit payment to 3rd party entities, commonly termed the Managing Agent. In the main, the 3rd party entity provides property management services. The enhanced Housing Benefit funds the property costs.

The 3rd party entity can also provide support for which the individual resident is charged and pays the 3rd party entity for this support from personal income. In essence, the support is self-funded by the individual.

Impacts for the Client

- In the absence of central or local government funding, vulnerable groups are paying for their own support from personal income. There are no other examples within the welfare system where vulnerable groups are required to fund services without there being testing of means to pay. As these vulnerable groups have a limited income this can potentially push them into destitution.
- Higher rent levels present a barrier to employment, trapping vulnerable groups in poverty/destitution.

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- Individuals reside primarily in shared accommodation with no influence over who the other occupants are.
- Anecdotal evidence and reported stakeholder experience points to vulnerable groups 'churning' around the sector as it is difficult to exit due to lack of alternatives.
- Compliance with Regulatory Standards is poor and regulatory oversight is weak. There can be little recourse therefore regarding either property standards or the quality and/or appropriateness of the support delivered.

Impacts for the Local Authority

Within the current national framework, the Local Authority has no influence over entry, expansion or exit from the sector therefore, cannot influence numbers, location, or density of provision. Supported housing providers have no strategic obligation to the Local Authority and are free to provide supported housing units providing Housing Benefit regulations are met.

The Local Authority has no influence over the myriad of untracked referral routes, or the type or intensity of support required. This presents not only issues in terms of the impact on vulnerable communities, it presents an inability for the Local Authority to configure and fund broader support and infrastructure services locally.

The provision is exempt from licencing. Exempt from planning permissions (properties which are controlled by Registered Providers and accommodate between 3 to 6 people are not identified as a HMO. This means they can change from a family house to a shared house for up to 6 people without requiring planning permission. However, planning permission is required to change from a family house to HMO for 7 or more people) regardless of who controls or manages the property. Exempt from local rent limits and the Local Authority has no means of ensuring Central Government's National Statement of Expectations is met.

The Local Authority has no direct influence on standards and faces extreme challenges in resourcing effective scrutiny for over 20,000 units.

How Supported Housing is funded Housing

Following national proposals to reform the funding of supported housing, in August 2018 Government announced that all supported housing funding would be retained within the welfare system. Supported housing is therefore effectively covered by the payment of Housing Benefit.

There are two elements to the funding of supported housing: the housing costs and the support costs. It is widely accepted that the housing costs are higher for supported housing than for general needs mainstream housing. Housing costs relate to rent and service charge costs. For supported housing there is an additional provision within Housing Benefit, an uplift or enhancement, to cover the additional housing costs which are associated with supported housing. This funding model is built upon an assumption that the delivery of the required support is funded from elsewhere.

Therefore, rent and service charges are funded through the welfare system via Housing Benefit. Other support needs costs are not.

Support

In terms of funding to meet other support needs, in Birmingham a relatively small proportion, of support is funded through Local and Central Government funding.

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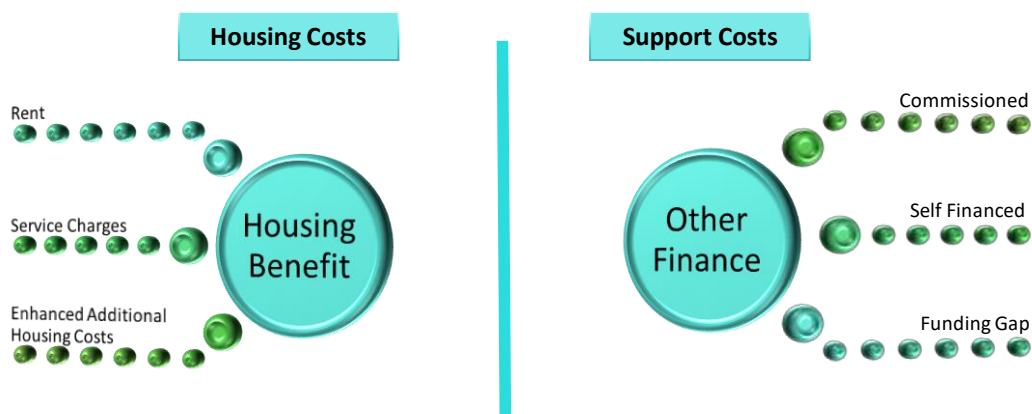
A significant portion of the current supported housing provision does not come through commissioned funding. This applies to 94% of the sector. The provider survey indicated that in most cases (83%) a resident personal charge is applied to cover the cost of support.

Fig 9 Provider survey response regarding support funding

Support Charge Type	Number	Percentage
Commissioned	1,171	12%
Personal Charge	8,001	83%
Charity/Voluntary Orgs	478	5%
Other	1	0%
	9,651	
Percentage of In Scope Provision	45%	

Based upon the most common weekly charge identified within the Provider Survey, it is estimated that an annual charge of **£14.2m** is being passed to vulnerable citizens within Birmingham to help fund their own support.

Fig 10 Current funding arrangements



Part 3 Associated Undertakings

Central Government – Supported Housing Oversight Pilots

Background

In response to growing national concerns that some supported housing is of poor quality, both in terms of accommodation standards and the level of support provided the Department for Levelling Up, Housing and Communities (DLUHC) invited five local authorities (Birmingham, Blackburn, Blackpool, Bristol and Hull) to participate in the Supported Housing Oversight Pilot.

Each local authority submitted a proposal to DLUHC to outline the activities to be undertaken in their area, with funding granted by DLUHC based on the nature and scale of pilot work and challenges in the local market.

In Birmingham the pilot set out to deliver the following objectives:

1. Improve the quality and standard of exempt accommodation in Birmingham through the rollout of the Birmingham Quality Standard and a multi-disciplinary team who will undertake a regime of inspections
2. Ensure citizens are safeguarded and supported to effectively build their capability and autonomy.
3. Empower citizens living in exempt accommodation through effective communication and roll out of the charter of rights developed by Spring Housing.
4. Co-design a partnership led strategic plan for the use of exempt accommodation in Birmingham.
5. Investigate and prosecute Organised Crime Groups in the exempt accommodation sector as part of a partnership commodity-based approach
6. Undertake an evaluation of effective interventions and initiatives.

Birmingham Pilot

Birmingham began this pilot work in November 2020 using funding from DLUHC to set up new multi-disciplinary teams to improve inspection, enforcement and oversight and roll out a new Birmingham Quality Standard and Charter of Rights to drive up property and support standards.

Findings from the Birmingham Pilot undertakings include:

- Property standards inspections using the Housing, Health & Safety Rating System (HHSRS) found:
 - 2545 Category 1 hazards (those where the most serious harm outcome is identified – risk to life, fire, damp and mould, asbestos)
 - 1465 Category 2 hazards (If a hazard is less serious or less urgent)
- Supported Housing Inspection and Social Care teams found evidence of:
 - Poor levels of support and training among providers.
 - Registered Providers were often not aware of the poor standard of support being provided through their managing agent arrangements.
 - Support may be provided 'more than minimally' but it did not necessarily meet the needs of the citizen.
- Poor provision is leading to further community safety issues, and there is a significant issue around Anti-Social Behaviour, with over 70% of complaints having an element of this.

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- Evidence of Organised Criminality, including Drug Dealing/Supply/Cultivation, Sexual Offences; Fraud (Ghost Tenants, Fraudulent Claims); Weapons (Firearms, Bladed Articles); Gang Affiliation (Members of Gangs residing together and breaches of conditions).
- As part of the investigations there have been 170 evictions/removal of tenants, 1 closure order, 16 Community Protection warning, 24 properties which are decommissioning, and 20 arrests by West Midlands Police. 336 properties have been offered advice to improve their ASB policy or to improve relationship building with residents, signposting tenants to further support.
- For some areas of the City where there is a higher concentration of non-commissioned supported accommodation, there is a detrimental effect on the local neighbourhood with higher levels of drug use, criminality and anti-social behaviour.
- There is no national quality standard for supported accommodation but in Birmingham, working with the Birmingham Voluntary Sector Council (BVSC) we have developed a standard which is rolling out alongside a new Charter of Rights for tenants to support work with registered providers to improve quality. Take up is improving slowly, with 70 out of 148 providers signed up to the Charter of Rights. 30 providers now actively going through the Quality Standards assessment process, but many are failing to engage, and the local authority has a lack of power to enforce this. 9 providers are nearing the end of the assessment stage but have not yet been awarded the Quality Standard. Several providers have current regulatory judgments from the Regulator for Social Housing regarding their financial and governance arrangements. In these cases, they are still able to sign up to the Quality Standards, but any award will be suspended for one year.
- Some providers of supported housing are openly advertising on social media and through letting agents to fill supported housing accommodation. This is leading to the continued growth which is being seen in the city.

National Pilots Evaluation

On behalf of DLUHC, Kantar Public undertook an evaluation of all the Pilots. Kantar Public, whilst concentrating their lessons learned on pilot implementation findings made the following recommendations regarding oversight and regulation.

- A. Make short medium term funding available to local authorities to oversee supported housing in their area while longer term reforms (e.g., regulatory and legislative measures) are agreed and implemented.
- B. DWP should aim to define care, support and supervision, and review regulations around rent levels and subsidy, to strengthen the impact of Housing Benefit scrutiny activities open to local authorities.
- C. Strengthen local authority powers to support them to intervene in new supply where it is unnecessary or poor quality.
- D. To improve the quality of support residents receive in supported housing, DLUHC and DWP should review funding and regulation for the support element of supported housing
- E. DLUHC could support local authorities to maintain property quality and standards through dissemination of learning and clarifying the Housing Health and Safety Rating System (HHSRS) standards.
- F. Local authorities should be encouraged to conduct their own data collection and modelling to improve their future strategies for their local supported housing market, and DLUHC's own understanding of how to improve the wider supported housing sector.
- G. Government should revisit pilot value for money calculations to understand whether advantages gained from pilot activity remain over time.

Supported Housing Strategy: A Future Framework for Short Term Supported Housing

- H. Local authorities looking to adopt activities from the pilots should adopt multi-disciplinary and partnership approaches, plan resource carefully and actively share information and learning.

Overview & Scrutiny Inquiry

In late 2021 Birmingham undertook its own public inquiry into Supported (Exempt) Accommodation and has published an Overview & Scrutiny Committee report. The associated call for evidence noted an unprecedented number of responses, indicative of the strength of feeling generated by this issue.

Many of the responses received came from active citizens, engaged in community or residents' associations. Others came from residents prompted by concerns about their local areas.

The inquiry noted the following issues:

- The growth and disproportionate concentration of exempt (supported) accommodation in certain areas of the city.
- The impact of this growth and concentration on those local communities.
- Recognition of the need for good exempt (supported) accommodation for vulnerable citizens; many respondents expressed concern about the welfare of residents and the level of support received.
- Acknowledgement of the lack of regulation and checks, which has led to the poor quality of some of the exempt(supported) accommodation in the city and the poor competency of landlords, many of whom live outside of the city but nonetheless may generate significant income.
- Concerns about the cost of responding to these issues on the public purse.

The inquiry made the following recommendations:

- To build upon the Supported Housing Oversight Pilot.
- To Ensure Council-wide Practice is consistent with the aims of the Charter and Supported Housing Strategy.
- Supporting the Housing Benefit Process.
- Strengthening Planning Controls.
- Working with Regional Partners and other Local Authorities to prevent/reduce 'lifting and shifting' of vulnerable adults from elsewhere in the country.
- Lobbying for national change.

Supported Housing Strategy: A Future Framework for Short Term Supported Housing

Part 4 - Needs and Demand

Estimates by Segmentation of Need by Client Group Clusters

Assessing supported housing needs is a complex undertaking. The Supported Housing Needs Estimate conducted in support of this strategy has drawn data from numerous sources across the housing, health and social care sectors which can all provide reliable secondary data at national levels, with diminishing levels of granular detail when geographical local level needs information is being sought.

To this end the process of assessing supported housing needs should be treated as a dynamic exercise, identifying and incorporating newly available datasets for each of the client group clusters to update the figures below.

The figures below provide a range of demand with an upper estimate figure. A number of variables have been considered including:

- A baseline of need established from existing council commissioned supported housing.
- Incidence rates in homelessness and temporary accommodation populations from local authority housing options service data covering the last 2 years.
- The current overall profile of supported housing provision in Birmingham.
- Population projections for the NSE cluster groups using secondary data compiled by Oxford Brookes University which combines ONS population and Department of Health - this indicates needs overall which increase by 1.05% every five years.

Client Group Cluster	Estimate Need Units	% of Overall Need	Upper Limit Estimate
Young People including Care Leavers	1535	18.05%	1850
People with experience of the criminal justice system	805	9.47%	1100
Mental ill Health	1645	19.34%	2025
Learning Disabilities	275	3.23%	380
Homeless with support needs	2030	23.87%	2550
Physical Disabilities	530	6.23%	600
Domestic Abuse	1355	15.93%	1550
Substance Misuse (SM) or Alcohol Dependency	330	3.88%	400
Estimate of Total Local Supported Housing Need	8,505		10,455

Supported Housing Strategy: A Future Framework for Short Term Supported Housing

Translating this into the identified client cluster groups as set out in central Governments National Statement of Expectations

Client Group Cluster	Estimate Need Units	Upper Limit Estimate	% of Upper Level Estimate
Cluster 1 Young people leaving care, young people at risk, and teenage parents.	1535	1850	17.7%
Cluster 2 People with experience of the criminal justice system.	805	1100	10.5%
Cluster 3 People experiencing mental ill health, people with drug and alcohol dependency, physical/learning disabilities that are below the threshold of care.	2780	3405	32.6%
Cluster 4 People at risk of domestic abuse. Homeless people with identified other support needs, rough sleepers, refugees, and travellers.	3385	4100	39.2%
Cluster 5 Multiple/complex needs.	Isolated data not available	Isolated data not available	
Estimate of Total Local Supported Housing Need	8,505	10,455	

Current data sources include complex support needs within the other cluster groups. At this point therefore it has not been possible to isolate the need however the bottom-line estimates are not affected.

Levels of support Provided.

The survey conducted amongst current providers asked for assessments in terms of the current levels of support provision. A sample covering 51% of the current provision revealed the following:

Support Level Definition		%
Level 1	Commissioned level complex needs support. Typically 9 hours support needed per week per client. Clients will typically experience chaotic lifestyles and social exclusion with multiple support needs covering housing, health, well-being and financial services.	2.7%
Level 2	Commissioned level support needs. Typically between 6 and less than 9 hours of support needed per week per client. Support needs will include a combination : housing, health , well-being and financial services	8.8%
Level 3	Below commissioned level support needs. Typically between 2 and less than 6 hours of support needed per week per client. Support needs will include a combination : housing, health , well-being and financial services	18.5%
Level 4	Minimal but multiple support needs. Typically less than 2 hours per week. Support needs will include a combination : housing, health , well-being and financial services	69.7%
Level 5	Housing related support. Requires support with stabilising, maintain or accessing new accommodation. No other support needs	0.3%

Supported Housing Strategy: A Future Framework for Short Term Supported Housing

This translates across the estimated needs levels as follows:

Support Level Definition		%	Lower Limit Estimate	Upper Limit Estimate
Level 1	Commissioned level complex needs support. Typically 9 hours support needed per week per client. Clients will typically experience chaotic lifestyles and social exclusion with multiple support needs covering housing, health, well-being and financial services.	2.7%	230	282
Level 2	Commissioned level support needs. Typically between 6 and less than 9 hours of support needed per week per client. Support needs will include a combination : housing, health , well-being and financial services	8.8%	748	920
Level 3	Below commissioned level support needs. Typically between 2 and less than 6 hours of support needed per week per client. Support needs will include a combination : housing, health , well-being and financial services	18.5%	1,573	1,934
Level 4	Minimal but multiple support needs. Typically less than 2 hours per week. Support needs will include a combination : housing, health , well-being and financial services	69.7%	5,928	7,287
Level 5	Housing related support. Requires support with stabilising, maintain or accessing new accommodation. No other support needs	0.3%	26	32

Summary of Need

- The upper estimate level indicates a need for 10,455 units of supported housing. This is estimated to rise by 1.05% over 5 years. This estimates a rise to 10,564 by 2027.
- Cluster 4, People at risk of domestic abuse. Homeless people with identified other support needs, rough sleepers, refugees, and travellers represent the main need group at 39.2%.
- The vast majority of support needs exist at the lower end of the spectrum (70%) with individuals typically requiring support of 2 or less hours per week.

Part 5 - Projections and Gaps

Provision

Based upon current projections there is a significant over-supply of supported housing in the city. Based upon upper level estimates of 10,564 by 2027 this over-supply is currently circa 50%

Having twice as much supported housing as is needed for the city suggests:

- Large numbers are imported from the region and nationally.
- The supported housing option is filling the gap for other critical shortages of affordable housing, particularly the acute shortage of general needs accommodation for single adults.

Projected Funding Needs

Contained within separate impact assessment, to follow.

Part 6 - The Way Forward

Supported Housing Vision

Our Vision Statement

Within a reformed national framework, offer supported housing through partnership with Health, Housing, Social Services, the Probation Service, and the voluntary sector that meets the estimated needs for the city.

Our Vision for Supported Housing in Birmingham is informed by two key factors. Firstly, to ensure the right supported housing options are available at the right time and in the right place for those that need it. And secondly, appropriate and dedicated funding is available in order to deliver the support needed.

Supported housing is also part of the broader housing offer in the city and in Birmingham the significant over-supply of supported housing is impacting upon and reducing other affordable housing options in the city. Our vision therefore is to reach a reduced number of supported housing units which better reflects the estimated needs of the City, whilst ensuring that wider housing need as required is met.

Significant national reforms are needed in order to achieve this. Without national reform the local Authority is limited in what it can achieve in terms of strategic outcomes, market changes or standards within supported housing. National Reform is therefore essential.

Strategic Aims:

- Reduce the current over supply of supported housing.
- Improve the quality, oversight and funding of supported housing provision.
- Encourage independent living.
- Help to sustain communities.
- Have a positive impact on the health and wellbeing of individuals.
- Respond effectively to the needs of a highly diverse community.

Supported Housing Strategy: A Future Framework for Short Term Supported Housing

Strategic Priorities:

We will progress this Vision over the next five years through 4 strategic Priorities:

- Lobbying for Legislative changes, national reform and funding for support.
- Rebalancing the provision of accommodation by reducing the number of supported housing units.
- Improved quality and oversight of support provision.
- Interim Management Measures.

Priority 1: Lobbying for Legislative Changes, National Reform and Funding

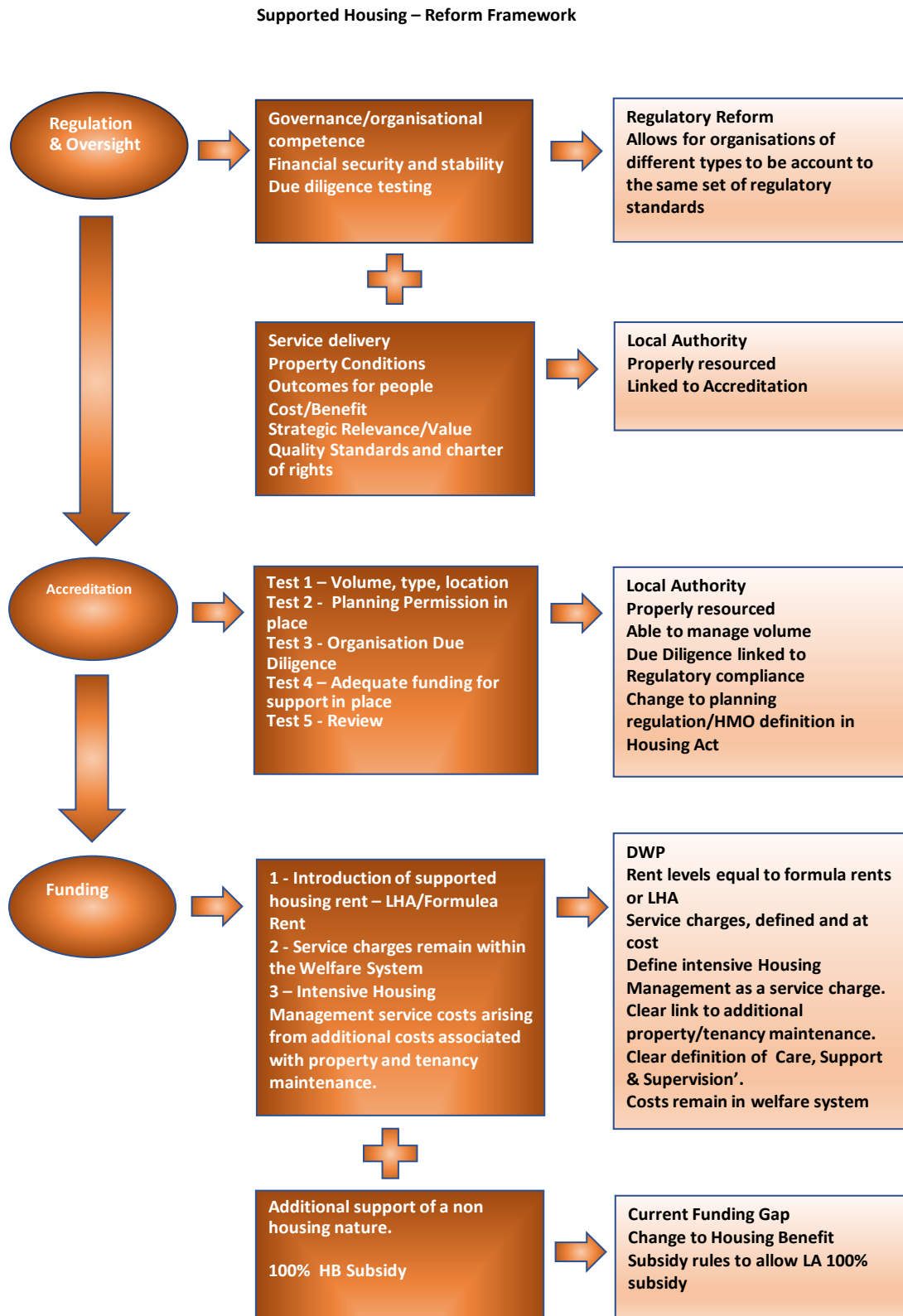
Without national reform the local Authority is limited in what it can achieve in terms of strategic aims, market changes or standards within supported housing. The Council welcomes the Department of Levelling Up, Housing and Communities statement of March 2022 in which the Government has announced its intention to develop and consider both shorter and longer term measures as part of a Supported Housing Improvement Programme.

In order to meet this priority, the Council will:

- 1) Develop a proposed framework for national reform based upon the fig 11. A reform framework requires changes to regulation and oversight, the introduction of Local Authority accreditation and a clearer, strengthened, reformed funding model. (See also framework interdependencies (figure 12)
- 2) Work with Central Government in order to implement the necessary reforms including an offer to pilot these proposals.
- 3) Work with Central Government in order to obtain dedicated funding to bridge the current funding gap, including funding for support.
- 4) Work with Central Government in order to develop priority shorter term changes as part of the Supported Housing Improvement Programme. Shorter term priorities will include, improving standards, developing greater Local Authority powers to influence supply locally and a review of Housing Benefit Regulations.
- 5) Work with Central Government in developing the longer-term measures required as part of the Supported Housing Improvement Programme.

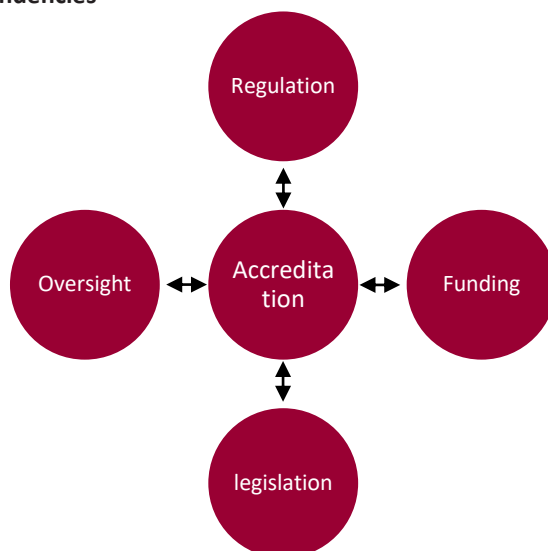
Supported Housing Strategy: A Future Framework for Short Term Supported Housing

Fig 11 Supported Housing Reform Framework



Supported Housing Strategy: A Future Framework for Short Term Supported Housing

Fig 12 Framework Inter-dependencies



Priority 2: Rebalancing the provision of accommodation

The supported housing estimate indicates the need to reduce the current supply by approximately 50%. A reformed framework is required in order to achieve this. Without national reforms the Local Authority is unable to exercise the required influence to do this.

Within a reformed framework the rebalancing of provision will consider numbers, location and type of accommodation. In order to meet this priority, the Council will:

1. **Numbers.** Within a reformed framework this will be achieved through a phased shrinkage in the number of units provided over a 5-year period.
2. **Location.** Within a reformed framework Birmingham can exert greater influence over the geographical locations to provide greater locality choice, reducing neighbourhood saturation and the impacts associated with this.
3. **Type of Accommodation.** Within a reformed framework, where feasible Birmingham will seek a transition from the over reliance on the shared housing model.
4. Review and adjust in accordance with impact assessments, risk management and changing needs. The landscape in which supported housing operates is constantly moving and any decisions to decommission will be subject to regular review of the needs assessment and a full risk assessment of the impacts including an assessment of market opportunities.

Priority 3: Improved quality and oversight of support provision.

The Council requires the powers to properly oversee standards both in terms of support delivered and property conditions. Additionally, the Council should have oversight on the outcomes delivered for citizens, the cost benefits, value for money and the continued strategic relevance of provision, built upon strong resident engagement and participation.

In addition, accreditation is essential in order to allow Local Authorities the discretion to manage volume, neighbourhood placement and the types of provision within the Local Authority area. And secondly the organisational fitness of those providing. The requirement to be accredited in order to provide supported housing needs to be set at a national level with the flexibility for individual local authorities to develop accreditation schemes tailored to local needs and markets.

Supported Housing Strategy: A Future Framework for Short Term Supported Housing

In order to achieve this priority, the Council will:

1. Seek the necessary national reforms to enable greater regulation and oversight.
2. Develop and introduce a full accreditation scheme, requiring providers of supported housing to be accredited by the Council to provide supported housing within the Local Authority area.
3. Seek the necessary dedicated funding in order to resource greater regulation and oversight.

Priority 4: Actions Arising from The National Oversight Pilot

The Council recognises that national reform is both challenging and longer term. In the interim therefore the Council will apply a series of measures to manage the current over-supply of supported housing.

The Council will achieve this through:

	Oversight Measures	Impact upon Meeting Strategic Priorities and the required Sector Change
1.	Build upon the work undertaken by participation in the Supported Housing Oversight Pilot by continuing to resource a multi-disciplined, cross-departmental, team that is dedicated to overseeing and inspecting non-commissioned supported housing and continuing to support the Housing Benefit Review process. including assessing new providers and ongoing reviews regarding care support and supervision.	Some/Limited Unlikely to significantly reduce in size No dedicated funding for support. Individuals still incurring personal charge
2.	Formal communication with all Registered Providers of Social Housing in Birmingham, outlining the council's expectations and aligning housing providers to their strategic responsibilities.	Some/Limited Sign up remains voluntary. Effective only if providers agree to align No dedicated funding for support. Individuals still incurring personal charge
3.	Broaden the scope of the Quality Standard to include due diligence and organisational checks and balances. Quality standards will be aligned to other regulatory judgements.	Some/Limited Sign up remains voluntary. Effective only if providers agree to align No dedicated funding for support. Individuals still incurring personal charge
4.	Develop a council wide register of approved/best in class providers based upon due diligence testing and adherence to broader quality standards.	Some/Limited Providers free to source own referrals No dedicated funding for support. Individuals still incurring personal charge

Supported Housing Strategy: A Future Framework for Short Term Supported Housing

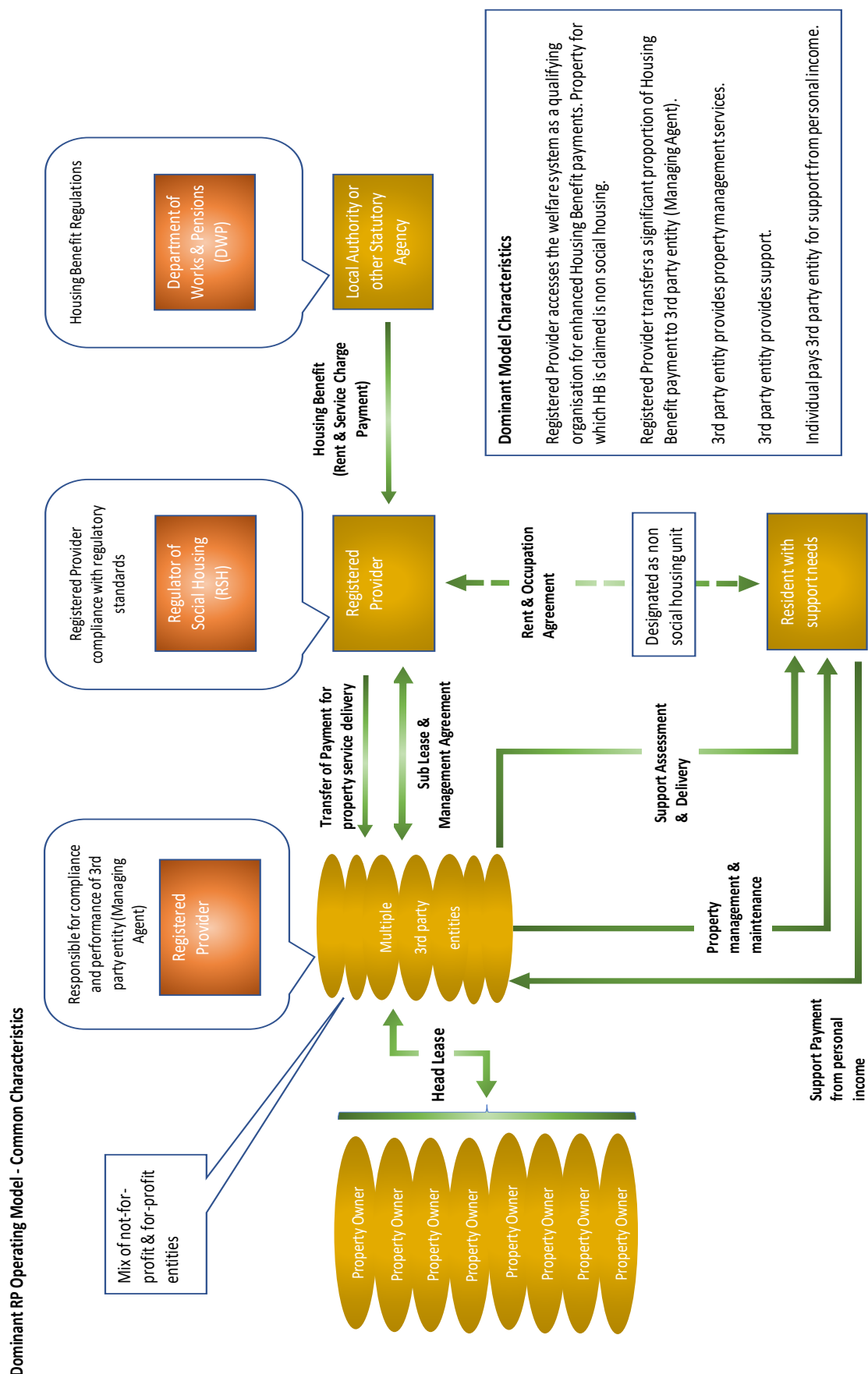
	Oversight Measures (continued)	Impact upon Meeting Strategic Priorities and the required Sector Change
5.	Adopt a council wide approach to referrals into non-commissioned provision.	Some/ Limited Providers free to source own referrals No dedicated funding for support. Individuals still incurring personal charge
6.	Encourage all statutory and regional partners to adopt the same.	Some/Limited Providers free to source own referrals. No dedicated funding for support. Individuals still incurring personal charge.
7.	Work with the RSH and other local authorities to reduce “lifting and shifting” of vulnerable people from elsewhere in the country.	Some/ Limited Providers free to source own referrals No dedicated funding for support. Individuals still incurring personal charge
8.	Adopt a Council wide approach to commissioning of supported housing placing conditions on use and rebalancing the emphasis so that both the support and the housing offer are equally considered. This will include due diligence testing on accommodation providers, managing agents and owners, regulatory compliance, rent levels maintained at Formulae/LHA rates and the adoption of Birmingham’s Quality Standards and Charter of Rights.	Some/Limited Comparatively small numbers of commissioned provision
9.	Seek alignment to the same commissioning standards from all other statutory and regional agencies who may also commission within the local authority area.	Some/ Limited Comparatively small numbers of commissioned provision
10.	Improve collaboration between statutory and regional commissioners through the development of commissioning board.	Some/ Limited Comparatively small numbers of commissioned provision
11.	Develop a single, clear route for citizens to access information about supported exempt accommodation, to get involved and to raise concerns and complaints.	Some/ Limited Reactionary management No dedicated funding for support. Individuals still incurring personal charge

Delivery Plan - Next Steps

In order to progress the strategic priorities, set out in the Strategy a comprehensive delivery plan will frame delivery. The delivery plan will detail the specific actions required to further the embedding of the strategic aims and priorities into mainstream delivery including the details of reducing and repurposing existing provision, cementing and furthering the lobbying agenda and mainstreaming the learning from the pilots including an assessment of resource capacity.

Supported Housing Strategy: A Future Framework for Short Term Supported Housing

Appendix 1: Dominant Operating Model (see appendix 1 for larger print version), Figure 8





Prepared by Directorate for Adult Social Care
Commissioning

SUPPORTED HOUSING STRATEGY

Consultation Findings Report

Purpose:

To present the findings of the consultation on Birmingham's Supported Housing Strategy.



Contents

1. Executive Summary

2. Introduction

3. Methodology

4. Findings

5. Conclusion

Annexes

A: Consultation Data

B: Consultation Questions

1. Executive Summary

Introduction

We consulted members of the public and key stakeholders on the strategic vision, aims and priorities for our five year Supported Housing Strategy. This is an important strategy which is linked to Birmingham's suite of housing strategies as well as the city's Homelessness and Domestic Abuse Prevention strategies.

Supported housing exists in many forms both for people with longer or short-term needs serving a key role in linking together housing, health and social care and support. Good quality provision enables vulnerable people with care and support needs, to transition or progress out of care, hospital or homelessness to live independently in their own community.

This strategy is focused specifically on short-term or transitional supported housing also known as 'exempt accommodation'. This includes less regulated provision which has increased in significant numbers over the last decade, through the private sale and leasing of traditional rented sector property across a number of local housing markets in Birmingham.

Over the last two years Birmingham has been one of five local authorities to lead national oversight pilots working to identify, develop and test how greater local oversight could improve the quality, enforcement and value for money in the supported housing sector, in particular the growing provision of accommodation not directly commissioned by local authorities.

This pilot work has both informed the strategy and two coinciding local and national inquiries on the subject of 'exempt accommodation'.

The consultation findings will help to shape our final strategy and inform and prioritise actions over the next five years in response to local oversight of supported housing in Birmingham.

SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

Key Findings

- 78% respondents agreed with the vision
- Over 70% agree with the six strategic aims, with 43% strongly agreeing
- Majority agree with lobbying for legislative changes, national reform and funding for support – this is backed up by comments throughout the consultation
- 17% disagree with rebalancing the provision of accommodation
- 94% agree with improved quality and oversight of support provision
- Nearly 70% agree with interim management measures
- There is a need for good quality and high standard accommodation with regulations and legislation
- Need to consider neighbourhoods and the impact and provide more support to resolve issues
- Funding is a key issue and needs regulation and enforcement
- Housing Benefits are a common theme and need to consider lack of progress on regulations
- Focus should be on people not money when providing support
- There is a lack of detail in some areas and it appears vague for example move on proposals and narrative needed for framework on page 21 and what are the proposals to be piloted?
- It's about quality not quantity
- Need to be able to demonstrate progress of individuals and support needs to be tailored to individuals
- More detail needed around interim management measures backed up by longer term strategic plans
- Need to provide access to affordable, safe, sustainable and longer-term accommodation
- Accommodation and support must be person centred and not disadvantage vulnerable people
- Partnership working is important and further research and workshops with partners would provide more detail
- Will we have the funding and resources to deliver?
- Proposals for lobbying may need to be reviewed in light of draft Supported Housing Bill due in November
- Concern over number units needed as may leave 10,000+ people seeking alternative accommodation

2. Introduction

Purpose of this report

The purpose of this report is to present the key findings of the Supported Housing Strategy consultation to help shape and inform the final strategy and priorities and actions for the next five years.

3. Methodology

3.1 Be-Heard Consultation

The general public and interested parties were invited to participate in the consultation via Be-Heard. This included a questionnaire alongside an easy read version, an introduction providing background and the draft Supported Housing Strategy.

3.2 Stakeholder Consultation Events

Stakeholder meetings and discussions were held with, Birmingham's Homelessness Partnership Board, Birmingham Homelessness Forum and Birmingham Citizen's Panel. Stakeholders represented from these groups were extensive from the community and voluntary sectors as well as providers of homelessness services across Birmingham the wider region and nationally.

Internally meetings and discussions were held with, planning, social care safeguarding teams, Revenue and Benefits and housing options/solutions.

3.3 Analysis

Analysis of the consultation consists primarily of two parts quantitative data analysis and qualitative data analysis. The Be-Heard and stakeholder responses will be analysed and then findings brought together as key findings in the executive summary.

Quantitative Data Analysis

Quantitatively analysis will be focused on questions asking whether respondents agree or disagreed with the proposals/suggestions, each with a range of responses from strongly agree to strongly disagree or from yes to unsure to no. Quantifiable responses to the consultation were gathered for quantitative analysis, using a combination of the Be-Heard report generating tool and manually for both (long and short easy to read) paper-based surveys. The anonymised results were then aggregated into an excel workbook for reporting the results shown in the key findings (Section 4) of this consultation findings report. The remaining closed and demographic questions included in the questionnaire were analysed using reporting tools available on Be-Heard.

Qualitative Data

All questions enabled an open response and these questions with qualitative responses (text) were analysed and manually coded by theme to enable key findings to emerge. Themes were identified following reading of each individual response, noting and recording recurring themes or issues. These were then collated and presented in both the Executive Summary and Key Findings section of this consultation findings report (Section 4). There was also the opportunity to provide any additional comments.

4. Key Findings

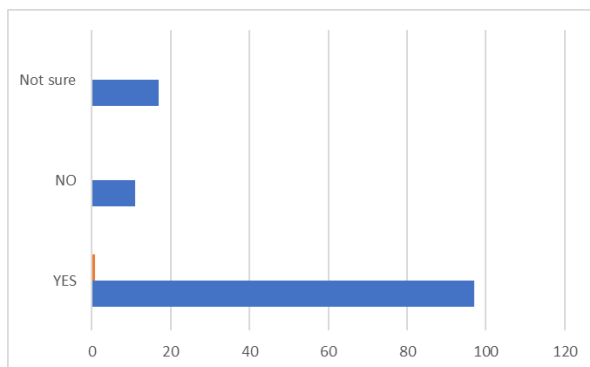
4.1 Be-Heard findings

Overall there were 125 responses and the findings for each question were as follows:

Strategic Vision

Within a reformed national framework, offer supported housing through partnership with Health, Housing, Social Services, the Probation Service, and the voluntary sector that meets the estimated needs for the city.

Question 4 - Do you agree the vision statement established for the strategy?



Almost 80% of respondents agreed with the vision.

There were 31 respondents who commented and the main themes across all comments were:

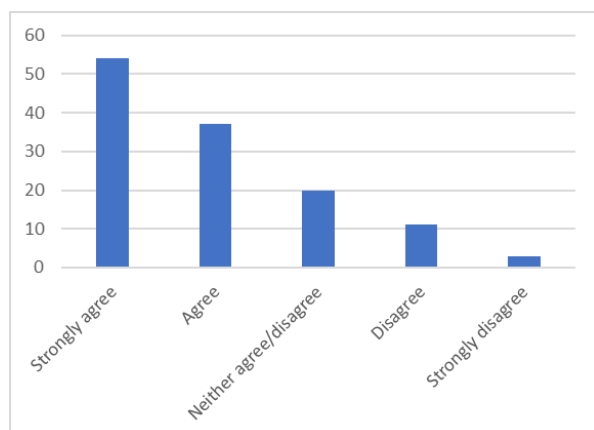
- Concerns around impact on neighbourhoods and neighbourhood views should be taken into account.
- There needs to be national reform, legislation and standards.
- Need proper supported housing with the above.
- Concerns around who will fund this.
- Vision is aspirational and vague.

Strategic Aims:

- Reduce the current over supply of supported housing.
- Improve the quality, oversight and funding of supported housing provision.
- Encourage independent living.
- Help to sustain communities.
- Have a positive impact on the health and wellbeing of individuals.
- Respond effectively to the needs of a highly diverse community.

SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

Question 5: To what extent do you agree or disagree with the strategic aims?



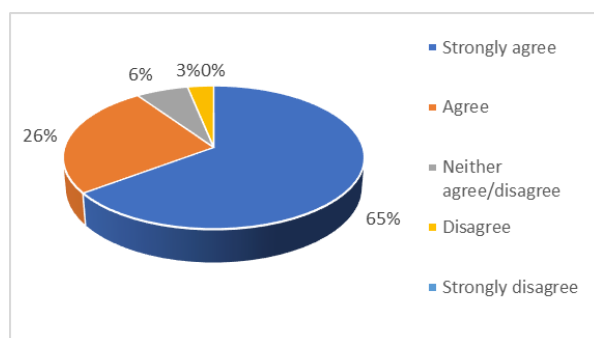
Over 70% agree with strategic aims –
43% strongly agree

There were 39 respondents who commented providing a wide range of views, but the main themes across all comments were:

- Need good quality and high standard accommodation with regulations and legislation.
- Concerns around landlords who are unregulated, take advantage of the system, don't prioritise the support needed and the poor incentives available.
- Housing Benefit caps do not work.
- Few comments saying there is not an over supply of supported housing, but there needs to be more of a mix including family housing and there are too many HMOs.

Priority 1: Lobbying for Legislative changes, national reform and funding for support.

Question 6 - To what extent do you agree or disagree with this priority?



Majority respondent's agree with
lobbying supported by comments
throughout the consultation

There were arrange of comments from the 21 people who responded to this section and the main themes included:

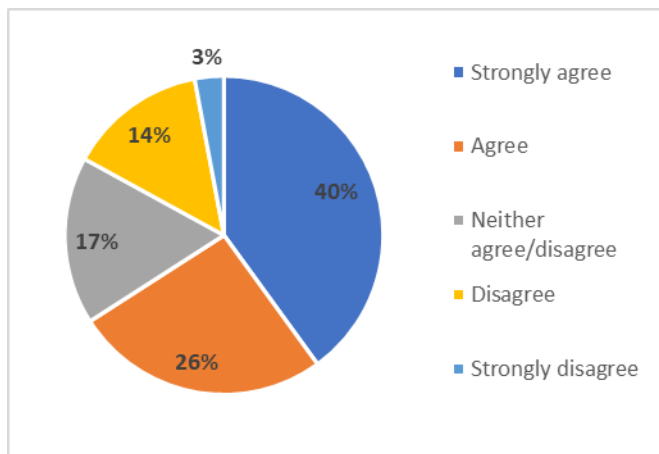
- Funding was the major theme commented on and included:
 - Needs regulating.
 - Exists and could for example use rental income.
 - Need proper funding for early intervention services so less of this type of accommodation is needed.
 - More focused funding is needed.
 - Should include enforcement.

SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

- It was felt more detail was needed for example what national reform will be done with the funding?
- Regulation at a national level is required.

Priority Two: Rebalancing the provision of accommodation by reducing the number of supported housing units

Question 7 - To what extent do you agree or disagree with this priority?

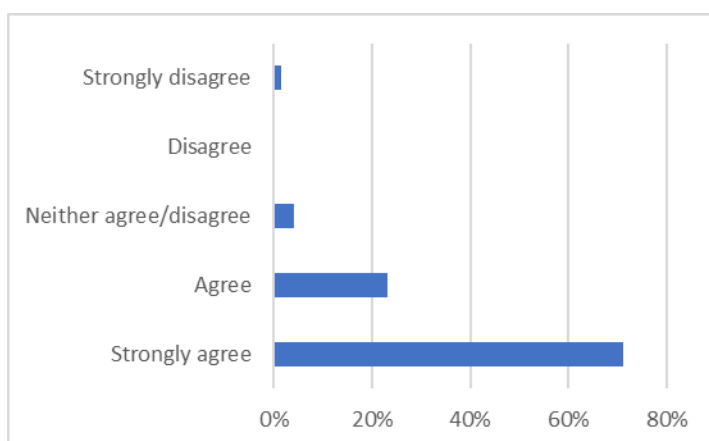


Over 60% of people agree with this priority but 17% are unsure and 17% disagree

Although there was some disagreement no person made any comments about this priority.

Priority Three: Improved quality and oversight of support provision

Question 8 - To what extent do you agree or disagree with this priority?



94% of people agree with improved quality and oversight – 71% strongly. Only 2% disagreed with this priority

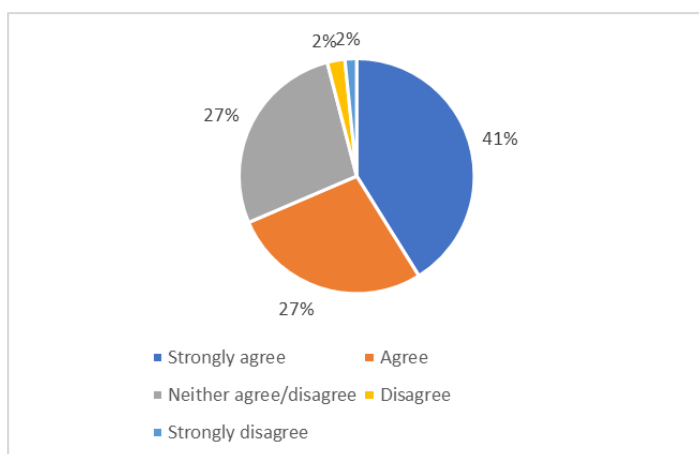
There were comments from 19 respondents and the main themes addressed were:

- Needs to be minimum standards and legislation.
- It's about quality not quantity.
- Support needs to be tailored to individuals with a progress plan.
- Supported accommodation with support should not be a model.

SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

Priority Four: Interim Management Measures

Question 9 - To what extent do you agree or disagree with this priority?



Nearly 70% agreed with this priority but 27% were unsure neither agreeing or disagreeing

There were 29 people commenting on this priority and the main themes included:

- People were unsure what the interim measures were, more detail was needed and agreement would depend upon the types of measures.
- Measures should focus on landlords achievements for individuals.
- Need to be backed by standards and accountability that is enforceable.
- Lack of funding is worrying.

Question 10 - Are there any priorities or aim you think are missing from the strategy and if so, what are they?

There were 80 additional comments recorded with the most common themes being:

- Neighbourhoods including; more support to raise any issues and resolve, the impact on the neighbourhood and support for both accommodation and people to 'fit into' the local community.
- More accountability including; legislation, regulation. More standards for HMOs and clear guidance in particular for support required.
- Accommodation and support must be person centred and not disadvantage vulnerable people.
- Need to address a range of issues around benefits.
- Need to take an equity approach not just focused on areas with crime and high density.
- Partnership working is important.

4.2 Other consultation findings

There were two more detailed consultation responses from Birmingham Exempt Accommodation Forum and Birmingham City Council Housing Directorate Officers Group. The first section considers the responses provided around the priorities and then the concerns/suggestions raised.

SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

Priority 1: Lobbying for Legislative changes, national reform and funding for support

There was agreement with this priority with the following considerations:

- Proposals may need to be reviewed in light of the draft Supported Housing Bill due in November.
- The proposed framework on page 21 lacks narrative detail to explain the elements. Need to consider the policy asks of the DLUCH inquiry earlier this year.
- What are the proposals to be piloted in relation to the framework?
- The strategy lacks information on how funding, primarily lack of, will be addressed to tackle new legislation under the proposed new Bill.
- Need to consider lack of progress on Housing Benefit regulations.
- A communications/engagement plan is not detailed or described.

Priority Two: Rebalancing the provision of accommodation by reducing the number of supported housing units

There was agreement in principle to this priority with the following concerns raised:

- Rebalancing has to be done carefully to ensure the worst is squeezed out and replaced with quality.
- Concern around the upper limit and data as 10,000+ people may end up needing alternative accommodation over five years.
- Lacks detail on move on and how will link to other services.
- Need to consider family housing.

Priority Three: Improved quality and oversight of support provision

There was agreement in principle to this priority with the following concerns raised:

- The proposed registration scheme in the draft Bill needs to be considered.
- Could hold workshops with key partners to flesh out immediate offer of strategy and explore areas such as:
- Establishing greater control of the referral pathway by acting as SEA referral hub to accredited providers. Possibly across the WMCA.
- Considering whether the costs of being an accredited provider (both paying for the course and the costs of having higher standards) can in any way be legitimately offset by increased HB payments.
- Anything else that plays to the drivers for many of the providers i.e. low voids, quick turnover and income. If we cannot overtly control the sector then we need to expand our influence to encourage good practice.

Priority Four: Interim Management Measures

Interim management measures were welcomed with the following considerations:

- Need to consider draft Bill and associated legislation.
- Quality Standards could be expanded to include due diligence.
- Could examine options of technology and innovation.

SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

- Concern around resources.

Are there any priorities or aim you think are missing from the strategy and if so, what are they?

Areas to consider are:

- Will PRS Licensing scheme result in more landlords moving to exempt sector and therefore increasing pressures?
- Article 4 is missing from the strategy as this may also be encouraging landlords to move into the exempt sector.
- Needs assessment and data need to be continually refreshed and refined.

Other miscellaneous responses

This section covers any feedback that did not directly respond to the questions asked:

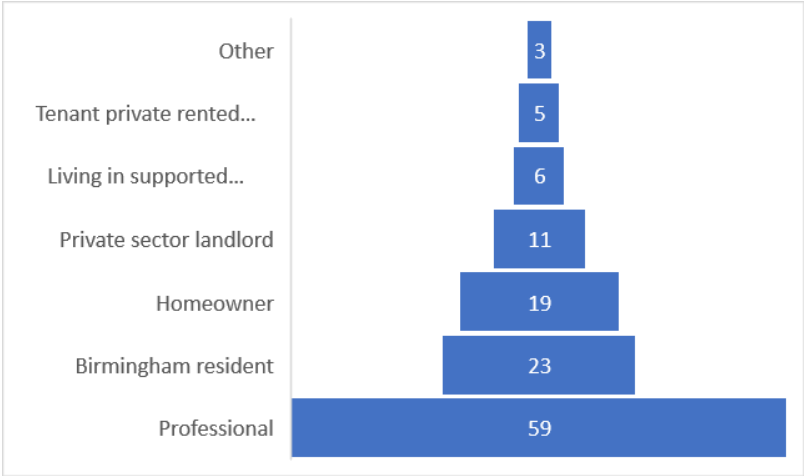
- Strategy needs an overriding objective such as “to stop the growth of EA in Birmingham and gradually reduce it by half; make good and proper provision both for supported housing and those currently in EA who need only proper housing and to set in place immediately an effective system for support and remedy to the communities badly affected by EA properties”.
- Focuses on traditional supported housing and particularly non-commissioned supported housing.
- No reference to wider impact on communities and neighbourhoods.
- Need and demand data needs to be reviewed for example the estimated levels of support.
- Manage, reduce and reshape could perhaps be the objectives?
- Should include clear evaluation of the ‘gateway’ approach as currently there is no reference to it.

4.3 Who responded?

Be-Heard consultation

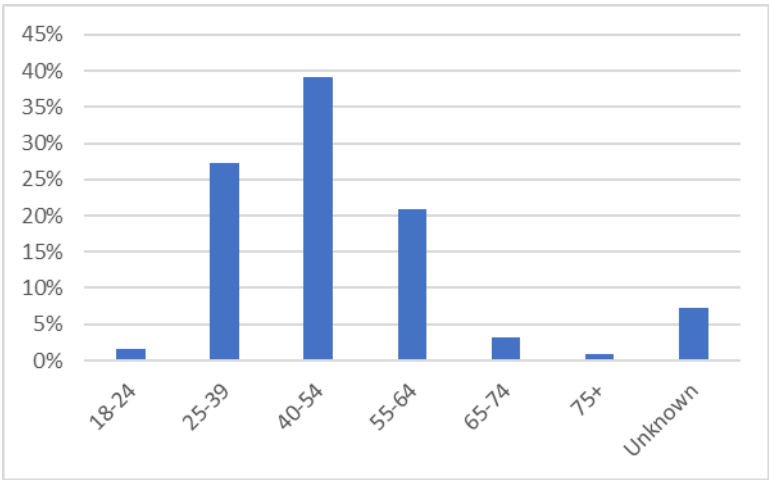
In total 125 responses to the consultation were received.

Who responded?



Nearly half of the respondents were professionals (47%), including individuals and providers, followed by Birmingham residents and homeowners. Only 5% lived in supported accommodation and 9% were supported accommodation landlords.

Age respondents



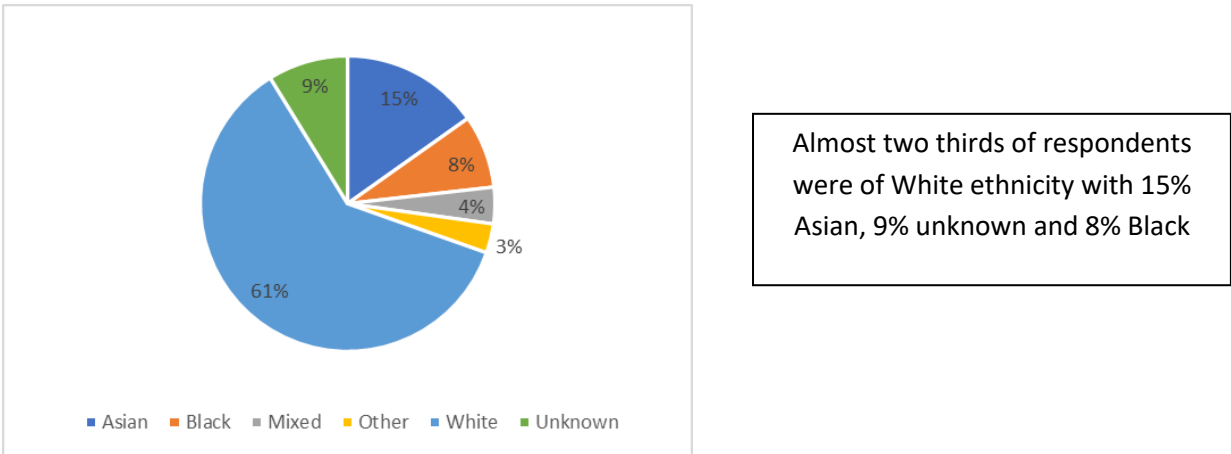
The largest age group to respond was 40 to 54 (39%) followed by 25 to 39 (27%) and 55 to 64 (21%)

Gender and disability

Almost half of respondents were male and 44% female with 8% preferring not to say.

Over 70% of respondents did not have a disability with 16% saying they had some form of physical or mental disability.

Ethnicity



Other respondents

Birmingham Exempt Accommodation Forum
Birmingham City Council Housing Directorate Officers Group

5. Conclusion

The consultation revealed that we are on the right track with our Supported Housing Strategy. Almost 80% of respondent’s agreed with the vision and over 70% with the six strategic aims.

Across the priorities the least agreement was with rebalancing the provision of accommodation, but over 60% of respondent’s expressed agreement.

However, there was some concern that it lacked detail and was woolly in parts, for example more information was needed around interim management measures as many were unsure about this aspect.

Key to moving forwards is having a well-regulated sector with appropriate standards guided by legislation. It will be important to work in partnership and consider other services for example more investment in early intervention type services may reduce the need for this kind of accommodation in the future. In addition, there is a need to consider all types of housing for example providing access to affordable, safe, sustainable and longer-term accommodation and considering hostel type accommodation for individuals who may have difficulty in living independently.

Support must be person centred focusing on the individual with progress clearly demonstrated by landlords who need to take responsibility for providing quality accommodation and support at the right levels. There needs to be robust monitoring to ensure standards are met.

Neighbourhoods and communities are an important factor and consideration needs to be given to the impact of both accommodation and individuals on the neighbourhood and how they ‘fit in’ to the local community. An equitable approach needs to be taken not just focusing on areas with high crime rates or density issues. There needs to be processes where any issues can be raised, identified and resolved.

SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

It should be remembered that it should not be about quantity but quality.

A major concern going forwards is availability of funding and resources to deliver the strategy.

Further research and considerations may be required enabling more detail to be provided. For example, the draft Supported Housing Bill due in November will need to be considered, what will interim management measures look like, what type of accommodation should supported housing be and how to link with other services to enable a move on pathway.

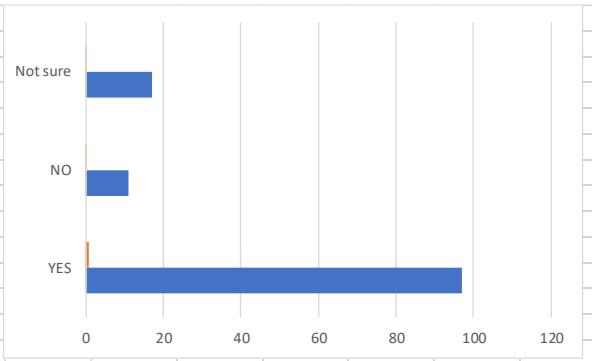
SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

Annex A

SUPPORTED HOUSING DATA

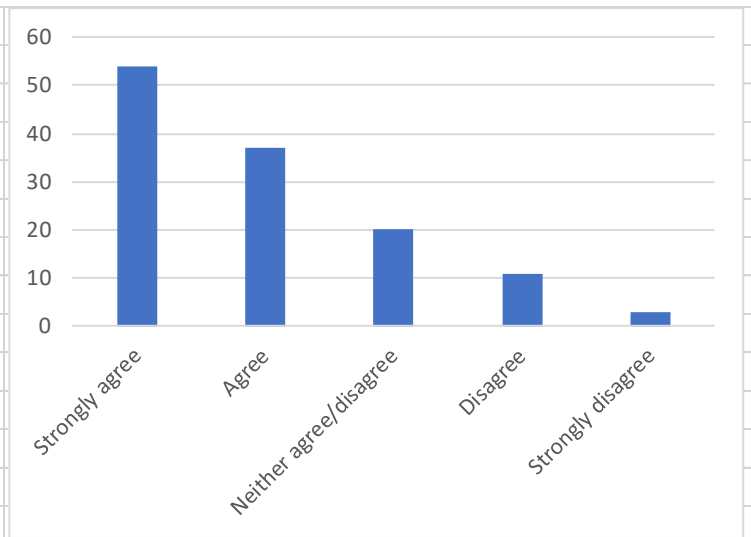
Question 4

Response	No'	%
YES	97	78%
NO	11	9%
Not sure	17	14%
Total	125	100%



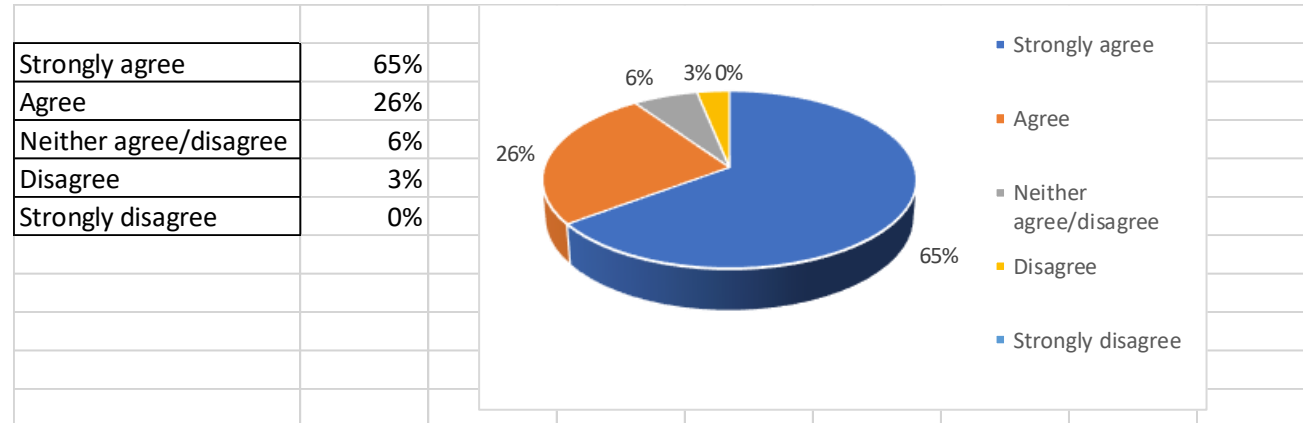
Question 5

Response	No'	%
Strongly agree	54	43%
Agree	37	30%
Neither agree/disagree	20	16%
Disagree	11	9%
Strongly disagree	3	2%
Total	125	100%

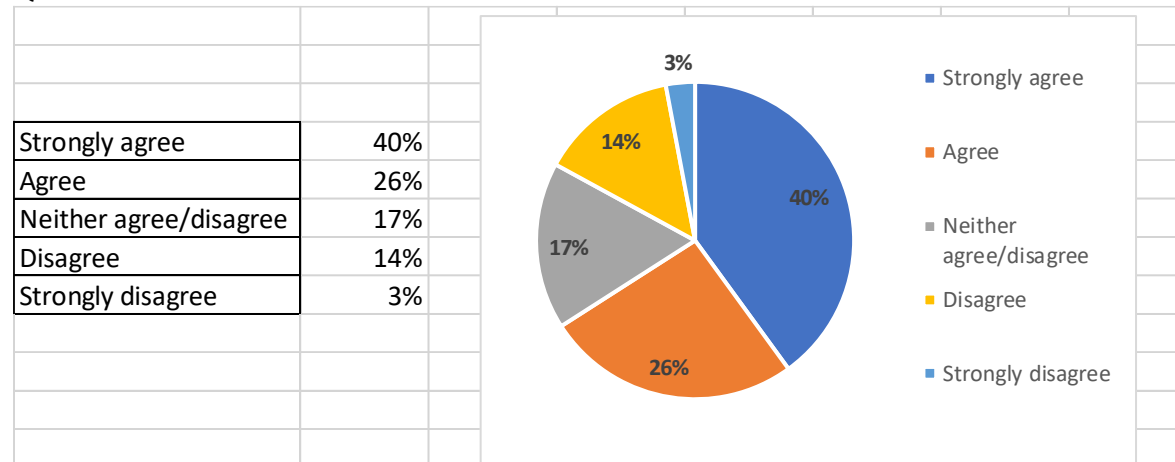


SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

Question 6



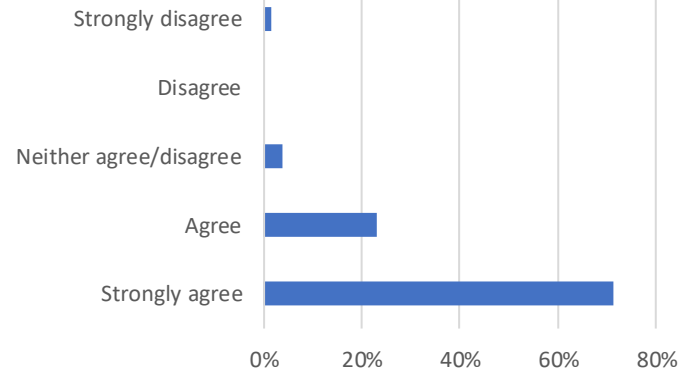
Question 7



SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

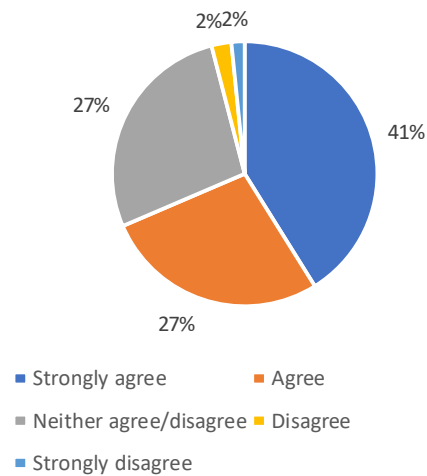
Question 8

Strongly agree	71%
Agree	23%
Neither agree/disagree	4%
Disagree	0%
Strongly disagree	2%



Question 9

Strongly agree	41%
Agree	27%
Neither agree/disagree	27%
Disagree	2%
Strongly disagree	2%



SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

Who responded		
WHO	NO'	%
Other	3	2%
Tenant private rented sector	5	4%
Living in supported accommodation	6	5%
Private sector landlord	11	9%
Homeowner	19	15%
Birmingham resident	23	18%
Professional	59	47%
Total	126	100%

Age		
Age	No'	%
18-24	2	2%
25-39	34	27%
40-54	49	39%
55-64	26	21%
65-74	4	3%
75+	1	1%
Unknown	9	7%
Total	125	100%

Ethnicity		
Ethnicity	No'	%
Asian	19	15%
Black	10	8%
Mixed	5	4%
Other	4	3%
White	76	61%
Unknown	11	9%
Total	125	100%

What best describes your interest in this consultation?

- Someone living in supported accommodation
- A tenant living private rented sector accommodation
- A private rented sector landlord
- A homeowner
- A Birmingham resident
- Other

4. Do you agree the vision statement established for the strategy?**Supported Housing Strategy Vision Statement**

Within a reformed national framework, offer supported housing through partnership with Health, Housing, Social Services, the Probation Service, and the voluntary sector that meets the estimated needs for the city.

- Yes
- No
- Not Sure.

If you selected no or not sure to this question please tell us why?

5. To what extent do you agree with the six strategic aims set out in the Supported Housing Strategy?

- Reduce the current over supply of supported housing
- Improve the quality, oversight and funding of supported housing provision.
- Encourage independent living
- Help to sustain communities
- Have a positive impact on the health and wellbeing of individuals
- Respond effectively to the needs of a highly diverse community

(For details please see Supported Housing Strategy)

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

If you selected disagree or strongly disagree to this question please tell us why?

SUPPORTED HOUSING STRATEGY CONSULTATION FINDINGS REPORT

6. Priority One: Lobbying for Legislative changes, national reform and funding for support.

To what extent do you agree with this priority?

- Strongly Agree
- Agree
- Neither Agree or Disagree
- Disagree
- Strongly Disagree

If you selected disagree or strongly disagree please tell us why?

7. Priority Two: Rebalancing the provision of accommodation by reducing the number of supported housing units

To what extent do you agree with this priority?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

8. Priority Three: Improved quality and oversight of support provision.

To what extent do you agree with this priority?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

If you selected disagree or strongly disagree please tell us why?

9. Priority Four: Interim Management Measures

To what extent do you agree with this priority?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree

If you selected no or not sure, please tell us why?

10. Are there any priorities or aim you think are missing from the strategy and if so, what are they?

Please use box below if you would like to make any further comments

SUPPORTED HOUSING NEEDS IN BIRMINGHAM

Summary Findings

The findings set out in needs assessment are based upon datasets drawn from several different primary and secondary sources using approaches tested in assessments of need referenced in Part 1 of the Department for Levelling Up, Housing and Communities' (DLUHC), National Statement of Expectation (NSE) good practice guide for Supported Housing¹. The publication of the NSE for Supported Housing Good Practice guide also coincided with funding of pilot areas – Birmingham, Hull, Blackpool, Bristol and Blackburn to carefully test different approaches to bring about greater oversight of the sector and how higher standards could be enforced, which have been preceded by piecemeal system of regulation and governance and a variety of different ways of assessing need working at local authority levels.

In the absence of consistently applied, agreed national standards of practice and routinely published data, the NSE Good Practice Guide references a range of different approaches to assessing supported housing needs. These approaches have been applied produce estimates of local needs for supported housing.

Each dataset selected and utilised in this assessment has its own level of utility, robustness and reliability and have applied to inform estimates of local needs for supported housing in Birmingham. Key housing demand drivers in this assessment include population and support needs projections that are captured through a combination of national statistics on population and data indicating local needs, encompassing a broad range of housing, health and social care related service provision.

Birmingham is the UK's second largest growing city, with one of the largest populations of any local authority area in Europe. Serving the accommodation needs of people with support needs also occurs within the context of the overall housing market and significant demand for housing across all sizes and types of provision, particularly affordable housing for general needs occupation.

At the turn of the century (2001-2011) the number of households in Birmingham increased by 9.9%. Since 2011 the population has been projected to have grown by a further 4% or 84,800 people, with a total population of 1,152,800 people in 2018. Demand for housing across the city continues to vastly exceed supply with some significant long-term shortfalls of future overall housing requirements that will need to be partially met from neighbouring local authority areas. Indicators of Birmingham's local housing pressures includes larger average household sizes and higher proportions of overcrowded households when

¹ <https://www.gov.uk/government/publications/supported-housing-national-statement-of-expectations/supported-housing-national-statement-of-expectations#part-1-assessing-local-need-and-planning-effectively-to-meet-demand>

compared with the national average. Birmingham ranks as the most deprived city nationally for numbers of people who are income or employment deprived which is reflected in the acute shortages of affordable housing in the city.

Supported housing provision in Birmingham has increased at a much faster rate of +83% in three years (2018 to 2021) indicating factors beyond local population related housing needs are driving growth. At a regional level Birmingham serves as the main destination hub of the West Midlands for groups with support needs such as care leavers and those leaving custodial setting requiring somewhere affordable to live. The city is also amongst the highest levels of comparable housing need in terms of temporary accommodation usage and statutory homelessness within region, experiencing similar issues to many larger London boroughs. This suggests the city is meeting needs for supported housing from neighbouring areas and other parts of the region and country and filling gaps in relation to affordable rented housing.

High Level Local Need Estimates in Birmingham, by support group clusters.

Of the 9,255 people potentially in need of a supported housing identified in this assessment of local need, figures expressed are currently set out in the form of estimate range. The estimated figure also has an upper end range of 11,255 units, which accounts for 49% of the current supported housing footprint in Birmingham. This additional need however requires further investigation before being substantiated through dynamic process of engagement, needs assessment practitioners and refinement. Based on a figure of 9255, local per capita needs for supported housing equates to 10.83 units for every thousand adults in the city.

In terms of specific groups of vulnerable communities that may require supported housing, this assessment also considers an additional category of provision not referenced in the NSE Good Practice Guide namely “Refugees in vulnerable person resettlement schemes”.

Groups excluded from the local estimates includes supported housing for older people (65 year and over). Supported housing encompasses the housing, health and social care sectors assessing needs for all groups is a large undertaking. With regards to people with autism, an area of provision which is difficult to assess, figures have been not been included due to a number of constraints and gaps in local knowledge being addressed outside of the work in this assessment.

▪ **Individuals at risk of or who have experienced homelessness**

The single largest client group cluster 22% of local need currently relates to homeless people with low level support needs. Need estimates for this cohort have been primarily based upon local authority Homelessness Case Level Information Collection (HCLIC) data captured from 2018 onwards. Representing a total equivalent of 1407 units of accommodation. This figure of local need could increase however scaling up this estimate would need further evidence as not all single homeless households with

support needs necessarily require supported housing to meet their accommodation and support needs.

- **People with ill Mental Need**

The second largest group 17.5% are estimated to be people with mental health related support needs. This is a very broad group of people including individuals with more than one support need e.g., support, misuse, safety and security needs, other needs etc. Given this a client group has multiple support needs, further work is recommended with NHS Community Mental Health commissioners to substantiate and refine this estimate of local need.

- **Young People (16-25 years of age) including care experienced citizens**

Young people represent the third largest group at 16.3% of supported housing need at around 1,535 supported housing places. Of this share it is estimated that care experienced segment accounts for around 5% of this cluster. Birmingham is regarded regionally as the destination for young people leaving care and receives a number of out-of-area placements of care experienced young people. This could potentially increase the estimate for this group by a further 300 units of provision.

To account for flows of care experienced young people placed into the city from outside of Birmingham further insights is required with Birmingham Children's Trust and other commissioners of accommodation that have accommodation and support duties for young people leaving care which can continue until the age of 21 in many cases.

- **Domestic Abuse – people requiring refuge accommodation** are estimated to represent around 14.4% local supported housing need (1,355). As part of new duties local authority duties established by the Domestic Abuse Act (2021), a specific DA Needs Assessment is required to identify and plan for the commissioning of safe accommodation. This client group cluster will however need to consider people outside of city, accessing a safety net of supported accommodation usually refuge accommodation nationally, based on safety and availability. Compared to many other parts of the country Birmingham has a relatively larger number of refuge spaces than other local authority areas. However, to fully substantiate this position a refined estimate will need to be aligned, with work being led by Birmingham DA Local Strategic Partnership which is undertaking a strategic needs assessment on the provision of safe accommodation.

- **Supported housing for former offenders**

Leaving custodial services is an area within which criminal justice institutions commission accommodation provision on a sub-regional basis and in some cases nationally. Current estimates of local need indicate in the region of 805 people per year

leaving custodial services, with a local connection to Birmingham requiring short-term supported housing.

Although clients from this cluster group are part of a much larger flow up to 3,800 people according to regional criminal justice services who require, reliance upon supported housing appears to accommodate this group appear to be strongly influenced by critical shortages of affordable housing available to this group, at the point of returning to the community. This bigger volume of need is not reflected in Homelessness Reduction Act Duty Refer figures or in homeless presentations.

At the time of estimating this figure Ministry of Justice was reorganising services with former Community Rehabilitation Companies being brought back into the control and direction of a single organisation called, “The Probation Service” in 2021. It is recommended that further review of local demand is required with probation commissioners and accommodation and support providers to fully understand, flow, demand and support needs profiles of this overall cluster group.

- **Refugees in Vulnerable Person Resettlement (VPR) schemes**

Although not specifically referenced in the NSE Good Practice Guide on assessing needs as a distinct cluster group, many local authorities which carried out needs assessments considered the needs of migrant communities with specific support needs. As Birmingham is participating in VPR schemes involving refugees resettled by the Home Office an estimate of 750 persons per year has been identified, representing 8% of overall supported housing needs. This is largely based upon Syrian programme, which is a rolling programme running into 2026. The most recent VPR scheme involving Afghan resettlement was only official launched by the Government in January 2022 so this figure will need to be revised to reflect people resettled by the Home Office as a result of the 2021 Afghanistan crisis.

- **Physical Disabilities**

530 units of provision have been identified from reviewing data available on working age households with severe disabilities representing 5.6% of overall supported housing needs. When available additional information should be used to update this figure to include Birmingham private rented sector stock condition survey later in Spring of 2022 alongside targeted resident survey on independent living.

- **Substance Misuse and Alcohol Dependency**

Data reviewed for the client group produced very wide-ranging estimates, with potential double counting issues in relation to people with mental ill health dual diagnosis conditions linked to substance misuse. A provisional estimate of 330 units 3.5% is based upon a review of multiple data sources. That said many supported

housing schemes across the cluster groups working closely with substance misuse service providers so the estimate of 330 is likely to be lower. Further work and an investigation of evidence held by Public Health, NHS Clinical Commissioners and Substance Misuse service providers and commissioners is required to understand demand for specific residential drug and alcohol treatment service needs.

- **Learning Disabilities**

The council is currently in the process of re-commissioning services for communities with Learning Disabilities and currently provides provision for 199 places of supported housing each year. The needs estimates which involved a reviewing projected demographic data for working age households from this group, and provider survey returns indicates an estimated 275 units of supported accommodation provision. This equates to 2.9% of overall local supported housing needs.

Recommendations on Assessing Local Supported Housing Needs

Objectively assessing supported housing needs is a complex undertaking involving services which span the housing, health and social care sectors in their broadest terms. Whilst funding is administered locally through 1996 Housing Benefit regulations, this safety net of accommodation based support services spans a diverse sector and needs to be underpinned by efforts to continuously improve information on the sector as well as local needs. To this end six recommendations have emerged through learning gained from developing and testing the work which are summarised below: -

1. Improve local data capture: Where possible in RBIS data records, capture information on client groups provided for as part of administrative process when claim information is gathered e.g., Young Persons, DA Refuge,
2. Regional & local supported housing commissioners: There is a need to identify referrals & levels of need into Birmingham from other LA's (WMCA) & non-council commissioners. Birmingham is a regional hub for many different types of supported housing such as provision for care leavers and women and children fleeing domestic abuse. This provision will inevitably result in referrals being made into Birmingham where those needs cannot be met locally elsewhere. In addition to Domestic Abuse key client groups that need to be considered include Care Leavers, people with Mental Health supported needs and Offenders
3. Update estimate figures - with other local assessments for groups that use and require supported housing – e.g., January 2022 Domestic Abuse Needs Assessment, Autism, Learning Disabilities
4. Align the levels of estimated need with wider strategic housing strategies work & housing intelligence – e.g. Private Sector Stock Condition & Private Rented Housing Strategy, Birmingham Housing Strategy
5. Address gaps in service user perspectives of views and experiences of supported housing for all groups through targeted survey work aimed at people with lived experience to gather their view on what kind of support they need with their housing and wellbeing, particularly their views on accommodation-based provision.
6. Improve benchmarking – work with DWP, DLHUC to publish high level numbers on supported housing claims and units that provide a centralised resource for annual statistics for local authority level data.

Modelling the Impact of Birmingham's Draft Supported Housing Strategy

Introduction

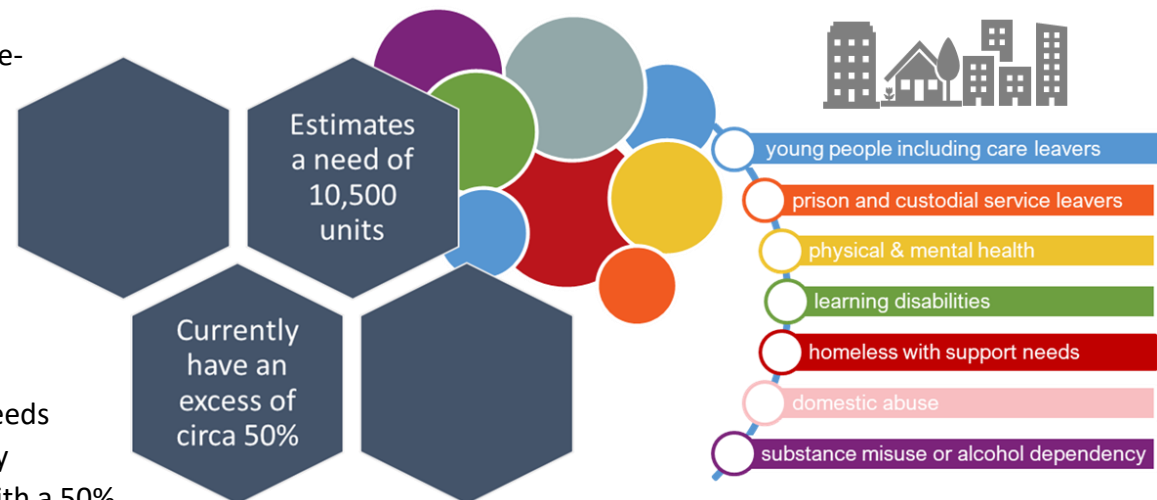
The draft Birmingham Supported Housing Strategy is one of the key local outputs established off the back of an extended pilot national programme of work to test and develop local governance and oversight models in relation to supported housing.

Supported housing encompasses a very broad range of provision, including more traditional, alongside newer forms of provision; including sheltered schemes, local authority homelessness commissioned services, specialist supported housing and non-purpose built domestic abuse provision.

Scope of the draft strategy and impact modelling

The scope of the Birmingham's draft strategy excludes age-specific (e.g. extra care or sheltered housing) is focussed upon short-term support accommodation, serving working age households. This has become the dominant type of provision in Birmingham, particularly provision emerging out of traditional private rented sector housing leased to third parties and which is not commissioned by council.

Underpinned by an evidence base (Supported Housing Needs Assessment, survey of providers and sector analysis) a key priority of the strategy concerns rebalancing provision, with a 50% reduction of overall provision from baseline estimate of 21,000 units of provision. This 50% reduction covers the main impacts captured in this paper.



Strategic Priorities - modelling the impact of reductions

There are four overall high level strategic priorities underpinning the strategy: 1) Lobbying for Legislative Change and National Reform; 2) Rebalancing the provision of accommodation; 3) Improved Quality and Oversight of Support Provision; 4) Interim Management Measures

It is important to note this reduction of provision emerging from Priority 2: Rebalancing the provision of accommodation, which this impact modelling concerns would only be achieved in the event of significant national reforms of current funding and oversight regimes which govern supported housing. A reduction in supply is precursory to Priority 1 Lobbying for Legislative and national reforms, being achieved.

Impact Modelling and Scenario Testing

This impact modelling summarises the discussions held with key stakeholders and professionals involved in supported housing to identify the impact of reductions in the supply of supported housing from the PRS leased based element of the Birmingham's supported housing provision.

The impact risks and likelihoods concerning reductions in supported housing were captured from a series of group exercise sessions which were held with stakeholders from the following service areas, which included multi-disciplinary teams involved in the oversight pilot: -

- Adult Health and Social Care - Commissioners, Safeguarding, and Other Lead professionals with responsibilities for care, support and supervision of vulnerable working age adults and households.
- Housing Needs and Homelessness - managers of statutory homelessness functions encompassing homeless families, single homeless persons including and rough sleepers.
- Housing Supply - professionals from planning strategy, housing strategy.
- Regulatory services - professionals from community safety, environmental service, enforcement, private rented sector licensing.

Being non-commissioned impact of 50% reduction concerns a primarily market driven provision of supported housing (lease based PRS supported housing) - the following and scenarios were explored and tested: -

- Scenario 1: The market responds to the required reduction by moving all properties to the private rented sector market.
- Scenario 2: The market responds to the required reduction by moving out of the market and putting properties up for sale.
- Scenario 3: The market responds to the required reduction by seeking other opportunities for utilising the properties.

The outputs of the group discussion are summarised in Table1 (risks have been subsequently scored in terms of severity and likelihood using and applying the matrix in Appendix 1):

Table 1: Impact Modelling of 50% reduction PRS Lease-based supported housing. Impact Type		Scenario 1: Market responds to the required reduction by moving all properties to the private rented sector market.	Scenario 2: Market responds to the required reduction by moving out of the market and putting properties up for sale.	Scenario 3: Market responds to the required reduction by seeking other opportunities for utilising the properties.
Environment and Community safety	<p>Localised demand on community safety and environmental services related to short term voids - skips, fly tipping of furniture</p> <p>Medium Risk (4) Severity: 2; Likelihood:2</p>	<p>Short-term spike in ASB and crime resulting from decanting from SEA sector in areas of high volumes of exempt accommodation</p> <p>High Risk (6) Severity: 3 Likelihood:2</p>	<p>Temporary increase in abandonment or voids properties transitioning out of the SEA sector</p> <p>Low Risk (1) Severity: 1 Likelihood:1</p>	<p>Longer-term impact improved community neighbourhood experience better levels of neighbourhood management- less ASB</p> <p>Medium Risk (4) Severity: 2 Likelihood:2</p>
	<p>Landlords investing in energy efficiency measures to meet energy efficient requirements may reduce due to reduced rental income. Reduced investment in properties poorer quality of properties and local areas - Stock condition of properties exiting the market - poor managed stock likely to require investment to meet decent homes standards and EPC ratings for renting.</p> <p>High Risk: (6) Severity: 3; Likelihood: 2</p>			
Housing Supply	<ul style="list-style-type: none"> Displacement from SEA exit results in changes to the availability of shared housing set up as HMOs - potential increase Loss of affordable housing provision - as other suitable smaller accommodation too expensive <p>Medium Risk (2) Severity: 2; Likelihood:2</p>	<ul style="list-style-type: none"> May need to consider reconfiguring existing BCC Clearance programmes due to the loss of smaller units of accommodation and the availability of housing for people in receipt of housing benefit unable to access PRS market due to higher rents Potential market displacement from SEA to other sectors e.g. Home Office asylum contracts, investors from outside of Birmingham <p>Medium Risk (4); Severity: 2; Likelihood:2</p>	<p>Landlords exiting the SEA market and PRS altogether - selling up (property moving into home ownership)</p> <p>Low Risk (2); Severity: 2 Likelihood:1</p>	

Table 1: Impact Modelling of 50% reduction PRS Lease-based supported housing. Impact Type		Scenario 1: Market responds to the required reduction by moving all properties to the private rented sector market.	Scenario 2: Market responds to the required reduction by moving out of the market and putting properties up for sale.	Scenario 3: Market responds to the required reduction by seeking other opportunities for utilising the properties.
Housing Needs	<ul style="list-style-type: none"> May present some additional opportunities for private sector leasing given its financial incentives for private landlords but the longer term PRS access and sustainability is still an issue due to the 30th percentile LHA rates set by HM Treasury Valuation Office Agency - Targeting Affordability Fund Single persons who do not need supported housing will lack suitably affordable 1 bed provision <p>High Risk (6) Severity: 2: Likelihood:3</p>			
Homelessness and Rough Sleeping	<p>SEA accommodation loss presents both threats and opportunities in terms of homelessness and rough sleeping. There is cyclical homelessness and churn emanating from the SEA. One third of single homeless persons presentations are via SEA accommodation</p> <p>Medium Risk (4) Severity:2, Likelihood: 2</p>			
Citizen living in the sector	<ul style="list-style-type: none"> Demand for move-on packages and access to traditional PRS or Social Rented Sector Housing increases from the market fall-out of SEA provision. Progression of clients residing in the sector stalled tenants in state of limbo - their journey has stalled as it started out as short-term but become longer term due to lack on alternative move-on housing options. Reduced displacement of people from outside of the local area being located into Birmingham dislocated from their support networks. Citizen - Affordability PRS market access Barriers will persist. <p>High Risk 9 Severity: 3, Likelihood:3</p>			
Regulatory service impact	<ul style="list-style-type: none"> New burdens in relation to mandatory, additional and selective licensing of properties that fall out of the exempt sector housing market - quantifying this demand to be undertaken current could be up to 4000 properties depending on occupancy levels. This would need to be modelled for more details. 			

Table 1: Impact Modelling of 50% reduction PRS Lease-based supported housing. Impact Type		Scenario 1: Market responds to the required reduction by moving all properties to the private rented sector market.	Scenario 2: Market responds to the required reduction by moving out of the market and putting properties up for sale.	Scenario 3: Market responds to the required reduction by seeking other opportunities for utilising the properties.
	<ul style="list-style-type: none"> Renters Reform Bill - potential issues arising from these reforms in later years over the course of the strategy. Article 4 - restrictions would prevent some properties exiting the SEA sector from switching to HMO provision - potentially reducing multiple occupancy accommodation. <p>Medium Risk 4 Severity: 2 Likelihood:2</p>			
Financial (all types including regulatory and care and support)	<ul style="list-style-type: none"> Additional licensing officers/EHO's Planning enforcement - reviewing article 4 implications arising from drop out of the SEA accommodation into traditional HMO sector. Deconversion costs associated with repurposing back to PRS rental housing from shared accommodation. <p>Medium Risk 4 Severity: 2 Likelihood: 2</p>			

Appendix 1: Risk Scoring Matrix - provisional scoring

LIKELIHOOD ↓	SEVERITY →		
	1	2	3
1	LOW - 1 -	LOW - 2 -	MEDIUM - 3 -
2	LOW - 2 -	MEDIUM - 4 -	HIGH - 6 -
3	MEDIUM - 3 -	HIGH - 6 -	HIGH - 9 -

Title of proposed EIA	Supported Housing Strategy for Birmingham
Reference No	EQUA1003
EA is in support of	New Strategy
Review Frequency	Two Years
Date of first review	01/10/2024
Directorate	Adults Social Care
Division	Commisioning
Service Area	Prevention and Community Assets.
Responsible Officer(s)	<input type="checkbox"/> Jason Bartlett
Quality Control Officer(s)	<input type="checkbox"/> Julie Bach
Accountable Officer(s)	<input type="checkbox"/> John Hardy
Purpose of proposal	To provide a strategy for Birmingham focusing on the exempt sector and supported housing which will be part of a suite of housing strategies including the overarching Housing Strategy for the City and the Homelessness Strategy.
Data sources	Consultation Results; relevant reports/strategies
Please include any other sources of data	Market analysis Needs analysis Relevant research. Market intelligence
	Supported Housing Strategy: <ul style="list-style-type: none">• Oxford Brookes University which combines ONS population and Department of Health data• a survey issued to all Supported Housing Providers in the City in December 2020.
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders; Wider Community
Age details:	

Protected Characteristic Age

This strategy is a framework for the supported housing sector which affects stakeholders, landlords and citizens across Birmingham. It would have a positive impact on the health and wellbeing of all family members living in supported housing, from birth. Although the Supported Housing strategy does not focus on children or older people there may be an impact on all ages across the City as some people living in exempt accommodation are families with children, but this type of accommodation is usually single room/one bedroom.

- ***Service user impact***

- The impact is expected to be positive by providing a framework to enable access to regulated supported housing across Birmingham.

- ***Wider community impact***

The strategic aims of the strategy are to:

- Reduce the current over supply of supported housing.
- Improve the quality, oversight, and funding of supported housing provision.
- Encourage independent living.
- Help to sustain communities.
- Have a positive impact on the health and wellbeing of individuals.
- Respond effectively to the needs of a highly diverse community.

The impact on the wider community will be positive:

- There will be a clear route for citizens to raise any concerns about supported housing in their neighbourhood.
- There will be regulations and standards which will include consideration of the impact of supported housing on the local community.

- The type of supported housing available will respond directly to the needs from Birmingham's diverse community including the following groups:
 - Young people leaving care, young people at risk, and teenage parents.
 - People with experience of the criminal justice system.
 - People experiencing mental ill health, people with drug and alcohol dependency and people who have, physical/learning disabilities that are below the threshold of care.
 - People at risk of domestic abuse.
 - Homeless people with identified other support needs, rough sleepers, refugees, and travelers.
 - People with Multiple/complex needs.
-

Protected characteristic: Disability

Service Users / Stakeholders; Wider Community

Disability details:

Protected Characteristic Disability

Although the service is not specifically designed to support this Protected Characteristic the strategy will have a positive impact on citizens with a disability.

The key groups identified within the strategy are:

- **People experiencing mental ill health**, people with drug and alcohol dependency and people who have, **physical/learning disabilities** that are below the threshold of care.
-
- **Service user impact**
- The impact is expected to be positive as individual's wellbeing and health will be

improved for example by providing support for citizens to access medical care and health checks addressing any disability issues they may face.

-

Wider community impact

The strategic aims of the strategy are to:

- Reduce the current over supply of supported housing.
- Improve the quality, oversight, and funding of supported housing provision.
- Encourage independent living.
- Help to sustain communities.
- Have a positive impact on the health and wellbeing of individuals.
- Respond effectively to the needs of a highly diverse community.

The impact on the wider community will be positive:

- There will be a clear route for citizens to raise any concerns about supported housing in their neighbourhood.
- There will be regulations and standards which will include consideration of the impact of supported housing on the local community.
- The type of supported housing available will respond directly to the needs from Birmingham's diverse community including the following groups:
 - Young people leaving care, young people at risk, and teenage parents.
 - People with experience of the criminal justice system.
 - People experiencing mental ill health, people with drug and alcohol dependency and people who have, physical/learning disabilities that are below the threshold of care.

- People at risk of domestic abuse.
 - Homeless people with identified other support needs, rough sleepers, refugees, and travelers.
 - People with Multiple/complex needs.
- The impact on the wider community will be positive across all disabilities.

Protected characteristic: Sex

Service Users / Stakeholders; Wider Community

Gender details:

Protected Characteristic Gender

This strategy encompasses the needs of all genders but is not written specifically for a single gender.

- ***Service user impact***
The impact is expected to be positive:
- Currently a significant part of the supported housing sector is unregulated with people living in unsuitable housing and not receiving the support they require. The strategy will address this issue reducing the quantity of supported housing in the city whilst improving quality. There will be regulations and standards which means people should be able to access and live in quality and suitable accommodation whilst receiving the right level of support they require at the right time. Through helping people to increase or maintain their independence, regardless of gender, supported housing can also reduce their future need for more intensive support, such as residential care or statutory service,
-

Wider community impact

The strategic aims of the strategy are to:

- Reduce the current over supply of supported housing.
- Improve the quality, oversight, and funding of supported housing provision.
- Encourage independent living.
- Help to sustain communities.
- Have a positive impact on the health and wellbeing of individuals.
- Respond effectively to the needs of a highly diverse community.

The impact on the wider community will be positive:

- There will be a clear route for citizens to raise any concerns about supported housing in their neighbourhood.
- There will be regulations and standards which will include consideration of the impact of supported housing on the local community.
- The type of supported housing available will respond directly to the needs from Birmingham's diverse community including the following groups:
 - Young people leaving care, young people at risk, and teenage parents.
 - People with experience of the criminal justice system.
 - People experiencing mental ill health, people with drug and alcohol dependency and people who have, physical/learning disabilities that are below the threshold of care.
 - People at risk of domestic abuse.
 - Homeless people with identified other support needs, rough sleepers, refugees, and travelers.

- People with Multiple/complex needs.
- The impact on the wider community will be positive regardless of gender.

Protected characteristics: Gender Reassignment

Service Users / Stakeholders; Wider Community

Gender reassignment details:

Protected Characteristic Gender Reassignment

This strategy encompasses the needs of all gender, including those transitioning or who have undergone gender reassignment, but is not written specifically for a single gender.

- ***Service user impact***
The impact is expected to be positive:
- Currently a significant part of the supported housing sector is unregulated with people living in unsuitable housing and not receiving the support they require. The strategy will address this issue reducing the quantity of supported housing in the city whilst improving quality. There will be regulations and standards which means people should be able to access and live in quality and suitable accommodation whilst receiving the right level of support they require at the right time. Through helping people to increase or maintain their independence, supported housing can also reduce their future need for more intensive support, such as residential care or statutory services.
- Individual's wellbeing and health will be improved for example by providing support for homeless people to access medical care and health checks addressing any issues they may face irrespective of gender.

The strategic aims of the strategy are to:

- Reduce the current over supply of supported housing.
- Improve the quality, oversight, and funding of supported housing provision.
- Encourage independent living.
- Help to sustain communities.
- Have a positive impact on the health and wellbeing of individuals.
- Respond effectively to the needs of a highly diverse community.

The impact on the wider community will be positive:

- There will be a clear route for citizens to raise any concerns about supported housing in their neighbourhood.
- There will be regulations and standards which will include consideration of the impact of supported housing on the local community.
- The type of supported housing available will respond directly to the needs from Birmingham's diverse community including the following groups:
 - Young people leaving care, young people at risk, and teenage parents.
 - People with experience of the criminal justice system.
 - People experiencing mental ill health, people with drug and alcohol dependency and people who have, physical/learning disabilities that are below the threshold of care.
 - People at risk of domestic abuse.
 - Homeless people with identified other support needs, rough sleepers, refugees, and travelers.
 - People with Multiple/complex needs.
- The impact on the wider community will be positive

across all genders.

Protected characteristics: Marriage and Civil Partnership

Service Users/ Stakeholders; Wider Community

Marriage and civil partnership details:

Protected Characteristic Marriage and Civil Partnership

The strategy encompasses the needs of protected characteristics of Marriage and Civil Partnership and also included.

- ***Service user impact***

The impact is expected to be positive:

- Currently a big part of the supported housing sector is unregulated with people living in unsuitable housing and not receiving the support they require. The strategy will address this issue reducing the quantity of supported housing in the city whilst improving quality. There will be regulations and standards which means people should be able to access and live in quality and suitable accommodation whilst receiving the right level of support they require at the right time. Through helping people to increase or maintain their independence, supported housing can also reduce their future need for more intensive support, such as residential care or statutory services.
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Wider community impact

The strategic aims of the strategy are to:

- Reduce the current over supply of supported housing.
- Improve the quality, oversight, and funding of supported housing provision.
- Encourage independent living.
- Help to sustain communities.
- Have a positive impact on the health and wellbeing of

individuals.

- Respond effectively to the needs of a highly diverse community.

The impact on the wider community will be positive:

- There will be a clear route for citizens to raise any concerns about supported housing in their neighbourhood.
- There will be regulations and standards which will include consideration of the impact of supported housing on the local community.
- The type of supported housing available will respond directly to the needs from Birmingham's diverse community including the following groups:
 - Young people leaving care, young people at risk, and teenage parents.
 - People with experience of the criminal justice system.
 - People experiencing mental ill health, people with drug and alcohol dependency and people who have, physical/learning disabilities that are below the threshold of care.
 - People at risk of domestic abuse.
 - Homeless people with identified other support needs, rough sleepers, refugees, and travelers.
 - People with Multiple/complex needs.
- The impact on the wider community will be positive for all marriages or civil partnerships.

Protected characteristics: Pregnancy and Maternity

Service Users / Stakeholders; Wider Community

Pregnancy and maternity details:

Protected Characteristic Pregnancy and Maternity

The strategy will support the health and wellbeing of those under the Pregnancy and Maternity protected characteristic and their children.

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- ***Service user impact***
The impact is expected to be positive:
- Currently a big part of the supported housing sector is unregulated with people living in unsuitable housing and not receiving the support they require. The strategy will address this issue reducing the quantity of supported housing in the city whilst improving quality. There will be regulations and standards which means people should be able to access and live in quality and suitable accommodation whilst receiving the right level of support they require at the right time. Through helping people to increase or maintain their independence, supported housing can also reduce their future need for more intensive support, such as residential care or statutory services.
- Individual's wellbeing and health will be improved for example by providing support for citizens people to access medical care and health checks addressing any issues they may face.
- Support will be available for any pregnant individual and for pre and post maternity care, in particular for teenage parents.

Wider community impact

The strategic aims of the strategy are to:

- Reduce the current over supply of supported housing.
- Improve the quality, oversight, and funding of supported housing provision.
- Encourage independent living

- encourage independent living.
- Help to sustain communities.
- Have a positive impact on the health and wellbeing of individuals.
- Respond effectively to the needs of a highly diverse community.

The impact on the wider community will be positive:

- There will be a clear route for citizens to raise any concerns about supported housing in their neighbourhood.
- There will be regulations and standards which will include consideration of the impact of supported housing on the local community.
- The type of supported housing available will respond directly to the needs from Birmingham's diverse community including the following groups:
 - Young people leaving care, young people at risk, and teenage parents.
 - People with experience of the criminal justice system.
 - People experiencing mental ill health, people with drug and alcohol dependency and people who have, physical/learning disabilities that are below the threshold of care.
 - People at risk of domestic abuse.
 - Homeless people with identified other support needs, rough sleepers, refugees, and travelers.
 - People with Multiple/complex needs.
- The impact on the wider community will be positive.

Community

Race details:

Protected Characteristic Race

The strategy will address the needs of diverse communities living within Birmingham.

TService user impact

- The impact is expected to be positive:
- Currently a big part of the supported housing sector is unregulated with people living in unsuitable housing and not receiving the support they require. The strategy will address this issue reducing the quantity of supported housing in the city whilst improving quality. There will be regulations and standards which means people should be able to access and live in quality and suitable accommodation whilst receiving the right level of support they require at the right time. Through helping people to increase or maintain their independence, supported housing can also reduce their future need for more intensive support, such as residential care or statutory services.
- Individual's wellbeing and health will be improved for example by providing support for citizens to access medical care and health checks addressing specific cultural factors.

Wider community impact

The strategic aims of the strategy are to:

- Reduce the current over supply of supported housing.
- Improve the quality, oversight, and funding of supported housing provision.
- Encourage independent living.
- Help to sustain communities.
- Have a positive impact on the health and wellbeing of individuals.

- Respond effectively to the needs of a highly diverse community.

The impact on the wider community will be positive:
There will be a clear route for citizens to raise any concerns about supported housing in their neighbourhood.

There will be regulations and standards which will include consideration of the impact of supported housing on the local community.

The type of supported housing available will respond directly to the needs from Birmingham's diverse community including the following groups:

- Young people leaving care, young people at risk, and teenage parents.
- People with experience of the criminal justice system.
- People experiencing mental ill health, people with drug and alcohol dependency and people who have, physical/learning disabilities that are below the threshold of care.
- People at risk of domestic abuse.
- Homeless people with identified other support needs, rough sleepers, refugees, and travelers.
- People with Multiple/complex needs.
- The impact on the wider community will be positive across all races.

Protected characteristics: Religion or Beliefs

Service Users / Stakeholders; Wider Community

Religion or beliefs details:

Protected Characteristic Religion or Beliefs

The strategy provides a framework and to enable citizens religions and beliefs to be considered

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Service user impact

The impact is expected to be positive:

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- Individual's wellbeing and health will be improved for example by providing support for citizens to access medical care and health checks addressing any issues they may face considering any religion or beliefs.

Wider community impact

The strategic aims of the strategy are to:

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- Help to sustain communities.
- Have a positive impact on the health and wellbeing of individuals.

- Respond effectively to the needs of a highly diverse community.

The impact on the wider community will be positive:

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The type of supported housing available will respond directly to the needs from Birmingham's diverse community including the following groups:

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- People with experience of the criminal justice system.
- People experiencing mental ill health, people with drug and alcohol dependency and people who have, physical/learning disabilities that are below the threshold of care.
- People at risk of domestic abuse.
- Homeless people with identified other support needs, rough sleepers, refugees, and travelers.
- People with Multiple/complex needs.
- The impact on the wider community will be positive across all religions and beliefs.

Protected characteristics: Sexual Orientation

Service Users / Stakeholders; Wider Community

Sexual orientation details:

Orientation

This strategy encompasses the needs of all citizens across the sexual orientation spectrum.

- **Service user impact**

The impact is expected to be positive:

- Currently a big part of the supported housing sector is unregulated with people living in unsuitable housing and not receiving the support they require. The strategy will address this issue reducing the quantity of supported housing in the city whilst improving quality. There will be regulations and standards which means people should be able to access and live in quality and suitable accommodation whilst receiving the right level of support they require at the right time. Through helping people to increase or maintain their independence, supported housing can also reduce their future need for more intensive support, such as residential care or statutory services.
- Individual's wellbeing and health will be improved for example by providing support for citizens to access medical care and health checks addressing any issues they may face.

Wider community impact

The strategic aims of the strategy are to:

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- People experiencing mental ill health, people with drug and alcohol dependency and people who have, physical/learning disabilities that are below the threshold of care.
- People at risk of domestic abuse.
- Homeless people with identified other support needs, rough sleepers, refugees, and travelers.
- People with Multiple/complex needs.
- The impact on the wider community will be positive.

Monitoring and evaluation

The Supported Housing Strategy has an action plan, and these will be monitored and evaluated to ensure progress is being made.

Socio-economic impacts

The Housing Supported Strategy will have a range of positive socio-economic impacts including:

Needs are met before they escalate

into crisis
Statutory or higher cost intervention
are avoided or reduced
Outcomes for the individual are
improved.

Effectively respond and implement ad
hoc or short-term funding and
funding applications to central
government; essentially enabling the
services to deliver and respond to the
high demands of service pressure.

Sustained prevention wellbeing
support pathway for those living in
precarious housing

Please indicate any actions arising from completing this screening exercise.

The Supported Housing Strategy has
an action plan, that will be monitored
and evaluated to ensure progress is
being made.

The Supported housing strategy aims
to support citizens before they hit
crisis. Covid variants, high evictions
from private landlords, high
unemployment and cost of living crisis
have all impacted on this sector.

The current supported housing sector
is unregulated with people living in
unsuitable housing and not receiving
the support they require. The strategy
will address this issue reducing the
quantity of supported housing in the
city whilst improving quality.

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?

The action plan will be regularly
monitored, and any commissioned
supported housing will be subject to
monitoring and evaluation meeting
appropriate regulations and standards
providing support to Birmingham's
diverse population.

What data is required in the future?

The needs analysis will be updated as new data becomes available. Data and information from commissioned supported housing will be used to measure performance and equality aspects.

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

The supported housing strategy will support the:

Prevention First Outcomes

Care Act 2014

Homelessness Prevention Strategy

Vision and Strategy for Adult Social Care (2017, refreshed 2020), and the Homelessness Prevention Strategy 2017+

Mental Health Transformation Pathway

Quality Standards No Wrong Door

- The strategic aims of the strategy are to:
- Reduce the current over supply of supported housing.
- Improve the quality, oversight, and funding of supported housing provision.
- Encourage independent living.
- Help to sustain communities.
- Have a positive impact on the health and wellbeing of individuals.
- Respond effectively to the needs of a highly diverse community.
- Align vulnerable adult pathways ensuring citizens will be able to receive consistent support which is local thier ward/area


15/11/2022, 13:15


Assessments - Supported Housing Strategy for Birmingham...

Submit to the Quality Control Officer for reviewing?	No
Quality Control Officer comments	This document has been reviewed and at this stage would not require a full assessment to be made.
Decision by Quality Control Officer	Proceed for final approval
Submit draft to Accountable Officer?	Yes
Decision by Accountable Officer	
Date approved / rejected by the Accountable Officer	
Reasons for approval or rejection	
Please print and save a PDF copy for your records	Yes

Content Type: Item

Version: 56.0

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Last modified at 15/11/2022 01:10 PM by Workflow on behalf of  Jason Bartlett

Close

Birmingham City Council

Report to Cabinet

17 January 2023



Subject: Clean Air Zone revenues – update to Cabinet on revenues forecast and allocation of net surplus revenues

Report of: Strategic Director, Place, Prosperity and Sustainability

Relevant Cabinet Member: Councillor Liz Clements - Transport
Councillor Yvonne Mosquito - Finance and Resources

Relevant O & S Chair(s): Councillor Chaman Lal – Sustainability and Transport
Councillor Akhlaq Ahmed - Resources

Report author: Phillip Edwards, Assistant Director – Transport and Connectivity
Tel: 07557 203167 Email: philip.edwards@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: 010853/2023		
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, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This report provides an update to Cabinet on forecast net surplus revenues from the Clean Air Zone (CAZ) through to the end of the current financial year (FY) 2022/23 and suggests that they could be in the region of £50.676m.

- 1.2 This report also recommends for approval additional allocations of CAZ net surplus revenues, which are in line with the defined priorities for the use of net surplus revenues as set out in Article 16 and Annex 5 of the Birmingham Clean Air Zone Charging Order 2021 (made on 26 April 2021). The proposed allocations total £13.250m and are subject to the net surplus revenues from the Clean Air Zone being realised.

2 Recommendations

- 2.1 Approve the allocation of c. £8.250m net surplus revenues from the CAZ for the purposes of accelerating the delivery of schemes associated with the Birmingham Transport Plan, which was adopted by Cabinet on 12 October 2021.
- 2.2 Approve the allocation of c. £3.000m of net surplus revenues from the CAZ to incentivise the adoption of more active modes of travel (such as bikes) and public transport (more specifically bus use).
- 2.3 Approve the allocation of net surplus revenues from the CAZ, of up to £2.000m over two years, to support the work programme of the Council's 'Route to Zero' team.
- 2.4 Delegate approval of the FBCs and related reports, including any revised financial appraisal for the named schemes to the Strategic Director of Place, Prosperity & Sustainability in conjunction with the Director of Council Management and in consultation with the relevant portfolio holders.
- 2.5 Authorise the City Solicitor and Monitoring Officer to execute, seal and complete all necessary documentation to give effect to the above recommendations.

3 Background

- 3.1 Birmingham's CAZ commenced operation on 1 June 2021.
- 3.2 The CAZ was introduced in order to reduce the levels of the air pollutant nitrogen dioxide (NO₂) to within the legal limit in the shortest possible time, as per the direction to the Council from the Secretary of State for the Environment, Food and Rural Affairs in March 2019.
- 3.3 The CAZ was created pursuant to the Transport Act 2000. Part 3 of the Transport Act 2000, schedule 12 para 8, which requires that the 'net proceeds' of a charging scheme shall be applied by the authority "for the purpose of directly or indirectly facilitating the achievement of local transport policies of the authority".
- 3.4 Similarly, it is government policy that the level of any charges should not be set as a revenue raising measure and the purpose of the scheme is not to generate revenue but to encourage improved air quality.
- 3.5 In practice this means that the more vehicles that are compliant with the scheme, the less revenue it will generate.

- 3.6 The priority use for revenues generated by the CAZ is to cover the cost of its operation, including the maintenance of cameras, operational staff etc. It is not intended that the CAZ should generate substantial surplus proceeds after covering these costs.
- 3.7 In the event that net surplus revenues are generated from the scheme these proceeds should be applied to directly or indirectly to facilitate the achievement of relevant local transport policies in accordance with the following high level spending objectives, which are set out in the Birmingham Clean Air Zone Charging Order 2021 (26 April 2021):
- 3.7.1 support the delivery of the ambitions of the Scheme and promoting cleaner air;
 - 3.7.2 supporting active travel and incentivising public transport use;
 - 3.7.3 supporting zero emission and sustainable infrastructure and actions in and around the city to improve air quality.
- 3.8 On 19 January 2021 Cabinet considered a report that forecast net surplus revenues over the lifetime of the scheme could be at least £41.140m. The report also noted that there was a high degree of uncertainty to the forecast and that updates on income and expenditure associated with the scheme would be shared through the Council's quarterly financial reporting.
- 3.9 The report also noted that as new data about the operation of the scheme became available and the underpinning assumptions in the business model were updated further updates to the forecast of net surplus revenues arising from the scheme would be shared with the Council's Cabinet.
- 3.10 In FY2021/22 the scheme generated net surplus revenues of £25.604m. The latest estimate (as at period 7 (P7)) of net surplus revenues for the current financial year is £25.072m, which means that by the end of FY2022/23 the scheme is likely to generate £50.676m of net surplus revenues.

ACTUAL AND FORECAST REVENUES THROUGH TO THE END OF 2022/23			
	Actual	Forecast	Combined Actual & Forecast
	21/22	22/23	21/22 & 22/23
	£000	£000	£000
CAZ Gross Income	(33,508)	(37,402)	(70,910)
Sinking Fund (General)	0	167	167
Central Service Costs	4,316	9,571	13,887
Operating Costs (including Admin)	3,588	2,592	6,180
Net Revenue	(25,604)	(25,072)	(50,676)

- 3.11 Cabinet has previously approved the allocation of net surplus revenues to projects and schemes that support the high-level spending objectives of the scheme with a combined total of £43.900m.

PRIORITY	NON-CAZ PROJECTS	£000
1	Hydrogen Buses	3.289
2	City Centre Pedestrianisation / City Centre Public Realm	15.478
3	Electric / Plug-in Hybrid Vehicles Running Costs (M2c)	1.000
4	University Station	3.400
5	Camp Hill Line Rail Stations	5.218
6	Cross-City Bus Scheme	4.225
7	Pinch Points City Council Match Funding from CAZ	1.500
8	Clean Air City Fund (£20k per Ward)	1.480
9	Clean Air City Fund (£40k for 2 Member Wards)	2.560
10	Transport & Environment CAZ Programme	5.250
11	Transformational Transport Plans up to 2050	500
Total of Non-CAZ Spending Proposals		43.900

- 3.12 The availability of actual operational data from the scheme has helped address some of the uncertainty in the financial model, as highlighted in previous reports to Cabinet. However, there remains a certain amount of volatility around the rate at which revenues from the daily and penalty charge notices will decline over time.
- 3.13 On that basis, the forecast of net surplus revenues over the remaining planned life of the scheme is as per the forecast shared with Cabinet on 19 January 2021.

FORECAST REVENUES THROUGH TO THE PLANNED END OF THE SCHEME (AS AT 19 JAN 2021)					
	Total Forecast as per Cabinet Report 19.01.2021	Total Forecast as per Cabinet Report 19.01.2021	Total Forecast as per Cabinet Report 19.01.2021	Total Forecast as per Cabinet Report 19.01.2021	Total Forecast as per Cabinet Report 19.01.2021
	23/24 £000	24/25 £000	25/26 £000	26/27 £000	Total £000
CAZ Gross Income	(18,697)	(14,343)	(10,572)	(8,552)	(52,164)
Sinking Fund (General)	167	167	167	167	668
Central Service Costs	3,139	2,430	1,812	1,466	8,847
Operating Costs (including Admin)	3,525	3,243	2,990	2,654	12,412
Net Revenue	(11,866)	(8,503)	(5,603)	(4,265)	(30,237)
Adjustment (Percentage)	65%	65%	65%	65%	65%
Net Revenue	(7,713)	(5,527)	(3,642)	(2,772)	(19,654)

- 3.14 On the basis that net surplus revenues through to the end of FY2022/23 are estimated to fully support the current approved allocations and that forecast net surplus revenues between FY2023/24 to FY2026/27 could be at least £19.654m, the Assistant Director, Transport and Connectivity and Cabinet Member for Transport (in line with the delegated authority from the 19 January 2021 report to Cabinet) are recommending the prioritisation of the following additional uses of net surplus revenues, should they be realised.

3.15 These latest proposals are in line with the high-level spending objectives as set out in the Birmingham Clean Air Zone Charging Order 2021 (26 April 2021) and align with the high-level priorities set out in the Brum Breathes Clean Air Strategy (January 2022), which are to:

- Improve the fleet
- Improve the flow
- Reduce the volume
- Reduce sources and exposure
- Empower behaviour change

3.16 The proposed allocations are to provide:

3.16.1 Funding to support the completion or accelerate delivery of projects linked to the latest version of the Birmingham Transport plan – especially those schemes that support active travel and the adoption of public transport. The total allocation of funding to these projects is up to £8.250m.

3.16.2 The specific schemes/projects are:

- City centre traffic cells (implementation of physical measures – including the development of an updated, supporting network signage strategy): £3.000m
- Places for People delivery (Kings Heath and Bournville): contribution to complete delivery and match funding to initiate project: £3.000m
- Enhancements to the active travel fund (tranche 2) schemes: £1.250m
- Measures that support the management of travel demand - expansion of support to workplace travel planning and support delivery of resident parking scheme outside of the CAZ (e.g. Selly Oak): (£1.000m)

3.16.3 Funding to incentivise the use of more active modes of travel (for example bike use) and public transport (more specifically bus use). The funding for this would be up to £3.000m over the next two financial years.

3.16.4 Funding to support the work programme of the Council's Route to Zero team (up to £2.000m) over two financial years. There are clear co-benefits to be achieved through the work to reduce the level of air pollutants from road traffic and an overall reduction in carbon emissions from this source.

ADDITIONAL ALLOCATIONS	£000
City centre traffic cells implementation	3.000
Places for people delivery (Kings Heath and Bournville)	3.000
Active Travel Fund enhancement (Tranche 2)	1.250
Measures that support the management of travel demand	1.000
Incentivisation of active travel and public transport	3.000
Support for the operations of the Route to Zero team	2.000
TOTAL	13.250

- 3.17 It should be noted that this report is exempt from the need for an environment and sustainability assessment on the basis that the report is financial and the use of the revenues would be in support of schemes/projects that would have their own assessment(s).

4 Options considered and Recommended Proposal

- 4.1 **Option 1 – Do Nothing:** This alternative option to implementing recommendations 2.1 to 2.5 would result in the loss of an opportunity to make use of net surplus CAZ revenues in line with the purpose and priorities as defined in the Birmingham Clean Air Zone Charging Order (26 April 2021).
- 4.2 **Option 2 – Use the net surplus revenues as proposed:** the utilisation of net surplus revenues from the scheme is in line with the high-level spending objectives set out in the Birmingham Clean Air Zone Charging Order, Birmingham Transport Plan and Brum Breathes Clean Air Strategy so support the objective of improved air quality across the city.
- 4.3 Based upon the assessment of the two options presented it is recommended that option 2 be taken forward.

5 Consultation

- 5.1 An appropriate level of external consultation for individual schemes will be undertaken in accordance with existing practice including ward councillors, residents, emergency services, schools, businesses, WMCA/TfWM and special interest groups e.g. cycling groups. Consultation will also be undertaken with Sutton Town Council and New Frankley in Birmingham Parish Council where appropriate.

6 Risk Management

- 6.1 Key risks will be defined in the full business case for each of the proposed uses. However, it should be noted that a significant shortage of consultant and contractor resources in the marketplace could impact upon programme delivery and increase project costs for some of the proposed allocations. Such risks will

be managed by senior Transportation and Highways officers in conjunction with the relevant portfolio holders.

7 Compliance Issues:

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

- 7.1.1 The recommendations in this report are consistent with City Council's key policies and priorities as set out in the City Council Plan and Budget 2021-25, Birmingham Connected transport strategy, Birmingham Transport Plan, Local Walking and Cycling Strategy and Infrastructure Plan, and Clean Air/Climate Change Emergency including the Route to Zero

7.2 Legal Implications

- 7.2.1 The Secretary of State for the Department of Environment, Food and Rural Affairs issued a Ministerial Direction in March 2019 which required that the Council implement its plans so that compliance within the legal limit value for Nitrogen Dioxide is achieved in the shortest possible time. The Council remains subject to this Direction.
- 7.2.2 The requirement of air quality compliance was imposed upon the UK by the EU Ambient Air Quality Directive(b) and upon the Council by the Environment Act 1995 (Birmingham City Council) Air Quality Direction 2019
- 7.2.3 The Clean Air Zone has been introduced pursuant to the Transport Act 2000. A Charging Order has been produced and published on 26 April 2021. This order provides the legal basis for the operation and enforcement of the Clean Air Zone. The legislation used to create the Clean Air Zone also sets out the uses of revenues raised through the scheme.

7.3 Financial Implications

- 7.3.1 The forecast of net surplus revenues shared with Cabinet on 19 January 2021 estimated a range of £41.140m to £63.292m over the planned lifetime of the scheme.
- 7.3.2 The lower end of this range was based on the application of an 'adjustment' factor (65%) to the forecast of net surplus revenues. The application of this adjustment factor was to ensure a consistency of approach to that taken with the financial modelling used to inform the Full Business Case (FBC) and to apply a level of prudence when allocating net surplus revenues to prioritised projects.
- 7.3.3 Revenues from the CAZ are generated from two sources. The first of these is the daily fee that applies to a journey through the zone in a vehicle that does not meet the emission standards of the zone and a valid exemption is

not in place. The other source of revenue is the penalty charge that applies for non-payment of the relevant daily fee.

- 7.3.4 The original FBC for the CAZ assumed that 95% of the people who should pay the daily fee would do so within the 13-day payment window. The actual current payment rate is just above 80%. On this basis the volume of PCNs issued has been higher than assumed in the original FBC.
- 7.3.5 The rate of payment of the daily fee has increased since the introduction of the scheme and is expected to continue to increase over time as the scheme matures.
- 7.3.6 The increase in the payment rate is contrasted with a reduction in the percentage of vehicles that are subject to the daily fee. At the launch of the scheme 15.2% of all unique vehicles that entered the zone were subject to the charge. This percentage had reduced to 7.5% at the end of September 2022.
- 7.3.7 The net effect of these two factors is that revenues arising from the daily fee have been relatively flat for the last six months.
- 7.3.8 The volume of PCNs issued has been higher than assumed in the original business case however, the volume of PCNs issued month on month has reduced by 55% since July 2021 when 112,772 PCNs were issued.
- 7.3.9 The original FBC also assumed that revenues generated from a PCN would be fully recovered shortly after the PCN was issued. However, on average, 20% of PCNs are paid within the month they are issued. This increases to, on average, 53% in the fifth month after issue and then continues to increase over time. For example, the current payment rate for PCNs issued in June 2021 is 70.2% and for PCNs issued in July 2021 the payment rate is 66.9%.
- 7.3.10 On that basis while revenue from this source is higher than originally assumed the full recovery of revenue from PCNs is also taking longer than assumed within the FBC. However, this extended timescale does reflect the various statutory opportunities for appeal or challenge.
- 7.3.11 The availability of this operational data has helped to address some of the uncertainty within the Income and Expenditure (I&E) model used in the FBC, especially as it related to the rate at which vehicle compliance may change.
- 7.3.12 It should be noted that revenues from the daily fee and PCNs are still expected to reduce over time as fewer 'non-compliant' vehicles enter the zone.

7.4 Procurement Implications

- 7.5 There are no procurement implications with the recommendations in this report. Approval of any procurement activity arising from the recommendations in this report will be in accordance with the Council's governance procedures.

7.6 Human Resources implications

- 7.6.1 In order to support the establishment of the proposed projects it is envisaged that additional project delivery officers may be required. Any requirements above and beyond the existing resource within the Transport and Connectivity and Highways services will be highlighted in the relevant full business case and we will work with the directorate's People Partner to ensure that we comply with our council's policies and procedures.

7.7 Public Sector Equality Duty

- 7.7.1 Under Section 149 of the Equality Act 2010 the Council has a statutory duty to have due regard to the need to eliminate discrimination and advance equality of opportunity by ensuring that no dis-benefits are introduced to any persons who share a protected characteristic. The CAZ scheme has an impact on a variety of aspects including the health and well-being and financial capacity of those working, living and visiting the city. The scheme also has an impact upon air quality, congestion, ease of travel within the city and also the capacity of the city's roads which may see an increased volume of traffic in some areas. As such, an Integrated Impact Assessment (IIA) has been undertaken during the feasibility phase which consists of an Equality Impact Assessment (EIA) and a Health Impact Assessment (HIA). As described below:

- **Equality Impact Assessment:** the purpose of this piece of work is to assess the impacts to the various socio-economic groups which inhabit the city. The assessment shows that the largest impact will be to lower income families and those with disabilities. As part of the CAZ programme a number of mitigation measures have been developed which aim to reduce the impact on the people who fall into these groups.
- **Health Impact Assessment:** the purpose of this piece of work assesses the implications of introducing the various schemes on the health and wellbeing of those people who live, work and visit the city, highlighting the particular impacts on identified vulnerable groups such as, children and disabled people. The output of this assessment showed that the overall health impact would be positive, with areas of high-income deprivation benefitting most. This is partly due to the improvement in vehicle emissions and the indirect benefits of the modal shift towards active travel.

- 7.7.2 Equality Assessment (EQUA210) is provided as Appendix A. This document is being kept under review.

8 Appendices

- Appendix A: Equality Assessment

9 Background Documents

- Birmingham Clean Air Zone Submission of Full Business Case and Request to Proceed with Implementation, Cabinet Report 11 December 2018. CMIS Reference 005939/2018
- Tackling Air Quality in Birmingham - Clean Air Zone – Submission of Business Case to Government, Cabinet Report 10 September 2018. CMIS Reference 005425/2018 Page 18 of 18
- Clean Air Zone Charging Order and Indicative Allocation of Net Proceeds Report, Cabinet Report 25 June 2019. CMIS Reference 006457/2019.
- Birmingham Clean Air Zone (CAZ) Update to Cabinet on Digital and Physical Infrastructure Development, Air Quality Monitoring, and Income and Expenditure Forecast, Cabinet Report 19 January 2021. CMIS Reference 008212/2020
- Birmingham Transport Plan, Cabinet Report 12 October 2021. CMIS Reference: 008947/2021
- Approval of Route to Zero next stage business case: 12 October 2021. CMIS Reference: 008305/2021
- Brum Breathes Clean Air Strategy

Title of proposed EIA	Birmingham Clean Air Zone submission of FBC and request to proceed with implementation
Reference No	EQUA210
EA is in support of	New Function
Review Frequency	Annually
Date of first review	01/12/2022
Directorate	Inclusive Growth
Division	Transport and Connectivity
Service Area	Clean Air Zone Team
Responsible Officer(s)	<input type="checkbox"/> Stephen Arnold
Quality Control Officer(s)	<input type="checkbox"/> Jaswinder Gandham
Accountable Officer(s)	<input type="checkbox"/> Stephen Arnold
Purpose of proposal	To proceed with implementation of Birmingham Clean Air Zone, aligned to the Full Business Case
Data sources	Survey(s); Consultation Results; Interviews; relevant reports/strategies; Statistical Database (please specify); relevant research; Other (please specify)
Please include any other sources of data	Distributional Impact Appraisal (DIA), Health Impact Assessment (HIA)

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

Protected characteristic: Age	Service Users / Stakeholders; Employees; Wider Community
Age details:	<p>Children, young people and the elderly can be more vulnerable to air pollution and would be more likely to adversely affected by any reduction in the availability of community transport servicing schools and community centres within the CAZ. Self evidently such groups are far more reliant on public transport than the general population. They could also be adversely affected by the increased cost of community transport particularly if this prevented them accessing schools and community centres within the CAZ, or if it prevented families of patients at Birmingham Children's Hospital from visiting them during their stay.</p> <p>A high proportion of elderly people have limited mobility and therefore could be adversely affected by implementation of the CAZ if it were to result in the reduction in availability of community transport and taxis, and also the potential increase in cost of community transport and private vehicle travel.</p> <p>A Defra commissioned study in 2006 showed that there is a tendency for higher relative mean annual concentrations of NO₂ and PM10 in the most deprived areas of the country. In areas which exceed emissions standards, the correlation is stronger. The most vulnerable human receptors include young people and the elderly. A report published by the Royal College of Physicians finds that children living in high pollution areas are four times more likely to have reduced lung function when they become adults (Royal College of Physicians, 2016.).</p>

age of 65 by 2021 relative to distribution across England and Wales and there is no variation in the proportion of people over the age of 65 within the CAZ. The areas with greater proportions of elderly people are in the Sutton Coldfield area in the northern part of Birmingham and the Northfield/Selly Oak areas to the south. This suggests that the elderly population is unlikely to be disproportionately affected by changes incurred within the CAZ.

Where transport is not provided by the school or local authority, then there could be a differential adverse impact on children attending special educational needs schools if the introduction of the CAZ discourages or prevents families from accessing these schools. However, based on School Travel Plan monitoring within the CAZ area the level of trips to school by non-car modes is generally quite high.

There are also several community centres within the CAZ that have been identified as providing services used principally by children and which may require transport to and from the premises. These include St Martin's Youth Centre and community centres associated with schools in the CAZ area such as Al-Rasool School and St George's Academy

Community transport vehicles are typically older and liable to incur the CAZ charge. As community centres are typically funded either partially or fully by charitable donations, they are unlikely to have sufficient cash reserves to upgrade to a compliant vehicle. Therefore, they may have to either increase the cost or reduce the availability of their travel services as a result of the CAZ charge. This would have a differential adverse impact on children using these services.

BCC Procurement contracts for SEN and Community transport specify the requirement for CAZ compliant vehicles no sooner than July 2020.

However, where Community and School transport is registered as section 19 or section 22 for operation in Birmingham and not reistered as a Hackney Carriage or Private Hire Vehicle they will be exempt from the CAZ charges for 1 year.

Birmingham Licenced taxis that undertake BCC SEN and Community transport services or any other BCC transport contracts are excluded from exemption, as they are already required to be CAZ compliant from January 2020 in order to meet the Birmingham Licensing Authority policy criteria. Likewise, any other external Local Authority licensed taxi vehicle used to service a contract procured by BCC to deliver SEN and Community Transport (whether section 19 or other) would need to meet CAZ compliance standards of Euro 6 diesel or Euro 4 petrol as a minimum.

All facilities of importance within the air quality modelling area for the preferred CAZ option would experience a decrease in NO₂ concentrations to some degree. The degree of increase or decrease in NO₂ concentrations has been modelled to show impacts following implementation of the preferred CAZ option relative to locations of facilities of importance to children as described above. The greatest decreases in average NO₂ concentrations are generally seen within the CAZ areas itself and surrounding major arterial

roads as they extend out of the CAZ, which is also where average NO₂ concentrations are highest under the Do Minimum scenario.

By introducing exemptions, the residual effect is anticipated to be neutral as affected vehicles would be exempted.

Protected characteristic: Disability

Disability details:

Service Users / Stakeholders; Employees; Wider Community

The presence of a higher disability ratio may indicate a higher proportion of people sensitive to air quality due to some long term illnesses (especially respiratory). The disabled are also more likely to have concerns over personal security, i.e. more reluctant to travel via taxi or public transport and will therefore be more heavily reliant on private transport.

The CAZ includes areas where there are a high proportion of disabled residents based on the comparative illness and disability ratio component of the Index of Multiple Deprivation. The central north section as well as the southern west part of the CAZ includes the highest proportion of disabled residents in the CAZ. There is only a small section within the centre with a low proportion of disabled residents.

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 official labour market statistics state that the total number of people claiming disability living allowance in Birmingham is 43,920 (approximately 4% of the population).

The population of the young, the old and disabled exhibit a higher proportion of persons who are more sensitive to poor AQ are known to be more sensitive to poor air quality and the implementation of the Clean Air Zone will have positive impacts for those in the CAZ area and the wider city.

There are a number of exemptions and mitigations which will be available to support disabled people who live or need to travel into the Clean Air Zone and who would be adversely affected by the charges. These will be specifically targeted towards CAZ residents, low income groups and those visiting specified medical facilities.

Vans and mini buses registered as providing essential community and school transport services and those classified as section 19 or section 22 operators in Birmingham will also be exempt for 1 year from the date of CAZ implementation.

The reliance on Wheelchair Accessible Hackney Carriages is also noted and proposals to support the uptake of compliant models of these vehicles is also proposed to ensure the continued availability of this service..

Vehicles within the disabled passenger vehicle tax class will be exempt from paying a charge in a Clean Air Zone. As noted vehicles registered as providing essential community and school transport classified as section 19/22 operators in Birmingham will also be exempt for 1 year from the date of CAZ implementation.

Protected characteristic: Sex

Service Users / Stakeholders; Employees; Wider Community

Gender details:

There is a very low proportion of female residents throughout the majority of the CAZ. There is a higher proportion of female residents in a small section in the southern part of the CAZ (Digbeth area) and one area, north east of the centre which includes a high proportion of female residents. This is in the vicinity of the Birmingham Children's Hospital and the high proportion of female residents is assumed to be due to the presence of key worker accommodation on the hospital site. Much of the remaining CAZ area has a low proportion of female residents by LSOA relative to distribution across England and Wales.

Notwithstanding the above, the DIA has identified that there could be a disproportionate and differential impact on women, who as a group are more frequent users of taxis and have a more negative perception or experience of alternative modes of public transport and active travel modes (walking and cycling).

Specific mitigation measures are not being proposed on the basis of gender. However a number of the mitigation measures being proposed will serve an indirect benefit to women; the mitigation for taxis, PHV etc would help mitigate potential impacts on women by maintaining availability of taxis and PHV. Also, exemptions for CAZ workers likely to benefit women, who are disproportionately represented in these roles (nursing, care workers etc).

Protected characteristics: Gender Reassignment

Service Users / Stakeholders; Employees; Wider Community

Gender reassignment details:

The DIA notes that "There are potential differential impacts on security [in relation to people with gender reassignment] as a consequence of some public attitudes which may affect transport preferences. However, the scale of this issue is not known and based on anecdotal evidence."

It was difficult to find sufficient evidence or studies to provide robust research on this. However it is considered that people with this protected characteristic are more likely to experience, or be concerned about, antisocial behaviour or hostility towards them which may influence whether they are comfortable using public transport or would be more likely to use taxis or own vehicles.

By assumption, therefore, any reduction in PHV and taxis may adversely affect people with this protected characteristic, so the mitigation measures to support the PHV and taxis are beneficial to gender reassignment by helping to ensure that people do not leave the taxi and PHV businesses, therefore ensuring the continued availability of this form of transport for people who do not feel safe using public transport.

Protected characteristics: Marriage and Civil Partnership

Not Applicable

Marriage and civil partnership details:

It is not considered that the introduction of a CAZ will negatively impact individuals who are married or in a civil partnership.

Protected characteristics: Pregnancy and Maternity

Service Users / Stakeholders; Employees; Wider Community

Pregnancy and maternity details:

There are health inequalities associated with pregnancy and

There are health inequalities associated with pregnancy and air quality. The DIA notes that there is emerging evidence on the links between high levels of emissions and effects on the unborn child. Evidence shows that air pollution can affect the growth of the unborn baby and may be linked to premature birth or even still birth. It is estimated that traffic-related air pollution exposure (particularly exposure to PM) of pregnant women accounts for more than one-fifth of all cases of low birth weight at term. Low birth weight is associated with low lung function, COPD, cardiovascular disease and early death in adulthood. Air pollution can also harm placental development, which affects the development of the unborn child and has been associated with several chronic diseases, including heart disease, obesity and type 2 diabetes. Poor foetal growth is linked to abnormal development of the kidneys, and to hypertension and kidney disease in later life.

It is thought that the introduction of a Clean Air Zone will have a positive impact to pregnant women and those on maternity leave with small children.

A specific mitigation measure is not proposed for this group, however, it is noted that there are potential impacts related to accessibility to key facilities e.g. the Children's Hospital and specific mitigation measures to support visitors and patients are proposed.

Protected characteristics: Race

Race details:

Service Users / Stakeholders; Employees; Wider Community

Compared to England and Wales, much of Birmingham has a high proportion of its population that identifies as Black, Asian and Minority Ethnic (BAME). There is a generally high concentration of Birmingham's BAME population to be within the central part of Birmingham, with the highest concentrations to the east (Hockley, Winson Green and Handsworth areas) and west of the CAZ (Sparkbrook, Small Heath and Bordesley Green areas). The areas with the lowest proportion of BAME population are the Sutton Coldfield area in the northern part of Birmingham and the Northfield/Selly Oak areas to the south, but these still comprise populations in the top 40% proportion of BAME population compared to England and Wales as a whole.

There are however high proportions of LSOAs within the CAZ with high levels of income deprivation and BAME communities. Key issues are therefore likely to relate to travel within the CAZ and the proportion of residents within the CAZ that have non-compliant vehicles who would not be able to avoid the zone.

The DIA notes that the impact on the taxi trade could have consequential impacts for BAME and low income communities, since a very high proportion of taxi drivers are from communities with high proportion of non-white residents and income deprived residents. Since taxis in Birmingham are all wheelchair accessible, whereas currently none of the private hire taxis are, a reduction in this type of vehicle will have an adverse impact on disabled people who may depend on them for access.

As such, a number of mitigation measures being proposed are targeted at providing support for drivers of both Hackney Carriages and Private Hire Vehicles as detailed in the initial

There would be an overall beneficial health impact within the study area under the preferred CAZ option and all other options, however, the magnitude of benefit would be greatest under the preferred CAZ option. When income distribution is considered relative to England and Wales, residents of those LSOAs which fall within quintile one for income deprivation would experience a disproportionately greater amount of the benefits associated with reductions in atmospheric concentrations of all three pollutant types (NO₂, PM₁₀ and PM_{2.5}) than those within less deprived quintiles.

Service Users / Stakeholders; Employees; Wider Community

According to the 2011 census, Christianity was the highest represented religion in Birmingham with 46% of residents saying they were Christian. Whilst 22% of the population was Muslim and 19% had no religious beliefs.

The majority of people classifying themselves in one of the White or Black ethnic groups said that they were Christian, whereas the Muslim community was predominantly made up from the Asian population. In general, the Muslim population are concentrated closer to the city centre area with the Christian group generally further out towards the council boundary.

Within the proposed CAZ area there are 30 registered places of worship, including Roman Catholic, Presbyterian, Church of England, Greek Orthodox Churches, Synagogues, Mosques and Sikh Temples. Most are of a size that suggests their catchment is highly localised. However, Birmingham Central Mosque is an exception with a capacity of 20,000 and regularly attracts more than 4,000 worshippers for Friday services, suggesting that it attracts a significant number of visits from outside the CAZ area on a regular basis. Other places of worship with a significantly larger than average capacity (greater than 500 spaces) within the CAZ area include the Anglican, Greek Orthodox and Catholic Cathedrals, Camp Hill Seventh Day Church, Ladywood Seventh Day Adventist Church and Birmingham City Church.

The DIA includes an analysis of the distribution of different faith populations across Birmingham. This did not indicate any pronounced issues regarding the distribution of populations and the CAZ. Therefore the analysis looked more closely at the location of large places of worship that would require people to travel across the CAZ boundary.

Mitigation measures are not being proposed specifically for faith groups as there is no direct correlation between religion and ability to comply with the requirements of the Clean Air Zone.

Further measures to work with faith and community groups on travel planning is also included within the proposed mitigations.

Not Applicable

It is not considered that the CAZ scheme is likely to disadvantage individuals based on their sexual orientation.

However, similar to gender reassignment, any reduction in PHV and taxis may adversely affect people with this protected characteristic, so the mitigation measures to support the PHV and taxis are beneficial by helping to ensure that people do not leave the taxi and PHV businesses, therefore ensuring the continued availability of this form of transport for people who do not feel safe using public transport.

Socio-economic impacts

Please indicate any actions arising from completing this screening exercise.

The mitigations and exemption packages are detailed in the Initial Equality Impact assessment below.

Please indicate whether a full impact assessment is recommended

YES

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

A Distributional Impact Appraisal and a Health Impact Assessment were completed as detailed in the Initial Equality Impact Assessment below. The attached document should be read together with this EIA.

Consultation analysis

A public consultation on the Clean Air Zone proposals was launched on Wednesday 4th July 2018 and ran for 6 weeks until Friday 17th August 2018.

The consultation questionnaire asked for details about the respondents so we would be able to know how well people with each protected characteristic were represented among the respondents. The consultation report (published as part of the report to Cabinet on September 10th 2018) provided an overview of the of the overall demographics of those who responded compared to the general population. This suggested favourable levels of engagement from different communities across the city.

The aim of the consultation process was to seek feedback from individuals and organisations on the proposals for a Class D Clean Air Zone (CAZ) for Birmingham. Specifically identifying:

- Feedback and thoughts on all aspects of the CAZ proposals (including the principle of the proposals);
- Develop a better understanding of the impact that the proposals would have on individuals and organisations;
- What support/mitigation is needed for particular groups of people/organisations; and
- Suggestions for any further measures which were not included.

A programme of engagement which has taken place during 2019 is shown below.

Date	Event	Background	Event type
20/6/2019	Clean Air Day event at Birmingham Cathedral	Market-place event in St. Philip's Cathedral grounds, Colmore Row. BCC stall to present communities with Clean Air Zone Information.	Community fair

Sunday 19 August 2018	Lord Mayor's Show	Information stand at Cannon Hill Park with 2 volunteers. spoke to 95 individuals, main interest checking vehicle registrations.	Community Engagement
Saturday 25th, Sunday 26th May 2019	Birmingham Pride	Stand held at Birmingham Pride to give people information and guidance on the Clean Air Zone and how to prepare	Community Engagement
Sunday 28th July 2019	Big John's Mela	Stand held at Big John's community mela event to give people information and guidance on the Clean Air Zone	Community Engagement
02/05/2019	CAZ Business Event	Series of events for businesses and organisation to find out latest information about the CAZ and additional support available to them to prepare.	Business Engagement
04/06/2019	CAZ Business Event	-	Business Engagement
18/06/2019	CAZ Business Event	-	Business Engagement
02/07/2019	CAZ Business Event	-	Business Engagement
21/06/2019	Shabana Mahmood MP visit	Nelson Primary School	Community Engagement
05/07/2019	Shabana Mahmood MP visit	Chandos Primary School	Community Engagement

12/07/2019	Shabana Mahmood MP visit	Drop-in St Matthew's CE Primary School	Community Engagement
19/07/2019	Shabana Mahmood MP visit	St Luke's Church	Community Engagement
02/10/2019	Chamber of commerce breakfast briefing	Chamber of Commerce breakfast briefing to member about developments within Brum Breathes. Specifically, the CAZ. Presentations by Cllr Zaffar and Steve Arnold.	Business Engagement
10/10/2019	Fleet operators and HGV's Clean Air Roadshow	Motor Transport is hosting a second Birmingham Clean Air Roadshow on 10 October to provide vital information and support to HGV and van operators ahead of the city's Clean Air Zone rollout by July 2020.	Business Engagement
21/11/2019	Sandwell workshop	Working together with Sandwell to address air quality and understand the impact of the work we are delivering and the changes we are making, with particular reference to air quality hotspots. Agenda includes a presentation on the Sandwell Change and Air Quality Action Plan	Business Engagement

		and also and update from Birmingham on Air Quality Monitoring and Evaluation.	
22/10/2019	West Midlands Transport Conference		Business Engagement
23/10/2019	World Air Quality Conference 2019	World Air Quality conference at London City Hall	Business Engagement
24/10/2019	TOA taxis chairman meeting	Meeting with chairman of TOA taxis to discuss concerns and forward planning of support packages for the taxi community	Business Engagement
24/10/2019	City centre strategy board	Presentation of CAZ plans at the next City Centre strategy board	Business Engagement
26/10/2019	Birmingham Hebrew Congregation presentation	Presentation and briefing at Birmingham Hebrew Congregation to the community about Brum Breathes and the Clean Air Zone plans	Community Engagement
05/11/2019	Members marketplace	An opportunity to share information about the CAZ - next steps etc.	Community Engagement
06/11/2019	Economy and Skills committee	Steve to present support for businesses package at committee	Briefing event
11/11/2019	Birmingham Advanced Motorists	CAZ presentation	Community Engagement
20/11/2019	Birchfield Ward meeting		Community Engagement

02/12/2019	Budget consultation - business rate payers		Community Engagement
18/12/2019	Public Budget consultation		Community Engagement

Adverse impact on any people with protected characteristics.

As detailed within each characteristic analysis.

Could the policy/proposal be modified to reduce or eliminate any adverse impact?

The mitigations and exemption packages are detailed in the Initial Equality Impact assessment below.

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

The City Council propose to undertake some qualitative monitoring and evaluation of travel behaviours to understand the impacts of the mitigation measures and exemptions and help to interpret and explain the findings from the traffic monitoring and air quality. The proposed method for doing so is by commissioning a consultant, research group or university team via a competitive tendering process to undertake a Cohort Study. The Cohort Study would be recruited through targeted sampling of people eligible for the mitigation measures and exemptions as well as some general population sampling to assess the impact of the CAZ on different groups, and provide a comparison to understand the additional impact that the mitigation and exemption measures have on travel behaviour.

What data is required in the future?

To be determined by the Cohort Study as detailed above.

Are there any adverse impacts on any particular group(s)

Yes

If yes, please explain your reasons for going ahead.

As detailed in the Initial Equality Impact Assessment below.

Initial equality impact assessment of your proposal

Birmingham City Council has a duty under S149 of the Equalities Act to pay due regard to the need to eliminate discrimination, harassment and victimisation and to ensure an equality of opportunity to those who share a protected characteristic and those who don't. Additionally the City Council has a duty to foster good relations between persons who share relevant protected characteristics and those who don't. The authority must give proper regard to all the goals in Section 149 of the Equalities Act in the context of the function that it is exercising, and at the same time, pay regard to any countervailing factors which, in the context of the function being exercised, it is proper and reasonable for the authority to consider.

As such, Birmingham City Council has commissioned a distributional impact appraisal, together with a health impact assessment, to identify how the impacts of a proposed Clean Air Zone (CAZ) would be distributed across Birmingham's diverse population and business communities. These impacts include positive health benefits as well as financial impacts. The outputs of this work together with responses received as part of the consultation have been used to develop a package of measures to reduce the impact on individuals and businesses most likely to be adversely impacted by the Clean Air Zone proposals.

Social and Equality Impacts

Income deprivation has been considered at lower super output level (LSOA)¹ relative to England and Wales, and relative to Birmingham. Compared to England and Wales as a whole, there are high levels of income deprivation within the CAZ and Birmingham in general. Owners of non-compliant vehicles resident within the CAZ and in close proximity to the CAZ (such as Nechells, Aston, Perry Barr, Tyburn, Soho and Sparkbrook) are potentially the worst affected financially by the proposed scheme, as due to their geographical location they would be least able to avoid entering and exiting the CAZ for everyday car journeys. There is a higher rate of non-compliant cars associated with areas of income deprivation. It should also be noted that there is a relatively high proportion of households within the CAZ that have no access to a car. The adverse impacts therefore would be distributed among those households that are dependent on car use and which have non-compliant vehicles. It is notable that low income households across Birmingham are also among those who would benefit most from the effects of the CAZ in terms of reduced journey times and reduced petrol consumption due to reduced congestion around the city centre as well as from the health benefits of the proposed scheme.

Other social groups potentially adversely affected by the CAZ proposals would be those dependent on community transport and taxis, as without mitigation these forms of transport could be adversely affected to the extent that their availability decreases (see below). People vulnerable to these impacts would include the disabled, the elderly, women and children. There are some key community facilities within the CAZ whose users could be adversely affected by the combination of CAZ charges and parking charges. Examples include staff and families of children who are patients of the Birmingham Children's Hospital, and congregants of those larger or more unique places of worship within the CAZ. Exemption will be offered to visitors of select medical facilities within the CAZ however it is not possible to provide mitigation to cover all key community facilities without adversely affecting the rate of achieving compliance. Visitors to community facilities are not provided for under the package of mitigation measures and exemptions therefore individuals will be required to plan their travel appropriately.

Business Impacts

The analysis has shown that some transport dependent businesses are more likely to have compliant fleets than others and so the impact of the CAZ would be distributed unequally across businesses. Taxi businesses would be faced with high upfront costs and few choices of response to the CAZ. Other types of business less able to afford the impacts of the CAZ appear to be private hire taxi companies, van companies with fleets that are owned by individuals rather than registered to the company, and SME HGV operators. A very high proportion of businesses within the CAZ are SMEs. Since all would be dependent on transport to some extent, any increase in costs from their suppliers as a result of entering the CAZ are likely to be passed on to these

businesses, who in general would have less capacity to cope with increased costs than larger businesses. A number of the mitigation measures and exemptions are targeted at SMEs, Commercial Vehicle Fleets, taxis and private hire taxi companies to ensure that they are catered for and the impact is minimised.

Health Impacts

Health impacts would result from the reduction in air pollutants (particularly NO₂ and fine particles (PM₁₀ and PM_{2.5}) as well as behavioural changes from switching to active modes of transport (walking and cycling) and improved environmental conditions. Analysis has shown that income deprived communities would proportionately receive higher health benefits than the population as a whole, meaning that the CAZ would help address a health inequality associated with the more deprived communities typically being exposed to more air pollution. Spatial analysis of where the main air quality changes would occur have shown that there would be a 26% improvement in NO₂ pollution concentrations around schools and nurseries which are currently within the areas at greater risk of illegal levels of air pollution.

One of the aims of the CAZ is to nudge behavioural change, so that people use more active modes of travel where they can. Although it is not possible to quantify the likely level of change of the CAZ, across a population the increase in physical activity could contribute to significant improvements in overall public health.

Mitigation

The City Council has paid due regard to the need to achieve the goals set out in the Equalities Act (see above), and where there is risk of an adverse impact to a protective group, this has been identified and considered in the development of the mitigation measures and exemptions. A targeted package of mitigation measures and exemptions has been developed to ensure that those impacted are catered for where possible and that the City Council's duties under the Equality Act are fulfilled. The mitigation measures and exemptions are set out below.

Mitigation Measures:

- M1a - CAZ workers earning less than 30k pa. Scrappage scheme and/or mobility credit.
- M2a - Hackney carriage support package;
- M2b - Council Hackney Carriage rental scheme;
- M2c - Private hire vehicle upgrade support;
- M4 - HGV & Coach compliance fund;
- M5 - Marketing and engagement campaign.

Exemptions:

- Commercial vehicles registered within the CAZ will receive a 1 year exemption from date of CAZ commencement (max 2 vehicles per company);
- Commercial vehicles with a pre-existing finance agreement beyond 2020 registered within the CAZ will

receive 1 year exemption from date of CAZ commencement (max 2 vehicles per company);

- Residents of the CAZ - Individuals with non-compliant vehicles registered in the CAZ will be exempted for 2 years from date of CAZ commencement;
- Individuals with a non-complicant vehicle travelling into the CAZ regularly for work and earning less than £30k pa will be exempt upon successful application for 1 year from date of CAZ commencement;
- Visitors to select medical facilities within the CAZ will be exempt for the duration of their stay within 1 year from date of CAZ commencement; and
- Vans and mini buses registered as providing essential community and school transport services and those classified as section 19/22 operators in Birmingham will be exempt for 1 year from date of CAZ commencement.
- Vehicles with disabled passenger tax class.
- Specialist Vehicles (Emergency Service Vehicles, Historic Vehicles, Military Vehicles, Agricultural or Similar Vehicles, Recovery Vehicles, Showman's Vehicles, Special Vehicles

Temporary Non-Chargeables:

- Taxis awaiting retrofit.
- Commercial Vehicles awaiting retrofit.

Consulted People or Groups

As detailed under Consultation Analysis

Informed People or Groups

As detailed under Consultation Analysis

Summary and evidence of findings from your EIA

The impacts of introducing a Clean Air Zone include positive health benefits as well as financial impacts. Financial impacts are two-fold; positive impacts include generation of a revenue stream for the city council which will be used to fund future transport initiatives that will result in further improvements to air quality. However, financial burden will be placed on those who are eligible to pay the CAZ charge. The impacts of this will be mitigated as much as reasonably possible via the implementation of a set of mitigation measures and exemptions.

It has been identified that the most significantly impacted protected characteristics are Age, Disability, Pregnancy and Maternity and Race. Some impacts are positive rather than adverse, particularly for Pregnancy and Maternity. The mitigation measures and exemptions help to address any adverse impacts. It has also been noted that there could be possible impacts for Gender and Religion or Belief particularly linked to those on lower incomes. It is anticipated that individuals with these characteristics, will benefit from the various exemptions and mitigations.

It is important to stress that the implementation of a Clean Air Zone will have positive health impacts on a number of characteristics, particularly Age and Pregnancy and Maternity. It will also help address health inequality associated with more deprived communities typically being exposed to more air pollution.

Evidence for these impacts has been drawn from extensive consultation, a distributional impact appraisal and a health

25/02/2022, 12:00

Assessments - Birmingham Clean Air Zone submission of FBC...

consultation, a distributional impact appraisal and a health impact assessment, as detailed above. A distributional impact appraisal and a health impact assessment in a combined document as per attachment.

QUALITY CONTORL SECTION

Submit to the Quality Control Officer for reviewing?

Quality Control Officer comments

Decision by Quality Control Officer

Submit draft to Accountable Officer?

Decision by Accountable Officer

Date approved / rejected by the Accountable Officer

Reasons for approval or rejection

Please print and save a PDF copy for your records

Attachments

Content Type: Item

Version: 195.0

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Last modified at 25/02/2022 11:53 AM by Workflow on behalf of ☐ Stephen Arnold

No

Agreed to proceed to Accountable Officer 03 12 19

Proceed for final approval

No

Approve

25/02/2022

Assessment meets requirements and necessary areas of impact.

Yes

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Close

Birmingham City Council

Report to Cabinet



17th January 2023

Subject: ACTIVE TRAVEL FUND TRANCHE 2 –
PACKAGE 2: KINGS HEATH AND MOSELEY PLACES
FOR PEOPLE OUTLINE BUSINESS CASE

Report of: Strategic Director Place, Prosperity & Sustainability

Relevant Cabinet Member: Councillor Liz Clements – Transport
Councillor Yvonne Mosquito – Finances and Resources

Relevant O & S Chair(s): Councillor Chaman Lal – Sustainability and Transport
Councillor Akhlaq Ahmed – Resources

Report author: Philip Edwards – Assistant Director, Transport and Connectivity
Tel: 07557 203167 Email: 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):	Brandwood & Kings Heath, Moseley, Billesley	
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 009406/2022		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1 Executive Summary

- 1.1 This report seeks approval to the Outline Business Case for the Kings Heath and Moseley Places for People (PfP) scheme as part of the Active Travel Fund (ATF) Tranche 2 programme. The cost of the scheme will be £2.564m to be funded from Active Travel Fund Tranches 2 and 3, Road Safety Budget, School Streets Budget, Local Network Improvement Plan (LNIP), HS2 MSQW and Clean Air Zone Fund. Included in the above are detailed design costs to FBC of £0.100m which have already been approved under existing delegated powers.
- 1.2 The ATF Tranche 2 programme was approved by Cabinet on 8th September 2020. It comprises four packages of schemes to provide improved walking and cycling

facilities. Package 2 includes Places for People schemes in Kings Heath and Moseley, Lozells and other areas, which further develop and extend experimental schemes introduced in 2020 as part of the Emergency Active Travel Fund (EATF) Tranche 1 programme.

2 Recommendations

That Cabinet:

- 2.1 Approves the Outline Business Case for the second phase of the Kings Heath and Moseley Places for People (PfP) scheme at a total estimated cost of £2.564m, funded by the Active Travel Fund Tranches 2 and 3, Road Safety Budget, School Streets Budget, Local Network Improvement Plan (LNIP), HS2 MSQW and Clean Air Zone Fund. The concept scheme is (subject to detailed design) shown in Appendix A and on the scheme plan in Appendix F.
- 2.2 Delegates authority to the Assistant Director Transport and Connectivity in consultation with the Cabinet Member for Transport to approve the Full Business Case for the main scheme (construction, preliminaries and optimism bias across entire scheme at an estimated cost of £2.085m).
- 2.3 Notes that the Full Business Case for the associated 20mph speed limits (construction estimated at £0.097m), Bus Gate (Bus Lane Enforcement) scheme (construction estimated at £0.097m) and traffic calming scheme on Billesley Lane (construction estimated at £0.185m) will be subject to separate approvals through existing delegations.
- 2.4 Notes that design fees of £0.100m required to develop the scheme to Full Business Case have been approved separately. A further £0.060m is now being sought to ensure completion of both preliminary and detailed design.
- 2.5 Notes that the scheme is to be delivered via a permanent Traffic Regulation Order subject to the usual statutory process.
- 2.6 Approves the procurement strategy and commencement of tendering activities for the works using the Black Country Framework Contract for Minor Works 2021-2024 and delegates authority to the Strategic Director, Place, Prosperity and Sustainability in conjunction with Assistant Director, Procurement, the Strategic Director, Council Management and the City Solicitor & Monitoring Officer (or their delegates) to award contracts, subject to the works cost being within the approved budget.
- 2.7 Authorises the City Solicitor & Monitoring Officer to negotiate, execute, seal and complete all necessary documentation to give effect to the above recommendations.

3 Background

- 3.1 In May 2020, the Government announced it was launching the £250m EATF to fund measures to help councils reallocate road space for cyclists and pedestrians,

given the increased numbers of people walking and cycling due to the COVID-19 pandemic. The Government stipulated that the funding was to be used for a range of measures including pop-up cycle lanes, wider pavements, cycle and bus-only corridors and the closure of side streets to reduce rat-running. Grant funding has been provided to local authorities by Department for Transport (DfT) in three tranches:

- Tranche 1 supported the installation of temporary projects for the COVID-19 pandemic; and
- Tranche 2 supports the creation of longer-term projects.
- Tranche 3 was announced on 14 May 2022 and extends the Tranche 2 funding.

It should be noted that under the allocation of the Tranche 2 funding the 'Emergency' element of the Active Travel Fund was dropped by the DfT.

Tranche 3 of the Active Travel Fund was announced in May 2022 and covers the Places for People scheme, and two cycle routes on Bradford Street and Bristol Road Selly Oak.

3.2 ATF Tranche 2 was approved by Cabinet on 8th September 2020 with DfT providing grant funding of £4.477m for schemes in this tranche. The programme comprises four main packages:

- Package 1: Upgrade Tranche 1 Projects (particularly pop-up cycle lanes)
- Package 2: Places for People (PfP) (Low Traffic Neighbourhoods)
- Package 3: City Centre Traffic Segments
- Package 4: Additional Cycling and Walking Interventions

Package 2 includes PfP schemes in Kings Heath and Moseley, Lozells and elsewhere. The PfP programme is a series of "low traffic neighbourhoods", which are groups of residential streets, bordered by main or "distributor" roads (the places where buses, lorries, non-local traffic should be), where "through" motor vehicle traffic is discouraged or removed. The main principle is that every resident can drive onto their street, get deliveries etc., but it is harder or impossible to drive straight through from one main road to the next. With through traffic gone, the streets in a low traffic neighbourhood see dramatic reductions in motor traffic levels. While residents in a low traffic neighbourhood can still do all their journeys by car if they want or need to, some trips will be a bit more circuitous. This, combined with far quieter, safer-feeling streets, enables residents to switch to more active and healthy ways of getting around, particularly for short journeys.

This OBC covers the Kings Heath and Moseley PfP scheme. An experimental scheme was introduced in September/October 2020 with an Experimental Traffic Regulation Order (ETRO) being made on 22nd October 2020, and covered two 'cells' in the area bordered by Avenue Road, Howard Road, High Street and the railway line and included the following:

- modal filters on Highbury Road, Silver Street, Bank Street, Grange Road and Station Road
- pedestrianisation of a short section of York Road between Waterloo Road and High Street
- modal filters on All Saints Road, Hazelhurst Road and Colmore Road.

A modal filter is any measure, at a single point in a road, that allows the passage of some modes of transport but not others. In the areas listed above, modal filters that restrict the movement of motor vehicles were installed, in the form of planters and removable central bollards. In some places, there have also been further bollards placed in the footway or grass verge to prevent vehicles bypassing the planters. In the case of York Road, multiple sets of modal filters have been introduced at each end of the road to create a pedestrianised streetscape outside the local shops. These measures on York Road as installed in phase 1 are to remain in place.

In addition to the above, modal filters were installed on School Road, Cambridge Road and Poplar Road as demonstration measures. These measures will be changed with the introduction of the second phase.

While the first phase was reasonably well received by those residents within the area treated, a large volume of correspondence was received from residents on the boundary roads relating to impacts from perceived displaced traffic. It became apparent that these displacement effects were exacerbated by unrelated roadworks on other key routes in the general area and steps were taken to change diversion routes and ensure the roadworks were completed as soon as possible.

A Member Board was established and an action plan developed and implemented to help address some of the issues raised by residents. This included changes to the traffic signals at the “Red Lion” junction on Vicarage Road, the relocation of bus driver changeover to a location away from the immediate area and limiting non-essential street works within the area. These changes will remain in place under the phase 2 measures.

Many of the issues raised by residents regarding perceived displaced traffic will be directly mitigated by the implementation of the second phase of works, which is expected to deliver the benefits of the PfP approach across a wider area.

An area wide study was commissioned to identify complementary measures that could be delivered to help manage effective traffic flow through the area. The study reported in January 2022 and several of its recommendations have been incorporated into the phase 2 scheme.

- 3.3 The recommendations of a Strategy Report to Cabinet Member for Transport and Environment on the Kings Heath and Moseley Places for People scheme were accepted on 5th April 2022. The agreed strategy was to carry out further engagement with the local community on the details of the scheme in Spring/Summer 2022 with a view to the scheme being implemented in Autumn

2022 (subject to Cabinet approval). The above Strategy Report was the subject of Sustainability & Transport O&S Committee - Request for Call In on 28 April 2022 which was rejected. Due to the timing of the local elections, the engagement exercise took place in September and October 2022.

- 3.4 ETROs were made on 22nd October 2020. ETROs differ slightly from permanent TROs in terms of the process. For a permanent TRO there is a statutory consultation period that must take place before the scheme is implemented, and objections either over-ruled or resolved. For an ETRO, there is no requirement for statutory consultation prior to implementation (though in practice some form of 'soft' consultation usually would be undertaken). Instead, the first six months of the ETRO is the "objection period" with the scheme having already been implemented. This enables people to object (or not) on the basis of actual rather than perceived impacts. It does not however present any greater opportunity to make changes to the scheme without bringing forward a new TRO (experimental or permanent). After six months, and no longer than eighteen months after implementation an ETRO must either be made permanent or revoked (and in the latter case any associated works reinstated to the original condition). The ETRO for this scheme was subject to internal audit and consideration of objections and the Assistant Director Transport and Connectivity, in consultation with the Cabinet Member for Transport and Environment, approved that the TRO was made permanent on 11th April 2022.
- 3.5 This new project seeks to make the extant measures permanent (described in para 3.2) and extend the scheme to the east of the High Street across to Wake Green Road in the north, Yardley Wood Road to the east and Coldbath Road/Wheelers Lane/Howard Road East to the south.
- 3.6 The extended scheme, which creates five new cells, responds to issues raised in the formal consultation. While overall the design minimises changes to the published options, there are fewer modal filters and increased use of one-way streets to remove through traffic. Each cell also has multiple access points to improve network resilience in case of an accident or roadworks.
- The existing modal filter on School Road is relocated to the south and further modal filters introduced on Greenhill Road and Oxford Road.
 - Modal filters are introduced on Ashfield Road and Melton Road with diagonal filters on Valentine Road/Poplar Road and Institute Road/Melton Road. One-way streets will be introduced on sections of Valentine Road, Poplar Road, Woodville Road, Heathfield Road, Melton Road and Institute Road.
 - A bus gate is to be introduced eastbound and westbound on Addison Road, to be enforced by two cameras, one in each direction.
 - Traffic calming is to be introduced along Billesley Lane with a pedestrian crossing to be provided near Westlands Road. A one-way gyratory system

is to be introduced at St Agnes Road/Colmore Crescent/Dyott Road with one-way streets on Melton Road, Institute Road and Gaddesby Road.

- Modal Filters will be introduced on Barn Lane, Mossfield Road and at the junction of Addison Road/Portman Road.
- Coldbath Road will be made one way northbound.
- All roads within the area to be treated, including boundary roads, are to be subject to a 20mph speed limit.

As part of preparing the Outline Business Case, a more robust costing exercise was undertaken. This resulted in a significant increase in the scheme costs compared to the original budget. Costs estimates were revised based on what other similar schemes have cost in recent times where we are seeing a significant increase in costs due to the current economic situation and the impact of inflation on construction costs generally. A value engineering exercise was undertaken and costs thoroughly reviewed again, resulting in a current estimated out-turn cost of £2.564m. This higher cost is irrespective of whether permanent or temporary infrastructure is installed, therefore it is proposed to move towards more permanent solutions in the detailed design in order to avoid the need for further expenditure on consolidation works in future. Whilst scheme costs have risen significantly, the Places for People approach is still considered to be overall value for money in that aims to provide an enhanced level of service for pedestrians and cyclists, alongside road safety improvements over a wide area by reducing the speed and volume of vehicular traffic over time. Building segregated cycle infrastructure for example to create a similar network would be considerably more costly.

The extended scheme will be delivered under a permanent Traffic Regulation Order (TRO). This is a change from the previous plan for the scheme which envisioned delivering the extended scheme under an ETRO, as was the case with the first phase. While the ETRO approach has some benefits, and enabled the delivery of the first phase of the scheme within the timescales of the Emergency Active Travel Fund, it is not considered appropriate to implement the extended scheme in this way. The significant increase in the capital cost of the scheme requires a greater level of commitment to its permanency than an ETRO offers, especially as the Council would be required to commit further scarce resource to the scheme's removal in the event of an ETRO being revoked after the objection period. As set out in 3.4. an ETRO does not allow flexibility to make changes to the scheme, only an all or nothing decision after the first six months. Proceeding with a permanent TRO will still afford citizens and stakeholders a right to make a submission to the statutory consultation process (in advance of implementation). The commitment to monitor the impact of the scheme, and where funding permits, make further enhancements, will also remain.

4 Options Considered and Recommended Proposal

4.1 Option 1 – Do nothing / remove scheme entirely.

This option was considered but rejected because whilst the scheme is contentious and has significant opposition, there is also a not insignificant level of support. Many of the measures already installed were in response to long standing traffic issues, and whilst further mitigations are required, some localised improvements have been observed. More fundamentally, there is a pressing need to transform the city's transport network in line with the Birmingham Transport Plan which proposes city-wide roll-out of this type of scheme. Removing the scheme would undermine this whole agenda.

4.2 Option 2 – Do nothing / existing elements to remain

This option was rejected because of similar reasons to those described in 4.1 in terms of failing to deliver against social, environmental and economic imperatives set out in the Birmingham Transport Plan. Leaving the existing scheme elements in place would go some way to addressing previously identified issues, but would not seek to mitigate displacement impacts observed after the first phase of implementation.

4.3 Option 3 – Proceed to implementation with a different option (as per those previously consulted on)

Previous iterations of the design have evolved into the hybrid option now put forward as the preferred concept design, taking on board views expressed in consultation. Proceeding with a different combination of previous options A, B, C and D would still meet the overall objectives of the scheme but would not take on board local opinion.

4.4 Option 4 – Proceed to implementation – recommended option

The formal consultation presented two options to the west of the High Street, the existing layout (Option A) and an alternative layout (Option B). Two options for the east of the High Street were also presented (Options C and D). Further detail is provided in section C1 of the Outline Business Case (appendix A).

The recommended option is to retain the existing layout to the west with a hybrid option based on Option C to the west (See Appendix F). This option is considered to best represent the views expressed in the formal consultation whilst still meeting the objectives of the scheme.

5 Consultation

5.1 An online engagement exercise on the Commonplace platform, undertaken between February 2021 and April 2021, relating to the Kings Heath & Moseley PfP recorded 791 responses. Respondents were relatively split on their feelings towards the changes, with 45% of respondents giving a negative response and 36% feeling positive towards the changes. 4% were mixed in their feelings and raised positives and negatives about the changes without any clear predisposition.

- 5.2 The formal consultation presenting the options ran from 4th October 2021 until 5th November 2021. When asked “How do you feel about Kings Heath and Moseley being part in the Places for People project?”, 34% of respondents were positive or mostly positive while 56% were negative or mostly negative. 60% selected Neither as their preferred option between Options A and B. 62% selected Neither as their preferred option between Options C and D.
- 5.3 Feedback received included that there were too many modal filters and that one-way streets would be preferred. Respondents also felt that the green cell was too large and that the cells needed several points of access to spread the traffic impact and make incidents on the network easier to manage. The recommended option responds to these comments.
- 5.4 The Kings Heath & Moseley Member Board, whose membership included local MPs, ward councillors and senior council officers, was established in June 2021 to provide oversight to the project. The Board made recommendations on the pace of engagement and delivery of the project, noting the wider implications of the funding horizon, and approved the options that were the subject of formal consultation. The recommended option was presented to the Board on 10th December 2021.
- 5.5 Refer to Appendix E for the Consultation Summary Report.
- 5.6 An engagement exercise to refine the details of the scheme was held in September 2022. The purpose of the exercise was to discuss details of the proposed scheme with people in the immediate area and to ask them specific questions about aspects of the design close to their home or organisation. Seven events were held each relating to a different area of the concept design, as well as one event for businesses and one for anybody who was unable to attend their area event.
- 5.7 The feedback received at the events will inform the detailed design of the scheme, including for example the precise location for the modal filters. A key change that came as a result of the events is that Barn Lane will receive a modal filter compared to the previous proposal which made both Barn Lane and Brook Lane one-way. The proposed traffic calming on Billesley Lane is to be extended and the arrangement of one-way streets to the east of the High Street is to be reviewed during detailed design. A report on the localised engagement is included at Appendix G.
- 5.8 Correspondence has also been received outside of the formal consultation period and localised engagement covering a range of issues connected to the measures both in support of the scheme and asking for its removal. Several petitions requesting removal of the measures have been submitted, including an online petition which attracted over 4,000 signatures, along with a survey of over half the businesses in Kings Heath Business Improvement District indicating that 95% are “against” the LTN.

6 Risk Management

6.1 The following risks have been identified in relation to the scheme:

- Objections will be received in response to TROs
Mitigation: Further engagement on the detailed design of the scheme took place in September 2022, feedback from which will inform the detailed design.
- That the lockable bollards will slow down the operations of Emergency Services and a key would be needed by several different parties;
Mitigation: keys have been issued to Emergency Services. Ambulance Service have advised they prefer to navigate around the modal filters.
- That the scheme will not be delivered before the deadline for ATF3 funding;
Mitigation: Provide regular updates to public and councillors to avoid an information vacuum. Change control procedures to extend the funding period have been agreed with TfWM.
- There is insufficient funding within the project for the works to be completed, particularly if costs have increased due to inflation;
Mitigation: Costs have been reviewed and a contingency sum added to scheme cost to cover inflation
- That the measures (e.g. 20mph speed limits and bus gates) are not followed by drivers. This may lead to the false perception by residents that they are safe from dangerous / non-compliant driving;
Mitigation: Measures will be designed to be self-enforcing where possible. Enforcement measures (e.g. speed cameras) will also be considered where feasible as well as signage and traffic calming measures
- Shortage of contracting resources potentially leading to a delay in commencement of the works.
Mitigation: Works will be procured through an existing framework and programmed with the contractor as early as possible to ensure resource is available when required.

Further details are provided in Appendix C.

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 support the City Council's priorities (prosperous, inclusive, safe, healthy and green) as outlined in the City Council Finance Plan 2022 to 2026, the Birmingham Development Plan (BPD) 2031, the Birmingham

Transport Plan 2031, and the West Midlands Strategic Transport Plan. Further details are given in Section B1 of Appendix A.

- 7.1.2 The scheme supports Additional Climate Change Commitments including the aspiration for the City Council to be net zero carbon by 2030, as agreed by Cabinet on 30th July 2019, following the declaration of a Climate Change Emergency passed by full City Council on 11th June 2019.
- 7.1.3 It also aligns with national government policies including the Transport Decarbonisation Plan published in July 2021, the Tackling Obesity Strategy and Gear Change: A Bold Vision for Cycling and Walking.

7.2 Legal Implications

- 7.2.1 The City Council in carrying out transportation, highway and infrastructure related work will do so under the relevant primary legislation comprising the Town and Country Planning Act 1990, Highways Act 1980, Road Traffic Act 1974, Road Traffic Regulation Act 1984, Traffic Management Act 2004, Traffic Act 2000, and other related regulations, instructions, directives, and general guidance.
- 7.2.2 Section 1 of the Localism Act 2011 contains the Council's general power of competence and Section 111 of the Local Government Act 1972 contains the Council's ancillary financial and expenditure powers in relation to the discharge of its functions.

7.3 Financial Implications

Capital Costs

- 7.3.1 ATF Tranche 2 was approved by Cabinet on 8th September 2020. The programme consists of four packages of schemes, with an allocation of £4.477m received from central government via TfWM (comprising £3.983m capital and £0.494m revenue), along with £0.305m capital as a local match-funding contribution from the City Council giving an overall fund of £4.782m (comprising £4.288m capital and £0.494m revenue)

Package 2 includes Places for People (PfP) and a small number of School Street schemes. £0.808m of capital funding has been allocated to the PfP tranche 2 measures within the ATF programme, of which £0.085m has already been vired to the School Streets programme. Furthermore £0.324 has been allocated for development and design of schemes and £0.037m has been approved for delivery of the Florence Road PfP Quick Win scheme. This leaves £0.362m unallocated prior to the approval of the Kings Heath and Moseley PfP scheme.

- 7.3.2 The estimated capital cost for delivery of the Kings Heath and Moseley PfP scheme is £2.564m funded from the capital allocation for Package 2 of the ATF programme and other funding sources as indicated in the table below. These sums are in addition to the Development and Design costs approved previously. The final costs and funding will be reported as part

of the FBCs. The funding sources listed below are all capital grant funding apart from the Clean Air Zone Fund which is surplus revenue income.

Active Travel Fund 2	£262,000
Active Travel Fund 3	£250,000
Approved Design Fees	£100,000
HS2 MSQW Refund	£159,500
Road Safety Budget	£651,500
School Streets Budget	£200,000
Clean Air Zone Fund	£941,700
Scheme cost	£2,564,700

- 7.3.3 A total of £2.596m of the DfT capital funding and BCC match funding has been approved to date through the Cabinet Report and subsequent Chief Officer delegated decisions, which includes the fees spent to date in developing the Places for People scheme and producing this OBC. The current overall capital funding position is shown in Section G3 of the appended OBC.

Revenue Implications

- 7.3.4 This project will create assets that will form part of the highway upon completion of the project; as such they will need to be maintained within the overall highway maintenance regime. As part of the City Council's obligations under the Highway Maintenance and Management Private Finance Initiative (HMMPFI) contract, Highways have been formally notified of the proposed changes to the highway inventory arising from this scheme. The works relate to SSD number 6666/02.
- 7.3.5 The estimated net highway maintenance costs for the newly-created assets associated with the proposals are £6,000 per annum which includes energy costs of £300 per annum. This cost will be funded from the provision for Highways Maintenance held within Corporate Policy contingency.
- 7.3.6 The City Council will be responsible for the camera enforcement operation, and income will be generated from Penalty Charge Notices (PCNs) issued as part of the enforcement regime regarding the bus gate on Addison Road. This income will be used in the first instance to cover the operational cost of enforcement. The bus lane enforcement financial model in Section E1 of Appendix A is a summary of the estimated income and expenditure showing that over the expected 5-year life of the cameras, income from PCNs is estimated at £0.156m with operational and other costs estimated at £0.030, leaving a retained surplus of £0.126m.

- 7.3.7 Any surpluses will be used in line with the strategy for utilising sums generated from bus lane enforcement as outlined in the 'Transportation and Highways Capital Programme 2022/23 to 2026/27 – Annual Programme Update' report approved at Cabinet on 22nd March 2022. This will be in line with the applicable regulations; 'Provisional Guidance on Bus Lane Enforcement in England Outside of London' (February 2008). At the end of each year, the Place, Prosperity & Sustainability Directorate of the City Council will provide to the Department for Transport an annual report of the costs and revenues, and the allocation of the revenue generated.

At the end of the camera life a decision will be required on whether to replace them or to also remove the poles and electrical connections. Either option would require allocation of a budget at the appropriate time.

7.4 Procurement Implications (if required)

- 7.4.1 The procurement route is to use the Black Country Framework Contract for Minor Works 2021-2024 and call off in accordance with its protocol. The approval for the award of contracts for individual schemes will be in accordance with the Constitution's Procurement and Contract Governance Rules.
- 7.4.2 The BLE cameras will be supplied by Yunex Traffic (formerly Siemens Mobility Ltd) using the City Council's 'Birmingham Bus Lane Enforcement Support and Maintenance Service' contract approved on 25th October 2021 by the Director of Planning, Transport and Sustainability in conjunction with the Interim Assistant Director Procurement, Director of Council Management and the City Solicitor and Monitoring Officer (or their respective delegates).

7.5 Human Resources Implications (if required)

- 7.5.1 The scheme will be delivered by existing City Council staff with support from consultants and contractors through existing frameworks.

7.6 Public Sector Equality Duty

- 7.6.1 An Equality Analysis was produced for the overall ATF Tranche 2 programme (EQUA544) as reported to Cabinet on 8th September 2020. The initial screening did not require a full Equality Analysis to be produced at that time but noted that the needs of disabled people and other protected groups needed to be taken into account during development and delivery of individual schemes.
- 7.6.2 A scheme-specific Equality Analysis (EQUA773), attached as Appendix B, has also been produced which identified broadly positive and neutral impacts on protected characteristic groups. See also Section C3 of the OBC.

8 Appendices

8.1 List of Appendices accompanying this report:

- Appendix A – Outline Business Case
- Appendix B – Equality Analysis
- Appendix C – Risk Assessment
- Appendix D – Delivery Programme
- Appendix E – Consultation Outcome
- Appendix F – Scheme Plans
- Appendix G – Localised Engagement Report

9 Background Documents

‘Emergency Active Travel Fund – Tranche 2’, Report to Cabinet, 8th September 2020.

‘Transportation and Highways Capital Programme 2022/23 to 2027/28 – Annual Programme Update’, Report to Cabinet, 22nd March 2022.

‘Birmingham Transport Plan’, Report to Cabinet, 12th October 2021.

‘Active Travel Fund Tranche 2 – Package 2: Kings Heath Places For People Strategy Report’ Report To Cabinet Member for Transport and Environment, 4th April 2022

‘Objection to Traffic Regulation Order (ETRO) on the Kings Heath Places for People scheme, Brandwood & Kings Heath’, Report to Cabinet Member for Transport and Environment, 11th April 2022

‘Objection to Traffic Regulation Order (ETRO) on the Bournville, Castle Vale and Moseley Places for People schemes’, Report to Cabinet Member for Transport and Environment, 11th April 2022

[Template March 2019](#)

APPENDIX A

OUTLINE BUSINESS CASE (OBC)

A. GENERAL INFORMATION

A1. General

Project Title <i>(as per Voyager)</i>	Active Travel Fund Tranche 2 – Package 2: Kings Heath and Moseley Places for People		
Oracle Code	LV005F-002		
Portfolio / Committee	Transport Finances & Resources	Directorate	Place, Prosperity & Sustainability
Approved by Project Sponsor	Phil Edwards 06/12/22	Approved by Finance Business Partner	Azhar Rafiq 28/11/22

A2. Project Description

Background

In May 2020, the Government announced it was launching the £250m Emergency Active Travel Fund (EATF) to fund measures to help councils reallocate road space for cyclists and pedestrians, given the increased numbers of people walking and cycling due to the COVID-19 pandemic. The Government stipulated that the funding was to be used for a range of measures including pop-up cycle lanes, wider pavements, cycle and bus-only corridors and the closure of side streets to reduce rat-running. Grant funding has been provided to local authorities by Department for Transport (DfT) in three tranches:

- Tranche 1 supported the installation of temporary projects for the COVID-19 pandemic; and
- Tranche 2 supports the creation of longer-term projects.
- Tranche 3 was announced on 14 May 2022 and extends the Tranche 2 funding.

It should be noted that under the allocation of the Tranche 2 funding the 'Emergency' element of the Active Travel Fund was dropped by the DfT.

ATF Tranche 2 comprised four main packages:

- Package 1: Upgrade Tranche 1 Projects (particularly pop-up cycle lanes)
- Package 2: Places for People (Low Traffic Neighbourhoods)
- Package 3: City Centre Traffic Segments
- Package 4: Additional Cycling and Walking Interventions

ATF Tranche 3 covers three specific schemes

- Bradford Street Cycle route
- Bristol Road Selly Oak Cycle Route
- Kings Heath and Moseley Places for People

Package 2 included Places for People (PfP) schemes in Kings Heath and Moseley, Lozells and elsewhere, along with funding for a small number of School Street schemes. £0.665m of capital funding has been allocated within the ATF programme, of which £0.085m has already been vired to the School Streets programme. The City Council is also providing £0.100m of match funding from its own School Streets programme.

This OBC covers the Kings Heath and Moseley PfP scheme. An experimental scheme was introduced in September/October 2020 with an Experimental Traffic Regulation Order (ETRO) being made on 22nd October 2020, and covered two 'cells' in the area bordered by Avenue Road, Howard Road, High Street and the railway line and included the following:

- modal filters were installed on Highbury Road, Silver Street, Bank Street, Grange Road and Station Road
- pedestrianisation of a short section of York Road between Waterloo Road and High Street
- modal filters were installed on All Saints Road, Hazelhurst Road and Colmore Road.

In these areas, modal filters that restrict the movement of through-traffic were installed, in the form of planters and removable central bollards. In some places, there have also been further bollards placed in the footway or grass verge to prevent vehicles bypassing the planters. In the case of York Road, multiple sets of modal filters have been introduced at each end of the road to create a pedestrianised streetscape outside the local shops. These measures as installed in phase 1 are to remain in place.

In addition to the above, modal filters were installed on School Road, Cambridge Road and Poplar Road as demonstration measures. These measures will be changed with the introduction of the second phase. This scheme retains the above measures and expands the scheme to the east of the High Street across to Wake Green Road in the north, Yardley Wood Road to the east and Coldbath Road/Wheelers Lane/Howard Road East to the south.

The ETROs for the above measures were made permanent on 11th April 2022.

Project Proposals

The extended scheme creates five new cells in addition to those already in place to the west of Kings Heath High Street.

- The existing modal filter on School Road is relocated to the south and further modal filters introduced on Greenhill Road and Oxford Road.
- Modal filters are introduced on Ashfield Road and Melton Road with diagonal filters on Valentine Road/Poplar Road and Institute Road/Melton Road. A bus gate, including camera enforcement, is to be introduced on Addison Road. One-way streets will be introduced on sections of Valentine Road, Poplar Road, Woodville Road, Heathfield Road, Melton Road and Institute Road.
- A bus gate is to be introduced on Addison Road.
- Traffic calming is to be introduced along Billesley Lane with a pedestrian crossing to be provided near Westlands Road. A one-way gyratory system is to be introduced at St Agnes Road/Colmore Crescent/Dyott Road with one-way streets on Melton Road, Institute Road and Gaddesby Road. A modal filter is to be introduced on Barn Lane.
- Modal Filters will be introduced on Mossfield Road and at the junction of Addison Road/Portman Road.
- Coldbath Road will be made one way northbound.
- All roads within the area, including boundary roads, are to be made subject to a 20mph speed limit.

B. STRATEGIC CASE

B1. Project Objectives and Outcomes

Scheme Objectives

There are a variety of objectives behind Places for People and in some cases, different people will have different views on their importance and relevance. A general set of objectives for the project are as follows;

- A reduction in motor traffic across project area,
- A reduction on air pollution across project area,
- A reduction in short motor vehicle trips,
- An increase in walking and cycling,
- A reduction in collisions,
- Where motor vehicle trips are made, the roads designated, designed and managed for them are used in preference to side streets.

The Member Board has also agreed the following scheme specific objectives:

- Motor traffic reduces within project area
- Congestion is neutral on boundary roads.
- Motor vehicle mode share decreases
- Walking mode share increases
- Cycling mode share increases
- Air quality does not deteriorate across project area.
- People within project area are satisfied with the scheme over time
- People moving through project area are satisfied with the scheme over time
- Business owners/ managers across the project area are satisfied with the scheme over time

City Council Objectives

The scheme supports the policy objectives outlined in the City Council Financial Plan 2022 to 2026 to build a city which is:

- Prosperous: through continued economic growth, tackling unemployment, attracting inward investment and infrastructure, and maximising the opportunity of the Commonwealth Games.
- Inclusive: through empowered citizens, looking after vulnerable children, supporting young people to fulfil potential, and promoting diversity, opportunities, and culture.
- Safe: through tackling of anti-social behaviour & hate crime, housing provision and addressing homelessness, and improving living environments, civic pride & culture.
- Healthy: through the tackling health inequalities, encouraging and enabling physical activity and healthy living, quality of care, and helping to support mental health
- Green: by improving the cleanliness of our city and its streets, improving the environment and air quality, carbon reduction and enabling an inclusive green transition.

The measures will also support the objectives of the Birmingham Transport Plan 2031 approved at Cabinet on 12th October 2021:

- 'Sustain economic success and support the creation of new jobs, development of new skills, and inward investment'.
- 'Support, empower and connect communities to create a healthier and just society, and a better quality of life for all citizens'.
- 'Reduce the negative impacts of transport on the environment to make Birmingham a great place to live, grow up, and age in'.
- 'Urgently and drastically reduce carbon emissions from transport to contribute to the City Council's and the region's decarbonisation commitments'.

One of the four principles of the Birmingham Transport Plan is "Prioritising active travel in local neighbourhoods" where by walking, cycling and active travel will become the first choice for most people making short journeys in their local neighbourhoods. Cars will no longer dominate street life around homes and schools.

The scheme supports the Additional Climate Change Commitments including the aspiration for the City Council to be net zero carbon by 2030, as agreed by Cabinet on 30th July 2019, following the declaration of a Climate Change Emergency passed by full City Council on 11th June 2019.

Regional/National Objectives

The project supports the aspirations of the government's Transport Decarbonisation Plan published in July 2021, including:

- 'Half of all journeys in towns and cities will be cycled or walked by 2030'.
- 'Deliver a world-class cycling and walking network in England by 2040'.

The measures will support policies within the West Midlands Strategic Transport Plan, in particular:

- Economic Growth and Economic Inclusion: *'To accommodate increased travel demand by ... new sustainable transport capacity' and 'to improve connections to areas of deprivation'.*
- Population Growth and Housing Development: *'To improve connections to new housing ... primarily through sustainable transport connections'.*
- Environment: *'To help tackle climate change by ensuring a large decrease in greenhouse gases from the ... area's transport system'.*
- Public Health: *'To significantly increase the amount of active travel' and 'to assist with the reduction of health inequalities'.*

B2. Project Deliverables

The extended scheme creates five, additional new cells.

- The existing modal filter on School Road is relocated to the south and further modal filters introduced on Greenhill Road and Oxford Road.
- Modal filters are introduced on Ashfield Road and Melton Road with diagonal filters on Valentine Road/Poplar Road and Institute Road/Melton Road. Introduction of a bus gate eastbound and westbound on Addison Road. The bus gate will be enforced by two cameras, one in each direction. ne-way streets will be introduced on sections of Valentine Road, Poplar Road, Woodville Road, Heathfield Road, Melton Road and Institute Road.
- Traffic calming is to be introduced along Billesley Lane with a pedestrian crossing to be provided near Westlands Road. A one-way gyratory system is to be introduced at St Ages Road/Colmore Crescent/Dyott Road with one-way streets on Melton Road, Institute Road, and Gaddesby Road. A modal filter is to be introduced on Barn Lane.
- Modal Filters will be introduced on Mossfield Road and at the junction of Addison Road/Portman Road.
- Coldbath Road will be made one way northbound.
- All roads, within the area, including boundary roads are to be made subject to a 20mph speed limit.

B3. Project Benefits

Measure	Outline Impact
Road closures (two-way)	Supports delivery of Places for People by restricting traffic movement.
Road closures (one-way)	Supports delivery of Places for People by restricting traffic movement. Supports the creation of a contraflow cycle lanes.
Lockable bollards	Supports delivery of Places for People by restricting traffic movement. Offer resilience in case if incidents/emergencies

Planters	Supports delivery of Places for People by restricting traffic movement.
Bus gates	Supports delivery of Places for People by restricting traffic movement.
Traffic calming	Improve the walking and cycling environment by reducing average speeds
Pedestrian crossings	Improve the walking environment and increase pedestrian safety

B4. Property implications

N/A

C. ECONOMIC CASE AND OPTIONS APPRAISAL

C1. Options reviewed

Option 1 - Proposed option:

The formal consultation presented two options to the west of the High Street, the existing layout (Option A) and an alternative layout (Option B). Two options for the east of the High Street were also presented (Options C and D). The preferred option is to make permanent the Tranche 1 measures which were introduced under the EATF Tranche 1 programme, and to introduce the new Tranche 2 measures which complement the measures already in place. The proposed Tranche 2 measures are a hybrid of options C&D, with the design being based on the following principles, which reflect the feedback from the public consultation:

- Minimise changes to design overall
- Minimise number of modal filters
- Greater use of one-way systems
- Multiple access points to each cell

A 20mph zone is also to be implemented across the PfP scheme area, including on boundary roads. We will also implement the Kings Heath Local Centre Scheme, which revises the parking and loading arrangements on the High Street to help ensure traffic runs more smoothly.

From 25 April 2022, we implemented Car Free School Streets in support of Colmore Junior and Infant School on Colmore Road and St Dunstan's Catholic Primary School on Drayton Road from April 2022

We will also implement a safety scheme on Billesley Lane, which will be subject to a further FBC, and funded from Local Improvement Budget, which will be delivered to coincide with delivery of this project.

Alongside the above we will also deliver a range of measures, such as upgrading traffic signal software, which were identified in the Kings Heath Area Wide Study and can be carried out under routine maintenance.

Option 2 - Reduced cost option (say, -25%):

A reduced cost option would be to only make permanent the Tranche 1 measures. However, these measures alone have created undesirable consequences which are addressed through the introduction of the wider scheme. In this option the CFSS and safety scheme on Billesley Lane would remain.

Option 3 - Business As Usual:

The Kings Heath and Moseley scheme could be dropped from the ATF Tranche 2 programme, the existing experimental measures removed, and the funding reallocated to deliver alternatives such as

cycle routes or other PfP schemes. However, as one of the four principles of the Birmingham Transport Plan is “Prioritising active travel in local neighbourhoods” and the scheme provides identifiable benefits for walking and cycling, it meets the key objectives of the ATF Tranche 2 programme and should be delivered as outlined.

C2. Summary of Options Appraisal – Price/Quality Matrix

Not used as the preferred option (Option 1 in C1 above) has been developed following the formal engagement exercise and approved in Report to Cabinet Member for Transport and Environment 4th April 2022.

C3. Option recommended, with reasons.

[no more than ½ page]

The preferred option (Option 1 in C1 above) has been developed following the formal engagement exercise and approved in Report to Cabinet Member for Transport and Environment 4th April 2022.

C4. Risks and Issues of the preferred option

An Outline Risks and Issues Register is attached at the end of this OBC, including risks during the development to Full Business Case stage.

- TROs will be challenged;
- That the lockable bollards will slow down the operations of Emergency Services and a key would be needed by several different parties;
- That the scheme will not be delivered before the deadline for ATF3 funding;
- There is insufficient funding within the project for the works to be completed, particularly if costs have increased due to inflation;
- That the measures (e.g. 20mph speed limits and bus gates) are not followed by drivers. This may lead to the false perception by residents that they are safe from dangerous / non-compliant driving;
- Shortage of contracting resources potentially leading to a delay in commencement of the works.

See further details, including mitigations, in Appendix C.

C5. Other impacts of the preferred option

An Equality Analysis was produced for the overall ATF Tranche 2 programme (EQUA544) as reported to Cabinet on 8th September 2020. The initial screening did not require a full Equality Analysis to be produced at that time but noted that the needs of disabled people and other protected groups needed to be taken into account during development and delivery of individual schemes.

A specific Equality Analysis has been produced for the Kings Heath and Moseley PfP (EQUA773) with a couple of key outcomes concerning the protected characteristics of age and disability. It is recognised that disabled people and vulnerable ages (e.g. older (65+ years) or younger (under 21 years)) may be more reliant upon their private vehicle for local travel and that some of these routes will change following the scheme. However all properties remain accessible by motor vehicle.

The scheme aligns with the priorities outlined in Birmingham’s Clean Air Strategy and will likely provide a benefit to air quality in the long term. In particular, encouraging a modal shift to less polluting forms of travel will help reduce vehicle emissions.

The 2021 diffusion tube survey has not identified any areas of exceedance. Therefore, a detailed air quality assessment is not required.

D. COMMERCIAL CASE

D1. Partnership, joint venture and accountable body working

The ATF Tranche 2 funding is provided by the DfT through Transport for West Midlands (TfWM). TfWM are responsible for monitoring of the programme and as well as the management of change control requests.

BCC is required to report monthly to TfWM with regard to the ATF Tranche 2 programme.

D2. Procurement implications

Jacobs UK LTD have been appointed to carry out the preliminary and detailed design in line with standard procedures through the existing Birmingham Professional Services Framework.

A delivery contractor will be procured through the Black Country Framework Contract for Minor Works 2021-2024. Approval for contractor appointment will be sought in due course.

BLE cameras will be supplied by Yunex Traffic (formerly Siemens Mobility Ltd) using the City Council's 'Birmingham Bus Lane Enforcement Support and Maintenance Service' contract approved on 25th October 2021 by the Director of Planning, Transport and Sustainability in conjunction with the Interim Assistant Director Procurement, Director of Council Management and the Acting City Solicitor (or their respective delegates).

E. FINANCIAL CASE

E1. Financial implications and funding

	Financial Year:	Prior Years	2021/22	2022/23	2023/2024	Total
		£000	£000	£000	£000	£000
Capital code: LV005F-002						
CAPITAL EXPENDITURE						
Capital costs already incurred						
Development / Design Costs **				100.0		100.0
Other costs to complete (this approval):						
Prelims					304.3	304.3
Works (inc Utilities)					1,384.1	1,384.1
Land rental for Compound					50.0	50.0
Inflation to August 2023					101.2	101.2
CCM					12.0	12.0
Contingency					253.1	253.1
Design					60.0	60.0
BCC PM & Site costs					300.0	300.0
Total capital expenditure		0.0	0.0	100.0	2,464.7	2,564.7
CAPITAL FUNDING:						
Development costs funded by:						
ATF Tranche 2 Capital Grant				100.0		100.0
						0.0
Other costs funded by:						
ATF Tranche 2 Capital Grant					262.0	262.0
ATF Tranche 3 Capital Grant					250.0	250.0
HS2 MSQW Refund					159.5	159.5
Road Safety Scheme Budget					651.5	651.5
School Streets Budget					200.0	200.0
Clean Air Zone					941.7	941.7
Total capital funding		0.0	0.0	100.0	2,464.7	2,564.7
** Development Costs in previous years are part of an overall allocation of £0.600m approved on 8th September 2020 as part of the Cabinet approval to the overall ATF Tranche 2 programme						

			Financial Year:	2021/22	2022/23	2023/24	later
				£000	£000	£000	£000
REVENUE CONSEQUENCES							
Revenue implications:							
	Basic Highway Assets					6.00	6.00
	Enhanced Highway Assets						
	Energy costs					0.30	0.30
Net revenue consequences				0.0	0.00	6.3	6.3
REVENUE FUNDING:							
	Highways Maintenance and Management PFI				0.00	6.30	6.30
Total revenue funding				0.0	0.00	6.3	6.3

The table below provides separate detail from the above for the operational income and expenditure of the Bus Lane Enforcement Camera to be installed at the proposed bus gate on Addison Road. The figures assume that the camera becomes operational in 2023/24 with a life of five years.

		Estimated Value					
		2023/24	2024/25	2025/26	2026/27	2027/28	Total
		£000's	£000's	£000's	£000's	£000's	£000's
Bus Lane Enforcement Operational Income							
	Sums	103.1	42.0	37.8	33.6	29.5	246.0
Total Operational Incomes		103.1	42.0	37.8	33.6	29.5	246.0
Bus Lane Enforcement Operational Expenditure							
	Operational Costs	37.7	15.4	13.8	12.3	10.8	90.0
Total Operational Expenditure		37.7	15.4	13.8	12.3	10.8	90.0
Net Operational Surplus		65.4	26.6	24.0	21.3	18.7	156.0
Use Of Net Operational Surplus							
	Contribution to camera renewal fund	5.0	5.0	5.0	5.0	5.0	25.0
	Additional Highways Asset Cost	0.0	0.0	0.0	0.0	0.0	0.0
	Camera Decommission cost	0.0	0.0	0.0	0.0	1.5	1.5
	Future Information + Traffic Survey Activities	0.0	0.0	0.0	0.0	4.0	4.0
	Relocation of Cameras	N/A	N/A	N/A	N/A	N/A	0.0
Total Use of Net Operating Surplus		5.0	5.0	5.0	5.0	10.5	30.5
Surplus/(Deficit) at Year-End		60.4	21.6	19.0	16.3	8.2	125.5

NOTES

- (1) Staffing levels to be reviewed post-implementation based on actual changes in workload
- (2) Operational Cost includes assessment & processing of PCN
- (3) Camera life assumed to be 5 years before decommissioning; cost of decommissioning is shown at end of Year 5
- (4) Allows for 1 No. surveys and refresh campaign

E2. Evaluation and comment on financial implications

Capital Costs

The cost of the scheme will be £2.564m to be funded from Active Travel Fund Tranches 2 and 3, Road Safety Budget, School Streets Budget, Local Network Improvement Plan (LNIP), HS2 MSQW and Clean Air Zone Fund. The funding sources listed are all capital grant funding apart from the Clean Air Zone Fund which is surplus revenue income. Included in the above are detailed design costs to FBC of £0.100m which have already been approved under existing delegated powers

A total of £2.596m of the capital funding has been approved to date through the Cabinet Report and subsequent Chief Officer delegated decisions, which includes the fees spent to date in developing the Places for People scheme and producing this OBC. The current overall capital funding position is shown below. A further £0.060m is now being requested to complete the detailed design to FBC.

Capital Allocation for Active Travel Fund Tranche 2	£3,983,482
Local Match-Funding (BCC)	£305,451
<u>Total Capital Allocation for ATF Tranche 2</u>	<u>£4,288,933</u>
Package 2, Scheme 2e – School Street Measures (virement to School Streets holding pot)	-£85,000
<u>Revised Capital Allocation for ATF Tranche 2</u>	<u>£4,203,933</u>
Previously Approved Budgets	£2,595,879
<u>Remaining Allocation</u>	<u>£1,608,054</u>
Approval Sought	
Package 2, Schemes 2b – Kings Heath and Moseley Places for People – Detailed Design	£60,000
<u>Revised Remaining Allocation</u>	<u>£1,548,054</u>

Revenue Implications

Highways Maintenance:

This project will create assets that will form part of the highway upon completion of the project; as such they will need to be maintained within the overall highway maintenance regime. As part of the City Council's obligations under the Highway Maintenance and Management Private Finance Initiative (HMMPFI) contract, Highways have been formally notified of the proposed changes to the highway inventory arising from this scheme. The works relate to SSD number 6666/02.

The estimated net highway maintenance costs for the newly-created assets associated with the proposals are £6,000 per annum which includes energy costs of £300 per annum. This cost will be funded from the provision for Highways Maintenance held within Corporate Policy contingency.

Bus Lane Enforcement Camera – Addison Road Bus Gate

The City Council will be responsible for the camera enforcement operation, and income will be generated from Penalty Charge Notices (PCNs) issued as part of the enforcement regime. This income will be used in the first instance to cover the operational cost of enforcement. These costs will include employing staff specifically for BLE enforcement, including:

- Reviewing of captured contravention footage;
- on-going running costs for the cameras including communications, webhosting, maintenance, servicing, energy costs and software licences;

- operational costs (processing and administration) of the PCNs;
- replacement of the cameras and associated equipment in future years;
- cost of decommissioning the cameras.

The City Council will manage the camera as part of the wider enforcement camera network.

The bus lane enforcement financial model in Section E1 shows a summary of the estimated income and expenditure based upon the proposed enforcement regime, which assumes one camera and incorporates experience from bus lane enforcement schemes already in operation within the city. This shows that over the expected 5-year life of the cameras, income from PCNs is estimated at £0.156m with operational and other costs estimated at £0.030m, leaving a retained surplus of £0.126m.

Any surpluses will be used in line with the strategy for utilising sums generated from bus lane enforcement as outlined in the 'Transportation and Highways Capital Programme 2022/23 to 2026/27 – Annual Programme Update' report approved at Cabinet on 22nd March 2022. This will be in line with the applicable regulations; 'Provisional Guidance on Bus Lane Enforcement in England Outside of London' (February 2008). At the end of each year, the Place, Prosperity and Sustainability Directorate of the City Council will provide to the Department for Transport an annual report of the costs and revenues, and the allocation of the revenue generated.

At the end of the camera life a decision will be required on whether to replace it or to also remove the poles and electrical connections. Either option would require allocation of a budget at the appropriate time.

E3. Approach to optimism bias and provision of contingency

A contingency of 20% is to be added to the estimated works cost.

E4. Taxation

There should be no adverse VAT implications for the City Council in this scheme as the maintenance of highways is a statutory function of the City Council such that any VAT paid to contractors or on the acquisition of land is reclaimable.

F. PROJECT MANAGEMENT CASE

This considers how project delivery plans are robust and realistic

F1. Key Project Milestones

Planned Delivery Dates

Detailed Design commenced	Feb 2023
Detail Design complete	Mar 2023
FBC approval	Apr 2023
TROs advertised	May 2023
Initial contract out to tender*	July 2023
Start of Works	Sept 2023
Date project operational / complete	Nov 2023
Date of Post Implementation Review	Nov 2024

*Various procurement processes to be awarded to meet project timescales

For full details please see Appendix D

F2. Achievability

The project involves standard highway engineering and measures and the City Council has in-house experience of successfully delivering highway projects of this nature.	
F3. Dependencies on other projects or activities	
<p>Delivery of the schemes will be co-ordinated with other measures being undertaken in the area including Cross-City bus measures promoted by Transport for the West Midlands.</p> <p>Traffic Regulation Orders will be required for the majority of measures. Objections to the TROs will have to be considered prior to the final decisions on scheme delivery. Objections to ETROs will have to be considered prior to making them permanent.</p> <p>A contractor will have to be procured for scheme delivery, along with any specialist inputs such as traffic signals.</p>	
F4. Products required to produce Full Business Case	
<p>Examples might be:</p> <ul style="list-style-type: none"> • Financial plan including funding • High Level design • Detailed design • Social Impact assessment • Environmental impact assessment • Whole life costings • Tender details (occasionally tenders may be required during project development) • Consultation/Stakeholder analysis • Contract management plan 	
F5. Estimated time to complete project development to FBC.	
4 months	
F6. Estimated cost to complete project development to FBC	
£0.100m of funding for Detailed Design to FBC has already been approved through existing delegated powers, funded from the capital grant for ATF Tranche 2.	
F7. Funding of development costs	
<i>Provide details of development costs funding shown in Section F1 above.</i>	
See F6 above	
F8. Officer support	
Project Manager:	Aoife O'Toole, Transport Planning and Investment Manager Email: aoife.otoole@birmingham.gov.uk
Programme Manager:	Mark Philpotts – ATF Programme Manager Email: mark.philpotts@birmingham.gov.uk
Project Accountant:	Carl Tomlinson – Business Partner

Email: carl.x.tomlinson@birmingham.gov.uk	
Project Sponsor:	Philip Edwards – Assistant Director Transport and Connectivity Email: philip.edwards@birmingham.gov.uk
F9. Project Management	
<i>Describe how the project will be managed, including the responsible Project Board and who its members are</i>	
Project Sponsor – Phil Edwards Senior Responsible Officer – Mel Jones Programme Manager – Mark Philpotts Project Manager – Aoife O’Toole Project Accountant – Carl Tomlinson	

G2. Outline Risks and Issues Register <i>Risks should include Optimism Bias, and risks during the development to FBC</i> <i>Grading of severity and likelihood: High – Significant – Medium - Low</i>			
		Risk after mitigation:	
Risk or Issue	Mitigation	Severity	Likelihood
1. TROs will be challenged.	Public consultation has been undertaken while ensuring that the correct processes are taken around decision-making and properly considering objections. Steps taken to ensure that the correct processes are taken around decision-making and properly considering objections.	Medium	Low
2. Lockable bollards will slow down the operations of Emergency Services and a key would be needed by several different parties.	Lockable bollards only placed where planters are not suitable. Bollards which can be driven over will also be considered where emergency services will be consulted with. From the experimental scheme, emergency services have not raised any issues.	Medium	Low
3. That the scheme will not be delivered before the deadline for ATF3 funding.	Progress will be monitored through the ATF Executive Board. In the event that it was not delivered before the deadline, funds would need to be found from remaining resources within the Transport and Highways Capital Programme. The application to TfWM for change control has been approved.	Medium	Low
4. There is insufficient funding within the project for the works to be completed, particularly if costs have increased due to inflation.	A contingency of 20% has been added to the estimated works cost. If costs increase further because of other unforeseen factors then further funding would have to be identified or the number of measures reduced. This would be managed through existing governance arrangements within the Transport and Highways Capital Programme.	Medium	Low
5. The programme may be delayed to incorporate additional member and public engagement processes.	Minimise the number of additional engagement sessions to those who will be most significantly affected. Ensure that scheme designs have been adapted appropriately to satisfy concerns raised in previous	Low	Low

APPENDIX A

	engagement. Approach has been agreed with CM and Cllrs.		
6. That the measures (e.g. 20mph speed limits and bus gates) are not followed by drivers. This may lead to the false perception by residents that they are safe from dangerous/non-compliant driving.	Measures will be designed to be self-enforcing where possible. Enforcement measures (e.g. speed cameras) will also be considered where feasible as well as signage and traffic calming measures (e.g. pedestrian crossings). Softer behavioural change initiatives such as Car Free School Streets are also expected to mitigate the risk of this for the most vulnerable (e.g. parents with young children).	High	Low
7. Insufficient income from BLE (Bus Lane Enforcement) to cover on-going operational and maintenance costs.	In the event that income does not cover operational costs, then the shortfall would have to be covered from the wider enforcement regime.	Medium	Low
8. Shortage of contracting resources potentially leading to a delay in commencement of the works.	Works will be procured through an existing framework and programmed with the contractor as early as possible.	Low	Medium

Other Attachments <i>provide as appropriate</i>	
• Appendix B – Equality Analysis	
• Appendix C – Risk Assessment	
• Appendix D – Delivery Programme	
• Appendix E – Consultation Outputs	
• Appendix F – Scheme Plans	
• Appendix G – Engagement Summary Report	

Title of proposed EIA	Places for People - Kings Heath and Moseley
Reference No	EQUA773
EA is in support of	New Function
Review Frequency	Annually
Date of first review	21/11/2022
Directorate	Inclusive Growth
Division	Transport and Connectivity
Service Area	Transport Planning and Network Strategy
Responsible Officer(s)	<input type="checkbox"/> Aoife Otooole
Quality Control Officer(s)	<input type="checkbox"/> Janet L Hinks
Accountable Officer(s)	<input type="checkbox"/> Mel Jones
Purpose of proposal	The Kings Heath and Moseley Places for People scheme has been implemented as part of the Emergent Active Travel Fund (EATF) Tranche 1. The scheme under consideration in this assessment is an expansion of that scheme under Tranche 2 of the Active Travel Fund
Data sources	Other (please specify)
Please include any other sources of data	
	Site Visits
	Scheme concept drawings

ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS

Protected characteristic: Age

Age details:

Wider Community

Of the 1,140,500 people living in Birmingham (according to the 2020 mid-year population estimates):

- 22.5% (257,100) are children and young persons; and
- 13.1% (140,400) are pensioners (older persons and the elderly).

Younger people are typically more reliant on public transport (approx. 15% of trips made by bus) and make a higher than average proportion of journeys on foot.

Enabling children to cycle at an earlier age and develop their confidence and skills will provide great benefit, particularly for children travelling unaccompanied and thereby creating a greater sense of independence and a greater chance of continuing to cycle into adulthood.

Older people are typically more reliant on the bus to access key services and facilities. According to a Sustrans study entitled Bike Life in 2017, people aged over 65 are underrepresented when it comes to cycling in Birmingham and therefore providing a safe facility could benefit older people.

It is also recognised that some older people with physical mobility issues may be dependent on private vehicle use to access key services and facilities provided in Kings Heath Local Centre, including health, employment, leisure, education and retail services and facilities, as well as major transport interchange such as the main rail stations and Digbeth Coach Station.

Whilst all ages will experience some positive benefit as a result of the scheme, it is likely that younger people and the elderly will receive greater benefit as the scheme reduces the risk of conflict with motor vehicles by delivering a reduction in traffic passing through the treated residential areas.

The implementation of Moseley and Kings Heath Places for People could result in some adverse impacts to accessibility to local key services and facilities for this protected characteristic, caused by some loss of on-street parking. As part of the proposals, parking space provision for blue badge holders will be retained to mitigate any adverse impacts and ensure older persons who are reliant on private vehicles to access local services and facilities may continue to do so, although it is recognised that alternative routing may be required, particularly if visiting numerous locations in the area.

All age groups are likely to feel positive effects of reduced local air pollution as a result of less through traffic. There is evidence that the process of normal lung function growth in children is suppressed by long term exposure to air pollution. Throughout childhood, there is a natural development of lung functioning which is vitally important. Low lung function will lead to reduced lung efficiency and/or lung disease. Similarly, lung function in adulthood slowly declines with age, and there is emerging evidence that air pollution and living near a busy road accelerates this decline for both adults and older people. It is likely that the implementation of this proposed scheme will help to improve the lung health of all age groups as a result of vehicular traffic reduction across the study area. This will be heightened by more people being encouraged to make shorter trips by walking or cycling due to an increased perception of safety with there being less vehicular traffic.

Measures which improve the ability to access the local services and facilities by active and public transport travel modes will disproportionately benefit this protected characteristic, both by improving access and contributing towards improved public health in by providing and enabling more journeys to be made using healthier, active travel alternatives. This will contribute towards tackling high childhood obesity in Birmingham where 24.4% of children are overweight or obese by the ages of 5-6, rising to 30.4% for 10-11 year olds.

	<p>to 40% by the ages of 10-11.</p> <p>The public consultation gathered age group data, and the views of the protected characteristic group will be taken into account as part of scheme development.</p> <p>It is recognised that for some older persons with sight and hearing impairments, and those with dementia, cycles and scooters (both electric and manual) may not be immediately visible or audible which can lead to accidents and confusion. To mitigate this, separated and segregated transport modal facilities will be provided wherever possible, with appropriate signage, as part of wider high-quality streetscape design.</p> <p>It is considered that Moseley and Kings Heath Places for People will result in a net Positive impact upon the Age protected characteristic.</p>
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Protected characteristic: Disability

Disability details:

Wider Community	<p>The West Midlands Metropolitan area has a larger percentage of people in households with a limiting long-term illness (6% of households compared to 4.7% in England and Wales). It also has a slightly larger proportion of disabled people than England and Wales (19% versus 18% in England and Wales). More and more people are living with impairments or with or beyond serious illness.</p> <p>Around a fifth of disabled people report having difficulties related to their disability in accessing transport.</p> <p>It is recognised that some disabled persons with physical mobility issues may be dependent on access a private vehicle to access Kings Heath Local Centre and its range of health, employment, leisure, education and retail services and facilities, as well as public transport services operating along the High Street (A435).</p> <p>The implementation of the scheme may result in some adverse impacts on local accessibility for this protected characteristic, caused by some loss of on-street parking. As part of the proposals, parking space provision for blue badge holders will be retained to ensure blue badge holders who are reliant on private vehicles to access services and facilities in the local area may continue to do so, although it is recognised that alternative routing may be required, particularly if visiting a range of different locations.</p> <p>Some people with disabilities, particularly blind and partially sighted users are adapted and proficient at navigating barriers and have often built up mental recognition of the most accessible routes for them. Sudden and drastic changes to these known routes can be distressing and disorientating. This distress can be heightened if the person suffers from disabilities such as autism. As a result, it is important that proposed changes are specifically communicated to these groups, so they can adapt to planned changes.</p> <p>It is recognised that for some disabled groups with hearing or sight impairments, cycles and scooters (both electric and manual) may not always be visible or audible which can lead to accidents and confusion. The implementation of this scheme is likely to lead to a significant increase in the use of these modes, and a concurrent reduction in through vehicular traffic. To mitigate this, separated and segregated transport modal facilities will be provided wherever possible, as well as dropped kerbs to improve legibility for all users as part of wider high-quality streetscape/public realm (re)design.</p> <p>A number of questions aimed at persons with this protected characteristic were included in the formal consultation for this scheme, and their responses will be taken into full account as part of scheme development and design.</p> <p>It is considered that Moseley and Kings Heath Places for People will result in a net Positive impact upon the Disability protected characteristic.</p>
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Protected characteristic: Sex

Gender details:

Wider Community	<p>The gender balance of residents in Birmingham is currently 49.2% male and 50.8% female.</p> <p>The implementation of Moseley and Kings Heath Places for People is expected to significantly increase footfall across the treated area. This will deliver increased natural surveillance, creating a safer environment for all residents and visitors. This change is likely to be disproportionately beneficial to women and girls who will benefit from a safer neighbourhood environment at all times of the day and night.</p> <p>A study undertaken by Sustrans entitled Birmingham Bike Life 2017 identified that women in Birmingham are less represented than men in cycling and a lack of cycle infrastructure adversely affect them, attributable in part to women generally having a more risk averse attitude to mixing with traffic. The implementation of this scheme should make cycling and walking around the study area significantly safer and more attractive to both genders as a result of removed through traffic, promoting equality of opportunity.</p> <p>It may be necessary to do further engagement with women and girls to ensure that the proposed schemes deliver expected benefits and do not impact upon this protected characteristic unnecessarily.</p> <p>It is considered that Moseley and Kings Heath Places for People will result in a net Positive impact upon the Sex protected characteristic.</p>
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It is considered that Moseley and Kings Heath Places for People will result in a net **Positive** impact upon the Disability protected characteristic.

Protected characteristics: Gender Reassignment

Gender reassignment details:

Wider Community

There are no national estimates on the trans population in England because the subject is not included in the national census. Additionally, there has not been any research completed elsewhere in England which was large enough to be statistically significant. The best estimate is that around 1% of the population might identify as trans, including people who identify as non-binary.

The implementation of Kings Heath and Moseley Places for People is expected to significantly increase footfall across the study area. This will deliver increased natural surveillance, improving perceptions of, and actual personal safety at all times of the day and creating a safer environment for all residents and visitors. This change is likely to be disproportionately beneficial to those undergoing gender reassignment who can be at higher risk of discrimination, hate crime and personal safety issues by delivering improved, safer access to key services and facilities provided locally at all times of the day at night.

Members of Birmingham's LGBTQIA+ community participated in the public consultation process for the scheme, and provided feedback which will be used in the design process.

It is considered that Moseley and Kings Heath Places for People will result in a net **Positive** impact upon the Gender Reassignment protected characteristic.

Protected characteristics: Marriage and Civil Partnership

Marriage and civil partnership details:

Wider Community

Only 41% of Birmingham's resident population are married or in a civil partnership, which partly reflects the relative youth of the city's population.

It is considered that Kings Heath and Moseley Places for People will result in a net **Neutral** impact upon the Marriage and Civil Partnership protected characteristic.

Protected characteristics: Pregnancy and Maternity

Pregnancy and maternity details:

Wider Community

Approximately 17,000 babies are born in Birmingham each year. As such, Birmingham has a large resident population of persons with this protected characteristic.

The proposed implementation of Kings Heath and Moseley Places for People will provide an enhanced environment for all users of active travel and road-based public transport modes. In particular, this proposal will improve opportunities and access for parents who use pushchairs, cargo bikes and family mobility bikes.

Pregnant women or people with young children in pushchairs could be adversely affected by environments which experience high footfall and higher levels of cycling, as this can increase the risk of conflict and make navigation through more open spaces difficult. In recognition of this, modal separation will be considered wherever possible, to provide a more regulated environment for all users of all travel modes.

The public consultation process for Kings Heath and Moseley Places for People did not specifically ask participants if they had this protected characteristic. It may be necessary to undertake further bespoke consultation with those with this protected characteristic to ensure that their needs are fully considered in the design process.

Research shows that pregnancy and early childhood are critical times for the formation and maturation of bodily systems. Factors that can adversely affect human development include air pollution and can have both immediate and long-lasting effects such as low birth weight and premature birth. The implementation of the scheme will further reduce local air pollution and the effects it has on pregnant women and their new-born children.

It is considered that Kings Heath and Moseley Places for People will result in a net **Positive** impact upon the Pregnancy and Maternity protected characteristic

Protected characteristics: Race

Race details:

Wider Community

Birmingham is a multi-ethnic city with 57.9% of Birmingham's population identifying as white, 26.6% as Asian, 9% as black and 2% as other ethnicities.

The proposed implementation of Kings Heath and Moseley Places for People will provide an enhanced environment for all users of active travel and road-based public transport modes, regardless of race.

The scheme provides shared space for all users to walk and cycle, including BAME people. A study

undertaken by Sustrans entitled 'Bike Life' in 2017 shows that black and ethnic minority communities are under-represented when it comes to riding a bike in Birmingham. Some ethnic minorities are also known to have lower levels of overall physical activity. This may influence certain health conditions linked to obesity, type II diabetes. Providing an enhanced environment for active travel in the study area will enable all persons of all racial backgrounds to enjoy the health benefits associated with walking and cycling.

Car ownership in Birmingham, collected from the 2011 census is lower than the England average. 36% of households in Birmingham do not own a car or van compared to 26% for England. Disproportionately, Asian, black and other ethnicities are less likely to have access to a car, and so will be reliant on other modes of transport to access key services and facilities.

Providing quieter roads due to a reduction in through traffic will improve the perception of safety for active travel users, encouraging greater levels of participation, whilst having the potential to address some of these inequalities by adopting active travel modes of transport.

Proportionate representations were received from each of the racial groups resident in Birmingham in the scheme's public consultation process, and their responses will be considered as part of scheme development.

It is considered that Kings Heath and Moseley Places for People will result in a net **Neutral** impact upon the Race protected characteristic.

Protected characteristics: Religion or Beliefs

Religion or beliefs details:

Wider Community

In Birmingham, 46.1% identify as Christian, 21.8% as Muslim, 19.3% have no religion, 3% are Sikh, 2.1% are Hindu and the remaining 7.7% are other religions. The city is known for its ethnic diversity.

There are a number of religious institutions located within the study area. The implementation of Kings Heath and Moseley Places for People will impact on vehicular access routes to these institutions, although vehicular access will be retained. Access to religious institutions in the local area by active travel modes (and to a lesser extent, public transport) will be improved as a result of the implementation of Kings Heath and Moseley Places for People.

There may be some impacts on faiths which are required to access their places of worship on a very regular basis (such as the Islamic faith). As part of the proposals, access for vehicles will be retained, although it is recognised that alternative routing may be required.

Responses from the various religions and beliefs in Birmingham were secured as part of the public engagement process for the scheme.

It is considered that Kings Heath and Moseley Places for People will result in a net **Neutral** impact upon the Religion or Belief protected characteristic.

Protected characteristics: Sexual Orientation

Sexual orientation details:

Wider Community

Public Health England (PHE) estimates that between 2% and 5% of the national population identify with a non-heterosexual sexual orientation. GP survey data also shows that young adults are more likely to identify with non-heterosexual identities than older age groups. Although there has been NHS guidance on collecting data on sexual orientation there is very little Birmingham data on the health of this group. Based on the various available reports we have estimated the LGBTQIA+ population of Birmingham to be approximately 45,000 adults. This does not however include practising homosexual men who continue to see themselves as heterosexual whilst having sexual contact with other men.

Members of the LGBTQIA+ community are disproportionately more likely to be subject to personal security issues, discrimination and hate crime. They can also have specific healthcare needs, which are provided by specialist providers including the Birmingham LGBT Centre at 38/40 Holloway Circus, amongst others. The implementation of Kings Heath and Moseley Places for People will increase footfall and natural surveillance across the treated residential streets improving perceptions of, and actual personal safety at all times of the day, as well as improving access by active travel modes for all by enhancing the quality of infrastructure and services provided to support use of these modes.

Members of Birmingham's LGBTQIA+ community participated in the public consultation process for the scheme, and provided feedback which will be used in the design process.

It is considered that Kings Heath and Moseley Places for People will result in a net **Positive** impact upon the sexual orientation protected characteristic.

Socio-economic impacts

Please indicate any actions arising from completing this screening exercise.

Consider the specific needs of all groups of people with protected characteristics throughout the scheme design and delivery process, especially when considering streetscape design and provision of specific facilities (such as dropped kerbs and blue badge parking capacity, for example).

Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	<ul style="list-style-type: none"> • Census 2011 and Mid Year Population Estimates (www.nomisweb.co.uk) • Kings Heath and Moseley Places for People Consultation Summary Report (Jacobs) • Why getting transport right matters to young people - Campaign for Better Transport: https://bettertransport.org.uk/sites/default/files/research-files/Young_People_and_Buses_FINAL_forweb_0.pdf • Fit for the Future – Birmingham's Childhood Obesity Strategy: https://www.birmingham.gov.uk/downloads/file/8102/fit_for_the_future_childhood_obesity_strat • The future of Transport in an Ageing Society – Age UK: https://www.ageuk.org.uk/globalassets/age-uk/documents/reports-and-publications/reports-and-briefings/active-communities/rb_june15_the_future_of_transport_in_an_ageing_society.pdf • Transport for London – Violence Against Women and Girls Strategy: https://www.london.gov.uk/sites/default/files/vawg_strategy_2018-21.pdf • Bike Life Birmingham 2017 – Sustrans: https://www.sustrans.org.uk/media/2950/bike-life-birmingham-2017.pdf • LGBT in the UK - Trans Report - Stonewall: https://www.stonewall.org.uk/system/files/lgbt_in_britain_-_trans_report_final.pdf • LGBT Britain – Hate Crime and Discrimination – Stonewall: https://www.stonewall.org.uk/lgbt-britain-hate-crime-and-discrimination • Health Matters: Air Pollution – Public Health England: https://www.gov.uk/government/publications/health-matters-air-pollution/health-matters-air-pollution
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	
Consulted People or Groups	
Informed People or Groups	
Summary and evidence of findings from your EIA	<div style="border: 1px solid black; padding: 10px;"> <p>This Equalities Assessment has identified broadly positive and neutral impacts on protected characteristic groups, which are outlined in detail in this report.</p> <p>This Equalities Assessment has identified the importance of specifically considering the needs of the various groups with protected characteristics during the scheme design process, to ensure that expected benefits are achieved. It has also identified that further engagement may be required with younger people (0-17 years) and women and girls (including those who are pregnant and/or caring for very young children) to clarify the potential impacts of the proposals on those with these protected characteristics.</p> </div>
QUALITY CONTROL SECTION	
Submit to the Quality Control Officer for reviewing?	No
Quality Control Officer comments	Approve to proceed to Accountable Officer 15.12.22
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	15/12/2022
Reasons for approval or rejection	approved as all impacts are neutral or positive
Please print and save a PDF copy for your records	Yes
Content Type: Item	
Version: 20.0	
Created at 15/11/2021 10:09 AM by <input type="checkbox"/> Aoife Otooie	
Last modified at 15/12/2022 05:03 PM by Workflow on behalf of <input type="checkbox"/> Mel Jones	

Close

Appendix C – Risk Assessment

Risk No	Risk description	Risk mitigation	Residual / current risk			Additional steps to be taken
			Likelihood	Impact	Prioritisation	
1	TROs will be challenged.	Public consultation has been undertaken while ensuring that the correct processes are taken around decision-making and properly considering objections. Steps taken to ensure that the correct processes are taken around decision-making and properly considering objections. Further engagement on the detailed design of the scheme took place in September 2022, feedback from which will inform the detailed design.	Low	Medium	<i>Tolerable</i>	
2	That the lockable bollards will slow down the operations of Emergency Services and a key would be needed by several different parties.	Lockable bollards only placed where planters are not suitable. Bollards which can be driven over will also be considered where emergency services will be consulted with. From the experimental scheme, emergency services have not raised any issues. Keys have been issued to Emergency Services. The Ambulance Service has advised they prefer to navigate around the modal filters.	Low	Medium	<i>Tolerable</i>	

3	That the scheme will not be delivered before the deadline for ATF3 funding.	Provide regular updates to the public and councillors to avoid an information vacuum. Change control procedures to extend the funding have been initiated with TfWM, to be agreed with DfT.	Low	Medium	<i>Tolerable</i>	
4	There is insufficient funding within the project for the works to be completed, particularly if costs have increased due to inflation.	A contingency of 20% has been added to the estimated works cost. If costs increase further because of other unforeseen factors, then further funding would have to be identified or the number of measures reduced. This would be managed through existing governance arrangements within the Transport and Highways Capital Programme.	Low	Medium	<i>Tolerable</i>	
5	The programme may be delayed incorporating additional member and public engagement processes.	Minimise the number of additional engagement sessions to those who will be most significantly affected. Ensure that scheme designs have been adapted appropriately to satisfy concerns raised in previous engagement. Establishment of a member working group for Kings Heath and Moseley,	Low	Low	<i>Tolerable</i>	

		<p>the programme includes further engagement on detailed design issues.</p> <p>Approach has been agreed with CM and Cllrs</p>				
6	That the measures (e.g. 20mph speed limits and bus gates) are not followed by drivers. This may lead to the false perception by residents that they are safe from dangerous / non-compliant driving.	<p>Measures will be designed to be self-enforcing where possible.</p> <p>Enforcement measures (e.g. speed cameras) will also be considered where feasible as well as signage and traffic calming measures (e.g. pedestrian crossings). Softer behavioural change initiatives such as Car Free School Streets are also expected to mitigate the risk of this for those most vulnerable (e.g. parents with young children).</p>	Low	High	<i>Tolerable</i>	
7	Insufficient income from BLE (Bus Lane Enforcement) to cover on-going operational and maintenance costs.	In the event that income does not cover operational costs, then the shortfall would have to be covered from the wider enforcement regime.	Low	Medium	<i>Tolerable</i>	
8	Shortage of contracting resources potentially leading to a delay in commencement of the works.	Works will be procured through an existing framework and programmed with the contractor as early as possible.	Medium	Low	<i>Tolerable</i>	

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.

	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23
KH&M localised engagement prep																	
Kings Heath Advisory Group	19/07/2022																
York Road operational issues																	
Billesley Lane form of traffic calming																	
20mph scheme																	
Bus Gate and BLE (including camera enforcement)																	
KH&M localised engagement																	
OBC development																	
Procure preliminary design																	
KH&M Preliminary design																	
Commence discussions with Finance/Legal		01/08/2022															
PPSDMT agenda deadline			09/09/2022														
PPSDMT			15/09/2022														
CLT agenda deadline					28/11/2022												
CLT						06/12/2022											
Corporate Clearance deadline						15/12/2022											
Cabinet Report deadline							06/01/2023										
KH&M Cabinet							17/01/2023										
KH&M Detailed design																	
KH&M FBC development																	
KH&M TRO Development																	
KH&M TRO Public Consultation																	
KH&M TRO Objection Report																	
KH&M contractor procurement																	
KH&M implementation																	

Jacobs

Places for People: Kings Heath and Moseley

Consultation Feedback Summary Report

FINAL

January 2022

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Appendix A. Consultation Questionnaire

Appendix B. Post-event briefing notes

Appendix C. Coding Matrices

1. Introduction and background

Places for People aims to reduce traffic in residential neighbourhoods so that it is safer for people to walk and cycle, and nicer to be outside for children to play and neighbours to chat.

In many parts of Birmingham, residents find their streets are busy with traffic, particularly when people are taking shortcuts to avoid main roads. When traffic is reduced the neighbourhood becomes quieter, the air is cleaner, and streets feel safer.

The principle of Places for People is that residents can continue to drive onto their street, have visitors, get deliveries, etc, but it is made harder to drive straight through the area.

The story so far

Last year, we introduced temporary measures in parts of Kings Heath and Moseley, most notably placing large planters and bollards to prevent motorised vehicles from using side streets to cut through and avoid main roads.

Most of these changes were made on the west side of Kings Heath High Street, with just a few to the east.

These measures caused considerable controversy, and we received a lot of feedback from the local community, both through our formal engagement and outside this, with numerous conversations, emails, meetings, and site visits taking place over the following months.

What is very apparent from the feedback received is that people care deeply about Kings Heath and Moseley: they want it to be safe, welcoming, and accessible for everyone, for local business to thrive, and for emissions to be reduced or eliminated.

Since the scheme was implemented, we have responded to your concerns where possible and made some changes, for example by moving the planters on Grange Road, supporting businesses on York Road to let vehicle access for their deliveries and changing timings of traffic lights on Vicarage Road. At the same time, we have stood firm on keeping the scheme in place and allowing time for it to 'bed in', knowing that changes to travel behaviour don't all happen overnight.

You said, we did

In winter 2020/21 we conducted a review of the Places for People project delivered in Kings Heath and Moseley, alongside other schemes implemented during COVID-19, and in February/ March 2021 we asked for your views to inform phase two of the project. We have also looked at research from other organisations, including the Department for Transport's Residents' Survey and Transport for All's Pave the Way report.

As expected, opinions remain divided, some people would like the whole thing scrapped, some feel the measures are not nearly enough and more radical action is needed, and many

sit somewhere in between. Feedback identified some general issues in the area, including too much traffic, dangerous driving, and not enough safe cycle routes. Some people also told us about streets where these problems were especially present. On social media, people were concerned that the measures made it more difficult for emergency vehicles to access the area.

Where possible, the new proposals aim to tackle these issues: reducing the number of vehicles using many streets, an option for traffic calming, contraflow cycling on one-way streets (so cyclists can travel in both directions) and an option for a cycle lane on Billesley Lane.

Although emergency vehicles have a key to remove the bollards, feedback from these services is that they prefer to navigate around the closures, with the quieter streets making it easier to do this than when lots of drivers were cutting through the side streets.

Finally, we know that residents of the more main roads are concerned about having more cars on their roads. We acknowledge that there will be some initial displacement of traffic as we prevent drivers from cutting through side roads. However, Places for People and other measures in the Birmingham Transport Plan are designed to drastically reduce travel by private car, shifting most local trips to walking and cycling and longer journeys to public transport. This large-scale change in behaviour is needed to reduce congestion, but most importantly to reduce carbon emissions and air pollution and respond to the climate crisis.

What now?

Bringing together the results of our review, and the further local feedback received since then, BCC consulted on the next phase of Places for People in Kings Heath and Moseley.

Through this, the scheme will be made permanent and new measures will be added, particularly to the east of Kings Heath High Street.

BCC presented concept designs, meaning that the plans show where a measure might be placed, but do not include the detailed design of exactly how it would be arranged. There are two options for each side of the High Street, and we would like to know which of each you prefer and what you like and dislike about them.

This is not a consultation on whether the Places for People project should go ahead, it is about finding the best design for the next stage of the project.

2. Consultation strategy and methodology

2.1 Consultation

The consultation was about phase two of the Kings Heath and Moseley Places for People scheme, in which measures from phase one will be made permanent, possibly with some changes, and new measures will be added, particularly to the east of Kings Heath High Street.

The consultation presented concept designs, meaning that the plans show where a proposed measure might be placed, but do not include the detailed design of exactly how it would be arranged. There were two options proposed for each side of the High Street:

- Option A (west side) represents the scheme currently in place
- Option B (west side) presents an alternative to the current arrangement
- Option C (east side) presents a new proposal for the east side of the High Street
- Option D (east side) presents a new proposal for the east side of the High Street.

Respondents were asked:

- Which option they prefer for each side of the High Street
- What they like and dislike about each option
- Some specific 'local' questions such as whether they would prefer that one-way streets have a contraflow cycle lane or retain on-street parking on both sides.

Figure 2.1 and Figure 2.2 illustrate the outline concept design options for the west side of Kings Heath High Street, with Figure 2.3 and Figure 2.4 illustrating the outline concept design options for the east side of Kings Heath High Street.

Figure 2.1: Option A concept design (existing option) – west side

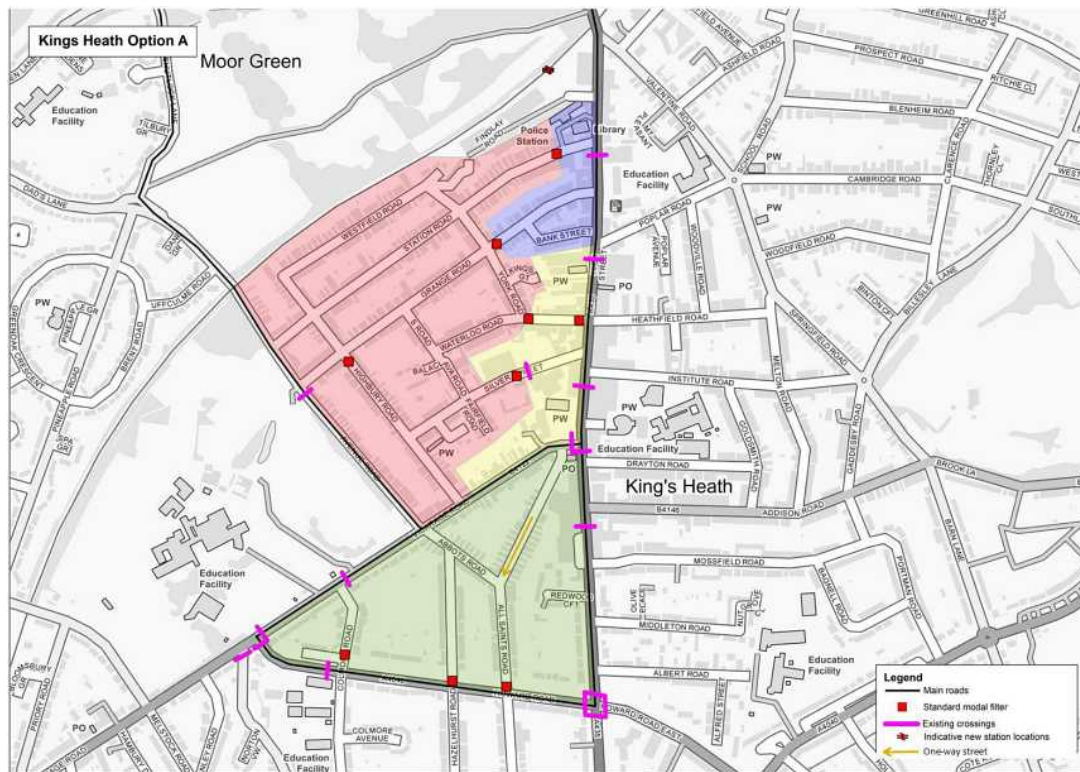


Figure 2.2: Option B concept design–west side

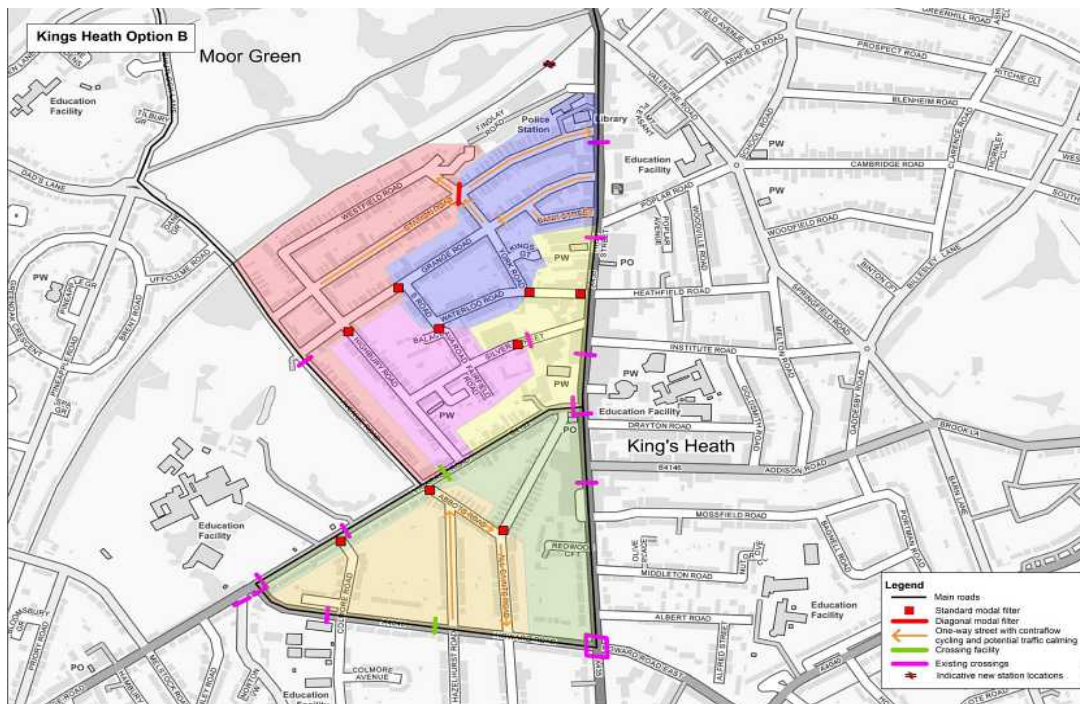


Figure 2.3: Option C concept design– east side

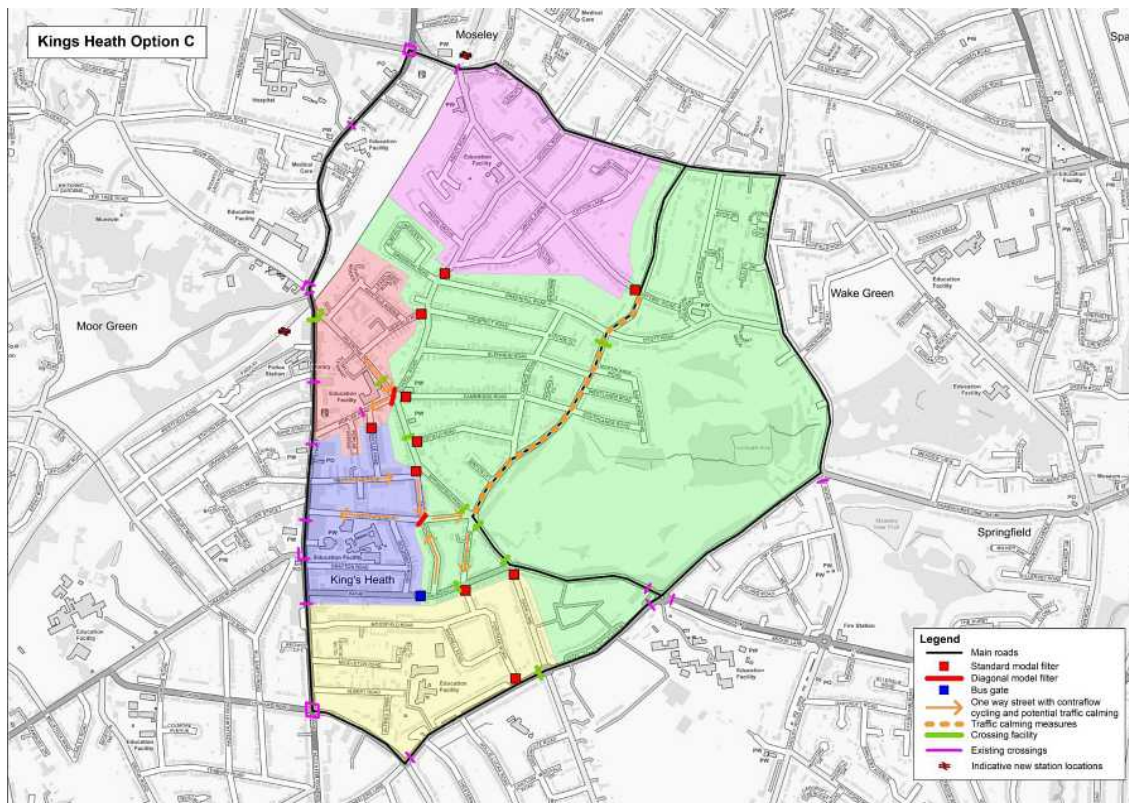
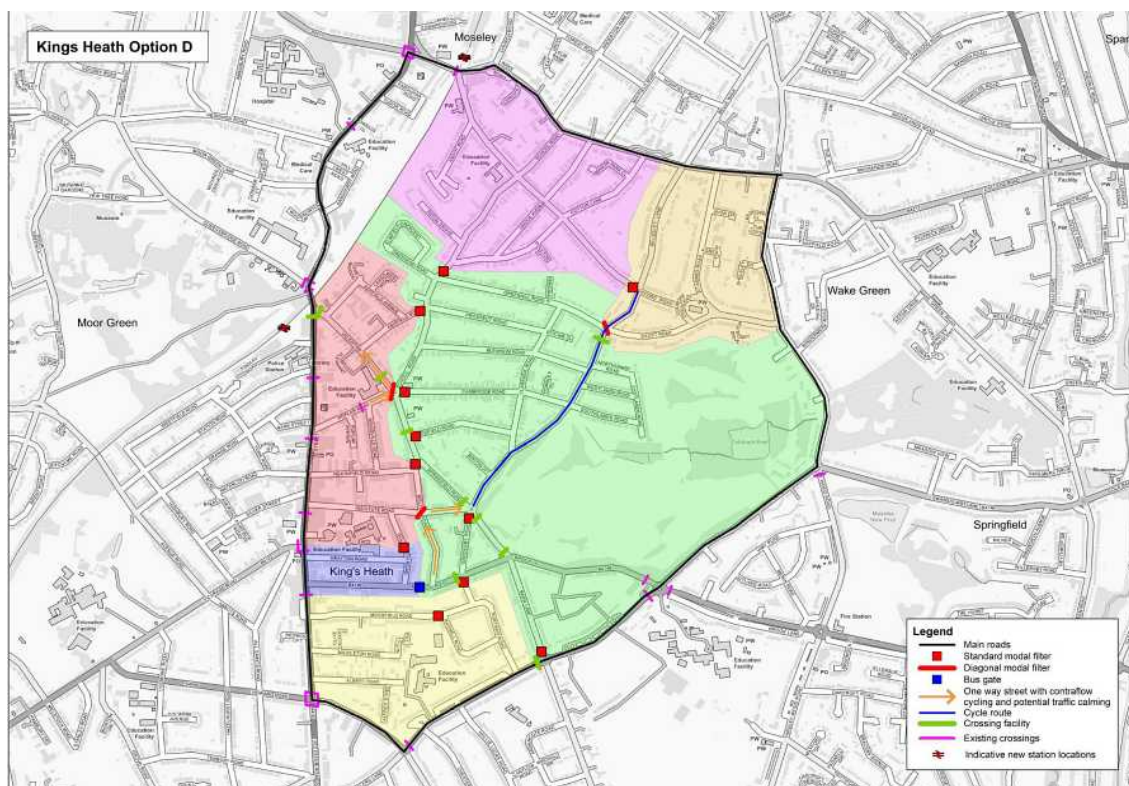


Figure 2.4: Option D concept design – east side



2.2 Consultation method ology

2.2.1 Methods of consultation and engagement

The full consultation information (including plans) was made available online at: [Birmingham BeHeard](#).

Further background to the scheme and information about the wider Places for People programme remains online at [Birmingham City Council](#), and a link to the consultation was added to this page.

Key documents (consultation plans, further consultation information, paper copy of questionnaire) were also available in Kings Heath library.

Messages informing people about the consultation and directing them to the website were shared across appropriate channels including:

- Printed leaflets (delivered to every property in the scheme area, including boundary roads, during the first few days of the consultation.)
- Existing email and other electronic communications (corporate BCC, Birmingham Connected)
- Existing stakeholder/ community contacts and networks
- Roadside signage and on-street posters
- Traditional media (press release)
- Social media

A number of in-person and virtual events were held to present consultation information and to enable conversations with the project team. Section 2.3 below summarises the schedule of events.

2.2.2 Response channels

Responses were primarily be collected online via Be Heard. Paper questionnaires were also available in Kings Heath library and at face-to-face events, but online responses were encouraged wherever possible. **Appendix A** contains the consultation questionnaire.

Where contact is made via a channel other than Be Heard, we will strongly encourage people to also complete the questionnaire online or on paper, if they are able.

An email address was advertised for any queries (connected@birmingham.gov.uk). Anyone who emailed were also encouraged to respond via Be Heard. Emails were logged to feed into the consultation report where appropriate, with section 9 providing an overview of the emails received.

2.3 Programme and schedule of events

The consultation was held between **30 September and 05 November 2021**.

2.3.1 Events

A number of events were held to present consultation information and to enable conversations with the project team. Table 2-1 summarises the schedule of events.

Table 2-1: Summary of schedule of events

Event	Audience	Date/time
Teams Live Event	Primarily local residents, but anyone may register to attend	Tuesday 5 October 2021, 6pm-7.30pm
Online Business Briefing	Local businesses may register to attend	Wednesday 6 October 2021, 3pm-4.30pm
Public drop-in event York Road (outdoor)	Primarily for local residents, but anyone was able to attend	Tuesday 12 October 2021, 3.30pm-6.30pm
Public drop-in event Kings Heath Community Centre	Primarily for local residents, but anyone was able to attend	Tuesday 19 October 2021, 11am-2pm
Public drop-in event Kings Heath Community Centre	Primarily for local residents, but anyone was able to attend	Tuesday 26 October 2021, 3.30pm-6.30pm
Public drop-in event Cambridge Road Methodist Church	Primarily for local residents, but anyone was able to attend	Saturday 30 October 2021, 10am-1pm
Business drop-in event Kings Heath Community Centre	Local businesses and organisations	Monday 1 November 2021, 4pm-6pm

During the consultation, officers aimed to avoid meeting with specific resident or campaign groups individually, but still encouraged them to join drop-in events. This allowed different groups to also hear one another's views and will avoid any concerns that any group has more influence than another, or than individuals who are not part of a group.

Officers and Councillors at the events compiled the main themes of feedback they received into post-event briefing note. Whilst it was not possible to record everything that was said, the main topics and issues were identified. During the events, attendees were encouraged to respond to the online consultation questionnaire or given a paper version to respond via, to ensure their views were accurately recorded. **Appendix B** contains these briefing notes.

3. Overview of responses

The online form received 4,321 responses, with an additional 65 paper survey responses. These responses were analysed alongside each other, therefore going forward the combined total number of 4,386 responses has been used for analysis. Of these responses, 44 came from a representative of a group, business or organisation, with the remaining 4,342 coming from individuals.

BCC also received 203 emails regarding the consultation, five of which were directed to the BeHeard page to give their thoughts as a response to this consultation. The majority of emails related to specifics within the schemes or the consultation itself, and these emails were responded to by Birmingham City Council staff.

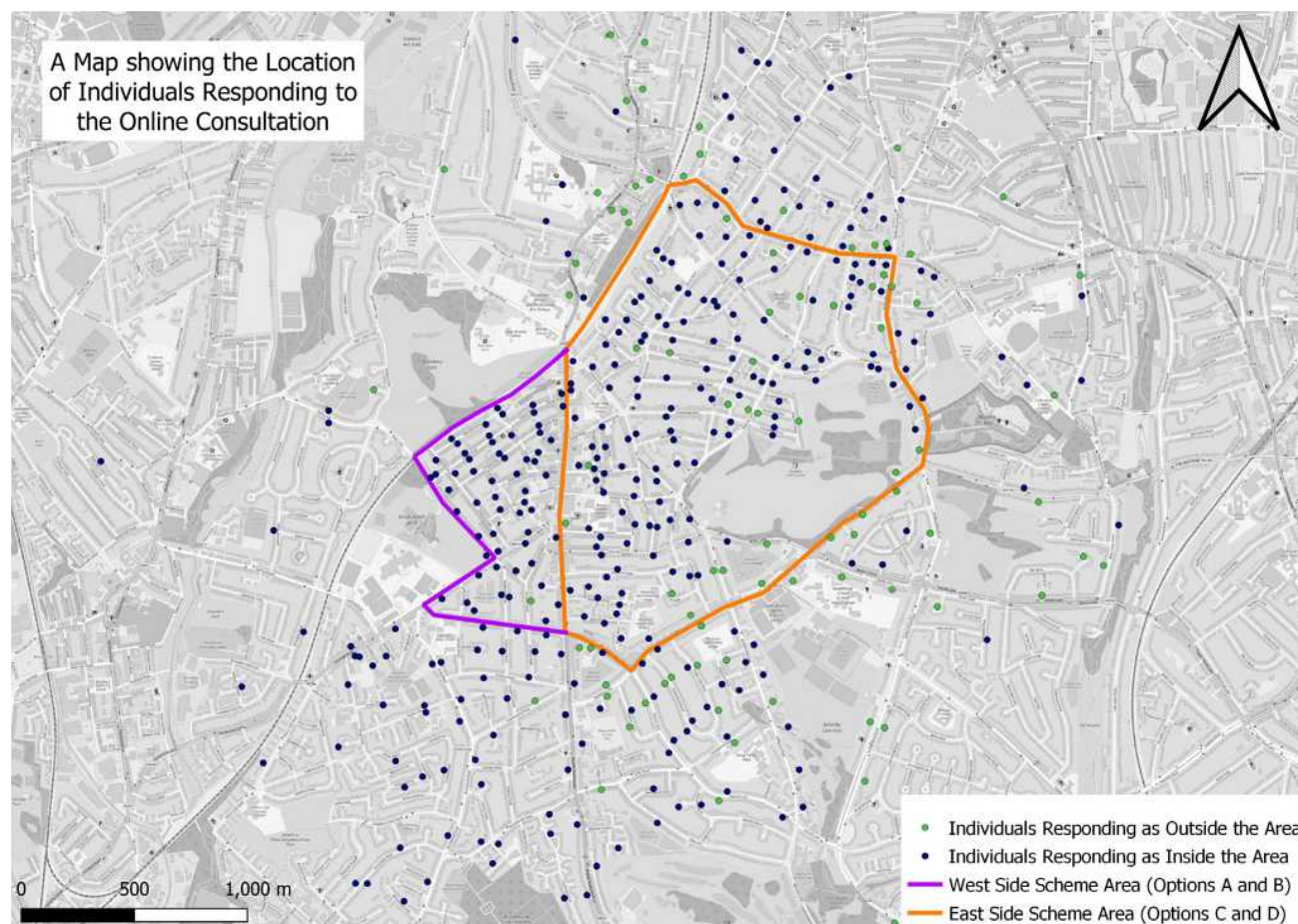
3.1 Individuals

Individuals were asked to identify which road they lived on within the scheme area or whether they lived outside of the area. 1,280 respondents said that they lived outside of the area, with 3,061 living within the scheme area and 1 respondent not specifying where they lived. Of those respondents living within the area, 452 came from respondents living on a road that is proposed as a boundary road in the Places for People proposals, this is based on respondents identifying which road they lived on.

The map of individual respondent locations shown in Figure 3.1 has been compiled using information provided as part of the survey. It should be noted that these dots are representative of postcode areas, not specific locations of individual respondents. The blue dots represent respondents who stated that they lived inside of the scheme location, with the green dots representing those who stated that they lived outside of the scheme location.

Some respondents appear to have misidentified themselves as being inside and outside of the scheme area, when comparing to postcode information provided. However this representative breakdown is specific to both the east and west scheme areas, rather than the entire Kings Heath and Moseley area. Therefore, as part of the further analysis, the disaggregation of responses into 'within scheme area', 'outside of scheme area' and 'boundary road' has taken what respondents have identified themselves, rather than postcode information.

Figure 3.1: Map illustrating individual respondents' locations in relation to the proposed scheme area



3.2 Businesses and organisations

The 44 businesses and organisations responding to the consultation were asked for the postcode of their business/ organisation, and the responses were analysed to see whether the business was inside the area, outside the area, or inside the area and on a boundary road. The results are shown below in Table 3-1.

Table 3-1: Business/organisation location

Where is the Business Located?	Count (Total: 44)
Inside scheme area	23
Outside scheme area	12
On Boundary Road	7
Not Answered	2

3.3 Respondents' connection and travel choices within the scheme area

Respondents were asked how they usually travelled in the area, being able to select multiple different options to show their travel habits in and around Kings Heath and Moseley. These

responses have been totalled and are presented in Table 3-2. Respondents were able to select multiple answers, therefore percentages do not total 100.

Table 3-2: Results on how respondents' travel within the scheme area

How do you usually travel in the area?	Count (Total: 4386)	%
Walk	3039	69%
Cycle	1068	24%
Car or van	3509	80%
Bus	1177	27%
Train	110	3%
Motorcycle	63	1%
Taxi or private hire	517	12%
Other	76	2%
Not applicable	16	0%

The majority of respondents travel through the area via two main modes, these being car or van (80%) and walking (69%), just over a quarter of respondents (27%) said they travelled within and through the area by bus, with just under a quarter (24%) cycling in the area.

Similarly, respondents were asked about their connections to Kings Heath and Moseley, and their responses are shown below. Again, respondents were able to select multiple answers, therefore percentages do not total 100.

Table 3-3: Results on respondents' connection to the scheme area

What is your connection to the area?	Count (Total: 4386)	%
I live here	3515	80%
I work here	798	18%
I study here	66	2%
I live nearby	559	13%
I own a business here	135	3%
I do the school run here	534	12%
I'm here for leisure	462	11%
I commute through here	670	15%
I do my shopping here	1585	36%
I make deliveries here	57	1%
I have friends and family here	0	0%
Other	89	2%

80% of respondents stated that they lived in the area, this broadly correlates with respondents' answers on the specific roads they lived on. 36% of respondents used the areas of Kings Heath and Moseley for shopping, with 18% working in the area. 670 respondents (15%) stated that they commute through the area, with 534 (12%) saying that they do the school run in the area.

3.4 Respondents with disabilities

In order to understand if the scheme would have implications on protected groups, respondents were asked demographic questions (reported in section 8) and about whether they considered themselves to have any disabilities, with the responses shown below in Table 3-4.

Table 3-4: Results on whether respondents consider themselves to have a disability

Do you consider yourself to have a disability?	Count (Total: 4386)	
Yes	471	11%
No	3823	87%
Not Answered	92	2%

Respondents who answered yes were then asked if the disability affected how they were able to travel, and the responses are shown below in Table 3-5. It must be noted that some respondents answered this question without answering yes to the previous question, hence the slight difference in figures.

Table 3-5: Results on whether respondents' disabilities affect their ability to travel

Does your disability affect how you travel?	Count (Total: 478)	
Yes	391	82%
No	83	17%
No Comment	4	1%

Respondents who considered themselves to have a disability were then asked how their disability affects their ability to travel, and these responses were categorised with the counts shown below in Table 3-6. Not all respondents to the previous question answered this question, hence the slight difference in total figures.

Table 3-6: Results on how respondents' disabilities affect their ability to travel

Please tell us how your disability affects how you are able to travel.	Count (Total: 472)	
Mental Health	27	6%
Mobility	275	58%
Other non-mobility disabilities ¹	62	13%
Public Transport Issues ²	46	10%
Reliant on a Car	109	23%
Unable to Drive	18	4%
Other Comment ³	23	5%
Non-specific response ⁴	10	2%
Not Answered	84	18%

¹ Other non-mobility related disabilities included: bowel issues, migraines, Autism Spectrum Disorder (ASD)

² Covers a range of issues where respondents specifically mentioned being unable to travel by public transport easily

³ Not related to disabilities and the impact of travel, but relating to the scheme (i.e. comments on proposals or opinions on non-related topics)

⁴ Responses were not related to how their disability impacts how they travel

The majority of respondents to this question (58%) stated that their disability related to mobility, which limited their ability to walk or cycle. Many of these respondents felt that this meant that they would miss out on key benefits of the proposals. Respondents who discussed disabilities relating to mental health (6%) often stated that they felt their travel options were limited and that they felt uncomfortable on public transport. A key theme from respondents who brought up public transport issues (10%) stated that this was because they were unable to travel on foot or cycle to the stop for the public transport, or that they often needed quick access to facilities like toilets and they were unable to ensure this on public transport services.

Following this, respondents were asked how their travel has been and may possibly be affected by the Places for People proposals. These responses were categorised as travel being made better, worse, no impact, the impact being non-specific (neither better or worse), or would rather not say.

Table 3-7: Results on how the Places for People proposals may affect those respondents with disabilities ability to travel

How your travel is/will be affected by the Places for People proposals?	Count (Total: 472)	%
Better	24	5%
Worse	365	77%
No Impact	10	2%
Non-specific impact	18	4%
Prefer Not to Say	4	1%
Did Not Answer	51	11%

Of those who claimed that their travel would be improved by the Places for People proposals (better), 3 responses claimed that it would make their car travel better, 2 claimed that it would make public transport trips better, 19 responses said that it would be better for walking in the area, and 9 stated that it would be better for other reasons (such as cycling safety or having a quieter area to travel through).

Of those who claimed that their travel would be made more difficult by the Places for People proposals (worse), 279 respondents said that the proposals would make it more difficult to travel by car, 23 said that it would make their travel using public transport worse, 20 stated that it would be worse for walking in the area, 59 worried that it may adversely affect their health, and 31 discussed other issues (such as worries around potential impacts for residents parking and fears as to how the proposals may affect taxi fares).

Respondents were also asked if they held a blue badge for disabled parking, and these responses are shown in Table 3-8 below.

Table 3-8: Results of number of respondents with blue badge for disabled parking

Do you hold a blue badge for disabled parking?	Count (Total: 472)	%
Yes	165	35%

Do you hold a blue badge for disabled parking?	Count (Total: 472)	%
No	307	65%
Not Answered	1	0%

4. Principles of Places for People

4.1 Kings Heath and Moseley being part of the Places for People Proposal

Respondents were asked how they feel about Kings Heath and Moseley being part of the Places for People Proposal. The responses have been summarised below.

Table 4-1: Results on how all respondents feel about Kings Heath and Moseley being part of the Places for People project

How do you feel about Kings Heath and Moseley being part of the Places for People project?	Count (Total: 4386)	%
Positive / strongly support	860	20%
Mostly positive / tend to support	612	14%
Neutral / don't know / no response	409	9%
Mostly negative / tend to oppose	737	17%
Negative / strongly oppose	1727	39%
Not Answered	41	1%

Overall, 56% respondents felt mostly negative or negative about Kings Heath and Moseley's inclusion in the Places for People proposals with 34% feeling mostly positive or positive about the scheme. Of these, 39% stated that they strongly opposed Kings Heath and Moseley being included, with 20% strongly supporting its inclusion.

4.1.1 Individual Responses

When considering individuals responses to the question, the results show that responses for individuals mirror the those for all responses (individuals and business/organisations), in terms of percentages, with 56% tending to oppose or strongly opposing the scheme and 34% tending to support or strongly supporting the scheme.

Table 4-2: Results on how individual respondents feel about Kings Heath and Moseley being part of the Places for People project

How do you feel about Kings Heath and Moseley being part of the Places for People project?	Count (Total: 4342)	%
Positive / strongly support	856	20%
Mostly positive / tend to support	603	14%
Neutral / don't know / no response	406	9%
Mostly negative / tend to oppose	731	17%
Negative / strongly oppose	1707	39%
Not Answered	39	1%

However, the results differ slightly when focusing on individual respondents living within the study area. Table 4-3 summarises the results below.

Table 4-3: Results on how individual respondents living in the scheme area feel about Kings Heath and Moseley being part of the Places for People project

How do you feel about Kings Heath and Moseley being part of the Places for People project?	Count (Total: 3061)	%
Positive / strongly support	691	23%
Mostly positive / tend to support	490	16%
Neutral / don't know / no response	287	9%
Mostly negative / tend to oppose	453	15%
Negative / strongly oppose	1109	36%
Not Answered	31	1%

Individuals living inside the scheme area support the scheme slightly more (39% tend to support and strongly support) and oppose the scheme slightly less (51% tend to oppose and strongly oppose) than all individuals combined (34% and 56% respectively). With 23% strongly supporting the scheme inside the area, compared with 20% when counting all individuals. Similarly, 36% of respondents inside the area strongly oppose the scheme, which is lower than that 39% when including all individuals.

Results also differed when analysing the opinions of those individuals living on proposed boundary roads. Table 4-4 summarises the results below.

Table 4-4: Results on how individual respondents living on proposed boundary roads feel about Kings Heath and Moseley being part of the Places for People project

How do you feel about Kings Heath and Moseley being part of the Places for People project?	Count (Total: 452)	%
Positive / strongly support	45	10%
Mostly positive / tend to support	39	9%
Neutral / don't know / no response	34	8%
Mostly negative / tend to oppose	83	18%
Negative / strongly oppose	247	55%
Not Answered	4	1%

Those living on a proposed boundary tended to feel more negative about the Places for People proposals, with 55% of respondents on boundary roads stating that they feel 'Negative / strongly oppose' the scheme in Kings Heath and Moseley. This is substantially more than all individuals (39%) and for individuals living in the study area on the whole (36%).

Responses for individuals living outside of the area are shown in Table 4-5 below.

Table 4-5: Results on how individual respondents living outside the scheme area feel about Kings Heath and Moseley being part of the Places for People project

How do you feel about Kings Heath and Moseley being part of the Places for People project?	Count (Total: 1280)	%
Positive / strongly support	165	13%
Mostly positive / tend to support	113	9%
Neutral / don't know / no response	119	9%
Mostly negative / tend to oppose	278	22%
Negative / strongly oppose	600	47%
Not Answered	5	1%

These individuals were also more negative about the proposals (47% answering 'Negative / strongly oppose'), which is more than all individual respondents and respondents living in the area. It could be inferred that residents living outside of the area may feel more negatively about the scheme as they see fewer benefits associated with reduced traffic on residential roads, a more attractive environment for active modes and public realm benefits.

4.1.2 Business Responses

Respondents representing businesses and organisations were asked how they felt about Kings Heath and Moseley being part of the Places for People project. Table 4-6 summarises the overall feeling of businesses and organisations towards the project.

Table 4-6: Results on how respondents representing businesses/organisations feel about Kings Heath and Moseley being part of the Places for People project

How do you feel about Kings Heath and Moseley being part of the Places for People project?	Count (Total: 44)	%
Positive / strongly support	4	9%
Mostly positive / tend to support	9	20%
Neutral / don't know / no response	3	7%
Mostly negative / tend to oppose	6	14%
Negative / strongly oppose	20	45%
Not Answered	2	5%

Overall, 59% of respondents representing businesses and organisations felt mostly negative or negative about Kings Heath and Moseley's inclusion in the Places for People proposals, compared with 29% feeling mostly positive or positive about the scheme.

The results for businesses/ organisations identifying as being located inside the scheme area (those on boundary roads included) differ slightly to all businesses/ organisations, as shown in Table 4-7 below.

Table 4-7: Results on how respondents representing businesses/organisations located within the scheme area feel about Kings Heath and Moseley being part of the Places for People project

How do you feel about Kings Heath and Moseley being part of the Places for People project?	Count (Total: 30)	%
Positive / strongly support	1	3%
Mostly positive / tend to support	7	23%
Neutral / don't know / no response	3	10%
Mostly negative / tend to oppose	5	17%
Negative / strongly oppose	14	47%
Not Answered	0	0%

Overall, responses on behalf of businesses and organisations within the scheme area felt slightly more negatively than businesses overall, with 64% (19) within the scheme area tending to oppose or strongly opposing the proposals, compared to 59% (26) for businesses/organisations overall. 26% (8) of businesses/organisations tended to support or strongly support the inclusion compared to 29% (13) of responses on behalf of businesses/organisations overall.

Responses for businesses on boundary roads are shown below.

Table 4-8: Results on how respondents representing businesses/organisations located on boundary roads feel about Kings Heath and Moseley being part of the Places for People project

How do you feel about Kings Heath and Moseley being part of the Places for People project?	Count (Total: 7)	%
Positive / strongly support	0	0%
Mostly positive / tend to support	2	29%
Neutral / don't know / no response	0	0%
Mostly negative / tend to oppose	0	0%
Negative / strongly oppose	5	71%
Not Answered	0	0%

With the smaller number of responses, the results may be more polarised, but overall, 71% (5) of business/organisation responses on boundary roads were strongly opposed to the area's inclusion in the project, and 29% (2) felt mostly positive/tended to support.

Responses for businesses/organisations living outside of the area are shown in Table 4-9 below.

Table 4-9: Results on how respondents representing businesses/organisations located outside the scheme area feel about Kings Heath and Moseley being part of the Places for People project

How do you feel about Kings Heath and Moseley being part of the Places for People project?	Count (Total: 12)	%
Positive / strongly support	3	25%
Mostly positive / tend to support	2	17%
Neutral / don't know / no response	0	0%
Mostly negative / tend to oppose	1	8%
Negative / strongly oppose	6	50%
Not Answered	0	0%

Businesses and organisations outside of the scheme area felt less negatively about the inclusion of Kings Heath and Moseley as part of the Places for People project, with 58% (6) giving negative responses compared to 59% (26) for businesses/organisations overall. The businesses outside of the area also felt more positive about the inclusion, with 42% (5) selecting positive responses compared to 29% (13) for all business respondents.

4.2 Types of intervention to best to reduce traffic and improve safety for cycling and walking

Respondents were asked what type of intervention they think works best to reduce traffic and improve safety for cycling and walking. Respondents were able to select all that applied. The responses have been summarised in Table 4-10 below.

Table 4-10: Results on type of interventions to reduce traffic and improve safety for cycling and walking

What type of intervention do you think works best to reduce traffic and improve safety for cycling and walking?	Count (Total: 4386)	%
Modal filters	985	22%
Traffic calming	1787	41%
More pedestrian crossings	1294	30%
Cycle facilities	1669	38%
Pedestrian-only areas	1023	23%
20mph speed limits	1978	45%
One-way streets	1625	37%
Public transport improvements	2609	59%

The majority of respondents (59%) said that they would like to see improvements to public transport. Other popular interventions were: 20mph speed limits (45%), traffic calming (41%), cycle facilities (38%), and one-way streets (37%).

5. West of Kings Heath High Street Options

5.1 Quantitative responses - Options A and B

Respondents were asked out of the two options (Option A and Option B) which option best helps reduce traffic and support walking and cycling. Out of the total number of respondents (4,386), 4,282 answered this question, the percentages summarised in Table 5-1 below relate to those who answered the question.

Table 5-1: Option A and B Scheme Preference for Reducing Traffic and Supporting Walking and Cycling

Out of the two options (Option A and Option B) developed from ideas from the Kings Heath community, which option do you think best helps reduce traffic and support walking and cycling?	Count (Total: 4386)	%
Option A	548	12%
Option B	532	12%
Neither	2643	60%
Don't Know	559	13%
No response	104	-

The majority of respondents (60%) selected that neither option was preferred by them, with other respondents almost equally split between Option A and B (both with 12% and Option A having slightly more responses). 13% of respondents stated that they did not know which option they thought was best.

5.1.1 Individual Responses

When considering responses from individuals, the results broadly show the same trends. Responses from those individuals who answered this question are shown below.

Table 5-2: Option A and B Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Individuals

Out of the two options (Option A and Option B), which option do you think best helps reduce traffic and support walking and cycling?	Count (Total: 4342)	%
Option A	545	13%
Option B	525	12%
Neither	2619	60%
Don't Know	553	13%
No response	100	-

The results differ slightly when focusing only on individuals living within the study area, the responses are shown below.

Table 5-3: Option A and B Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Individuals living within the scheme area

Out of the two options (Option A and Option B), which option do you think best helps reduce traffic and support walking and cycling?	Count (Total: 3061)	%
Option A	447	15%
Option B	410	13%
Neither	1661	54%
Don't Know	461	15%
No response	82	-

When comparing individuals living within the scheme area (3,061) compared to all individuals (4,342), individuals within the scheme area have a slightly higher preference for both Option A (15% compared to 13%) and B (13% compared to 12%), with fewer respondents choosing Neither (54% compared to 60%).

When only showing responses for individuals on boundary roads, the sentiment of the responses changes more so than when looking at individuals overall. These responses are shown below.

Table 5-4: Option A and B Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Individuals living on boundary roads

Out of the two options (Option A and Option B), which option do you think best helps reduce traffic and support walking and cycling?	Count (Total: 452)	%
Option A	32	7%
Option B	32	7%
Neither	350	77%
Don't Know	32	7%
No response	6	-

Substantially more respondents (77%, 350 respondents) chose neither option as being preferred, with the exact same number of respondents being split between Option A, B and Don't Know (32 respondents).

The table below shows the responses of individuals living outside of the area.

Table 5-5: Option A and B Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Individuals living outside of the scheme area

Out of the two options (Option A and Option B), which option do you think best helps reduce traffic and support walking and cycling?	Count (Total: 1280)	%
Option A	98	8%
Option B	115	9%
Neither	958	75%
Don't Know	92	7%
No response	17	-

Residents living outside of the area seem to broadly have the same feelings as residents living on the boundary roads, with a similar proportion of respondents choosing neither option (75% compared to 77% on boundary roads). However, residents outside of the area did seem to slightly favour Option B more than Option A (115 responses for Option B compared to 98 for Option A).

5.1.2 Business Responses

When considering responses from businesses and organisations, the results are as follows.

Table 5-6: Option A and B Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Businesses and Organisations

Out of the two options (Option A and Option B), which option do you think best helps reduce traffic and support walking and cycling?	Count (Total: 44)	%
Option A	3	7%
Option B	7	16%
Neither	24	55%
Don't Know	6	14%
No response	4	-

The majority of businesses and organisations selected 'neither' (55%), with more of a preference for Option B (16%) when compared to Option A (7%) and 14% stating they did not know.

The results differ slightly considering businesses and organisations located within the scheme area. The results are shown below.

Table 5-7: Option A and B Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Businesses and Organisations with the scheme area

Out of the two options (Option A and Option B), which option do you think best helps reduce traffic and support walking and cycling?	Count (Total: 30)	%
Option A	2	7%
Option B	7	23%
Neither	15	50%
Don't Know	4	13%
No response	2	-

Half of the businesses and organisations within the scheme area chose 'neither' option, with 23% selecting Option B, and 7% selecting Option A.

Responses for businesses and organisations on boundary roads are shown below.

Table 5-8: Option A and B Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Businesses and Organisations on Boundary Roads

Out of the two options (Option A and Option B), which option do you think best helps reduce traffic and support walking and cycling?	Count (Total: 7)	%
Option A	0	0%
Option B	1	14%
Neither	5	71%
Don't Know	0	0%
No response	1	-

Of the 7 businesses and organisations, 1 did not answer the question, 1 stated that they preferred Option B, and the remaining 5 stated that they preferred neither option.

The results for businesses and organisations located outside of the area are shown below.

Table 5-9: Option A and B Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Businesses and Organisations Outside the Area

Out of the two options (Option A and Option B), which option do you think best helps reduce traffic and support walking and cycling?	Count (Total: 12)	%
Option A	1	8%
Option B	0	0%
Neither	9	75%
Don't Know	2	17%

9 of the 12 businesses and organisations outside of the area stated that they preferred neither option, 1 showed a preference for Option A, with the remaining 2 businesses and organisations stating that they didn't know which option they preferred.

5.2 Qualitative responses – Options A and B

When asked what elements respondents liked and disliked about the different options, respondents were able to provide open written responses. These responses have been coded along key themes and analysed, first by overall opinion, then by the sub-category for general points they made within their response, and finally by the specific like/ dislike they raised. The coding matrices are shown in **Appendix C**.

For example, if a respondent felt positively about improved safety for cyclists under the Places for People proposals, then the Overall Opinion would be 'Positive', then the Sub-Category would be 'Safety', and finally the Specific would be 'Cyclist Safety'. Each response was given one overall opinion but could have multiple sub-categories and specifics.

5.2.1 What elements do you like or dislike about Option A?

2,742 respondents (63% of the total number of respondents) provided information on what they liked or disliked about the Option A. The overall opinions for Option A are shown below.

Table 5-10: Option A Overall Opinion

Overall Opinion	Count (Total: 2742)	%
Positive	330	12%
Negative	2000	73%
No Impact	12	0%
Non-specific response(neither positive nor negative)	157	6%
Mixed response(both positive and negative)	117	4%
No Comment (i.e. N/A)	125	5%
No response	1,644	-

Overall, 73% of responses were negative about the scheme or solely negative about different aspects of the option with only a small number including some additional positives. 12% were positive towards Option A, with 4% offering a mixture of both positive and negative feelings towards the option without a clear consensus on balance. 6% were neither positive or negative on the option, with 5% stating 'no comment' (oftentimes being 'No' or 'N/A'). Figures vary significantly when focusing only on residents living on boundary roads, where 87% of responses had negative opinions and just 3% gave a positive response to Option A.

When looking at the different sub-categories, it should be noted that each respondent could mention the same sub-category multiple times, for example, if a respondent gave a positive response and they felt positively about cyclist safety and pedestrian safety, then the response would be marked as having a 'Positive' opinion, a 'Safety' subcategory and then 'Cyclist Safety' for the specific, and a 'Safety' subcategory with 'Pedestrian Safety' specific. Therefore, the counts for each sub-category includes the number of instances in which the sub-category was mentioned and not the number of respondents who mentioned it. However, general themes can be drawn from the numbers, with most respondents mentioning each sub-category once.

The instances of each sub-category being mentioned for Option A are shown below, ranked from most common theme to least common.

Table 5-11: Option A general sub-categories

Sub-Category	Count from 2742 Responses
Negative Car Impacts	1991
Oppose P&P Altogether	852
Negative Pollution Impacts	725
Negative about the Design	467
Positive about the Design	231
Positive Environmental Impacts	224
Positive about Safety	181
Negative about Safety	151
Public Transport Issues	66
Negative for Pedestrians	61
Want to Expand the Scheme	22

The most common response was that respondents felt that the impact for cars would be negative, with 1,991 instances of this being mentioned across the 2,742 responses. There were 852 instances where somebody raised an issue outlining their opposition to the Places for People scheme, for example, deeming that the scheme is unfair or that they are opposed to roads closures under any circumstances. The most frequently mentioned positive responses were about the scheme design (231 mentions), such as positioning of modal filters, and positives about environmental impacts (224 mentions), such as reduced air pollution or reduced noise pollution.

Respondents also outlined their specific likes and dislikes regarding Option A, these are summarised in Table 5-12.

Table 5-12: Option A Specifics

Specifics	Count (Total: 2742)
Increased Traffic on Boundary Roads	891
Excessive Increase in Journey Time	483
Increased Traffic on High Street	268
Increased Pollution Overall	259
Increased Traffic Overall	240
Negative Business Impacts	237
Perceived favouritism – i.e. only benefits certain people, disproportionate impacts across the area	235
Negative about Modal Filters	230
Wants open roads	219
More pollution on roads within scheme area due to displaced traffic	217
Negative Filter Placement	212
More Pollution on Boundary Roads and High Street	212
Reduced Safety on Boundary Roads	138
Positive Filter Placement	118
Reduced Traffic	97
Positive about Modal Filters	82
Better Public Realm	76
Negative Emergency Vehicle Impacts	74
Increased Speeding	55
Improved Pedestrian Safety	52
Improved Cyclist Safety	52
Increased Public Transport Traffic	52
More Traffic on non-boundary roads outside of scheme area	39
Unsafe for Pedestrians	39
Opposed to Discouraging Cars	33
Negative Delivery Driver Impacts	33
More Noise Pollution	33
Improved Children Safety	29
Fewer Cars on Roads	28
Reduced Speeding	28

Specifics	Count (Total: 2742)
Less enjoyable walking	27
Reduced Noise	22
Place more in King Heath	21
Positive about One Way Streets	19
Better Air Quality	17
Improved Car Safety	13
Negative about One Way Streets	11
Unsafe for Cars	11
Likes the Aesthetics(i.e. planters)	9
Dislikes the Aesthetics(i.e. planters)	9
Public transport inaccessible (have to use car)	9
Perceived Lack of Pedestrian Safety at Night	9
More Litter	4
Place more in Birmingham	3

As with the sub-categories, the most common issues raised by respondents related to cars, with worries over increased traffic on boundary roads being the most commonly raised specific issue, with 891 respondents raising this as a concern. When focusing on those living on a boundary road (452 respondents), 304 provided specifics as to what they liked or disliked about Option A. Of the 304 responses, 142 raised fears over increased traffic on boundary roads as a concern.

483 responses raised an issue with the potential for the scheme to excessively increase journey times with Option A either related to changing routes due to the positioning of the modal filters or because of concerns over increased traffic/congestion on boundary roads increasing travel time. 268 of all respondents raised the issue of increased traffic on the High Street specifically, with 240 raising issues of increased traffic overall.

237 responses stated that Option A may have a negative impact on businesses in the area 37 businesses/organisations out of the 44 provided specifics as to what they liked and disliked about Option A, with 7 outlining concerns regarding negative impact to businesses in the area.

235 responses highlighted concerns over favouritism (perceived or not) within the scheme, i.e. where the filters had been placed, who benefits from the scheme and implications to residents on boundary roads being given less favourable treatment. 39 responses from individual respondents on boundary roads also raised this issue.

259 responses raised the potential issue of air pollution overall in Kings Heath and Moseley, with 217 stating their concern about pollution on roads as a result of displaced traffic (within scheme area but not boundary roads) and 212 mentioned concerns over potential increases in air pollution on main roads (boundary roads, including the High Street). However, 17 responses felt that air quality would actually be improved under Option A.

In terms of design, 82 responses were positive about the inclusion of modal filters in Option A, whereas 230 were negative about the measure. 19 responses outlined a positive opinion

about One Way Streets with 11 negative opinions. 219 responses outlined opposition to closing roads at all, with 33 opposed to discouraging car use in any way.

On the issue of safety, 52 responses stated Option A would improve pedestrian safety, 52 also thought that it would improve cyclist safety, 13 thought that car safety would be improved, 29 thought that safety would be improved for children, and 28 stated that Option A could result in a reduction in speeding. However, 39 responses stated that Option A would make roads less safe for pedestrians, with 138 stating that boundary roads would be less safe in general under this option. 55 responses outlined that the proposals may in fact increase the number of cars speeding, this was often related to negative feelings towards one-way streets.

In terms of positive specifics, 118 responses stated positive opinion on the location of one or more of the filters as part of Option A, with 97 also outlining that the proposals could lead to reduced traffic on one or more roads in the area. 76 responses outlined support for improvements to the public realm as a result of the proposals, with the majority of these related to the York Road measures, stating that it was a good place to socialise outdoors.

5.2.2 What elements do you like or dislike about Option B?

2,575 respondents (59% of the total number of respondents) provided information on what they liked or disliked about the Option B. The overall opinions for Option B are shown below.

Table 5-13: Option B Overall Opinion

Overall Opinion	Count (Total: 2575)	%
Positive	312	12%
Negative	1818	71%
No Impact	7	0%
Non-specific response (neither positive nor negative)	162	6%
Mixed response (both positive and negative)	127	5%
No Comment (i.e. N/A)	149	6%
No response	1811	-

Overall, 71% of responses were negative about the scheme or solely negative about different aspects of the option with only a small number including some additional positives. 12% were positive towards Option B, with 5% offering a mixture of both positive and negative feelings towards the option without a clear consensus on balance. 6% were neither positive or negative on the option, with 6% stating 'no comment' (often times being 'No' or 'N/A').

The instances of each subcategory being mentioned for Option B are shown below.

Table 5-14: Option B Sub-Categories

Sub-Category	Count from 2575 Responses
Negative Car Impacts	1592
Oppose PfP Altogether	774
Negative about the Design	664
Negative Pollution Impacts	498

Sub-Category	Count from 2575 Responses
Positive about the Design	490
Positive Environmental Impacts	121
Negative about Safety	111
Positive about Safety	56
Negative for Pedestrians	52
Public Transport Issues	50
Want to Expand the Scheme	11

Again, the most common response about the scheme involved perceived negative impacts for cars, with 1592 instances of this being mentioned, more than double the second most frequently mentioned. There were 774 instances where somebody raised an issue outlining their opposition to the Places for People scheme for example, being opposed to closing roads or discouraging cars. The most frequently mentioned positive response was about the scheme design (490 mentions), however there were more negative remarks about the design (664).

Respondents also outlined their specific likes and dislikes regarding Option B, these are summarised in Table 5-15.

Table 5-15: Option B Specifics

Specifics	Count (Total: 2575)
Increased Traffic on Boundary Roads	655
Excessive Increasing Journey Time	374
Negative Filter Placement	245
Wants open roads	237
Increased Traffic on High Street	237
Negative about Standard Modal Filters	229
Perceived favouritism – i.e. only benefits certain people, disproportionate impacts across the area	203
Increased Traffic Overall	191
Increased Pollution Overall	187
Negative Business Impacts	185
Positive about One Way Streets	179
More Pollution on Boundary Roads and High Street	157
More pollution on roads within scheme area due to displaced traffic	134
Positive Filter Placement	133
Reduced Safety on Boundary Roads	105
Negative about One-Way Streets	101
Increased Speeding	89
Reduced Traffic	84
Positive about New Crossings	71
Positive about Diagonal Modal Filters	65
Negative about Diagonal Modal Filters	65
Negative Emergency Vehicle Impacts	57
Unsafe for Pedestrians	43

Specifics	Count (Total: 2575)
Positive about Standard Modal Filters	38
Opposed to Discouraging Cars	34
Increased Public Transport Traffic	33
More Traffic on non-boundary roads outside of the scheme area	30
Negative Delivery Driver Impacts	28
Negative about New Crossings	19
Fewer Cars	18
Improved Children Safety	18
Improved Pedestrian Safety	17
More Noise Pollution	17
Better Public Realm	15
Improved Cyclist Safety	14
Unsafe for Cars	14
Public transport inaccessible (have to use the car)	14
Less enjoyable walking	11
Place more in Kings Heath	10
Reduced Speeding	7
Improved Car Safety	6
Perceived Lack of Pedestrian Safety at Night	5
Better Air Quality	4
Dislikes the Aesthetics	4
Reduced Noise	3
More Litter	3
Likes the Aesthetics	2
Place more in Birmingham	1

As was the case for Option A, the most commonly raised specific negative of the scheme was the perception that traffic on the boundary roads would increase with the introduction of Option B. However, for Option A this was mentioned by 891 respondents, whereas for Option B it was mentioned as a concern by 655 respondents. A similar trend is seen when looking at worries relating to excessive increasing journey times, this issue was raised by 483 respondents for Option A and 374 for Option B.

When focusing on those living on a boundary road (452 respondents), 277 provided specifics as to what they liked or disliked about Option B. Of these 277 responses, 104 specifically raised concerns over increased traffic on boundary roads. 185 responses stated that Option B may have a negative impact on businesses in the area. 31 businesses/organisations out of the 44 provided specifics as to what they liked and disliked about Option B, with 5 outlining concerns regarding negative impact to businesses in the area.

In terms of positives, the most commonly mentioned positive of the scheme was about the one-way streets in Option B, with 179 respondents mentioning them, which is substantially more than 19 responses for Option A. However, 101 respondents felt negatively about one-way streets in Option B, again up from 11 in Option A.

Comparison tables on key themes of positive and negative responses for Option A and Option B are summarised below in Table 5-16 and Table 5-17 respectively.

Table 5-16: Comparison of number of responses on Option A and B Positive Specifics

Specific	Option A (Total: 2742)	Option B (Total: 2575)
Positive about Standard Modal Filters	82	38
Positive about Diagonal Modal Filters	-	65
Positive about One Way Streets	19	179
Positive about New Crossings	-	71
Positive Filter Placement	118	133
Likes the Aesthetics	9	2
Better Air Quality	17	4
Less Litter	0	0
Better Public Realm	76	15
Reduced Noise	22	3
Fewer Cars	28	18
Reduced Traffic	97	84
Improved Pedestrian Safety	52	17
Improved Cyclist Safety	52	14
Improved Car Safety	13	6
Reduced Speeding	28	7
Improved Children Safety	29	18
Place more in Kings Heath	21	10
Place more in Birmingham	3	1

Table 5-17: Option A and B Negative Specifics

Specific	Option A (Total: 2742)	Option B (Total: 2575)
Negative about Standard Modal Filters	230	229
Negative about Diagonal Modal Filters	-	65
Negative about One-Way Streets	11	101
Negative about New Crossings	-	19
Negative Filter Placement	212	245
Dislikes the Aesthetics	9	4
Perceived favouritism	235	203
Opposed to Discouraging Cars	33	34
Wants open roads	219	237
Negative Emergency Vehicle Impacts	74	57
Negative Business Impacts	237	185
Negative Delivery Driver Impacts	33	28
Increased Traffic on Boundary Roads	891	655
More Traffic on non-boundary roads outside of the scheme area	39	30
Increased Traffic on High Street	268	237
Increased Traffic Overall	240	191
Excessive Increasing Journey Time	483	374

Specific	Option A (Total: 2742)	Option B (Total: 2575)
Increased Speeding	55	89
Unsafe for Cars	11	14
Increased Public Transport Traffic	52	33
Public transport inaccessible (have to use car)	9	14
Unsafe for Pedestrians	39	43
Less enjoyable walking	27	11
More Noise Pollution	33	17
More Pollution on Boundary Roads and High Street (boundary roads/high streets)	212	157
More pollution on roads within scheme area due to displaced traffic	217	134
More Light Pollution	0	0
Increased Pollution Overall	259	187
More Litter	4	3
Reduced Safety on Boundary Roads	138	105
Perceived Lack of Pedestrian Safety at Night	9	5

5.2.3 Is there anything else you would like to add or change to the proposals that hasn't already been said?

The respondents were asked if there was anything further they would like to add and change to the proposals that hasn't already been covered in their previous responses.

2263 respondents (52% of total number of respondents) provided information on further changes to the proposal. The overall opinions of these respondents are captured in Table 5-18 below.

The results show that 54% of responses were negative towards Options A and B, with 5% of responses providing a positive opinion. However, 617 respondents can be categorised as providing 'Alternatives', meaning that 28% of respondents would like to add or change to the proposal. These changes are presented in Table 5-19.

Table 5-18: Overall Opinion -anything further to add/change

Overall Opinion	Count (2263)	%
Positive	103	5%
Negative	1199	54%
Alternatives	617	28%
Comments about consultation	122	5%
No comment (i.e. N/A)	158	7%
Non-specific comment (neither positive nor negative)	34	2%
No response	2123	-

Table 5-19 presents a summary of the alternatives that respondents suggested to Places for People scheme proposals (for Options A and B). The alternatives are organised from highest to lowest, with the highest being the most popular amongst respondents and the lowest being the least. The most popular alternative suggested involved improvements to public transport with 174 respondents stating that this is something they would like to add and change to the proposals, closely followed by one-way roads at 141 responses. The alternatives with the lowest counts are grouped into other and are listed in the associated footnote.

Table 5-19: Summary of alternatives suggested

Alternatives	Count (Total: 617)
Improvements to public transport	174
One-way Roads	141
Improved cycling infrastructure	118
Comments about the Council	106
Build the railway station	89
Traffic calming measures	88
Measuring Success	80
Provide better information	71
Introduce speed limits	59
Open up roads	49
Introduce speed cameras	40
Additional crossings	34
Pedestrianised areas	31
Electric Vehicles	29
Improve access to the High Street	26
Resident parking pass	25
Speed bumps	24
Better signage	21
Other ⁵	145

5.3 Summary

When analysing the preference of all respondents (4,386) regarding the Places for People proposals on the west of Kings Heath High Street (Options A and B), the most selected response was neither (60%), with no substantial difference in preference between Option A (12%) or Option B (12%).

These results change slightly when considering responses from those individuals who have identified themselves as living within the entire scheme area (both west and east side - 3,061). Results show there is a minor preference for Option A (15%), when compared to Option B

⁵ Fewer than 5 responses: Covid-19 impacts; Free parking; Changing location/ area of modal filters; Timed closures of modal filters; Bus gates; Ban pavement parking; Introduce park and ride; Additional green space; School Parking; APNR filters; Improve pavement conditions; CAZ extension; Bus lanes; Highway maintenance (potholes); Improve overall connectivity; Additional/ changes to traffic lights; and Education.

(13%), as well as a slight decrease in the number of respondents outlining that neither option is preferable (56%) when compared to all respondents.

Conversely there is an increase in those respondents preferring neither when considering those respondents living on boundary roads (452) and living outside the area (1280), up to 77% and 75% respectively from 60% for all respondents. Overall, 55% of businesses and organisations responded neither.

For both Option A and Option B respondents stated that negative impacts to cars was the main element that respondents disliked about the options, with regards to increased traffic on boundary roads and increased journey times for those in cars. In terms of positive comments, 12% of respondents outlined what they liked about both Option A and Option B, outlining improvements to environment (i.e. air quality) and the design of the scheme (i.e. reduced traffic along residential roads and improved environment for walking and cycling).

When respondents were given the opportunity to suggest anything that they would like to add or change to the proposal, the most common responses include: improvements to public transport; consideration of one-way roads; and improvements to cycling infrastructure.

Further sensitivity analysis has used postcode information to identify those responses from individuals living within the west side of the Places of People proposed scheme (498 individual respondents). This is to understand how people specifically living within the Option A and Option B scheme area feel about the proposals. Table 5-20 summarises the results, which show that Option A (44%) is preferred by residents of the west side of the scheme area when compared to Option B (12%). Slightly more prefer neither option (44%), but this is less than when considering all individuals living within the entire scheme areas (both west and east).

Table 5-20: Option A and B- individuals living inside the west side of the proposed scheme area

Out of the two options (Option A and Option B), which option do you think best helps reduce traffic and support walking and cycling?	Count (Total: 498)	%
Option A	199	40%
Option B	59	12%
Neither	219	44%
Don't Know	16	3%
No response	5	-

6. East of Kings Heath High Street Options

6.1 Quantitative responses - Options C and D

Respondents were asked out of the two options (Option C and Option D), which option best helps reduce traffic and support walking and cycling. Out of the total number of respondents (4,386), 4,342 answered this question, the percentages summarised in Table 6-1 below relate to those who answered the question.

Table 6-1 Option C and D Scheme Preference for Reducing Traffic and Supporting Walking and Cycling

Out of the two options developed from ideas from the Kings Heath and Moseley community, which option do you think best helps reduce traffic and supports walking and cycling?	Count (Total: 4386)	%
Option C	585	13%
Option D	566	13%
Neither	2729	62%
Don't Know	378	9%
No response	128	-

The majority of respondents (62%) selected that neither option was preferred by them, with other respondents almost equally split between Option C and D (both with 13% and Option C having slightly more responses). 9% of respondents stated that they did not know which option they thought was best.

6.1.1 Individual Responses

When considering responses from individuals, the results broadly show the same trends. Responses from those individuals who answered this questionnaire are shown below.

Table 6-2: Option C and D Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Individuals

Out of the two options (Option C and Option D), which option do you think best helps reduce traffic and supports walking and cycling?	Count (Total: 4342)	%
Option C	580	13%
Option D	560	13%
Neither	2703	62%
Don't Know	375	9%
No response	124	-

The results differ slightly when focusing only on individuals living within the study area, the responses are shown below

Table 6-3: Option C and D Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Individuals living in the scheme area

Out of the two options (Option C and Option D), which option do you think best helps reduce traffic and supports walking and cycling?	Count (Total: 3061)	%
Option C	501	16%
Option D	467	15%
Neither	1754	57%
Don't Know	253	8%
No response	86	-

When comparing individuals living within the scheme area (3,061) compared to all individuals (4,342), individuals within the scheme area have a slightly higher preference for both Option C (16% compared to 13%) and D (15% compared to 13%), with fewer respondents choosing Neither (57% compared to 62%).

When only showing responses for individuals on boundary roads, the sentiment of the responses changes more so than when looking at individuals overall. These responses are shown below.

Table 6-4: Option C and D Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Individuals living on boundary roads

Out of the two options (Option C and Option D), which option do you think best helps reduce traffic and supports walking and cycling?	Count (Total: 452)	%
Option C	25	6%
Option D	32	7%
Neither	348	77%
Don't Know	29	6%
No response	18	-

Substantially more respondents (77%, 348 respondents) chose neither option as being preferred, with the similar numbers of respondents split between Option C (6%, 25 respondents), D (7%, 32 respondents), and Don't Know (6%, 29 respondents).

The table below shows the responses of individuals living outside of the area.

Table 6-5: Option C and D Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Individuals living outside of the scheme area

Out of the two options (Option C and Option D), which option do you think best helps reduce traffic and supports walking and cycling?	Count (Total: 1280)	%
Option C	79	6%
Option D	93	7%
Neither	949	74%
Don't Know	122	10%
No response	37	-

Residents living outside of the area seem to broadly have the same feelings as residents living on the boundary roads, with a similar proportion of respondents choosing neither option (74% compared to 77% on boundary roads). However, residents outside of the area did seem to slightly favour Option D more than Option C (93 responses for Option D compared to 79 for Option C), however more respondents did not know which option they preferred (122 responses).

6.1.2 Business Responses

When considering responses from businesses and organisations, the results are as follows.

Table 6-6: Option C and D Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Businesses and Organisations

Out of the two options (Option C and Option D), which option do you think best helps reduce traffic and supports walking and cycling?	Count (Total: 44)	%
Option C	5	11 %
Option D	6	14 %
Neither	26	59 %
Don't Know	3	7 %
No response	4	-

The majority of businesses and organisations selected 'neither' (59%), with more of a preference for Option D (14%) when compared to Option C (11%) and 7% stating they did not know.

The results differ slightly considering businesses and organisations located within the scheme area. The results are shown below.

Table 6-7: Option C and D Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Businesses and organisations inside the scheme area

Out of the two options (Option C and Option D), which option do you think best helps reduce traffic and supports walking and cycling?	Count (Total: 30)	%
Option C	5	17 %
Option D	4	13 %
Neither	18	60 %
Don't Know	2	7 %
No response	1	-

Over half of the businesses and organisations within the scheme area chose 'neither' option (60%), with 17% selecting Option C, and 13% selecting Option D.

Responses for businesses and organisations on boundary roads are shown below.

Table 6-8: Option C and D Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Businesses and organisations on boundary roads

Out of the two options (Option C and Option D), which option do you think best helps reduce traffic and supports walking and cycling?	Count (Total: 7)	%
Option C	1	14 %
Option D	1	14 %
Neither	4	57 %
Don't Know	0	0 %
No response	1	-

Of the 7 businesses and organisations on boundary roads to respond to the consultation, 1 selected Option C as their preference, 1 selected Option D, 4 selected neither option as being preferred, and 1 did not answer the question.

Finally, the results for businesses and organisations outside of the area are shown below.

Table 6-9: Option C and D Scheme Preference for Reducing Traffic and Supporting Walking and Cycling - Businesses and organisations outside the area

Out of the two options (Option C and Option D), which option do you think best helps reduce traffic and supports walking and cycling?	Count (Total: 12)	%
Option C	0	0 %
Option D	2	17 %
Neither	8	67 %
Don't Know	1	8 %
No response	1	-

Of the 12 businesses and organisations outside of the area to respond this consultation, no one selected Option C as their preference, 2 selected Option D, 8 selected Neither option as being preferred, 1 stated that they did not know which option they preferred, and 1 did not answer the question.

6.1.3 Billesley Lane proposals in Options C and D

Additionally to the wider Option preference, respondents were asked a further question, as to what improvement they preferred along Billesley Lane specifically. Respondents were asked if they preferred Billesley Lane to be retained as a through route with traffic calming (Option C) or changed to a filtered road with no through traffic (Option D). Table 6-10 summarises the results.

Table 6-10: Billesley Lane Options- Overall Responses

Do you think Billesley Lane should be a through route with traffic calming (as in Option C) or a filtered road with no through traffic (as in Option D)?	Count (Total: 4386)	%
Through route with traffic calming (Option C)	2282	52 %
Filtered road with no through traffic (Option D)	517	12 %
Don't know / no opinion	790	18 %

Do you think Billesley Lane should be a through route with traffic calming (as in Option C) or a filtered road with no through traffic (as in Option D)?	Count (Total: 4386)	%
Not Answered	796	18%

The majority of respondents (52%) selected that they preferred the treatment of Billesley Lane in Option C, which is for the road to remain a through road with traffic calming, this was mentioned frequently in the qualitative responses to Option C as well, with many respondents worrying about the current speeding and late-night dangerous driving on Billesley Lane. Whilst Option D could mitigate issues of speeding and dangerous driving, by implementing a modal filter to remove through traffic, this was not a preferred solution (12%). 18% stated that they did not know or had no opinion, and another 18% did not answer the question.

The responses for individuals living in the area and businesses/organisations broadly mirror the same trends as all respondents, as shown below in Table 6-11 and Table 6-12 respectively.

Table 6-11: Billesley Lane Options- Individuals inside the area

Do you think Billesley Lane should be a through route with traffic calming (as in Option C) or a filtered road with no through traffic (as in Option D)?	Count (Total: 3059)	%
Through route with traffic calming (Option C)	1635	53%
Filtered road with no through traffic (Option D)	423	14%
Don't know / no opinion	506	17%
Not Answered	495	16%

Table 6-12: Billesley Lane Options- Businesses and organisations

Do you think Billesley Lane should be a through route with traffic calming (as in Option C) or a filtered road with no through traffic (as in Option D)?	Count (Total: 44)	%
Through route with traffic calming (Option C)	26	59%
Filtered road with no through traffic (Option D)	1	2%
Don't know / no opinion	8	18%
Not Answered	9	20%

The responses from individuals who identified they live on Billesley Lane (72 respondents) have also been analysed, a summary has been outlined in Table 6-13 below.

Table 6-13: Billesley Lane Options - Billesley Lane residents

Do you think Billesley Lane should be a through route with traffic calming (as in Option C) or a filtered road with no through traffic (as in Option D)?	Count (Total: 72)	%
Through route with traffic calming (Option C)	11	15%
Filtered road with no through traffic (Option D)	41	57%
Don't know / no opinion	7	10%
Not Answered	13	18%

For all respondents (4,386), the majority of support (52%) was for the proposed treatment of Billesley Lane in Option C, with little support for Option D (12%). However, when looking only responses from Billesley Lane residents, the majority of support was for Option D which proposed to install a modal filter (57%). Only 15% of respondents selected Option C, which is substantially fewer than respondents overall.

6.2 Qualitative responses – Options C and D

6.2.1 What elements do you like or dislike about Option C?

2,821 respondents (64% of the total number of respondents) provided information on what they liked or disliked about the Option C.

Table 6-14: Option C Overall Opinion

Overall Opinion	Count (Total: 2821)	%
Positive	323	11%
Negative	1945	69%
No Impact	7	0%
Non-specific response (neither positive nor negative)	167	6%
Mixed (both Positive and Negative)	258	9%
No Comment	121	4%

Overall, 69% of responses were negative about the scheme or solely negative about different aspects of the option with only a small number including some additional positives. 11% were positive towards Option C, with 9% offering a mixture of both positive and negative feelings towards the option without a clear consensus on balance. 6% were neither positive or negative on the option, with 4% stating 'no comment' (oftentimes being 'No' or 'N/A'). Figures vary significantly when focusing only on residents living on boundary roads, where 81% of responses had negative opinions and just 4% gave a positive response to Option C.

The instances of each subcategory being mentioned for Option C are shown below, ranked from most common theme to least common.

Table 6-15: Option C Sub Categories

Sub-Category	Count from 2821 Responses
Negative Car Impacts	1966
Negative about the Design	863
Oppose P&P Altogether	745
Positive about the Design	715
Negative Pollution Impacts	476
Negative about Safety	167
Positive Environmental Impacts	149
Positive about Safety	134
Negative for Pedestrians	72
Public Transport Issues	53

Sub-Category	Count from 2821 Responses
Want to Expand the Scheme	25

The most common response was that respondents felt that the impact for cars would be negative, with 1,966 instances of this being mentioned across the 2,821 responses. There were 863 instances where somebody raised a negative comment about one or more features of the design, often where a modal filter was positioned or the inclusion of certain features in the option. However the most frequently mentioned positive responses were about the scheme design (715 mentions), such as positioning of modal filters, and positives about environmental impacts (149 mentions), such as reduced air pollution or reduced noise pollution.

Respondents also outlined their specific likes and dislikes regarding Option C, these are summarised in Table 6-16.

Table 6-16: Option C Specifics

Specifics	Count (Total: 2821)
Increased Traffic on Boundary Roads	810
Excessive Increasing Journey Time	502
Negative opinion on filter placement	420
Wants open roads	239
Perceived favouritism	219
Increased Speeding	203
Increased Traffic on High Street	196
Negative about Standard Modal Filters	190
Positive about Traffic Calming Measures	187
Increased Pollution Overall	183
Positive Filter Placement	180
Increased Traffic Overall	175
More Pollution on Boundary Roads and High Street	174
Positive about One Way Streets	168
Negative Emergency Vehicle Impacts	146
Reduced Safety on Boundary Roads	142
Reduced Traffic	105
Negative about Traffic Calming Measures	83
Negative Business Impacts	78
More Pollution on Roads within Cells due to Displaced Traffic	76
Positive about New Crossings	75
Negative about One-Way Streets	72
Unsafe for Pedestrians	63
Negative about Diagonal Modal Filters	61
Positive about Standard Modal Filters	52
Reduced Speeding	51
More Noise Pollution	40
More Traffic on non-Boundary Roads Outside of Cells	39

Specifics	Count (Total: 2821)
Unsafe for Cars	39
Positive about Diagonal Modal Filters	38
Improved Pedestrian Safety	37
Increased Public Transport Traffic	33
Opposed to Discouraging Cars	32
Place more in KH	24
Negative about Bus Gates	23
Improved Cyclist Safety	20
PT Inaccessible (Have to use Car)	20
Perceived Lack of Pedestrian Safety at Night	19
Negative Delivery Driver Impacts	18
Negative about New Crossings	17
Positive about Bus Gates	15
Better Air Quality	15
Improved Car Safety	15
Fewer Cars	14
Reduced Noise	9
Improved Children Safety	9
Less enjoyable walking	9
Better Public Realm	5
Dislikes the Aesthetics	2
More Litter	2
Likes the Aesthetics	1
More Light Pollution	1
Less Litter	0
Place more in Birmingham	0

As with the sub-categories, the most common issues raised by respondents related to cars, with worries over increased traffic on boundary roads being the most commonly raised specific issue, with 810 respondents raising this as a concern. When focusing on those living on a boundary road (452 respondents), 269 provided specifics as to what they liked or disliked about Option C. Of the 269 responses, 99 raised fears over increased traffic on boundary roads as a concern.

502 respondents overall raised an issue with the potential for the scheme to excessively increase journey times with Option C either related to changing routes due to the positioning of the modal filters or because of concerns over increased traffic/congestion on boundary roads increasing travel time. 196 of all respondents raised the issue of increased traffic on the High Street specifically, with 175 raising issues of increased traffic overall. 239 respondents stated that they were opposed to closing roads and therefore disagreed with any form of modal filter and the majority of the scheme proposals.

The most common positive response was around the inclusion of traffic calming measures on Billesley Lane in particular, with 187 mentions. 168 respondents were positive about the

inclusion and position of one-way streets within the scheme, with 72 respondents feeling negatively about them, many of which related to fear of increased speeding which was mentioned by 203 respondents. 51 respondents felt that it would in fact reduce speeding in the area.

6.2.2 What elements do you like or dislike about Option D?

2,730 respondents (62% of the total number of respondents) provided information on what they liked or disliked about the Option D.

Table 6-17: Option D Overall Opinion

Overall Opinion	Count (Total: 2730)	%
Positive	300	11%
Negative	1936	71%
No Impact	3	0%
Non-specific response (neither positive nor negative)	175	6%
Mixed (both Positive and Negative)	196	7%
No Comment	119	4%
No response	10	-

Overall, 71% of responses were negative about the scheme or solely negative about different aspects of the option with only a small number including some additional positives. 11% were positive towards Option D, with 7% offering a mixture of both positive and negative feelings towards the option without a clear consensus on balance. 6% were neither positive or negative on the option, with 4% stating 'no comment' (oftentimes being 'No' or 'N/A').

The instances of each subcategory being mentioned for Option D are shown below.

Table 6-18: Option D Sub-Categories

Sub-Category	Count from 2730 Responses
Negative Car Impacts	1698
Negative about the Design	896
Oppose Pfp Altogether	699
Positive about the Design	499
Negative Pollution Impacts	444
Positive about Safety	202
Positive Environmental Impacts	164
Negative about Safety	141
Public Transport Issues	51
Negative for Pedestrians	39
Want to Expand the Scheme	18

Again, the most common response about the scheme involved perceived negative impacts for cars, with 1698 instances of this being mentioned, more than double the second most frequently mentioned. There were 699 instances where somebody raised an issue outlining their opposition to the Places for People scheme for example, being opposed to closing roads

or discouraging cars. The most frequently mentioned positive response was about the scheme design (499 mentions), however there were more negative remarks about the design (896).

Respondents also outlined their specific likes and dislikes regarding Option D, these are summarised in Table 6-19. Table 5-15

Table 6-19: Option D Specifics

Specific	Count (Total: 2730)	
Increased Traffic on Boundary Roads	722	26%
Negative Filter Placement	538	20%
Excessive Increasing Journey Time	523	19%
Wants open roads	214	8%
Perceived favouritism	192	7%
Increased Pollution Overall	189	7%
More Pollution on Boundary Roads and High Street	168	6%
Negative about Standard Modal Filters	163	6%
Negative Emergency Vehicle Impacts	159	6%
Increased Traffic on High Street	155	6%
Positive about Cycle Lanes	153	6%
Increased Traffic Overall	151	6%
Positive Filter Placement	130	5%
Reduced Safety on Boundary Roads	130	5%
Reduced Traffic	111	4%
Increased Speeding	78	3%
Negative Business Impacts	73	3%
More Pollution on Roads within Cells due to Displaced Traffic	72	3%
Reduced Speeding	68	2%
Negative about Diagonal Modal Filters	64	2%
Negative about Cycle Lanes	62	2%
Positive about One Way Streets	59	2%
Improved Pedestrian Safety	47	2%
Improved Cyclist Safety	42	2%
Negative about One-Way Streets	40	1%
Positive about Standard Modal Filters	39	1%
Positive about New Crossings	39	1%
Positive about Diagonal Modal Filters	36	1%
More Traffic on non-Boundary Roads Outside of Cells	36	1%
Increased Public Transport Traffic	33	1%
Unsafe for Pedestrians	33	1%
Unsafe for Cars	28	1%
Positive about Traffic Calming Measures	27	1%
Opposed to Discouraging Cars	26	1%
Improved Children Safety	24	1%
Negative about Bus Gates	21	1%
Fewer Cars	20	1%

Specific	Count (Total: 2730)	
Negative Delivery Driver Impacts	19	1%
Better Air Quality	17	1%
PT Inaccessible (Have to use Car)	17	1%
Improved Car Safety	16	1%
Place more in KH	16	1%
Positive about Bus Gates	13	0%
Negative about New Crossings	13	0%
More Noise Pollution	12	0%
Perceived Lack of Pedestrian Safety at Night	12	0%
Reduced Noise	11	0%
Less enjoyable walking	7	0%
Better Public Realm	6	0%
Negative about Traffic Calming Measures	4	0%
More Light Pollution	2	0%
Place more in Birmingham	1	0%
Dislikes the Aesthetics	1	0%
More Litter	1	0%
Likes the Aesthetics	0	0%
Less Litter	0	0%

As was the case for Option C, the most commonly raised specific negative of the scheme was the perception that traffic on the boundary roads would increase with the introduction of Option D. However, for Option C this was mentioned by 810 respondents, whereas for Option D it was mentioned as a concern by 722 respondents. A similar number of respondents to both Option C (502) and Option D (523) expressed concerns relating to excessive increasing journey times.

When focusing on those living on a boundary road (452 respondents), 262 provided specifics as to what they liked or disliked about Option D. Of these 262 responses, 95 specifically raised concerns over increased traffic on boundary roads.

In terms of positives, the most commonly mentioned positive of the scheme was about the one-way streets in Option B, with 179 respondents mentioning them, which is substantially more than 19 responses for Option A. However, 101 respondents felt negatively about one-way streets in Option B, again up from 11 in Option A.

In terms of positives, 153 respondents mentioned positive feelings about the inclusion of cycle lanes in the option. 62 respondents felt negatively about the cycle lanes in Option D.

The one-way street provision in Option D seemed to attract both less opposition and less support than those in Option C. From Option C responses, 168 were positive about the one-way streets with 72 negative responses, whereas for Option D the positive responses dropped to 59 but the negative responses also dropped to 40.

Comparison tables on key themes of positive and negative responses for Option C and Option D are summarised below in Table 6-20 and Table 6-21 respectively.

Table 6-20: Option C and D Specific Positives

Specific	Option C (2821)	Option D (2730)
Positive about Standard Modal Filters	52	39
Positive about Diagonal Modal Filters	38	36
Positive about One Way Streets	168	59
Positive about New Crossings	75	39
Positive about Traffic Calming Measures	187	27
Positive about Bus Gates	15	13
Positive about Cycle Lanes	-	153
Positive Filter Placement	180	130
Likes the Aesthetics	1	0
Better Air Quality	15	17
Less Litter	0	0
Better Public Realm	5	6
Reduced Noise	9	11
Fewer Cars	14	20
Reduced Traffic	105	111
Improved Pedestrian Safety	37	47
Improved Cyclist Safety	20	42
Improved Car Safety	15	16
Reduced Speeding	51	68
Improved Children Safety	9	24
Place more in KH	24	16
Place more in Birmingham	0	1

Table 6-21: Option C and D Specific Negatives

Specific	Option C (2821)	Option D (2730)
Negative about Standard Modal Filters	190	163
Negative about Diagonal Modal Filters	61	64
Negative about One-Way Streets	72	40
Negative about New Crossings	17	13
Negative about Traffic Calming Measures	83	4
Negative about Bus Gates	23	21
Negative about Cycle Lanes	-	62
Negative Filter Placement	420	538
Dislikes the Aesthetics	2	1
Perceived favouritism	219	192
Opposed to Discouraging Cars	32	26
Wants open roads	239	214
Negative Emergency Vehicle Impacts	146	159
Negative Business Impacts	78	73
Negative Delivery Driver Impacts	18	19

Specific	Option C (2821)	Option D (2730)
Increased Traffic on Boundary Roads	810	722
More Traffic on non-Boundary Roads Outside of Cells	39	36
Increased Traffic on High Street	196	155
Increased Traffic Overall	175	151
Excessive Increasing Journey Time	502	523
Increased Speeding	203	78
Unsafe for Cars	39	28
Increased Public Transport Traffic	33	33
PT Inaccessible (Have to use Car)	20	17
Unsafe for Pedestrians	63	33
Less enjoyable walking	9	7
More Noise Pollution	40	12
More Pollution on Boundary Roads and High Street	174	168
More Pollution on Roads within Cells due to Displaced Traffic	76	72
More Light Pollution	1	2
Increased Pollution Overall	183	189
More Litter	2	1
Reduced Safety on Boundary Roads	142	130
Perceived Lack of Pedestrian Safety at Night	19	12

6.2.3 Is there anything else you would like to add or change to the proposals that hasn't already been said?

The respondents were asked if there was anything further they would like to add and change to the proposals that hasn't already been covered in their previous responses.

2263 respondents (52% of total number of respondents) provided information on further changes to the proposal. The overall opinions of these respondents are captured in Table 6-22 below.

The results show that 53% of responses were negative towards Options C and D, with 5% of responses providing a positive opinion. However, 633 respondents can be categorised as providing 'Alternatives', meaning that 28% of respondents would like to add or change to the proposal. These changes are presented in Table 6-23.

Table 6-22: Overall Opinion -anything further to add/change

Overall Opinion	Count (2263)	%
Positive	114	5%
Negative	1194	53%
Alternatives	633	28%
Comments about the consultation	153	7%
No comment	127	6%
Non-specific comment (neither positive nor negative)	42	2%
No response	2123	-

Table 6-23 presents a summary of the alternatives that respondents suggested to Places for People scheme proposals (for Options C and D). The alternatives are organised from highest to lowest, with the highest being the most popular amongst respondents and the lowest being the least. The most popular alternative suggested involved improvements to public transport with 162 respondents stating that this is something they would like to add and change to the proposals, closely followed by improvements to cycle infrastructure at 119 responses. The alternatives with the lowest counts are grouped into other and are listed in the associated footnote.

Table 6-23: Summary of alternatives suggested

Alternatives	Count (Total: 633)
Improvements to public transport	162
Improved cycling infrastructure	119
Traffic calming measures	111
Comments about the council	97
Build the train station	96
Provide better information	90
One-way roads	86
Open up roads	80
Measuring success	79
Improve overall connectivity	52
More Police enforcement	44
Changing location/area of modal filters	43
Enforce speed limits	42
Additional crossings	41
Speed bumps	37
Resident parking pass	33
Introduce speed cameras	32
Electrical Vehicles	27
Pedestrianised areas	21
Other ⁶	135

6.3 Summary

When analysing the preference of all respondents (4,386) regarding the Places for People proposals on the east of Kings Heath High Street (Options C and D), the most selected response was neither (62%), with no substantial difference in preference between Option C (13%) or Option D (13%). These percentages are retained when considering responses from

⁶ Fewer than 5 responses: COVID 19 impacts; Free parking; Timed closures of modal filters; Bus gates; Better signage; Ban parking on pavements; Introduce Park and Ride; Improve access to High Street; Additional green space; School Buses; APNR filters; Improve pavement conditions; CAZ extension; Bus Lanes; Potholes; Additional/ changes to traffic lights; Education; Vote; Weight Limits.

those individuals who have identified themselves as living within the entire scheme area (both west and east side- 3,061).

Conversely there is an increase in those respondents preferring neither when considering those respondents living on boundary roads (452) and living outside the area (1280), up to 77% and 74% respectively from 62% for all respondents. Overall, 59% of businesses and organisations responded neither.

For both Option C and Option D respondents stated that negative impacts to cars was the main element that respondents disliked about the options, with regards to increased traffic on boundary roads and increased journey times for those in cars. In terms of positive comments, 12% of respondents outlined what they liked about both Option A and Option B, outlining improvements to environment (i.e. air quality) and the design of the scheme (i.e. reduced traffic along residential roads and improved environment for walking and cycling).

In addition, when considering the measures for Billesley Lane specifically, the total number of respondents preferred Option C (52% - 2,282) which proposes traffic calming, however residents of Billesley Lane favour Option D (57% - 41) which proposes to implement a modal filter.

When respondents were given the opportunity to suggest anything that they would like to add or change to the proposal, the most common responses include: improvements to public transport; improvements to cycling infrastructure; and implementation of further traffic calming measures.

Further sensitivity analysis has used postcode information to identify those responses from individuals living within the east side of the Places of People proposed scheme (1762 individual respondents). This is to understand how people specifically living within the Option C and Option D scheme area feel about the proposals. Table 6-24 summarises the results, which show that there is minimal difference between Option C (22%) and Option D (21%) for residents of the east side of the scheme area. More residents selected neither option (52%), but this is less than when considering all individuals living within the entire scheme areas (both west and east).

Table 6-24: Option C and D - individuals living inside the east side of the proposed scheme area

Out of the two options (Option C and Option D), which option do you think best helps reduce traffic and support walking and cycling?	Count (Total: 1737)	%
Option C	383	22%
Option D	366	21%
Neither	909	52%
Don't Know	79	4%
No response	25	-

7. About the consultation

7.1 Participation in previous engagement and consultations

Respondents were asked if they had taken part in previous consultations about the Places for People scheme in Kings Heath and Moseley, the responses are shown below.

Table 7-1: Respondents' participation in previous consultations about this scheme

Have you taken part in previous consultations about this scheme?	Count (Total: 4386)	%
Yes	1358	31%
No	2634	60%
Unsure	346	8%
No response	48	1%

60% of respondents said that they had not taken part in any previous consultations, with 31% stating that they had been involved in consultations prior to this one, and 8% were unsure on their involvement up to now.

7.2 Participation in this consultation

Similarly, respondents were asked if they had attended any online or face to face consultation events about the Places for People proposals. The responses are shown below.

Table 7-2: Respondents' attendance at events relating to the consultation for these proposals

Have you attended, or do you intend to attend an online or face to face consultation event about these proposals?	Count (Total: 4386)	%
Yes	1483	34%
No	2015	46%
Unsure	827	19%
No response	106	2%

46% stated that they had not attended an online or face-to-face event as part of this consultation, with 34% saying that they had attended an event, and 19% being unsure.

Respondents were also asked if they felt that the information provided had enabled them to make an informed comment on the proposals. The responses are shown below.

Table 7-3: Respondents' opinions on the provision of consultation information

Do you feel that the information provided has enabled you to make an informed comment on the proposals?	Count (Total: 4386)	%
Yes	2981	68%
No	1307	30%
No response	98	2%

⁷ Due to rounding, the percentages do not add up to 100.

68% felt that they had been given sufficient information to make an informed comment on the proposals, with 30% saying that they felt they were not given enough information to make an informed comment.

7.3 What additional information would have helped you comment on the proposals?

Respondents were asked about what additional information would have helped them to comment on the proposals. These were open questions that allowed for written responses, and the analysis of these responses is shown below.

7.3.1 Overall Opinion

Respondents were asked what additional information would have helped them comment on the proposals. Of the 2129 responses to this question (49% of total number of respondents), only 2% stated that they were happy with the consultation, whilst 53% stated that they were unhappy with the consultation, summarised below in Table 7-4.

Table 7-4: Overall Opinion of how respondents felt about the consultation process.

Opinion	Count (Total: 2129)	%
Happy with consultation	46	2%
Unhappy with consultation	1116	52%
Other comments	840	39%
No Major comments	99	5%
No response	2257	-

7.3.2 Specific Negatives

As more than half of the respondents were unhappy with the consultation, Table 7-5 highlights the specific negatives that the respondents felt towards the consultation. Measuring success and the need for more data has 366 responses, making it the most referenced negative option. This is followed by poor explanations at 11% and maps at 8%. Therefore, increased data availability to help measure success alongside better explanations would have helped respondents comment on the proposals.

Table 7-5: Specific negatives about the consultation.

Specific Negative	Count (Total: 1311)
Measuring Success / Data availability	366
More explanation	228
Maps	170
Was not informed	91
Dialogue from the council	73
Modelling outputs	72
Consult with local people	72
Justification and reasoning for the council	69

Specific Negative	Count (Total: 1311)
Consultation dates/times	46
In person meetings	36
Use of internet	26
Leaflets	19
Online Questions	19
Vote	16
COVID 19 impacts	6
Formatting	2

In addition to the overall opinions and specific negatives identified, 405 respondents suggested alternative schemes and 459 expressed additional concerns. These are presented in Table 7-6 and Table 7-7 respectively.

Table 7-6: Alternatives Schemes

Alternative Schemes	Count (Total: 405)
Additional options	83
Public Transport	77
Photographs and Videos of consultation	43
Wait for Train station	37
Traffic calming	25
Active mode infrastructure	23
One-way streets	23
Plans showing diversions round modal filters	21
Enforcement	6
Speed Awareness	3
Electrical vehicles	3
Additional crossings	2
Education	1

Table 7-7: Additional Concerns

Additional concerns	Count (Total: 459)
Feeling ignored	110
Congestion	67
Environment (pollution)	66
Issues for the high street	55
More consideration for people with disabilities	35
Displacement of traffic	22
Safety	20
Social inequality	19
Emergency services	17
Understanding how certain roads were chosen	17
Mental Health	9
Issues for schools	6
Timescale	6
Wanting to leave the area	5

Additional concerns	Count (Total: 459)
Location of filters	2
Post COVID 19 impacts	2
Issues with parking	1

8. Demographic breakdown of responses

Respondents were asked several demographic questions, with their responses shown below.

Table 8-1: Age of all respondents

Which age group applies to you?	Count (Total: 4140)	%
0 - 4	1	0%
5 - 9	3	0%
15 - 17	14	0%
18 - 19	26	1%
20 - 24	112	3%
25 - 29	242	6%
30 - 34	364	9%
35 - 39	410	10%
40 - 44	500	12%
45 - 49	430	10%
50 - 54	476	11%
55 - 59	356	9%
60 - 64	342	8%
65 - 69	343	8%
70 - 74	286	7%
75 - 79	147	4%
80 - 84	44	1%
85+	28	1%
No response	246	-

Table 8-2: Genderidentity of all respondents

What is your gender?	Count (Total: 4386)	%
Male	1967	45%
Female	2047	47%
Other	12	0%
Prefer not to say	196	4%
Not Answered	164	4%

Table 8-3: Sexualorientation of all respondents

What is your sexual orientation?	Count (Total: 4386)	%
Bisexual	91	2%
Gay or Lesbian	133	3%
Heterosexual or Straight	2875	66%
Not Answered	351	8%
Other	41	1%
Prefer not to say	895	20%

The table below shows the ethnic groups of all respondents. It should be noted that respondents were able to make multiple selections, therefore some selected more than one, resulting in the count below totalling larger than the total number of respondents.

Table 8-4: Respondents' Ethnic Group

What is your ethnic group ?	Count
White: English/Welsh/Scottish/Northern Irish/British	3035
Other White background	237
Asian/Asian British	532
Black African/Caribbean/Black British	367
Mixed/multiple ethnic groups	118
Other ethnic group	83
Not Answered	414

Table 8-5: Religion/b eliefs of all respondents

What is your religion or belief?	Count (Total: 4386)	%
Buddhist	31	1%
Christian (including church of England, Catholic, Protestant, and all other Christian denominators)	1159	26%
Hindu	51	1%
Jewish	19	0%
Muslim	302	7%
Sikh	45	1%
Any other religion (please specify below)	36	1%
No Religion	1687	38%
Not Answered	324	7%
Prefer not to say	732	17%

9. Overview of email correspondence

An email address was advertised for any queries (connected@birmingham.gov.uk) related to the Places for People consultation. This section provides an overview of the correspondence and key themes of the emails received during the consultation.

It should be noted that anyone who emailed were also encouraged to respond via Be Heard.

Birmingham City Council received 203⁸ emails during the consultation period. Table 9-1 summarises the source of emails received.

Table 9-1: Source of email correspondence received

Source	Count (Total: 203)	%
Member of Parliament (MP)	2	1%
Local Councillor	5	2%
Member of public or business	192	95%
Birmingham City Council (internal)	3	1%
Other	0	0%

The majority of emails were from members of the public or representatives of businesses/organisations, with a small number of emails from local councillors and MPs with representations from constituents.

The correspondence has been categorised by key sentiment in Table 9-2.

Table 9-2: Key sentiments of the correspondence

Source	Count (Total: 203)	%
Positive	13	6%
Negative	73	36%
Mixed	24	12%
Request for more information	84	41%
Proposes alternatives	8	4%
Other	1	0%

The main themes have been outlined below:

- Consultation – requests for more information, concerns of consultation process, issues with consultation materials and events.
- Features of the proposals – requests for further information on proposals, positives or issues with locations of modal filters or proposals.
- Increases in traffic – concerns over congestion, displacement of traffic onto other roads, increases in distance travelled.

⁸ Correspondence with 203 individuals logged. 3 were resent from prior correspondence to the consultation period and 2 logs included more than one email from the same individual during the consultation period.

- Data - requests for data and more information, concerns of lack of data collection (traffic, air quality, before and after monitoring, inadequate data).
- Proposals for other schemes or measures – railway station, one-way streets, better public transport, improved cycle links
- Request for further information about proposals – modal filters, diagonal filters, pedestrian crossings, etc.
- Safety – concerns over safety in evenings, safety of cyclists, increased traffic concerns
- Providing further information on features – problems with existing features (bollards, access/ turning), location of modal filters.

10. Summary

Bringing together the results of our review, and the further local feedback received since then, BCC consulted on the next phase of Places for People in Kings Heath and Moseley.

BCC presented concept designs, meaning that the plans show where a measure might be placed, but do not include the detailed design of exactly how it would be arranged. There were two options for each side of the High Street. The consultation was not to decide on whether the Places for People project should go ahead, it was about finding the best design for the next stage of the project.

The consultation was held between **30 September and 05 November 2021**. Respondents were able to feedback online (via BeHeard) and via paper survey (if required), as well as attend a number of in-person and virtual events, which aimed to present consultation information and to enable conversations with the project team.

The online form received 4,321 responses, with an additional 65 paper survey responses. These responses were analysed alongside each other, therefore going forward the combined total number of 4,386 responses has been used for analysis. Of these responses, 44 came from a representative of a group, business or organisation, with the remaining 4,342 coming from individuals.

10.1 Summary of results

10.1.1 West side of Kings Heath High Street (Options A and B)

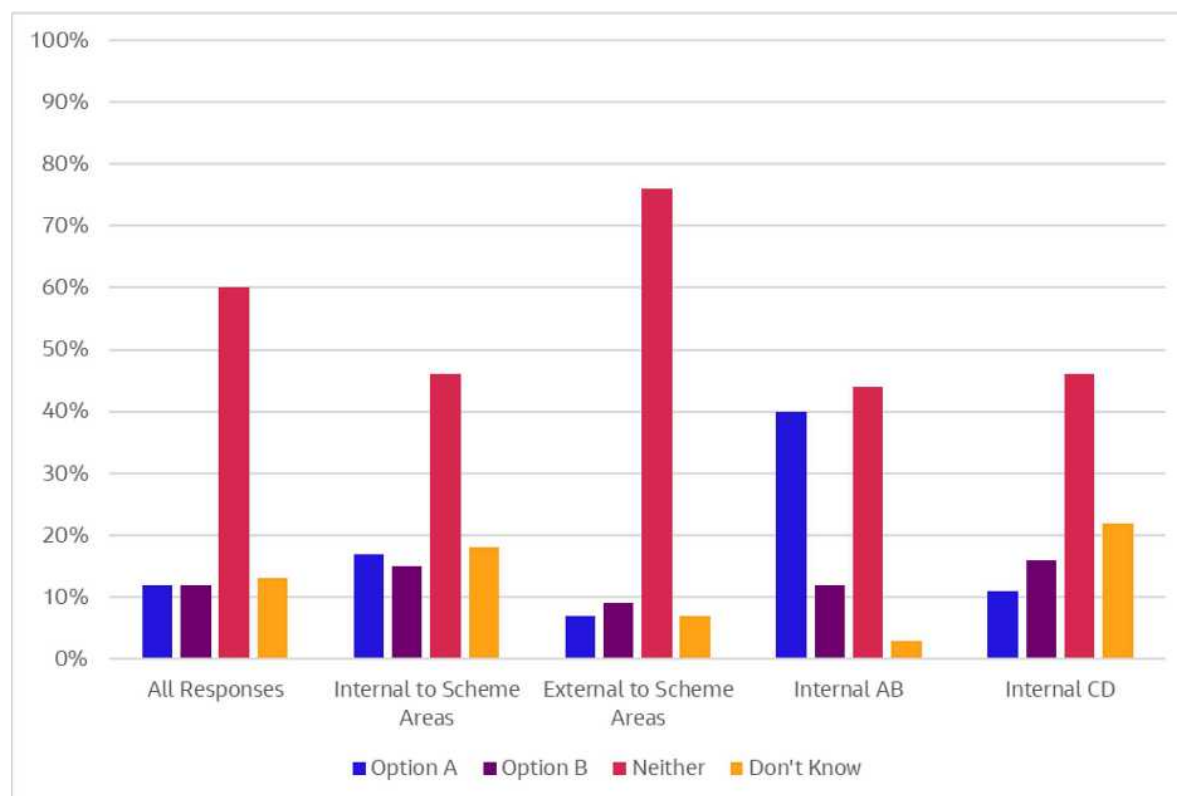
When analysing the preference of all respondents (4,386) regarding the Places for People proposals on the west of Kings Heath High Street (Options A and B), the most selected response was neither (60%), with no substantial difference in preference between Option A (12%) or Option B (12%).

Individuals and businesses/organisation were able to select whether they lived within the scheme area, on a boundary road or outside of the scheme area. This information has been used to analyse responses to understand the level of support across these different groups.

Additionally respondents were asked to provide their postcode. This information has been used as a further sensitivity to identify those responses from individuals living within the west side of the Places of People proposed scheme, as well as those living within the east side of the proposed scheme, within the entire scheme area (both east and west) and external to the scheme area.

The graph below show the different levels of support for Options A and B from respondents based on their location (using postcode data).

Figure 10.1: Option A and B support split by location (using postcode data)



When looking only at respondents living inside the proposed scheme area covered by Option A and Option B, whilst 'Neither' remains the most popular response (44%), it is reduced when compared to all responses (60%) and it is closely followed by a preference for Option A (40%). With Option B only receiving 12% of selection, there is a clearer preference for Option A for those individuals living within the west side of the scheme area.

For both Option A and Option B, respondents stated that negative impacts to cars was the main element that respondents disliked about the options, with regards to increased traffic on boundary roads and increased journey times for those in cars. In terms of positive comments, 12% of respondents outlined what they liked about both Option A and Option B, outlining improvements to environment (i.e. air quality) and the design of the scheme (i.e. reduced traffic along residential roads and improved environment for walking and cycling).

10.1.2 East side of Kings Heath High Street (Options C and D)

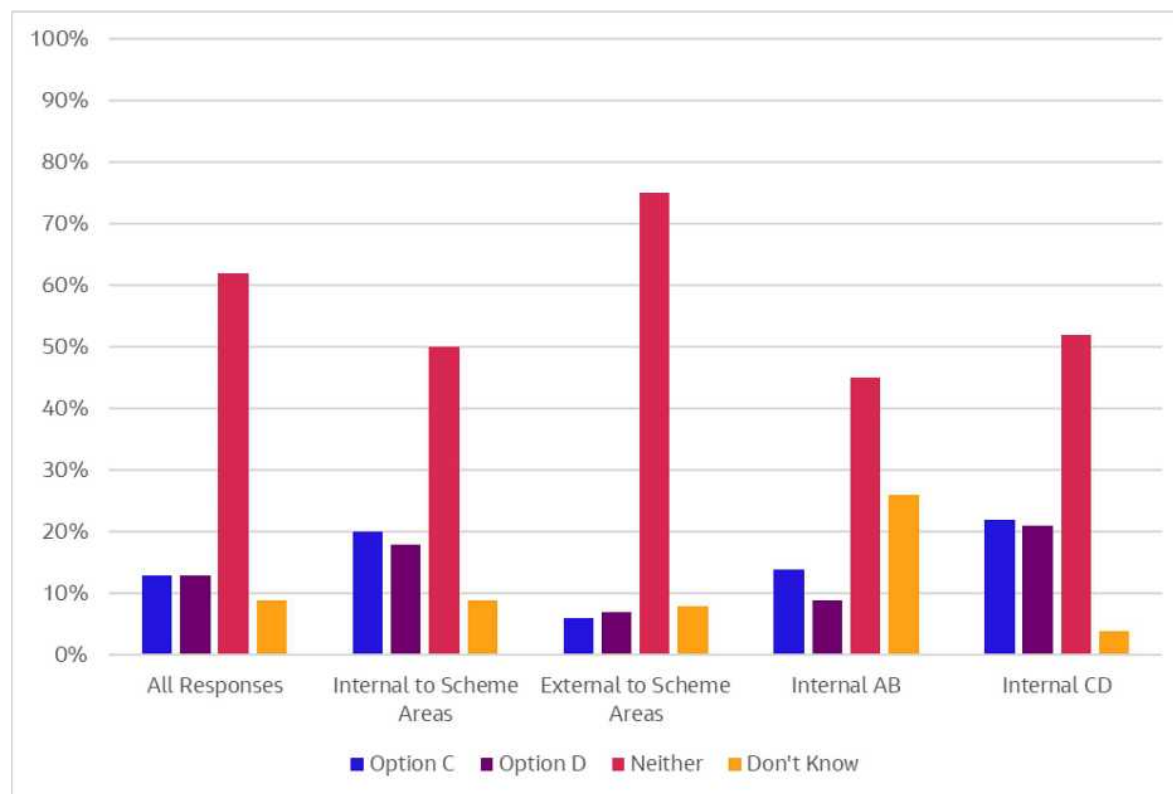
When analysing the preference of all respondents (4,386) regarding the Places for People proposals on the east of Kings Heath High Street (Options C and D), the most selected response was neither (62%), with no substantial difference in preference between Option C (13%) or Option D (13%). These percentages are retained when considering responses from those individuals who have identified themselves as living within the entire scheme area (both west and east side - 3,061).

Individuals and businesses/organisation were able to select whether they lived within the scheme area, on a boundary road or outside of the scheme area. This information has been used to analyse responses to understand the level of support across these different groups.

Additionally respondents were asked to provide their postcode. This information has been used as a further sensitivity to identify those responses from individuals living within the east side of the Places of People proposed scheme, as well as those living within the east side of the proposed scheme, within the entire scheme area (both east and west) and external to the scheme area.

The graph below show the different levels of support for Options C and D from respondents based on their location (using postcode data).

Figure 10.2: Option C and D support split by location (using postcode data)



Unlike with west side of the scheme area where individuals located in the west of the scheme area outlined a clear preference for Option A over Option B In the case of individuals located in the east side of the scheme there is no differentiation between preference for either Option C (22%) or Option D (21%), however there seems to be a slight increase in support for Places for People proposed scheme when compared to all responses (16% and 15% respectively). 'Neither' remains the most popular selection at 52%.

11. Appendix A.1. Consultation Questionnaire

Kings Heath & Moseley Places for People Questionnaire

If you are able to access the internet, please respond to this consultation using the online survey at:

www.birminghambeheard.org.uk/economy/kingsheathpfp

If you do not have internet access, please complete this paper form and place it in the box provided in Kings Heath library.

Consultation closes Friday 5 November 2021

Your responses will be used solely for this consultation and will be kept confidential. Any comments used will be kept anonymous and individuals will not be identified. Your personal data will be held by Birmingham City Council as the data controller and by Jacobs UK Limited as data processors. Personal data will not be shared with any other organisation. This survey is being conducted in accordance with the Data Protection Act 2018 and General Data Protection Regulations (GDPR) and if you would like to know more about our Data Protection Policy please visit www.birmingham.gov.uk/privacy.

By filling out the survey you are giving permission for Birmingham City Council to use the data for the purposes outlined above.

Consultation Questionnaire

Section 1: About you

1. Are you responding as an individual or on behalf of a business or organisation?

☐ Individual ☐ On behalf of a business/organisation (including elected members)

NB: If you are responding as an individual please skip to section 3.

Section 2: About your business/organisation (Businesses or Organisations only)

2. What is the name of your business or organisation? _____

3. What is the postcode of your business or organisation? _____

4. What is your name?

5. Can we contact you via email about Kings Heath in the future?

☐ Yes ☐ No

6. What is your email address?

7. Please confirm you are authorised to respond on behalf of your business or organisation.

☐ I am authorised to respond on behalf of my group or organisation

Section 3: About you (Individuals only)

8. What road do you live on?

9. What is your home postcode?

10. Can we contact you via email about Kings Heath in the future?

☐ Yes ☐ No

11. What is your email address?

12. How do you usually travel in the area? *(please select all that apply)*

☐ Walk ☐ Cycle ☐ Car or van
☐ Bus ☐ Train ☐ Motorcycle
☐ Taxi or private hire ☐ Other ☐ Not applicable
If you selected 'Other' please provide details

13. What is your connection to the area? *(please select all that apply)*

☐ I live here ☐ I work here ☐ I study here
☐ I live nearby ☐ I own a business here ☐ I'm here for leisure
☐ I do the school run here ☐ I commute through here ☐ I do my shopping here
☐ I make deliveries here ☐ I have family and friends here ☐ Other
If you selected 'Other' please provide details

14. Do you consider yourself to have a disability? *(By "disability" we mean a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities)*

☐ Yes ☐ No

15. If you answered no to question 14 then please skip to question 19. If you answered yes to question 14, does your disability affect how you travel?

☐ Yes ☐ No

16. Please tell us how your disability affects how you are able to travel

17. Please tell us how your travel is / will be affected by the Places for People proposals

18. Do you hold a blue badge for disabled parking?

☐ Yes ☐ No

Section 4: Principles of Places for People

19. How do you feel about Kings Heath and Moseley being part of the Places for People project? *(please tick one box)*

☐ Positive / strongly support ☐ Mostly positive / tend to support
☐ Neutral / don't know / no response ☐ Negative / strongly oppose
☐ Mostly negative / tend to oppose

20. What type of intervention do you think works best to reduce traffic and improve safety for cycling and walking? *(please select all that apply)*

☐ Modal filters *(a simple bollard or planter through which people can travel by walking and cycling, but not by car)*
☐ Traffic calming *(e.g. speed humps)* ☐ More pedestrian / cycle crossings
☐ Cycle facilities ☐ Pedestrian only areas ☐ 20mph speed limits
☐ One-way streets ☐ Public transport improvements

Section 5: West of Kings Heath High Street Options

In 2020 we began delivering some measures to the west of Kings Heath High Street (Option A). We would like to collect your feedback on these measures as well as the alternative option that we have developed (Option B).

Plans and information about Options A and B can be found in the consultation leaflet and in information held in Kings Heath library.

21. Out of the two options (Option A and Option B) developed from ideas from the Kings Heath community, which option do you think best helps reduce traffic and support walking and cycling? *(please select one box)*

☐ Option A ☐ Option B
☐ Don't know ☐ Neither

22. What elements do you like or dislike about Option A?

23. What elements do you like or dislike about Option B?

24. Is there anything else you would like to add or change to the proposals that hasn't already been said?

Section 6: East of Kings Heath High Street Options

In 2020, we delivered some measures to the east of the High Street in Moseley. We have since developed two options (Option C and Option D) which we would like to collect your feedback on.

Plans and information about Options C and D can be found in the consultation leaflet and in information held in Kings Heath library.

25. Out of the two options (Option C and Option D) developed from ideas from the Kings Heath community, which option do you think best helps reduce traffic and support walking and cycling? *(please select one box)*

☐ Option C ☐ Option D
☐ Don't know ☐ Neither

26. What elements do you like or dislike about Option C?

27. What elements do you like or dislike about Option D?

28. Do you think Billesley Lane should be a through route with traffic calming (as in Option C) or a filtered road with no through traffic (as in Option D)? *(please select one option)*

☐ Through route with traffic calming (Option C)
☐ Filtered road with no through traffic (Option D)
☐ Don't know / no opinion

29. Is there anything else you would like to add or change to the proposals that hasn't already been said?

Section 7: About the consultation

30. Have you taken part in previous consultations about this scheme? *(please tick one box)*

☐ Yes ☐ No ☐ Unsure

31. Have you attended, or do you intend to attend an online or face to face consultation event about these proposals? *(please tick one box)*

☐ Yes ☐ No ☐ Unsure

32. Do you feel that the information provided has enabled you to make an informed comment on the proposals? *(please tick one box)*

☐ Yes ☐ No

33. What additional information would have helped you comment on the proposals?

Section 8: About you

These optional questions will help us to identify any patterns or trends, particularly ones that show that there might be a potential negative impact on a particular group or groups.

34. Age: which age group applies to you?

- ☐ 0-4 ☐ 5-9 ☐ 10-14 ☐ 15-17 ☐ 18-19 ☐ 20-24
☐ 25-29 ☐ 30-34 ☐ 35-39 ☐ 40-44 ☐ 45-49 ☐ 50-54
☐ 55-59 ☐ 60-64 ☐ 65-69 ☐ 70-74 ☐ 75-79 ☐ 80-84
☐ 85+ ☐ Prefer not to say

35. What is your gender?

- ☐ Male ☐ Female ☐ Other ☐ Prefer not to say

36. What is your ethnic group?

- ☐ White: English/Welsh/Scottish/Northern Irish/British
☐ Other white background (please specify): _____
☐ Asian/Asian British
☐ Black African/Caribbean/Black British
☐ Other ethnic group (please specify): _____
☐ Prefer not to say

37. What is your sexual orientation?

- ☐ Bisexual ☐ Gay or lesbian ☐ Heterosexual or straight ☐ Other ☐ Prefer not to say

38. Religion: What is your religion or belief?

- ☐ No religion ☐ Buddhist ☐ Hindu ☐ Jewish ☐ Muslim ☐ Sikh
☐ Christian (including Church of England, Catholic, Protestant, and all other Christian denominations)
☐ Any other religion (please specify): _____
☐ Prefer not to say

11.1 Appendix A.2. Post-event briefing notes

11.2 Kings Heath Public Consultation – Teams: 5/10/2021

11.2.1 Data:

- Why is the survey data limited to 2 small samples taken during lockdowns? This reduces the validity and is an inaccurate representation.
- Are there plans for monitoring in place?
- Before and after data- will it be provided? How will it be done? Is there a success criteria for Phase 1? Why was it not done for Phase 1?
- Requesting more recent data about the 25% of journeys under a mile statistic as 2011 Transport Survey is outdated
- Will the modelling use realistic data for through traffic and not just short journeys made by residents?
- What data does the Council have about how far people live from where they work and from where they have their leisure activities?
- Metrics are needed to support statements. How much increase in active travel?

11.2.2 Consultation:

- Why is there no option to object/ oppose?
- Why is the Council not listening to the feedback from the ‘trial’ scheme?
- Why has the experimental element of the previous scheme changed into a definite one?
- Where is the data from the full consultations up to the 22nd of April?
- Need to listen to people with disabilities and the elderly

11.2.3 Pollution:

- How is the Council going to address the extra fumes and pollution being forced upon the residents of these roads?
- Is there going to be any monitoring of air quality around schools?
- How does placing a modal filter reduce pollution? It is just being moved onto other roads.
- Pedestrian crossings make cars slow down, stop, idle and then move on slowly therefore producing more pollution. This will make our area subject to more pollution and traffic noise. Do we have the right to appeal?

11.2.4 Routes:

- Under the new proposals my only exit from my local road will be via the High Street. Why has this been changed?

- Have reports from other LTNs been considered?
- How about making parking on the High Street for disabled people?
- Need to improve disabled access not just walking and cycling
- What is the Council doing to make sure buses will not be caught in extra traffic moved from the LTN streets onto bus routes?

11.2.5 Safety:

- What are BCC doing to protect women's safety? BCC need to do more and not just focus on lighting.
- School safety issue with drivers on footpaths
- What measures will be taken to improve access and safety at junctions onto 'main' roads?

11.3 Teams Business Briefing notes 6 Oct 2021

- Will traffic be on one way system up the High Street? (No). One of her main concerns was traffic at junction of Valentine Rd (no longer relevant).
- Is Kings Heath Primary on Poplar Road going to be a part of Car Free School Streets? (No)
- They have lost a lot of footfall on Poplar Road, they don't have a parklet etc. They are achieving 30% of regular footfall.
- No explanation for why we are doing what we're doing.
- Do we have evidence for pollution?
- London travel system is excellent, completely different from transport system in Bham.
- KH and Moseley are not well connected.
- Train line is taking too long to complete. Moving people into public transport that 'doesn't exist yet'.
- Public transport difficult to manage for big families.
- Admission policy for her business priority given to walkers, but most come by car.
- Those travelling from KH and Moseley are experiencing problems due to current LTN system- 40 mins to get to her business.
- Harborne, Edgbaston clients not coming due to traffic.
- LTN causing difficulty around Swanshurst school roundabout- road closures causing congestion around this roundabout.
- Swanshurst school has particular issues with traffic and pupils arriving by car.
- Everyone coming to KH by car from the East- there is no way for them to get into KH now which is impacting businesses.
- Would be nice to create some marketing to reinforce the message to come to KH.
- There is still ample car parking space within the area, would it be possible to put up localised signs to direct people to car parks so people know where they can go when they get here.
- Deliveries are done by large vehicles; Balaclava Rd is very difficult to get down and option B would make it even more difficult.
- Some companies are refusing to deliver to them.
- Silver St bollard is the largest issue, perhaps should move- if it does remain then something to explain to people how to get to the business would be helpful.
- Will there be any other business meetings? (yes)
- Look at automating the bollards or providing delivery drivers with a code or key.
- Potential to move the bollard to west of Fairfield rd.
- Need to get into York rd and have a meeting with businesses there, they can come up with a solution. They cannot unlock bollards there.
- There are lots of places that are not on bus routes - these people need to use cars to get around if they live further than walking distance.

- "Local neighbourhood" and "commercial town" are two heavily conflicting concepts for the same area.
- Lack of participation from York rd businesses. They have people parking vans. Need to better create a protocol for how space is used on York rd.
- Springfield and Brook Lane are highly congested with on street parking - clearly not originally designed to be main roads.

11.4 Places for People in Kings Heath & Moseley

Public drop in event Tuesday 12 October, 3.30pm -6pm, York Road

The event was very busy and the seven members of staff present were talking with members of the public throughout the session. It is therefore difficult to judge how many members of the public attended, but it is estimated at 200-250. The majority of these were residents, but a small number of businesses/ organisation made themselves known.

People attending the drop in session were asked to also complete the consultation questionnaire, online or on paper to ensure that their views were accurately captured. However, the following key points were raised and recorded by officers:

11.4.1 General issues

- Many people highlighted a specific journey that they currently undertook by car and how the distance would become much greater under the proposals, should they continue to drive for that trip.
- Some people were expecting to be able to speak with local councillors at this event (although the consultation materials do not advertise councillor presence, ward councillors will be attending drop in sessions where possible, but none were available on this occasion).
- The cells in area C/ D are much larger than A/ B, but some options/ cells have fewer access points, so some access roads may remain a little busier.
- Children should be involved in the consultation.
- Issues specific to wheelchair users, including poor provision of dropped kerbs throughout Birmingham, speed limitations on mobility aids which are not comparable to other active travel modes, and impact of longer car journeys on people's freedom and independence.
- General concern for safety at the junction of High St / Wheelers Lane and Wheelers Lane / Howard Road
- A number of residents spoke about the need for enforcement as problems on the High St are exacerbated by illegal parking etc. Never any money put aside for mitigations to problems created as a result of the scheme.

11.4.2 Specific issues

Area A/B

- Idling vehicles on Waterloo Road – visitors to York Road (e.g. takeaways) and residents of rental properties smoking in their cars. Could there be anti-idling posters threatening fines, and enforcement activity?
- Under option B, concerns the roads in the blue area would return to high levels of visitor parking for the High Street.

- Traffic signals and pedestrian crossing at junction of Vicarage Road, Avenue Road and Abbots Road was proposed in 2018 and rejected by residents due to concerns it would increase congestion.

Area C/D

- Option D, the green area has only one access point, is this sufficient? If this was a new development, how would this conform to BCC's standards for developers? Would BCC require developers to undertake junction improvements?
- Option C, concern about space to turn around at modal filter on Woodville Road. When told there would be double yellow lines at the planter to ensure space, resident felt it would be unacceptable to lose any parking space on this road.
- Option D, the red area has potential for drivers to avoid a section of High Street by cutting through Valentine, Poplar, Woodville, Heathfield, Melton and Institute Roads. Problem possibly reduced by one way look on Heathfield, Melton and Institute Roads.
- Option D, will drivers use Billesley Lane and Oxford Road to avoid junction on Wake Green Road and Yardley Wood Road?
- Options C and D, will drivers use Oxford Road and Cotton Lane to avoid a section of Wake Green Road?
- Options C and D, concern this will push most trips by residents in purple area through Moseley Village, which is already busy.
- Right turn is currently not permitted from A435 Alcester Road into St Marys Row. Could this be opened up to allow for vehicles which would previously have got around by cutting through in the area to the south, and may now try to cut through on residential roads in the area to the north.
- Is Coldbath Road a suitable boundary road. Although it has a number (B4146), it is narrow, with homes very close to the road and narrow footways often blocked by parked cars. Could Brook Lane and Yardley Wood Road be used instead where there are wide grassed areas and footways are set well back from the road?
- Option C, the traffic calming on Billesley Lane needs to be right – putting in a type which doesn't work would be a waste of money and opportunity.
- Bus 34 serves Oxford Road, Billesley Lane, Springfield Road, Poplar Road and Addison Road and is an important service for older people in the area who cannot walk to the High Street. Its current route would not be possible under options C or D.
- Option C, Mossfield Road would have to be used by large vehicles accessing Wheelers Lane Schools, and the road is not suitable for this.
- If a one way loop is introduced on Heathfield/ Melton/ Institute Roads, large vehicles making deliveries to businesses such as Iceland, as well as all traffic for the off street car parks and Bishop Challoner School would have to use these roads and Heathfield and Melton Roads could become busier than they are now.

- The exact location of a modal filter on Melton Road is important. Residents would also like to know whether the informal parking area on the roundabout with Springfield Road would be retained.
- A number of residents were concerned at proposals as they thought Billesley Lane was closed completely. Wording in the leaflet says it is closed to through traffic but for people who are unsure what that means, they interpreted it as closed to all vehicles.
- One resident suggested the idea of a bypass to the west of Kings Heath.

11.5 Places for People in Kings Heath & Moseley

Public drop in event Tuesday 19 October, 11am-2pm, Kings Heath Community Centre

The event was attended by approximately 120 people. A small number of people came to the session but were not able to wait to speak with a member of staff. Nine members of staff were present in total, with six at tables to speak with consultees and three managing arrivals and answering shorter questions.

Most people were understanding about the need to queue and wait to speak with someone, but a few suggestions were received about how to improve the event.

The majority of attendees were residents, but a small number of businesses/ organisations made themselves known.

People attending the drop in session were asked to also complete the consultation questionnaire, online or on paper to ensure that their views were accurately captured. However, the following key points were raised and recorded by officers:

11.5.1 General issues

- Many people highlighted a specific journey that they currently undertook by car and how the distance would become much greater under the proposals, should they continue to drive for that trip.
- Some people were expecting to be able to speak with local councillors at this event (although the consultation materials do not advertise councillor presence, ward councillors will be attending drop in sessions where possible, but none were available on this occasion).
- Several people felt that they had no choice or no say as the scheme would be going ahead to phase 2 regardless of their feelings.
- Some people were concerned about how the scheme could be monitored without clear baseline data from pre-COVID.
- Some residents felt that the scheme was unfair and made some streets quieter and more pleasant at the expense of others.
- Several people within the green area on the eastern side of the High Street felt that they were being trapped in their homes (particularly option D as Brook Lane is the only exit to the area).
- Some residents are concerned about the impacts this scheme has caused the community and created division between the community and neighbours.
- No references for the data included in the pie charts on the consultation document
- A few people questioned how an 18 month ETRO had led to a permanent scheme
- A number of residents wanted to know what type of Traffic Calming (Horizontal, Vertical or Optical) would be installed, concern that existing 'speed humps' were dangerous.

- Some residents were unsure what a 'Bus Gate' was.
- Some residents were expecting large scale Concept Designs on boards at the entrance to the room so that they could study them before asking any questions.
- The Pfp scheme is going to cause SEN pupil transport to get held up which isn't ideal for some of those pupils being transported. There are 500 SEN pupils taken by mini bus or taxi from the Kings Heath area special schools.
- Doesn't feel safe on public transport as a lone female
- Emergency services have to log incidents where problems with access, have to do U turn etc on a call after they finish their shift on a system called datix. They often don't have the time or inclination to do this at the end of a shift so these issues won't be reported/ logged
- Feels there may be more antisocial behaviour on roads that are blocked off at 1 end.
- Billesley Lane shouldn't be marked on the plan as a main road as it isn't designated as one.
- Has anyone looked at crashes on the roads pre and post LTN going in, particularly on the external roads?
- Directing all traffic onto the High Street will reduce Air Quality
- Open the train station and improve public transport before implementing the measures
- Could the modal filters incorporate public seating?

11.5.2 Specific issues

Area A/B

- Request for one way streets through the green area and no modal filters
- Silver Street close to High Street sees high levels of visitor parking.
- Vicarage Road still see frequent traffic queues and poor air quality. However, the proposed crossing would be more appropriate on Avenue Road to assist children travelling to school.
- No right turn from Howard Road to Vicarage Road could make egress difficult from properties in yellow/ orange areas.
- Resident of Whiteside Croft on Silver Street said the car park residents use is on other side of barrier. Also claimed there was now an issue with illegal parking on yellow lines as people don't use Lidl car park
- Why has Tenbury Road been dropped? Was in original plans
- Concerns on Tenbury around speeding and anti social parking across drives / on pavements – concerns could be made worse by CFSS for Colmore
- Option B proposals for top half of All Saints Rd mean won't be able to get through to Abbots Rd and on to Vicarage Rd.
- This section of All Saints Rd is heavily parked on both sides. Not suitable for 2 way traffic
- On leaving the Sainsbury's car park, motorists won't be able to make a right turn onto Vicarage Road due to queuing traffic on Vicarage Road already

Area C/D

- Planning permission has been granted for a nursery on corner of Ascot Road/ Oxford Road, concerns about parents dropping off/ collecting children.
- Residents in blue and red areas will be forced to use High Streets for all car trips and would prefer to avoid it.
- Springfield Road/ Billesley Lane residents welcome proposals, varied views on C vs D
- Green area large and very east facing. Could the purple area be extended to increase the number of properties whose vehicles would be released to the north?
- No need for internal filters in green area – would prefer Cambridge Road and Woodfield Road filters not be included to avoid sending more traffic down Blenheim Road.
- Will there be no through road signs on the ends of all roads? Specifically in the purple area to discourage use of Oxford Road and Cotton Lane to avoid a section of Wake Green Road?
- Right turn is currently not permitted from A435 Alcester Road into St Marys Row. Could this be opened up to allow for vehicles which would previously have got around by cutting through in the area to the south, and may now try to cut through on residential roads in the area to the north.
- Is Coldbath Road a suitable boundary road. Although it has a number (B4146), it is narrow, with homes very close to the road and narrow footways often blocked by parked cars. Could Brook Lane and Yardley Wood Road be used instead where there are wide grassed areas and footways are set well back from the road? Also, lots of parents park on Coldbath Road for pick-up/ drop-off at Swanhurst School
- A few people asked why there are so many crossings proposed around Addison Road when there would be a reduction in traffic? Concerns as more crossings may result in loss of parking.
- Concerns raised around Melton Road and Goldsmith Road with a large number of vehicles parking up and dropping off for St Dunstan's and Bishop Challenor.
- Springfield Road residents appreciate the addition of filter as road has been used as a 'bypass' for high street
- Residents of Greenhill Road delighted by new plans – think D is more 'equitable'
- C is still open to speeding
- Several residents of Greenend / Elmfield Crescent feel filter should be moved to other side of Greenhill to enable them to exit towards Moseley and not always have to drive down to Billesley lane etc when using their vehicles
- Is there opportunity for a diagonal on School / Greenhill to enable Greenend residents to have above?
- Billesley lane is a bus route – number 34 – used by elderly
- C and D still leave possibility of using Dyott / Billesley as a cut through to avoid lights on Wake Green Road
- Has any monitoring been done on Dyott? Subject to very high speeds – wide road. Aware of monitoring on Oxford but not Dyott

- Line of sight on Billesley Lane is obscured by trees – the stretch between Greenhill and Oxford. Dangerous and multiple accidents.
- If C is preferred option will Billesley residents have further opportunity to comment on the traffic calming?
- Crossing points on Addison Rd will mean loss of parking for residents
- Traffic calming also needed on the section of Billesley Lane between Wake Green Rd and Oxford Rd in Option C
- With Option D traffic will use St Agnes Rd as a rat-run instead
- As resident of Ashfield Ave how can residents travel to Moseley without having to drive a very long way round (if turn right out of the bottom of Valentine Rd towards Moseley, get to main junction at Salisbury Rd/ St Mary's Row and can't turn right at the lights
- Diagonal filter at the junction of Melton Rd/ Institute Rd. Could this not be the other way round as how it's currently arranged, means only way in and out for residents of Heathfield/ Melton/ Institute 1 way in Option C is from the High St. Usual direction usually leaves her section of Melton Rd is either via other end of Heathfield Rd or Addison Rd as travelling this direction to work.
- Not marked on plans that currently access from High St onto Drayton Rd is only for the first few metres of the road. After that it's no entry.
- Dyott Rd is a wide rd with speeding vehicles, and the arrangement directing traffic along here is going to make this worse.
- With Bishop Challoner, Swanshurst and Kings Heath Boys traffic using Billesley Lane, if it was used as a cycle route, it would help students cycling to these schools.
- Existing traffic calming on Billesley lane and Oxford Rd needs looking at as currently completely ineffective in slowing vehicles down.
- If Drayton Rd is used as 2 way, will be an issue in particular for delivery drivers as road so narrow due to parked cars.
- Can only turn left out of Drayton Rd onto High St and left in to Drayton Rd from High St due to central reservation preventing right in and right out manoeuvres.
- Concerned about routes out of the area when needing to use car to access the city centre for spaghetti junction means using peripheral route that are narrow (Coldbath Rd).
- The four existing pedestrian refuges on Billesley Lane need to be made more substantial
- Too many filters along School Road and Springfield Road blocking access into the pink and purple cells
- Concerns raised about the indicative locations of pedestrian crossings on narrow pavements (Addison Road)

11.6 Places for People in Kings Heath & Moseley

Public drop in event Tuesday 26 October, 3.30am-6.30pm, Kings Heath Community Centre

The event was attended by approximately 90 people. A small number of people came to the session but weren't able to wait to speak with a member of staff. Nine members of staff were present in total, with six at tables to speak with consultees and three managing arrivals and answering shorter questions. One Councillor (Kerry Jenkins, Moseley) also joined for some of the session.

Most people were understanding about the need to queue and wait to speak with someone, but a few complaints were received.

The majority of attendees were residents, but a small number of businesses/ organisations made themselves known.

People attending the drop in session were asked to also complete the consultation questionnaire, online or on paper to ensure that their views were accurately captured. However, the following key points were raised and recorded by officers:

11.7 General issues

- Many people highlighted a specific journey that they currently undertook by car and how the distance would become much greater under the proposals, should they continue to drive for that trip.
- Several people felt that they had no choice or no say as the scheme would be going ahead to phase 2 regardless of their feelings.
- One resident reported that friends on Paton Grove had not received the leaflet.
- Four complaints that consultation was poor – Two when pressed this was more of a concern about phase 1 than the current consultation. Two felt that both phases had been poorly consulted, and that the Council appeared subversive in its approach to consulting on LTNs.
- Suggestion that widespread traffic calming would be preferable to modal filters, which were felt to be a 'crude solution'. Resident felt the scheme had been drawn up with no 'local knowledge' or understanding of the area. (Further five residents all cited specific concerns with modal filters and confirmed they would much prefer systemic traffic calming instead, citing that modal filters are causing driver (and resident) frustration, resulting in increased (dangerous?) vehicle speeds and making Kings Heath a difficult place to live (i.e. impacting on deliveries and ability to undertake 'essential' car trips, such as transporting elderly persons to hospital appts). One resident said he is planning to put his house on the market next year to move away, and he is aware of at least another four who are either considering moving or have now put their houses up for sale as a direct/ indirect result of the LTN implementation.

- A number of comments citing that the LTNs had actually made conditions worse for cyclists, as frustrated drivers were now behaving more aggressively on treated streets, and the traffic uplift on the main routes now serves to make these more hostile environments to cycle along or cut across.
- Concerns that investment in alternative modes is sadly lacking and unattractive. Bus service operational reliability as a result of LTN has deteriorated through Kings Heath, no rail services yet, local cycling infrastructure in poor condition, no cycle hire or scooter hire in Kings Heath to provide travel choice alternatives, so effectively the LTN proposals will reduce transport modal choice as it limits residents' realistic choices to walking.
- Two comments that cycle parking infrastructure in Kings Heath remains poor and should have been extensively improved before the LTN was implemented.
- Signage needs improving. Mostly to make drivers aware they are turning into no through roads, although some directional signage may help (e.g. on Avenue Road approach to Vicarage Road drivers need to know to turn right for access to Kings Heath local centre).
- Funding should be spent on on-street electric charging points and/ or insulation for housing.
- No traffic modelling has been done on the existing situation, so how can you compare the situation before to after to see if any benefit?
- What will be seen as a success if no before data?
- There is no option in the consultation to scrap the scheme
- Need to re-engineer the Vicarage Rd/ Howard Rd junction to allow vehicles to turn rgt out of Howard Rd into Vicarage Rd to take pressure off Grove Rd
- Barriers down High St are an issue for cyclists as they stick out into the road.
- Scheme shouldn't be put in until rail station
- Lack of info from the start
- How will large lorries make deliveries and then get back out?
- One way systems – are indicated as being a series of right turns, left turns would be better and safer
- Feedback that people were not using the library although unsure whether this was due to the LTN or to the pandemic
- Too much emphasis on online consultation
- A number of residents were concerned that there was not enough traffic data to be able to model/ base the designs on.
- The pie charts illustrated on the leaflet did not reference how many people had responded to the survey
- Residents asked if a document would be available which provides background on the how the concept designs were developed and details of the modelling and traffic data used.
- One resident complained that the first link (to a spreadsheet?) on the website is broken.

- A number of residents were asking as these are concept designs, will there be further consultation once proposed designs have been finalised.

11.8 Specific issues

11.8.1 Area A/B

- Significant issues experienced around parking on Westfield Road. High levels of car ownership among residents lead to crowding and parking on corners which obstructs access for large vehicles delivering to businesses (resident suggested marked parking bays may help). In addition the Mosque attracts many visitors every evening and for Friday prayers and problems of double parking and idling engines are frequent. Cllr Trickett is aware and trying to work with Mosque community.
- No right turn from Howard Road to Vicarage Road and from Vicarage Road to A435 were felt to be too restrictive when accompanied by proposed measures.
- Concern over the access to Sainsburys in option B and access back to main road from the store.
- Concern over increased traffic on Institute Road with people accessing the school and church.
- Double yellow lines on Institute Road not enforced at present. Visibility is impaired by parked cars.
- Taxi rank on Institute Road is used by normal cars.
- Concern about speeding on Alcester Rd past Howard Rd jcn once traffic has passed through busy High Street.
- Concern about excessive traffic/ standing traffic on Vicarage Road
- Concern about high volume of traffic Howard Road.
- Bus stops on Vicarage Road near the High Street close together and cause issues when buses are at stops.
- Concern about access to/ from All Saints Road, current scheme has made conditions/ manoeuvres more dangerous.
- Within Option B can not turn around at closure point of All Saints Road, not physically possible.
- Abbots Road/ Vicarage Road junction is more congested with current arrangement.
- High Street/ Howard Rd jcn lights need to be re-phased.
- Red Lion jcn traffic lights have been amended but need further alterations as have not made much difference.
- Feels would be better to have traffic 1 way on Colmore Rd/ Hazelhurst Rd
- Concern regarding the filter on Abbots Road/ Vicarage Road and the implications on Hazelhurst Road.

11.8.2 Area C/D

- Green area large and very east facing. In particular resident of Elmfield Crescent and Greenend Road felt very cut off from both Kings Heath and Moseley in the proposal. Spoke about possible inclusion in purple or red area instead and generally the purple area seemed preferred, although some were not happy that this would be at the expense of connection to green area.
- Generally positive feedback from resident of yellow area, feels scheme will improve problems around Wheelers Lane Primary School.
- Woodville Road resident concerned about loss of parking under option C – prefer current arrangement with filter on Poplar Road.
- Positive feedback from Springfield Road residents, although they felt that internal filters in green area were not needed.
- Positive feedback from Addison Road resident, although they would prefer a standard modal filter to a bus gate, with buses re-routed to Wheelers Lane – feel this would also benefit Wheelers Lane schools with improved bus provision.
- Suggestion that some modal filters be implemented but scheme should leave some ‘cut through’ options.
- Right turn is currently not permitted from A435 Alcester Road into St Marys Row. Could this be opened up to allow for vehicles which would previously have got around by cutting through in the area to the south, and may now try to cut through on residential roads in the area to the north.
- Some concern about access to rear access of shops off Heathfield Road (Cash Convertors, Vodafone) in option C/D.
- Some concern about access to Iceland car park/ delivery via in option C/D, concern over increase traffic on Heathfield Road.
- Concern about increase in traffic speeds along Oxford Road in option C/D due to width of road being more attractive to speeding vehicles. Already see speeding along street.
- Concern about increase in traffic/ congestion at Wheelers Lane/ Brook Lane roundabout.
- Request for more crossing points at the edge of the PFP area as those roads around circumference will become busier.
- Keep Billesley Lane open, but more traffic calming needed along the whole length from Wake Green Rd to rbt at Springfield Rd, but there is a bus route on Billesley Lane so needs to be appropriate traffic calming.
- One Stop - a lot of passing trade. Would be affected if Billesley Lane closed.
- More traffic will be pushed on to Yardley Wood Rd. Pedestrians walking along here will be worse off.
- Parking may be an issue on Addison Rd – not able to go round the block to find a parking space
- Child at local nursery and drop off/ pick up on way to/ from work. Maybe problems getting to/ from the nursery to home (Addison Rd).

- To get out of Moseley will have to drive down Greenhill Rd (from Elmfield Crescent) – difficult road to drive down because of all the parked cars.
- Filter needs to be at other end of Mossfield Rd just past the entrance/exit to the gym
- Could residents parking permits be considered on Addison Rd?
- Current traffic calming measures on Billesley Lane are not working – the speed humps need to be continuous across the whole width of the road.
- Resident (Springfield Road) concerned that there could be a pedestrian crossing outside their house, will they get to see any further designs or be informed before any crossing is installed?

11.9 Places for People in Kings Heath & Moseley

Public drop in event Saturday 30 October, 10am-1pm, Cambridge Road Methodist Church

The event was attended by approximately 110 people. A small number of people came to the session but weren't able to wait to speak with a member of staff. Seven members of staff and two Councillors (Kerry Jenkins, Moseley and Martin Straker-Welds, Moseley) were present, with six people at tables to speak with consultees and three managing arrivals and answering shorter questions.

Most people were understanding about the need to queue and wait to speak with someone, but a few suggestions for improvements were received.

The majority of attendees were residents.

People attending the drop in session were asked to also complete the consultation questionnaire, online or on paper to ensure that their views were accurately captured. However, the following key points were raised and recorded by officers and Councillors:

11.10 General issues

- Many people highlighted a specific journey that they currently undertook by car and how the distance would become much greater under the proposals, should they continue to drive for that trip.
- Several people felt that they had no choice or no say as the scheme would be going ahead to phase 2 regardless of their feelings and that the information distributed from the Council was very disingenuous and misleading (particularly as no formal decision has been taken to date which contradicts the leaflet)
- Questions were raised about success factors/ monitoring, the time period over which that would apply/ be reported and the lack meaningful data to inform scheme design.
- Several comments that public transport needs to be improved (including stations opening) before this scheme is implemented. Especially as we are still in the middle of a pandemic and confidence to use public transport is still low (for a lot of elderly people).
- Will WMCycle Hire and Voi scooters be extended to Kings Heath? That would help people to use cars less.
- Some people felt that people simply would not give up driving, so the scheme was pointless. When asked what they would do to reduce vehicle use, one resident suggested rationing petrol/ diesel.
- A resident with positive feedback for the scheme still felt more could be done to improve public transport between neighbourhoods (i.e. not just to city centre), and co-ordination of roadworks. They felt that the levels of on-street parking meant cycling was not made easier within the scheme.

- Concern about impact on elderly and disabled people who feel cut off from their community as they are solely dependent on their car.
- Concern about impact on High Street businesses.
- Concern about impact on community who have very divided opinions on the scheme.
- Car ownership and on-street parking is excessive.
- General feeling that the scheme creates quiet streets/ reduces pollution in places where people don't spend much time outside, and puts traffic/ pollution in places where people do want to spend time – High Street, around schools etc.
- Feeling that the scheme has been imposed with no real reason for choosing Kings Heath and Moseley; only KH&M people are being asked to reduce their car use, not everyone else.
- Would like more trees and cycle lanes to be added to boundary roads. On Kings Heath High Street, on-street parking should be removed and replaced with planters to absorb pollution. Bus pull ins should be provided, and pinch points for traffic flow should be examined/ improved.
- Request for air quality monitoring on all boundary roads.
- Issues with HGVs using unclassified roads.
- More creative solutions are needed for journeys to schools – drop off points away from school, walking buses, electric bikes, bike storage.
- Question raised about whether the scheme will improve safety for cyclists.
- Concerns raised by a few residents that by removing a lot of the traffic from inside the LTN, the roads became so quiet that people then felt unsafe walking in the dark as there is nobody about.
- Very little 20mph signage in the green area – particularly on Billesley Lane
- Generally, people want to see positive improvement in the area but don't feel that this scheme will deliver that as people will not change attitudes until appropriate alternatives are in place. They also feel that this scheme is particularly divisive as some people are winners (clean air) and others get more vehicles and worse AQ.
- A couple of people asked about residents parking schemes especially if some parking will be lost for the turning area behind planters. Specifically Woodville / Heathfield / Institute which are often used by shoppers and are already under pressure for parking for residents
- Several people had concerns about having to reverse up their road to get out as too narrow to do a 3 point turn. Specifically All Saints and Woodville. Concerns were allayed when shown a picture of the turning area behind planters.
- Consultation documents in English only. Could we have done promotion on community radio. Unity FM etc
- The dotted line for Billesley Lane is confusing on the consultation doc
- Any plans for tree planting? Could some sort of 'green wall' be put in place on high street to absorb some of pollution for shoppers
- Could the number of bus stops on the high st be looked at?

11.10.1 Specific issues

Area A/B

- A resident who was opposed to road closures in general praised the changes on York Road.
- Could right turn from Vicarage Road to A435 be reinstated for general traffic?
- Seat added to planter on School Road is excellent – real help for elderly people. Could planters be sponsored so more things like this can be done?
- Problems of congestion on Vicarage Road and Colmore Road. Difficult to get to church (presume All Saints). Also problem of buses congregating on Vicarage Road.
- Could right turn in to Kingsfield Road be banned – hazardous for pedestrians crossing and holds up traffic. May pose issue for church access?
- Could there be a right turn out of Drayton? Currently no right turn out of either Drayton or Addison

Area C/D

- Concerns that vehicles may cut through St Agnes Road to avoid junction of Yardley Wood Road and Wake Green Road.
- Positive feedback from a Springfield Road resident, although they would have liked the consultation to include more of an idea of what the proposals will look like on street.
- Two residents of Ashfield Avenue highlighted that traffic on the A435 makes it very difficult to turn out of Valentine Road, and this would become their only exit route.
- Several comments that Coldbath Road may not be a suitable boundary road. One suggestion that it could be one way.
- Anti-social driving is a major problem on Billesley Lane so traffic calming is welcomed. But concern of displacement to Clarence Road unless there is a modal filter to prevent this (noted by two residents).
- Under option D, Brook Lane (which is narrow) is the only access point to a large area. The footway is also very narrow along here and therefore not suitable for large volumes of pedestrians (noticeably at school drop-off/pick-up times)
- Could Billesley Lane traffic calming (option C) be extended further north than shown on plan?
- St Agnes Road also experiences significant anti-social driving, including racing and ‘doughnuts’ around St Agnes Church.
- Anti-social driving and other behaviours was noted by every resident spoken to (Lucy) within the green area of the plan. Billesley Lane and St Agnes Road in particular.
- A Greenhill Road resident asked if it would be possible to create a roundabout at the junction of Greenhill Dyott and Billesley Roads, feeling this would reduce speeding.
- On street parking on Howard Road East causes congestion – could this be looked at as part of area wide study?

- Green area large and very east facing. Spoke about possible inclusion of some roads in purple or red area with a few residents of roads in the north of the green area.
- Concerns that due to increase of traffic on Wake Green Road, it is going to become increasingly more difficult to turn right out of School Road, Grove Avenue onto the main road – would support a keep clear or yellow box to help pull out.
- Current traffic calming on Billesley Lane is ineffective. Need signal controlled pedestrian crossing which actually stops the traffic. Need speed camera. Proposed crossing of Billesley Lane is in the wrong place, should be close to shops (at Blenheim Road).
- Billesley Lane traffic calming – should extend the whole way up the road and be regardless of which option is chosen. Speed bumps don't work as it is and are noisy, so chicanes would be supported as would address the 'racetrack' that currently exists.
- Drayton Road shown as two way in proposals, would like it to be one way (currently two way with no entry at one end). Further problems will arise with the Car Free School Streets Scheme.
- Request for air quality monitoring within the green zone of option D.
- Cotton Lane resident concerned that they will see increased traffic due to Oxford Road residents exiting on to Wake Green off Cotton. Already tails back at peak time so concerned about idling traffic.
- No traffic calming on Cotton – there is on all other neighbouring roads
- Concern about Cotton being used as a cut through via Oxford to avoid sitting traffic on Wake Green
- A resident made alternative suggestions, including changes to Billesley Lane and adding more crossing points. They will email their proposals.
- Residents of Blenheim Road feel it particularly unfair that neighbouring residents on Cambridge Road and Woodfield Road have planters (that do not restrict through movement of vehicles). All roads should have a filter or none of them rather than preferential treatment.
- Dyott and St Agnes used as a 'race track' with speeds over 60mph – plans still would enable this and haven't addressed. Needs a filter or traffic calming.
- Billesley lane – issue with motorcyclists speeding too
- No right turn from A435 northbound into St Mary's Row
- Scheme results in poor access into the High Street generally
- Would prefer to modal filter on Ashfield

11.11 Places for People in Kings Heath & Moseley

Business drop in event Monday 1 November, 4pm-6pm, Kings Heath Community Centre

The event was attended by 14 people from 11 businesses, plus one individual (not from a business or organisation). Five members of staff were present in total along with Matt Powell from Kings Heath BID.

People attending the drop in session were asked to also complete the consultation questionnaire, online or on paper to ensure that their views were accurately captured. Key points were raised and recorded by officers. These are not included in this report as the content of the comments would identify the individual.

11.12 Appendix A.3 Coding Matrices

11.12.1 Option A Coding Matrix

- Positive
 - Positive about the design
 - Positive about modal filters
 - Positive filter placement
 - Positive about one-way streets
 - Likes the aesthetics
 - Positive environmental impacts
 - Better air quality
 - Less litter
 - Better public realm
 - Reduced noise
 - Fewer cars
 - Reduced traffic
 - Positive about Safety
 - Improved pedestrian safety
 - Improved cycle safety
 - Improved car safety
 - Reduced speeding
 - Improved children safety
 - Want to expand the scheme
 - Place more in KH
 - Place more in Birmingham
- Negative
 - Negative about the design
 - Negative about modal filters

- Negative filter placement
- Dislikes the aesthetics
- Oppose PfP altogether
 - Perceived favouritism
 - Opposed to discouraging cars
 - Wants open roads
 - Negative emergency vehicle impacts
 - Negative business impacts
 - Negative delivery driver impacts
- Negative car impacts
 - Increased traffic on boundary roads
 - More traffic on non-boundary roads outside of cells
 - Increased traffic on high street
 - Increased traffic overall
 - Excessive increasing journey time
 - Increased speeding
 - Unsafe for cars
- Public transport for issues
 - Increased public transport traffic
 - PT inaccessible (have to use car)
- Negative for pedestrians
 - Unsafe for pedestrians
 - Less enjoyable walking
- Negative pollution impacts
 - More noise pollution
 - More pollution on boundary roads and high street
 - More pollution on roads within cells due to displaced traffic

- More light pollution
- Increased pollution overall
- More litter
- Negative about safety
 - Reduced pedestrian safety on boundary roads
 - Perceived lack of pedestrian safety at night
- No impact
- Non-specific response (neither positive nor negative)
- Mixed response (both positive and negative)
- No comment

11.12.2 Option B Coding Matrix

- Positive
 - Positive design
 - Positive about standard modal filters
 - Positive about diagonal modal filters
 - Positive about one-way streets
 - Positive about new crossings
 - Positive filter placement
 - Likes the aesthetics
 - Environmental
 - Better air quality
 - Less litter
 - Better public realm
 - Reduced noise
 - Fewer cars
 - Reduced traffic
 - Safety

- Improved pedestrian safety
 - Improved cyclist safety
 - Improved car safety
 - Reduced speeding
 - Improved children safety
- Expand the scheme
 - Place more in KH
 - Place more in Birmingham
- Negative
 - Negative design
 - Negative about standard modal filters
 - Negative about diagonal modal filters
 - Negative about one-way streets
 - Negative about new crossings
 - Negative filter placement
 - Dislikes the aesthetics
 - Pfp altogether
 - Perceived favouritism
 - Opposed to discouraging cars
 - Wants open roads
 - Negative emergency vehicle impacts
 - Negative business impacts
 - Negative delivery driver impacts
 - Cars
 - Increased traffic on boundary roads
 - More traffic on non-boundary roads outside of cells
 - Increased traffic on high street

- Increased traffic overall
- Excessive increasing journey time
- Increased speeding
- Unsafe for cars
- PT
 - Increased public transport traffic
 - PT inaccessible (must use car)
- Pedestrians
 - Unsafe for pedestrians
 - Less enjoyable walking
- Pollution
 - More noise pollution
 - More pollution on boundary roads and high street
 - More pollution on roads with cells due to displaced traffic
 - More light pollution
 - Increased pollution overall
 - More litter
- Safety
 - Reduced safety on boundary roads
 - Perceived lack of pedestrian safety at night
- No impact
- Non-specific response (neither positive nor negative)
- Mixed response (both positive and negative)
- No comment

11.12.3 Option C Coding Matrix

- Positive
 - Positive design

- Standard modal filters
- Diagonal modal filters
- One-way streets
- New crossings
- Traffic calming measures
- Bus gates
- Filter placement
- Aesthetics
- Environmental
 - Air quality
 - Litter
 - Public realm
 - Reduced noise
 - Fewer cars
 - Reduced traffic
- Safety
 - Pedestrian safety
 - Cyclist safety
 - Car safety
 - Reduced speeding
 - Children safety
- Expand the scheme
 - Place more in KH
 - Place more in Birmingham
- Negative

- Negative design
 - Standard modal filters
 - Diagonal modal filters
 - One-way streets
 - New crossings
 - Traffic calming measures
 - Bus gates
 - Filter placement
 - Aesthetics
- Pfp altogether
 - Perceived favouritism
 - Opposed to discouraging cars
 - Wants open roads
 - Business impacts
 - Emergency vehicle impacts
 - Delivery driver impacts
- Cars
 - Traffic on boundary roads
 - Traffic on other roads
 - Traffic on high street
 - Traffic overall
 - Excessive increasing journey time
 - Speeding
 - Unsafe for cars
- PT

- Traffic
- PT inaccessible (have to use car)
- Pedestrians
 - Unsafe for pedestrians
 - Less enjoyable walking
- Pollution
 - Noise pollution
 - Pollution on main road
 - Pollution on new roads
 - Light pollution
 - Increased pollution overall
 - Litter
- Safety
 - Safety on boundary roads
 - Perceived safety at night
- No impact
- Non-specific response (neither positive nor negative)
- Mixed response (both positive and negative)
- No comment

11.12.4 Option D Coding Matrix

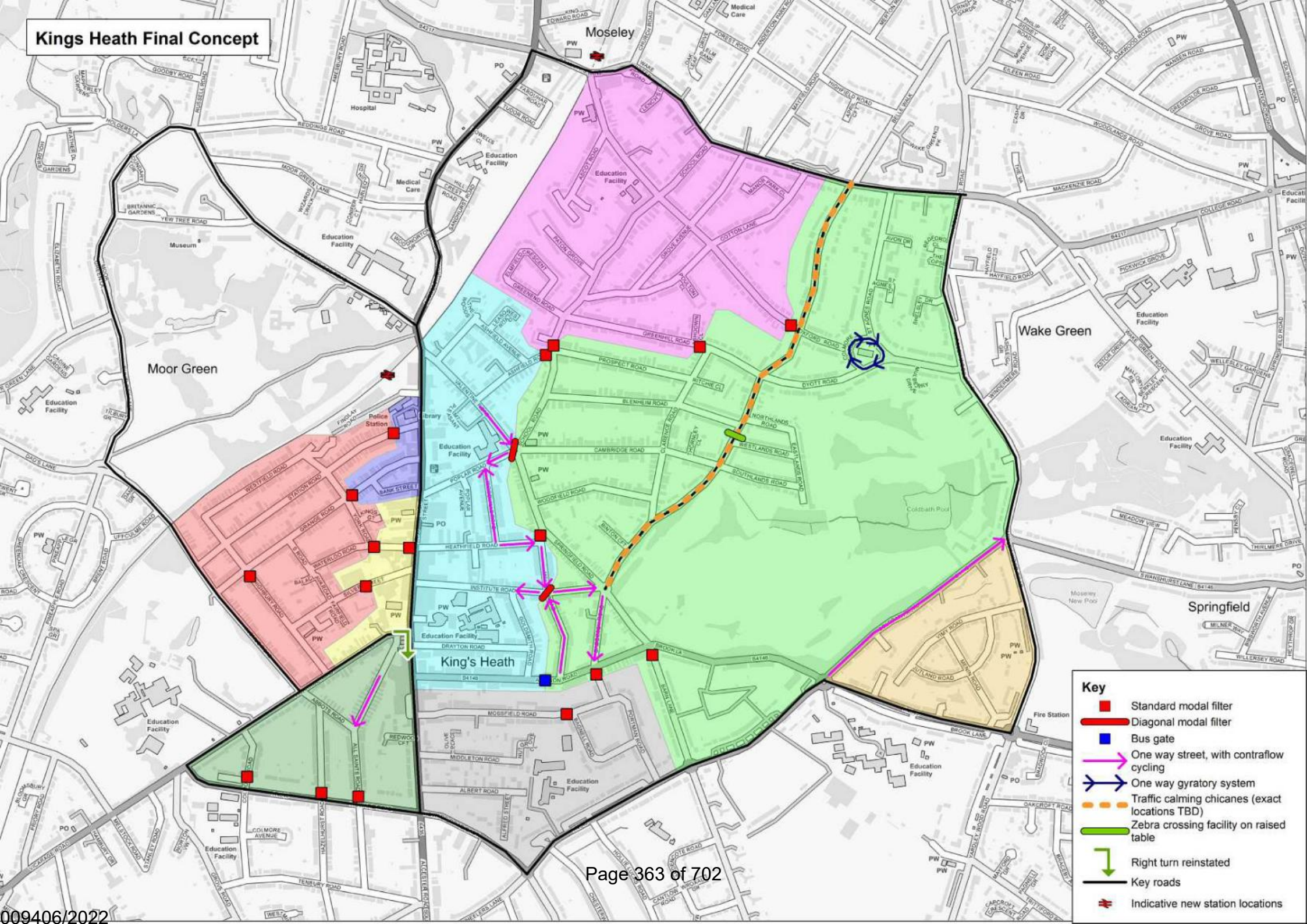
- Positive
 - Positive design
 - Standard modal filters
 - Diagonal modal filters
 - One-way streets

- New crossings
 - Traffic calming measures
 - Bus gates
 - Cycle lanes
 - Filter placement
 - Aesthetics
- Environmental
 - Air quality
 - Litter
 - Public realm
 - Reduced noise
 - Fewer cars
 - Reduced traffic
- Safety
 - Pedestrian safety
 - Cyclist safety
 - Car safety
 - Reduced speeding
 - Children safety
- Expand the scheme
 - Place more in KH
 - Place more in Birmingham
- Negative
 - Negative design
 - Standard modal filters
 - Diagonal modal filters
 - One-way streets

- New crossings
- Traffic calming measures
- Bus gates
- Cycle lanes
- Filter placement
- Aesthetics
- Pfp altogether
 - Perceived favouritism
 - Opposed to discouraging cars
 - Wants open roads
 - Business impacts
 - Emergency vehicle impacts
 - Delivery driver impacts
- Cars
 - Traffic on boundary roads
 - Traffic on other roads
 - Traffic on high street
 - Traffic overall
 - Excessive increasing journey time
 - Speeding
 - Unsafe for cars
- PT
 - Traffic
 - PT inaccessible (have to use car)
- Pedestrians
 - Unsafe for pedestrians
 - Less enjoyable walking

- Pollution
 - Noise pollution
 - Pollution on main road
 - Pollution on new roads
 - Light pollution
 - Increased pollution overall
 - Litter
- Safety
 - Safety on boundary roads
 - Perceived safety at night
- No impact
- Non-specific response (neither positive nor negative)
- Mixed response (both positive and negative)
- No comment

Kings Heath Final Concept



Key

- Standard modal filter
- Diagonal modal filter
- Bus gate
- One way street, with contraflow cycling
- One way gyratory system
- Traffic calming chicanes (exact locations TBD)
- Zebra crossing facility on raised table
- Right turn reinstated
- Key roads
- Indicative new station locations

Kings Heath Places for People Engagement Report

November 2022

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Introduction

In 2020, we introduced temporary measures in parts of Kings Heath and Moseley, most notably placing large planters and bollards to prevent motorised vehicles from using side streets to cut through and avoid main roads.

Most of these changes were made on the west side of Kings Heath High Street, with just a few to the east.

These measures caused considerable controversy, and we received a lot of feedback from the local community, both through our formal engagement and outside this, with numerous conversations, emails, meetings and site visits taking place over the following months.

During October and early November 2021, we consulted on the next phase of Places for People in Kings Heath and Moseley.

Through this, we proposed that the scheme be made permanent and new measures will be added, particularly to the east of Kings Heath High Street. We presented the public with concept designs. There were two options for each side of the High Street. We found out what the public preferred, and what they liked/disliked about the designs.

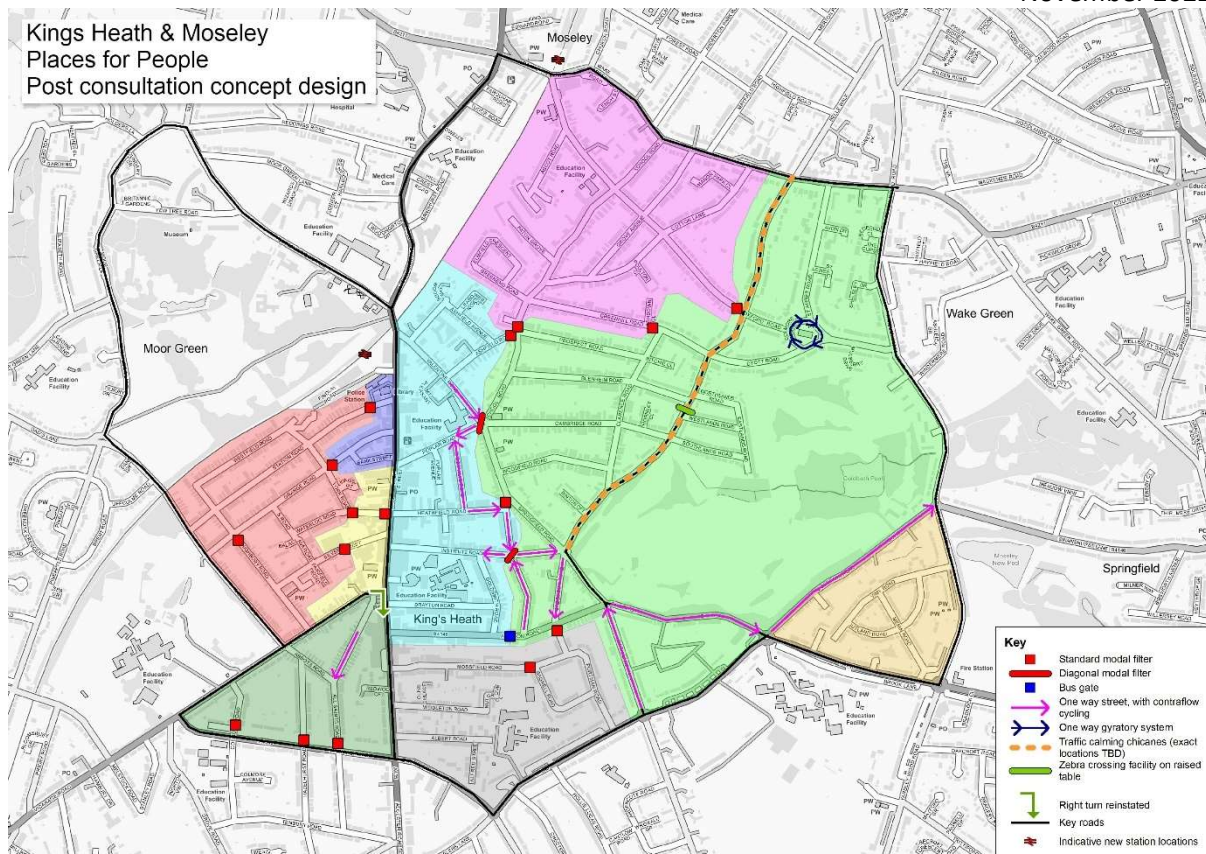
Following this consultation, we created a further concept design for both sides of Kings Heath High Street.

What now?

In September 2022, the next round of engagement took place, which was about refining the concept design produced following the formal consultation which closed in November 2021.

The design was based on the following principles:

- Minimise changes to design overall
- Minimise number of modal filters
- Greater use of one-way systems
- Multiple access points to each cell



This exercise was the final stage of public engagement prior to implementation for several aspects of the scheme, namely the location of modal filters and one-way streets within the Places for People area.

Following this engagement, the final opportunity for consultation will be a statutory consultation on the Traffic Regulation Order required to implement the scheme.

Engagement Methodology

The full engagement information (including plans) was made available for the different cells on Birmingham BeHeard. Further background to the scheme remains online on the [Birmingham City Council website](#).

For this localised engagement, people's interests were considered by their location and relationship to the area, with residents receiving targeted engagement materials and invites to engagement sessions based on this. Messages informing people about the engagement sessions were shared across appropriate channels including:

- Targeted letter drop (approx. 6500 letters in total delivered)
- Existing email and electronic communications (corporate BCC, Bham Connected)
- Existing stakeholder/community contacts and networks
- Social media

Response channels

Responses were primarily collected online via Birmingham BeHeard, and through engagement activities at face-to-face engagement events. An email address was also advertised for any queries (connected@birmingham.gov.uk). Anyone who emailed was also encouraged to respond via Be Heard.

Programme and schedule of events

The engagement sessions were all held at the Kings Heath Community Centre, between 8 September and 1 October 2022.

Table 1 summarises the schedule of engagement sessions:

Event	Date/Time
Pink session	Thursday 8 September 4pm – 7pm
Blue session	Monday 12 September 4pm – 7pm
Grey session	Friday 16 September 4pm – 5pm
Green and cream session	Wednesday 21 September 4pm – 7pm
Business session	Wednesday 28 September 5pm – 7pm
West of High Street session	Thursday 29 September 4pm – 7pm
Final (mop up) session	Saturday 1 October 10am – 2pm

During these engagement sessions, details of the proposed scheme were discussed with residents from the immediate area, and attendees were invited to various discussion tables to provide specific feedback based on the proposals.

Analysis

West of High Street cell

In person engagement event

The West of High Street in-person engagement event was held on Thursday 29 September 2022, between 4pm and 7pm at Kings Heath Community Centre. 76 people in total attended the event.

Many respondents expressed concerns, suggestions and feedback about specific roads, detailed in the table below:

All Saints Road	<ul style="list-style-type: none"> • Road too narrow for contraflow cycling • Junction with Abbots Rd dangerous
Vicarage Road	<ul style="list-style-type: none"> • Support and criticism for the right hand turn • Air pollution and congestion • Move Modal Filters (MF) to Vicarage Rd entrance
Howard Road	<ul style="list-style-type: none"> • Traffic build-up on this Rd for those wanting to reach motorway • MF on east of High Street pushing traffic onto Howard Rd
Grange Road	<ul style="list-style-type: none"> • Used as rat run, increased traffic and parking on Rd • MF works well
Cambridge Road	<ul style="list-style-type: none"> • MF not needed
Silver Street	<ul style="list-style-type: none"> • MF works well
York Road	<ul style="list-style-type: none"> • Illegal parking issues • Become fully pedestrianised
Colmore Road/Avenue	<ul style="list-style-type: none"> • Car Free School Street (CFSS) parking issues
High Street/Alcester Rd/A435	<ul style="list-style-type: none"> • Increased traffic and pollution • 20mph not enforced • Negatively impacting business
Station Road	<ul style="list-style-type: none"> • Move MF to same end as Grange Rd
Hazelhurst road	<ul style="list-style-type: none"> • Vicarage Rd residents concerned with increased congestion

Additional comments from the engagement event include:

- Cycling: more infrastructure needed, unsafe to cycle at the moment.
- 20 mph enforcement needed
- Concern over impact of the new train station
- Concerns over re-instatement of the right turn on A435
- Change to traffic light hasn't helped at the Red Lion Junction
- Concerns raised over school traffic in the area
- Air pollution and traffic congestion concerns

BeHeard responses

The online consultation received a total of 76 responses. All respondents were asked the same two questions.

The following questions were asked:

1. **How can A435 High Street/Alcester Road South, Avenue Road, Vicarage Road, Howard Road be made better for people walking, wheeling and cycling?**
2. **Is there anything else you want to tell us about the plans for the area to the west of the A435?**

Analysis of Question 1: *How can A435 High Street/Alcester Road South, Avenue Road, Vicarage Road, Howard Road be made better for people walking, wheeling and cycling?*

The first question was answered by a total of 72 individuals. All responses were analysed, and a table summarising the common themes was created. Many respondents had similar concerns about the proposals and similar areas of success. 18 main categories were identified during this analysis, detailed in the table below, ordered from most common response to least.

Comment	Number of responses	% Out of 72
Cycling infrastructure needed	25	35%
Speeding issues/enforcement of speed limits	21	29%
Reckless/illegal parking - enforcement needed	16	22%
General support	14	19%
Remove MF	12	17%
General opposition	12	17%
Congestion, traffic calming needed	11	15%
More crossing points for peds/cyclists	10	14%
Pollution increased	7	10%
Move bus stops	7	10%
Footpath improvements	6	8%

Vicarage Rd/High Street right hand turn needed	5	7%
One way system would be better	5	7%
No comment	4	6%
Schools traffic needs to improve	3	4%
Don't re-instate the right turn	2	3%
Remove High Street parking (except disabled)	2	3%

Cycling infrastructure needed

- The most common response received was that more cycle infrastructure was needed within Kings Heath. Some mentioned the need for a cycle network, and connections to extend to the City Centre, Pershore Road and Rea Valley Route. A number of individuals mentioned that roads were currently dangerous for cyclists and that cycle lanes are necessary to increase the uptake of active travel. Specific roads were mentioned as needing cycle lanes, below they are mentioned in order:
 - Avenue Road (6 people)
 - Vicarage Road (5 people)
 - High Street (3 people)
 - Howard Road (2 people)

More crossing points for peds/cyclists

- The need for more safe crossing points for both pedestrians and cyclists was expressed by 10 individuals. The roads specifically mentioned as needing crossing points were: Vicarage Road, the High Street and Avenue Road. Specific placement comments are included below:

Vicarage Road:

- Crossing on Vicarage Road between High St and park.

High Street:

- Bell mouth junction of Findlay Road/High Street needs a crossing point.
- Put an extra crossing between Highbury Rd & the High St/All Saints traffic lights. Lots of people getting on/off buses dodge traffic to cross to All Saints.

Avenue Road:

- Avenue Rd and Shutlock Lane: desperately need 2 zebra crossings (one on each road) near-ish the complicated & busy Y-junction of these 2 roads.
- Avenue - Vicarage corner, where pedestrian traffic is large, including school children, and speeds and traffic is clearly dangerous.

Move bus stops

- Some individuals mentioned that certain bus stops should be repositioned. The following bus stops were mentioned:

- Re-site bus stops at the High Street end of Vicarage Road (Causing dangerous traffic situations)
- Change bus stops at the top of Vicarage Road (so they're not opposite each other)
- Less bus stops on side roads
- Move bus stops to less busy places
- Bus stops shouldn't be placed where the road narrows
- 2 individuals mentioned that a bus gate should be introduced on Avenue Road

Schools traffic needs to improve

- A few individuals mentioned that traffic around schools is an area of concern especially during the start and end of the school day. One person mentioned that the Colmore school CFSS has exacerbated this issue due to traffic displacement onto other roads

Additional comments:

The following comments were mentioned by one person each:

- As more traffic has to get to Alcester Road via Howard Road would it not also be worth having short-timed right turn filter traffic lights to get onto Alcester Road?
- Make Avenue Rd one-way
- Valentine Rd junction dangerous

Analysis of Question 2: *Is there anything else you want to tell us about the plans for the area to the west of the A435?*

The second question was answered by a total of 60 individuals:

Comment	Number of responses	% Out of 60
General support	28	47%
General opposition	20	33%
No Comment	16	27%
Keep MFs in the same position/Keep scheme as is	10	17%
Traffic filtered to Vicarage and Howard Rd	9	15%
Active Travel has increased	7	12%
Vicarage Rd issues	6	10%
Vicarage Rd has improved	6	10%
Speeding/parking issues, enforcement needed	5	8%
Journey times increased	5	8%
Increased pollution	5	8%
Traffic calming	5	8%
Cycle infrastructure/schemes needed	5	8%
Howard Road is now safer	4	7%
Improved road signage is needed	3	5%
Vicarage Rd/High Street right hand turn is needed	3	5%
One-way system would be better	3	5%
Traffic around schools	2	3%

Vicarage Rd issues

A few individuals mentioned issues with

- Allowing a right-hand turn from Vicarage Road will make Avenue Road an ideal high street cut-through with no mitigation.

Traffic filtered to Vicarage and Howard Rd

- A few comments were received about the traffic levels on Howard Road and Vicarage Road. Some individuals suggested to open Hazelhurst and All Saints so that people can access Howard Road rather than having to drive to get out to the southbound A435.

Improved road signage:

- Clearer signage is needed at Abbott's Road entrance to make it clear that roads are closed.
- Clearer signage re-enforcing closures and reminder that motorcycles are not allowed through barriers.

Additional comments:

The following comments were mentioned by one person:

- Parking restrictions on Avenue Rd
- Move MF to junction with Vicarage
- Grange Road issues

Blue Cell

In person engagement event

The Blue cell in-person engagement event was held on Monday 12 September 2022, between 4pm and 7pm at Kings Heath Community Centre. 53 people in total attended the event.

Attendees were invited to various discussion tables to provide feedback on specific questions including, location of modal filters, boundary roads and general feedback.

Location of Modal Filters:

There are two modal filters in the blue cell. Respondents were asked to place a dot along the section of the road where they felt the filter should be placed.

1) Ashfield Road



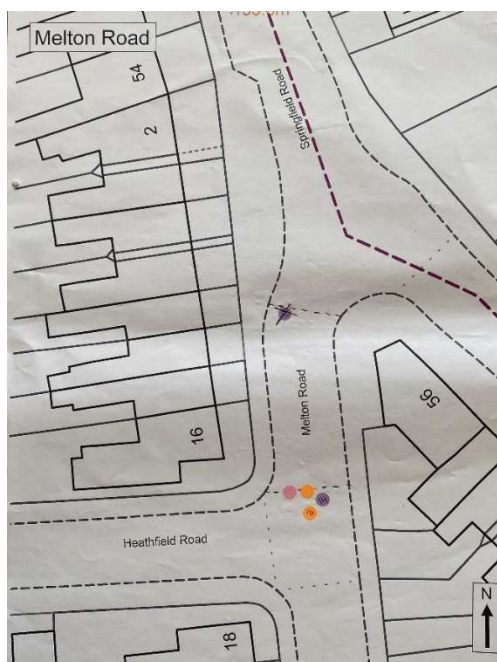
A small number of residents participated in this activity. Two households were in favour of the modal filter being towards School Road and one household preferred if it was to the west of Ashfield Avenue.

Additional comments:

- 7 people disliked the MF (generally related to increased journey times)
- Concerns over access restrictions during school hours
- Ashfield Avenue being a short-cut road if MF is moved
- Traffic filters needed to allow cars to get out of Poplar/Valentine

2) Melton Road

November 2022



The in-person exercise revealed a preference for the modal filter to be located on Melton Road just north of Heathfield Road.

Additional comments:

- The filter impacts parking for Melton Rd residents
- Could filter be diagonal?
- No 62 Springfield Rd residents' rear parking for property is via Melton, proposed MF will block access to this. Their proposal for filter location is:



Boundary Roads

High Street/Valentine Road	<ul style="list-style-type: none"> • Issues with junction exiting Valentine onto the High St- dangerous and congested • Add a hatched yellow box • Allow current traffic lights/crossing north of the junction to include Valentine Rd • One way on Valentine Rd
A435/Wake Green Road	<ul style="list-style-type: none"> • Right turn onto Wake Green Rd from Moseley to be re-instated
Poplar Road	<ul style="list-style-type: none"> • Traffic build-up on Poplar Rd trying to get onto the High Street
Woodville Road	<ul style="list-style-type: none"> • Mixed opinions on one-way on Woodville Rd • Reverse the direction of the one-way on Woodville Rd • Parking permits • Concerns raised about cyclists existing on Poplar Rd

	<ul style="list-style-type: none"> MF proposal for this road
Heathfield Road	<ul style="list-style-type: none"> Start the one-way street on Heathfield Road just before the Woodville Road junction. Signage needed to direct people to Institute Rd car park
Institute Road	<ul style="list-style-type: none"> Access to Institute Rd car park will be blocked by a new MF, and the only access will be via Alcester Rd Traffic built up on Goldsmith Rd to access car park One-way needed MF needed on this road
Goldsmith Road	<ul style="list-style-type: none"> 38 residents on Goldsmith Road sent an objection letter to the Connected Inbox. They listed several objections including: <ul style="list-style-type: none"> Increased school traffic and the effects of this Parking concerns – a desire for resident only parking permits No.150 bus has been rerouted down the road and is causing issues Would welcome any additional traffic calming measures

General comments

Parking	<ul style="list-style-type: none"> Concerns over the rise in illegal parking Residents parking schemes Concerns over lack of parking at new railway station
Cycling	<ul style="list-style-type: none"> Additional cycle schemes needed/cycle parking/cycle hire schemes/training
Enforcement	<ul style="list-style-type: none"> Lack of enforcement of speed limits/one-way systems
Speeding	<ul style="list-style-type: none"> Speeding concerns on residential roads, 20mph not adhered to
Schools	<ul style="list-style-type: none"> Support for CFSS schemes Concerns over traffic around Kings Heath Primary
Buses	<ul style="list-style-type: none"> Buses travelling along Goldsmith- diversion route?
One-way systems	<ul style="list-style-type: none"> Concerns over these

BeHeard responses

The online consultation received a total of 26 responses. All respondents were asked the same four questions.

The following questions were asked:

1. If your address is on Ashfield Rd between Ashfield Avenue and School Rd, where do you think the MF should be placed and why?
2. If your address is on Melton Road between Heathfield Road and Springfield Road, where do you think this modal filter should be placed? Why?
3. How can A435 High Street/Alcester Road. South (between Queensbridge Road and Howard Road) be made better for people walking, wheeling and cycling?
4. Is there anything else you want to tell us about the proposed design for the light blue area?

Analysis of Question 1: *If your address is on Ashfield Rd between Ashfield Avenue and School Rd, where do you think the MF should be placed and why?*

The first question was answered by a total of 7 individuals. All responses were analysed, and a table summarising the common themes was created. 3 main categories were identified during this analysis which are detailed in the table below, ordered from most common response to least.

Comment	Number of responses	% Out of 7
MF is not needed/Remove MF	5	71%
Junction of School Rd & Ashfield Rd	1	14%
Closer to Number 34/35 School Rd	1	14%

Analysis of Question 2: *If your address is on Melton Road between Heathfield Road and Springfield Road, where do you think this modal filter should be placed? Why?* was answered by a total of 6 individuals:

Comment	Number of responses	% Out of 6
MF is not needed/Remove MF	5	83%
By number 18 on Melton Road	1	17%
By the roundabout (outside solicitors)	1	17%

Analysis of Question 3: *How can A435 High Street/Alcester Road. South (between Queensbridge Road and Howard Road) be made better for people walking, wheeling and cycling?*

The third question was answered by a total of 20 individuals:

Comment	Number of responses	% Out of 20
Dedicated cycle lanes needed	6	30%
Parking enforcement/fines	6	30%
Pedestrian/cyclist crossings needed	4	20%
Traffic calming	3	15%
20mph rds + enforcement of them	3	15%
General opposition	3	15%
Limit the High Street to buses only/Prioritise buses	2	10%

Pedestrian/cyclist crossings needed

- More pedestrian crossings at the junction of Heathfield and Alcester Rd
- Howard road has always been dangerous to cross. More pedestrian islands with protective metal bollards to protect pedestrians are needed.
- Safe crossings for bikes needed too (toucans) allowing bikes to access Highbury Park/Queensbridge Road

Additional comments

The following comments were mentioned by one person each:

- Reduce pollution levels
- Redesign Queensbridge junction
- Close roads to HGVs/Large vehicles at certain times
- Restrict parking bays
- Valentine Rd/High Street junction should be redesigned – a yellow box would help
- Make parking on the High Street free

Analysis of Question 4: *Is there anything else you want to tell us about the proposed design for the light blue area?*

The fourth question was answered by a total of 21 individuals:

Comment	Number of responses	% Out of 21
General opposition	10	48%
Traffic calming	5	24%
Speeding	3	14%
Resident's parking scheme/permits	3	14%
Keep Woodville Road two-way	3	14%
School traffic issue	3	14%
General support	3	14%
Plans don't take disabled/elderly into consideration	2	10%
Woodville Rd/Poplar Rd junction dangerous	2	10%
Negative impact on other zones	2	10%
Institute Road issues	2	10%
Valentine Rd/High Street junction is dangerous	2	10%

Woodville Rd/Poplar Rd junction dangerous

- Need to exit Woodville road via Poplar Road which has high levels of traffic, making the junction dangerous.

Negative impact on other zones:

- A couple individuals said the plans inhibit people from other zones from easily accessing the High Street in turn negatively impacting businesses

Institute Road issues

- One person suggested a modal filter be added to Institute Road. One resident said it becomes easily gridlocked with traffic

Valentine Rd/High Street junction is dangerous

- This junction could do with being re-designed with a yellow box perhaps to give safe exit to cars

Additional comments

The following comments were mentioned by one person each:

- Modal filters aren't beneficial
- Woodville Road has become a rat-run
- Increased traffic
- Local businesses will suffer
- Poplar Road is congested and busy
- Diagonal filter on Institute/Melton is a bad idea
- Don't change the direction of the Woodville Rd one-way
- Right turn is needed in Moseley Village

Grey Cell

In person engagement event

The Grey cell in-person engagement event was held on Friday 16 September 2022, between 4pm and 7pm at Kings Heath Community Centre. 76 people in total attended the event.

Attendees were invited to various discussion tables to provide feedback on specific questions including, location of modal filters, boundary roads and general feedback.

Location of Modal Filters:

1) Mossfield Road



As seen in the image, there was a general consensus that the modal filter should be placed at the Bagnell Road/Mossfield Road junction, where Bagnell Road meets Mossfield.

Additional comments:

- Don't make Mossfield Rd a cul de sac
- Filter on Bagnell Rd should be removed
- Block Mossfield and Bagnell to stop racing cars

2) Portman Road



There was a general consensus that the modal filter should be placed at the top of Portman Road, where it meets Addison Road.

Additional comments

- Remove the MF
- Parking issues will arise on Portman due to the MF
- Dropped kerb to access 1 Portman Rd needs to be reserved
- Residents parking needed
- Two dangerous right turns from Portman Road into Wheelers Lane and Alcester Road

Boundary Roads

Wheelers Lane	<ul style="list-style-type: none"> • Traffic calming urgently needed • Pedestrian crossing needed near Hollybank Island • Pollution • Plans should be delayed until rail station is open
Howard Road	<ul style="list-style-type: none"> • Thought needed about the right turn- traffic is filtered onto the high street • Mini roundabout may be better than right turn • Road is narrow and congested
General	<ul style="list-style-type: none"> • Traffic will increase on boundary roads

General Comments

- Remove the scheme
- Air pollution increase and insufficient data
- Divided KH
- Alternative ideas needed
- Feeling of not being heard
- Desire to see report/concept design before it goes to cabinet
- One-way systems would be better
- There needs to be a relief road for the High Street
- Potential ring and ride services needed to take people to main bus routes
- Parking restrictions needed
- Secure cycle lock-ups
- Improved signage and maps for the area

BeHeard responses

The online consultation received a total of 14 responses. All respondents were asked the same four questions. The following questions were asked:

1. **If your address is on Mossfield Road between A435 Alcester Road South and Bagnell Road, where do you think this modal filter should be placed? Why?**
2. **If your address is on Portman Road between Addison Road and Mossfield Road, where do you think this modal filter should be placed? Why?**
3. **How can A435 Alcester Road South, Howard Road East and Wheelers Lane be made better for people walking, wheeling and cycling?**
4. **Is there anything else you want to tell us about the proposed design for the grey area?**

Analysis of Question 1: *If your address is on Mossfield Road between A435 Alcester Road South and Bagnell Road, where do you think this modal filter should be placed? Why?*

The first question was answered by a total of 4 individuals. All responses were analysed, and a table summarising the common themes was created. 2 main categories were identified during this analysis, detailed in the table below, ordered from most common response to least.

Comment	Number of responses	% Out of 4
Remove the MF	3	75%
At the end of Mossfield Road (past Sports Direct)	1	25%

Analysis of Question 2: *If your address is on Portman Road between Addison Road and Mossfield Road, where do you think this modal filter should be placed? Why?*

The second question was answered by a total of 3 individuals. 1 category was identified during this analysis:

- Remove the modal filter

Analysis of Question 3: *How can A435 Alcester Road South, Howard Road East and Wheelers Lane be made better for people walking, wheeling and cycling?*

The third question was answered by a total of 11 individuals:

Comment	Number of responses	% Out of 11
Close fewer side roads	3	27%
Introduce cycle lanes	3	27%
Removing all MF's	2	18%
Repair the roads	2	18%
General opposition	2	18%
Additional pedestrian crossings	2	18%
Right turn onto High Street needs consideration	1	9%

More traffic lights	1	9%
More road signs	1	9%

Pedestrian crossings

- Along Wheelers Lane

Right turn onto High Street needs consideration

- Traffic wishing to turn right onto the High Street must wait for a break in oncoming traffic. These plans will increase traffic wishing to turn right at this junction. If no alterations are made, traffic will become backed up along this road past the roundabout and onto surrounding roads.

Analysis of Question 4: *Is there anything else you want to tell us about the proposed design for the grey area?*

The fourth question was answered by a total of 12 individuals:

Comment	Number of responses	% Out of 12
Increased traffic on surrounding roads	9	75%
General opposition	8	67%
Journey times increasing	3	25%
Keep Valentine Rd open	2	17%
Valentine Rd needs a crossing point	1	8%
MF will be better on Prospect Rd	1	8%
Parking along Howard Rd East difficult	1	8%
Mossfield Road/A435 junction is dangerous	1	8%
Negative impact on businesses	1	8%
Pollution	1	8%
General support	1	8%

Increased traffic on surrounding roads

- Along Wheelers Lane in particular

Mossfield Road/A435 junction is dangerous

- Traffic wishing to turn right onto the High Street must wait for a break in

Pink Cell

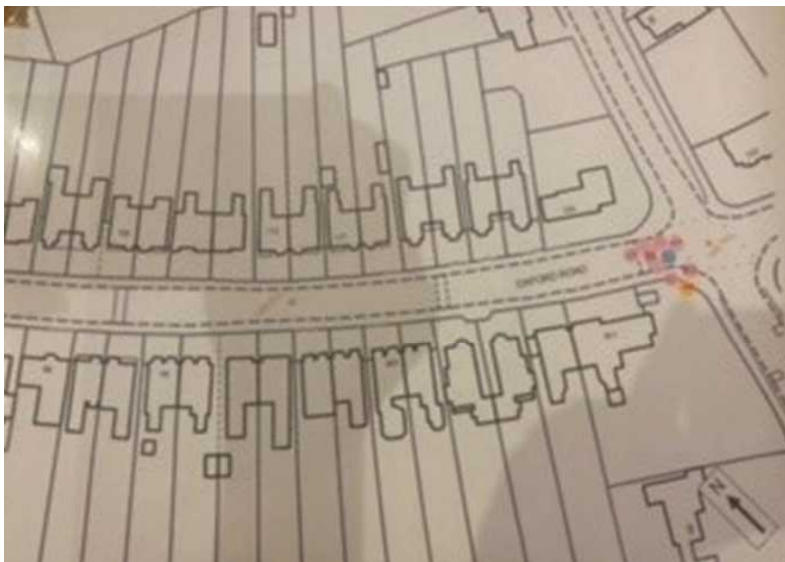
In person engagement event

The Pink cell in-person engagement event was held on Thursday 8 September 2022, between 4pm and 7pm at Kings Heath Community Centre. 64 people in total attended the event.

Attendees were invited to various discussion tables to provide feedback on specific questions including, location of modal filters, boundary roads and general feedback.

Location of Modal Filters:

1) Oxford Road



There was a consensus from the residents of Oxford Road that the modal filter should be positioned on the west end just before the junction of Oxford Road and Billesley Lane. This is how it is positioned on the concept design.

Additional comments:

- Move the filter to the east of Oxford Rd next to Moseley CoE school
- There should be 2 MFs, one before Billesley Lane and one by Moseley CoE school
- Traffic may get filtered onto Cotton Lane
- Wake Green Rd traffic will get sent to Moseley Village
- Move the filter to between Cotton Lane and Grove Avenue

2) School Road



There were seven comments requesting the School Road modal filter that is currently in place should remain where it is. This would place it just north of Greenhill Road but south of Cotton Lane. One resident highlighted how the filter makes Greenhill Road and School Road easier for pedestrians to cross over. However, five residents showed support to have the filter removed completely.

Other comments:

- A call for double yellow lines on the road instead of a modal filter
- Residents of Birches Close would prefer a right turn option out of Birches Close onto School Road. The filter restricts access to the High Street

3) Greenhill Road



The mapping exercise for where the modal filter should be placed on Greenhill Road was mixed. However, many participants had their chosen location to be on School Road south of the School Road/Greenhill Road junction which implies they would prefer for there not to be a modal filter on Greenhill Road. The same number of residents had a preferred location for the modal filter to be east of Ashdown Close but before Clarence Road as proposed on the concept design.

Other suggestions for the placement included:



- Just before the junction of School Road
- To the west of Ashdown Close
- The right of Clarence Road – to allow access to the south of the area. Two comments provided this suggestion and explained they wanted access to Billesley Lane
- There was one comment asking for Greenhill Road to remain fully open to private motor vehicles.

Boundary Roads

Junction improvements	<ul style="list-style-type: none"> • Wake Green Rd/St Mary's Row/Oxford Road: Issue with junction and congestion build-up • Wake Green Rd/Billesley Lane/Belle Walk: Improvements needed at this junction e.g. traffic lights, roundabout, box junction • Wake Green Road/School Road: Junction feels unsafe need traffic lights • Wake Green Rd/Cotton Lane: Mini roundabout needed • Wake Green Rd/Grove Rd: General improvements • Wake Green Rd/St Agnes: General improvements
St Mary's Row	<ul style="list-style-type: none"> • Re-instate the right turn
Traffic congestion	<ul style="list-style-type: none"> • Traffic calming needed at Wake Green Rd • Congestion and pollution on Wake Green • Traffic being re-directed to Forrest Rd
Pedestrian crossings	<ul style="list-style-type: none"> • Needed at Wake Green Rd • Needed at Yardley Wood Rd
Cycling	<ul style="list-style-type: none"> • Need for cycling infrastructure- suggestions for lanes on YWR and WGR
Speeding	<ul style="list-style-type: none"> • Support for chicanes on Billesley Ln • Speeding on Cotton Lane
Parking	<ul style="list-style-type: none"> • Resident's parking schemes

	<ul style="list-style-type: none"> Illegal parking issues on WGR (particularly corner of Cotton Lane)
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Further comments

- CFSS on Oxford Rd
- Preference for one-way system
- Dislike one-way system on Barn Ln
- Journey times increased
- Remove the scheme altogether
- Public transport needs to improve
- Would like a route from the high street to Cotton Lane avoiding the A435

BeHeard responses

The online consultation received a total of 112 responses. All respondents were asked the same five questions. The following questions were asked:

1. If your address is on Oxford Road between Cotton Lane and Billesley Lane, where do you think this modal filter should be placed? Why?
2. If your address is on Greenhill Road between School Road and Clarence Road, or on Ashdown Road, where do you think this modal filter should be placed? Why?
3. If your address is on School Road between Greenhill Road and Ashfield Road, or on Birches Close, where do you think this modal filter should be placed? Why?
4. How can St Mary's Row and Wake Green Road (between Alcester Road/A435 and Yardley Wood Road) be made better for people walking, wheeling and cycling?
5. Is there anything else you want to tell us about the proposed design for the pink area?

Analysis of Question 1: *If your address is on Oxford Road between Cotton Lane and Billesley Lane, where do you think this modal filter should be placed? Why?*

The first question was answered by a total of 49 individuals. All responses were analysed, and a table summarising the common themes was created. 6 main categories were identified during this analysis, detailed in the table below, ordered from most common response to least.

Comment	Number of responses	% Out of 49
General opposition	21	43%
Junction of Oxford Rd/Billesley Ln	15	31%
Oxford Rd/Cotton Ln junction	9	18%

November 2022

General support	7	14%
Ascot Rd becoming cul-de-sac	2	4%
Additional filter needed on School Rd	2	4%

Additional comments

The following comments were mentioned by one person each:

- Safety improvements
- Dividing the community

Analysis of Question 2: *If your address is on Greenhill Road between School Road and Clarence Road, or on Ashdown Road, where do you think this modal filter should be placed? Why?*

The second question was answered by a total of 30 individuals:

Comment	Number of responses	% Out of 30
General opposition	15	50%
Greenhill/Clarence junction	10	33%
General support	4	13%
Greenhill/School Rd junction	3	10%
Greenhill/Billesley junction	1	3%
Before Ashdown Close	1	3%

Analysis of Question 3: *If your address is on School Road between Greenhill Road and Ashfield Road, or on Birches Close, where do you think this modal filter should be placed? Why?*

The third question was answered by a total of 35 individuals:

Comment	Number of responses	% Out of 35
General opposition	13	37%
Stay where it is	8	23%
Corner of Ashfield/School/Prospect Rd	5	14%
General support	3	9%
Closest possible space to the High Street	3	9%
No entry sign instead	2	6%
Next to Blenheim Road	1	3%
One-way system would be better	1	3%
Junction with Greenhill Rd	1	3%
Speed calming needed	1	3%

Analysis of Question 4: *How can St Mary's Row and Wake Green Road (between Alcester Road/A435 and Yardley Wood Road) be made better for people walking, wheeling and cycling?*

The fourth question was answered by a total of 74 individuals:

Comment	Number of responses	% Out of 74
General opposition	19	26%
Segregated cycleway	18	24%
Speed calming	15	20%
Pedestrian crossings	14	19%
Cycle lanes	6	8%
Roundabouts	5	7%
Pavement widening	5	7%
Speed Cameras	4	5%
Speed Enforcement	3	4%
Traffic lights	3	4%
Improved bus shelters	3	4%
Removal of on-street parking	3	4%

Additional comments

The following comments were mentioned by one person each:

- One side of the street for cyclists and one for walkers
- One-way system
- No right turn onto Wake Green Road
- No straight onto Belle Walk
- Pavement resurfacing
- Modal filter on Oxford Rd
- More bike storage
- Billesley Lane junction needs reviewing
- Right turns out of Oxford Road, St Agnes and Cotton lane etc are extremely difficult and dangerous.

Analysis of Question 5: *Is there anything else you want to tell us about the proposed design for the pink area?*

The final question was answered by a total of 89 individuals:

Comment	Number of responses	% Out of 89
General support	26	29%
General opposition	25	28%
Displacement to other roads	15	17%
Longer/harder car journeys	12	13%
Turning onto/off/across Wake Gr Rd	9	10%
Comment on Oxford Rd filter	9	10%
Prefer one way/traffic calming	8	9%
Moseley CofE	6	7%
Lack of monitoring/ evidence for scheme	5	6%
Inconsiderate of those who can't cycle/walk	5	6%
School Rd filter comments	5	6%
Negative impact on KH businesses	4	4%
Emergency services concerns	3	3%
Elmfield etc change is good	2	2%

Valentine Rd comments	2	2%
Turn at Wake Grn Rd/Salisbury Rd	2	2%
Increased cost/dfficulty of deliveries	2	2%
Lack of resilience	2	2%

Turning onto/off/across Wake Gr Rd

- A few individuals expressed concern over a lack of access to Wake Green Road. They mentioned that road was difficult to exit and turn into from surrounding roads, and that there are increased levels of congestion and traffic.

Moseley CofE

- Some individuals expressed concerns about Moseley CofE school, stating that the school lacks protection from Oxford Rd traffic and also exacerbates the traffic. Issues around speeding around the school were also raised. One individual mentioned a car free school street would be beneficial.

School Rd filter comments

- 5 individuals expressed that the School Road modal filter should stay positioned where it currently is as it has had a positive impact on the area. One individual mentioned that moving this filter would funnel all the traffic from Greenhill, Elmsfield, Birches and Greenend through a set of residential roads that are not suited for this extra traffic

Valentine Rd comments

- Valentine Rd not providing access to the High Street was highlighted as an issue, and how this may increase traffic and speeding around Kings Heath primary school

Increased cost/difficulty of deliveries

- Elmfield Crescent resident said delivery companies are refusing to deliver to their property.

Additional comments

The following comments were mentioned by one person each:

- Request additional filters
- Worse for peds on Wake Grn Rd
- Extend scheme
- Dislike crossing on Billesley
- Lack of resilience
- Want cycle route A435
- Comment School Rd filter
- Want parking restrictions

Green and Cream Cell

In person engagement event

The Green and Cream cell in-person engagement event was held on Wednesday 21 September 2022, between 4pm and 7pm at Kings Heath Community Centre. 131 people in total attended the event.

Attendees were invited to various discussion tables to provide feedback on specific questions including, traffic calming on Billesley Lane, boundary roads, St Agnes Church area, Springfield Rd and general feedback.

Billesley Lane:

- Concerns were raised about the effectiveness of the traffic calming measures, and the belief they won't be able to deter speeding drivers **(8)** and **(2)**
- Oxford road and Wake Green Road need traffic calming measures **(6)**
- Use of ANPR cameras **(4)**
- Springfield road also needs traffic calming measures **(4)**
- Include speed-sensitive traffic lights **(2)**
- Parking issues
- Raised speed bumps/chicanes needed

Crossing/junction suggestions:

- Billesley Lane/Wake Green junction is dangerous, improvements are needed **(8)**
- More pedestrian crossing points are needed on Billesley Lane **(4)**
- Traffic lights needed at Billesley Lane/Wake Green junction **(2)**

Boundary Roads

Yardley Wood Road	<ul style="list-style-type: none"> • Traffic calming needed • Cycle lane needed • YWR/St Agnes junction is dangerous • Pedestrian crossings
Coldbath Road	<ul style="list-style-type: none"> • Traffic calming • Support and criticism for the one-way
Wheelers Lane	<ul style="list-style-type: none"> • Many use this road to bypass the High Street • Pedestrian crossing needed
Barn Lane	<ul style="list-style-type: none"> • Include a modal filter

Brook Lane	<ul style="list-style-type: none"> Support and criticism for the one-way
Valentine Road	<ul style="list-style-type: none"> Introduce a cycle lane Remove modal filter on Valentine/Poplar as it traps people on Blenheim
High Street	<ul style="list-style-type: none"> Introduce bus lanes and cycle lanes Pedestrian crossings
General	<ul style="list-style-type: none"> Many schools of boundary roads, unsafe pollution levels for children More crossing points needed Cycle infrastructure needed Air pollution Increased journey times Unsafe boundary roads Caging residents into the green area

St Agnes Church Area

St Agnes used as a cut-through	<ul style="list-style-type: none"> YWR to St Agnes is used as a cut through Road safety issues Chicane could be added, or prevent left turn
Speeding	<ul style="list-style-type: none"> Speeding concerns particularly on Oxford Rd/St Agnes and Dyott Rd
Scheme design efficiency	<ul style="list-style-type: none"> Blocking roads around the church won't have as much impact as cars don't trend to travel through Oxford Rd Roundabout won't address any issues
Junction suggestions	<ul style="list-style-type: none"> YWR/ St Agnes Junction should be blocked Left turn into St Agnes Rd from YWR should be prevented Narrowing corner of the St Agnes Rd/YWR junction will reduce speeding Include modal filter on corner of St Agnes/YWR
Other	<ul style="list-style-type: none"> Parking needed around St Agnes Church area Wake Green Rd/YWR signals don't work well Poor visibility around the west side of the church makes the one-way system dangerous for those crossing the road.

Springfield Road

Concerns	<ul style="list-style-type: none"> The road is too narrow to be considered a 'key road'
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	<ul style="list-style-type: none"> • The volume of traffic, high levels of air pollution and speeding are all issues • Lack of pavement space • Cycle route needed • Residents parking needed
Traffic calming	<ul style="list-style-type: none"> • Introduce one-way on south Springfield Rd • Narrow the aperture of south Springfield (Addison Road) to reduce vehicle speed and make pedestrian crossing safer • Speed humps needed South Springfield Rd • Modal filter needed at end of Addison Rd
Proposed improvements	<ul style="list-style-type: none"> • Clear marking of pedestrian crossings around the roundabout at Springfield/Billesley/Institute/Gaddesby

Additional Comments

- Re-introduce the original modal filter (version A or B)
- Remove the scheme
- ANPR cameras needed
- Railway station needed before changes are put in place
- Blocking of All Saints Rd has increased the traffic levels
- Access to Asda car park needed

BeHeard responses

The online consultation received a total of 61 responses. All respondents were asked the same three questions. The following questions were asked:

1. **If you are a resident or run a business or organisation on Billesley Lane, please tell us what you think about this proposed traffic calming.**
2. **How can Wheelers Lane, Brook Lane and Yardley Wood Road be made better for people walking, wheeling and cycling? How can A435 High Street/Alcester Road South (between Queensbridge Road and Howard Road) be made better for people walking, wheeling and cycling?**
3. **Is there anything else you want to tell us about the proposed design for the green and cream areas?**

Analysis of Question 1: *If you are a resident or run a business or organisation on Billesley Lane, please tell us what you think about this proposed traffic calming.*

The first question was answered by a total of 45 individuals. All responses were analysed, and a table summarising the common themes was created. 15 main categories were

identified during this analysis, detailed in the table below, ordered from most common response to least.

Comment	Number of responses	% Out of 45
Traffic calming needed	23	51%
Billesley Ln issues	14	31%
Speeding issues- measures/enforcement needed	13	29%
General support	12	27%
General opposition	10	22%
Oxford Rd/Wakegreen dangerous/accident prone	8	18%
Traffic calming (chicanes) won't work	7	16%
Pollution	4	9%
Pedestrian crossings needed	4	9%
Journey times have increased	3	7%
No traffic calming needed on Billesley Ln	3	7%
Against cycle lane on Coldbath Rd	2	4%
Road signs needed	2	4%
Oxford Rd/Billesley congestion	2	4%
Close Billesley Ln/half of it	2	4%

Billesley Lane issues:

- Some residents mentioned that Billesley Lane should not be a main road and has worsened since the proposals. One resident mentioned that the double bend and adverse camber in the middle of BL is dangerous and accident prone. Many individuals expressed that traffic calming is needed on this road.

Oxford Rd/Wake Green dangerous/accident prone:

- Many individuals expressed that traffic calming measures are needed between Oxford Rd and Wake Green Road as this is a dangerous/accident prone area. Some of these individuals felt these roads have been overlooked.

Traffic calming (chicanes) won't work:

- Some residents expressed concerns over the chicanes and their effectiveness at traffic calming. One individual mentioned that speed tables would be preferable.

Pedestrian crossings needed:

- Billesley lane and Wake Green Road were mentioned as needing crossings

Additional comments

The following comments were mentioned by one person each:

- Swanhurst school traffic issues on Billesley Ln
- Move pedestrian crossing to YWR
- Traffic calming proposals are good

- MF between St Agnes/YWR

Analysis of Question 2: *How can Wheelers Lane, Brook Lane and Yardley Wood Road be made better for people walking, wheeling and cycling? How can A435 High Street/Alcester Road South (between Queensbridge Road and Howard Road) be made better for people walking, wheeling and cycling?*

The second question was answered by a total of 42 individuals:

Comment	Number of responses	% Out of 42
General opposition	14	33%
Cycle lanes needed	11	26%
Traffic calming	11	26%
Pedestrian crossings	6	14%
Speed cameras/enforcement	6	14%
Traffic displacement	3	7%
Pavement widening	2	5%
General support	2	5%

Additional comments:

- HGVs on YWR
- Springfield Road South shouldn't be a key road
- MF between YWR and St Agnes Road would be good
- Brook Ln pavement widening + cleaning needed
- One-way system would be better
- Clear up pavements
- Barriers between pavement and road

Analysis of Question 3: *Is there anything else you want to tell us about the proposed design for the green and cream areas?*

The third questions was answered by a total of 54 individuals:

Comment	Number of responses	% Out of 54
General opposition	22	41%
Journey times have increased	9	17%
General support	8	15%
Pollution	8	15%
Speed calming	8	15%
Only benefits some people/roads	7	13%
Modal filter/barrier needed between St Agnes Road/YWR	7	13%
Cut off from Kings Heath High Street	7	13%
Traffic calming	6	11%
BL needs traffic calming	4	7%
St Agnes church one-way route issues	4	7%
Concerned for elderly/disabled	4	7%
Billesley Lane issues	3	6%

Remove the modal filters	3	6%
One-way systems	3	6%
Emergency services	3	6%
Concerns on Institute/Melton MF	2	4%
MF Greenhill Rd should be on School Rd side of Ashdown	2	4%
Secure cycle parking	2	4%

Cut off from Kings Heath High Street

- Some individuals expressed that the green and cream cell has been cut off from the Kings Heath High Street as access to it is now more difficult and time consuming.

St Agnes church one-way route issues

- The St Agnes Church one way route doesn't prevent traffic from using Oxford Road, St Agnes, and Dyott Road as a cut through to circumnavigate the Wakegreen/Yardley Wood traffic lights. A couple of individuals mentioned that Dyott Rd traffic will increase. One individual mentioned that a roundabout and paved area at the church will not reduce traffic and speeding.

Billesley Lane issues

- Congestion will increase on Billesley Lane as it is the main route out of the green/cream cell.

Concerns on Institute/Melton MF

- Concerns raised over how the modal filter will work. One individual said that Institute Road/Melton Road Junction needs either to be blocked off from High Street traffic or become one way.

Additional comments:

- Addison Road bus gate should be moved
- Public transport improvements needed
- Wants to turn left towards BL from Ashdown Close
- Belle Walk/BL cut through needs addressing
- Pedestrian crossings needed
- Don't add a MF between St Agnes Rd/YWR
- Where would Coldbath Rd residents park?
- Road signage needed
- Disagree with Oxford Rd closure
- Scheme negatively impacts schools

Environment and Sustainability Assessment

Birmingham City Council is required to assess any positive or negative impacts that any policy/strategy/ decision/development proposal is likely to have on the environment. This assessment must be completed for CLT and Cabinet reports where appropriate. It is the responsibility of the Service Director signing off the report to ensure that the assessment is complete.

To complete the assessment, you should consider whether the proposal will have a positive or a negative impact on each of the key themes by placing a (✓) for positive, (x) for negative and (?) for unclear impact, and (N/A) for non-applicable impact. Further guidance on the completion of the template is available on page 3 below.

Project Title:	ACTIVE TRAVEL FUND TRANCHE 2 – PACKAGE 2: KINGS HEATH AND MOSELEY PLACES FOR PEOPLE			
Directorate: Inclusive Growth	Team: Transport Planning and Investment	Person Responsible for assessment: Aoife O'Toole		
Date of assessment: 29/11/21	Is it a new or existing proposal? New			
Brief description of the proposal: Implementation of a low traffic neighbourhood through installation of one-way streets and modal filters that restrict the movement of through-traffic, in the form of planters and removable central bollards.				
Potential impacts of the policy/development/ decision on:	Positive Impact	Negative Impact	No Specific Impact	What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?
Natural Resources - including water, soil, air	x			Improvement in air quality
Energy use and CO ₂ emissions	x			Reduction in energy use and CO ₂ emissions through encouragement of active travel modes
Quality of environment	X			More pleasant environment due to less traffic
Impact on local green and open spaces and biodiversity			X	
Use of sustainable products and equipment			X	

Minimising waste			X	
Council plan priority: a city that takes a leading role in tackling climate change	X			One of the four principles of the Birmingham Transport Plan is " <i>Prioritising active travel in local neighbourhoods</i> " whereby walking, cycling and active travel will become the first choice for most people making short journeys in their local neighbourhoods. Cars will no longer dominate street life around homes and schools.
Overall conclusion on the environmental and sustainability impacts of the proposal	This proposal should have a positive impact in terms of reducing through traffic and creating a safer, more pleasant environment for active travel modes			

Birmingham City Council Report to Cabinet

17 January 2023

AMENDED REPORT



Subject: Citywide Additional Licensing – Houses in Multiple Occupation

Report of: Mark Wiltshire, Interim Strategic Director of City Operations

Relevant Cabinet Member: Councillor Sharon Thompson, Housing and Homelessness

Relevant O &S Chair(s): Councillor Mohammed Idrees, Housing and Neighbourhoods
Councillor Akhlaq Ahmed, Resources

Report author: Sajeela Naseer, Director of Regulation & Enforcement
Telephone No: 07766 924955
Email Address: sajeela.naseer@birmingham.gov.uk

Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 010128/2022		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1.0 Executive Summary

- 1.1 A report in respect of progressing an additional licensing designation across all wards of the city was previously submitted to Cabinet on 28 June 2022.
- 1.2 Following this report, Cabinet agreed that the conditions for additional licensing had been met based on a significant proportion of the Houses in Multiple Occupation (HMO) in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public, and that a consultation should take place regarding the pursuance of an additional licensing scheme across all 69 wards of the city. A comprehensive consultation relating to the

proposed additional licensing scheme was held between 4 July 2022 and 13 September 2022 (10 weeks).

- 1.3 This report details the outcome of that consultation and the Council's response to it.
- 1.4 This report seeks to progress the pursuance of an additional licensing scheme in Birmingham that covers all 69 wards and seeks approval to implement the proposed scheme.

2.0 Recommendations

- 2.1 That Cabinet notes and considers the outcome of the consultation in respect of the proposed Additional Licensing scheme.
- 2.2 That Cabinet approves the pursuance of an additional licensing scheme covering all wards.
- 2.3 That Cabinet approves commencement of the scheme from the 5 June 2023.
- 2.4 That Cabinet delegates to the Director of Regulation and Enforcement in consultation with the portfolio holder to take such steps as are necessary to promote and implement this decision on behalf of the Council.

3.0 Background

- 3.1 The private rented sector is the second largest housing sector after owner occupation in the City. Within the Council's Private Rented Sector Strategy there is a commitment to tackle issues within this tenure. An additional licensing scheme is one of the tools available to improve standards and ensure that non-mandatory HMOs meet a minimum housing standard and appropriate management mechanisms are in place.
- 3.2 Licensing with the private rented sector only larger mandatory HMOs with occupancy of five or more people living together as two or more households being subject to a mandatory licensing scheme. If a local authority can evidence that further categories of this tenure require licensing, then this can be pursued through discretionary additional or selective licensing schemes.
- 3.3 On the 1 March 2022 Cabinet approved the pursuance of a selective licensing scheme covering 25 wards and the submission to the Secretary of State for Levelling Up, Housing and Communities, of an application for a selective licensing designation in Birmingham covering these wards.
- 3.4 On the 5 September 2022 the Council received permission from the Secretary of State for Levelling Up, Housing and Communities to operate a selective licensing

scheme across 25 of the city's wards. The selective licensing designation will start on the 5 June 2023.

- 3.5 Feedback from the consultation for this proposed selective licensing scheme indicated that residents in wards not included within the scheme supported inclusion of their wards. Whilst that was not possible, the pursuance of a city-wide additional licensing scheme will provide appropriate regulation of non-mandatory HMOs across the city.
- 3.6 A selective licensing scheme requires all private rented properties in a designated area to be licensed. An additional licensing scheme only applies to non-mandatory HMOs and certain categories or self-contained flats (as described below). The mandatory licence conditions (set out in legislation) are different for both schemes to reflect the different categories. The approval of a city-wide additional licensing scheme would enable a consistent approach to be taken across the city in terms of the regulation and licensing of non-mandatory (smaller) HMOs. Where these HMOs are located within the proposed designated 25 wards covered by the selective licensing scheme the Council would direct landlords to the appropriate licence they would need for their type of premises.
- 3.7 Section 3 Housing Act 2004 ("the Act") requires local housing authorities to not only keep the housing conditions in their area under review (a stock condition survey), but also to identify any action that may need to be taken by them to respond to issues that are identified.
- 3.8 The Council's Houses in Multiple Occupation: Stressors Report (Appendix 2) considers specific issues around the correlation between HMOs and certain stressors (e.g. waste, anti-social behaviour (ASB)).
- 3.9 Section 56 of the Act allows local authorities to designate the whole or any part or parts of their area as subject to additional licensing. The introduction of additional licensing relates to all Houses of Multiple Occupation that relate to a description of HMOs specified in the designation.
- 3.10 An additional licensing scheme would apply to HMOs that are not covered by the mandatory HMO licensing scheme. This includes properties occupied by three or four people living together as two or more separate households and which meets the standard, self-contained flat or converted building HMO test in Section 254 of the Housing Act 2004.
- 3.11 An additional licence would also be required for any purpose-built self-contained flat which meets the self-contained flat HMO test in Section 254 of the Housing Act 2004, and which is in a block of three or more self-contained flats. In these

cases, it is the rented occupancy of the flat by unrelated households that drives any designation as an HMO.

- 3.12 An additional HMO licence would also be required for any building that has been converted into and which consists entirely of self-contained flats, less than two-thirds of which are owner-occupied, and where the building works to convert the property into self-contained flats did not meet and still does not meet appropriate building standards in force at the time. Such properties are known as Section 257 HMO's.

4.0 Related Strategies and their consistency with an additional licensing scheme

Legislation requires that any additional licensing scheme must be consistent with other related strategies. The following evidences that an additional licensing scheme would be consistent with the Council's related strategies.

4.1 Corporate Plan 2022-2026

The Council Plan sets out five strategic outcomes that the Council seeks to achieve:

- A Bold Prosperous Birmingham
- A Bold Inclusive Birmingham
- A Bold Safe Birmingham
- A Bold Healthy Birmingham
- A Bold Green Birmingham

An additional licensing scheme is a one of the tools available to improve standards in the non-mandatory HMO sector. Such a scheme would fit within the fourth and fifth outcomes. Specifically, the implementation of an additional licensing scheme would contribute to priorities 9, 10,11, 12, 17, and 19 which fall under these outcomes.

4.1.1 Priority 9 – Make the city safer and Priority 10 - Protect and safeguard vulnerable residents

Improvements in housing standards will make properties more secure which will assist with minimising crime, particularly burglary. Licence holders would be required to undertake reference checks prior to offering a tenancy. Licence holders would also be required to be a “fit and proper” person, ensuring that properties are not managed by individuals who pose a risk to tenants.

4.1.2 Priority 11 - Increase affordable, safe, green housing and Priority 19 - Continue on the Route to Net Zero

Additional Licensing – Houses of Multiple Occupation

An additional licensing scheme would contribute to alleviating fuel poverty as measures to improve standards would ensure that heating appliances are properly checked, maintained and working efficiently. Tenants would be confident that homes meet the minimum energy efficiency standard, which would contribute to the green city aspiration and Route to Net Zero

4.1.3 Priority 12 – Tackle homelessness

The proposal would ensure that all HMOs not subject to a mandatory licensing scheme meet a minimum housing standard, which gives the tenant a stable home and helps with building stable communities.

The availability of improved housing, and living in improved housing conditions, will contribute to a reduction in homelessness.

4.1.4 Priority 17 – Improve street cleanliness

The proposed licence conditions would require the licence holder to provide suitable and sufficient provision is made for storage of refuse generated in the property and that occupants use receptacles provided by the Council for storage prior to collection. The licence holder must also ensure that the occupiers of the house are given information in writing about waste and recycling and ensure that any kind of refuse which the Council will not ordinarily collect (e.g. large items, bedding, furniture, hazardous waste etc.) are disposed of responsibly and appropriately.

These conditions will reduce the likelihood of fly tipping and incorrect use of street refuse bins.

4.2 Housing Strategy

The proposals within this policy support the delivery of the priorities of the Housing Strategy (Birmingham- A Great Place to Live) which are: - A strong supply of new high-quality homes; - Citizens are able to find, access and sustain housing that meets their needs; - Neighbourhoods are enhanced and the quality of existing housing is improved.

4.3 Homelessness Prevention Strategy 2017+

Since March 2018, the number of customers being made homeless from the private rented sector has increased. There are a variety of reasons for this, including disrepair. By ensuring that landlords meet a set housing standard it would be expected that there would be a reduction in homeless applications for this reason.

4.4 Empty Properties Strategy

The Council's Empty Property Strategy aims to bring privately owned properties back into use. Empty properties adversely affect the lives of people in the vicinity. They attract vandalism and ASB behaviour. In addition, they have a negative impact on the surrounding living environment and those that live in it as well as driving down house values. By raising the standard of HMOs within the city, this will prevent premises falling into disrepair and becoming vacant i.e. an empty property. This will prevent properties becoming unavailable for housing purposes and such properties having a negative impact on the neighbourhood.

4.5 Private Rented Sector Strategy 2022-2027

An additional licensing scheme would support the priorities of the Council's Private Rented Sector Strategy, in particular:

4.5.1 Priority 2 – Identify and implement local initiatives to address local issues.

The conditions found within the private rented sector varies greatly across the city. In addition to the varying standard of accommodation, the proportion of private sector housing in each ward also varies greatly. To meet this priority the Council stated an aim to undertake a review of the city's Houses in Multiple Occupation (HMO) and to consider implementing Additional Licensing if required and appropriate.

4.5.2 Priority 6 - Operate a high-quality mandatory HMO licensing scheme.

A high-quality mandatory HMO licensing scheme will ensure shared accommodation is safe and provides appropriate facilities to occupiers. Houses in Multiple Occupation (HMOs) play a valuable role in the city's housing market as they provide accommodation for many low income, vulnerable people and those requiring short term housing. However, HMOs are not without their problems with the physical condition varying considerably and there are concerns from many residents and partners that the property and management standards are poor.

4.5.3 HMOs also create increased population density, leading to greater demand for infrastructure services, such as waste collections and on-street parking. They can also lead to a higher proportion of transient residents, potentially leading to less community cohesion and making the area less popular with local residents.

4.5.4 Many of the problems associated with HMOs subject to mandatory licensing are present in smaller, non-licensable HMOs and the implementation of additional licensing is likely to raise the standard of all HMOs through greater awareness and education.

4.6 Development Management in Birmingham Development Plan Document (2021)

The Development Management in Birmingham Development Plan Document was formally adopted in December 2021. This introduced a new policy (DM11 Houses in Multiple Occupation) which requires that new HMOs will not be permitted where 10% or more of the number of residential properties within a 100-metre radius of the application site are a HMO, or if it would result in a family dwelling house being sandwiched between two HMOs or other non-family residential uses; or if it would lead to a continuous frontage of three or more HMOs or non-family residential uses.

To support the implementation of Policy DM11, the Council's Cabinet adopted the Houses in Multiple Occupation Supplementary Planning Document on 26 April 2022, which provides detailed planning guidance to help applicants and residents understand how the Council intends to apply its planning policy on HMOs.

5.0 Required Conditions and Evidence

5.1 There are specific conditions set out in the legislation that must be met before an additional licensing scheme can be considered (Section 56 and 57 of the Act). An additional licensing designation may be made if the authority considers that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

5.2 The Council's 2022 Private Sector Housing Stock and Stressors Report identified that 21% of private rented sector properties are likely to have serious home hazards compared to 12% nationally. A proportion (circa 10%) of the private rented sector is made up of shared accommodation.

5.3 Data shown in the Houses in Multiple Occupation: Stressors Report (Appendix 2) indicates that it is likely that:

- 11241 reported ASB incidents are associated with 4107 predicted HMO addresses (approximately a third of predicted HMOs).
- Repeat ASB incidents for a single property can be an indicator of properties that are poorly managed by the owners. Between 2016 and 2021, there were 1599 (14.2% of the total) repeat incidents of ASB linked to HMOs.

- There were 106,831 reported waste issues connected to an address over a five-year period between 2016 and 2021. 26.7% (28482) of these reports have been linked to predicted HMO addresses although they only make up 2.6% of all dwellings (452,754).
- 21% of all private rented properties in the City are predicted to have a serious home hazards compared with a national average of 12%. Within the City's HMO sector this is predicted to be 49.2% of properties (5866 of 11933 properties)

5.4 An Article 4 Direction requiring planning permission for all new smaller HMOs was implemented by the Council from 8 June 2020. It should be noted that Paragraph 53 of the National Planning Policy Framework (NPPF) 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 well-being of the area". It is clear therefore that the evidence that supported this Direction demonstrated regulating density of HMOs was an action that needed to be taken to satisfy that paragraph. Although this was based on specific reasons related to planning legislation, reference was also made in the technical paper appended to the Cabinet report of 14 May 2019 at points 3.11

"As part of the research for this paper, officers undertook field visits to the many areas of the city illustrated above where higher proportions of HMOs are evident. This has helped to identify the following impacts, which appear to be linked to a prevalence of HMOs in an area;

- *More vehicles parked in front of properties and on streets*
- *Some HMOs were poorly maintained, resulting in a degradation of the quality of the local environment and raising questions about the quality of the living environment for the inhabitants*
- *Higher numbers of wheelie bins cluttering streets and pavements*
- *Property frontages cluttered with 'rooms to let' signs, multiple satellite dishes, electricity and gas meters, doorbells and occasionally multiple front doors.*

5.5 Further evidence of insufficient management of HMOs giving rise to problems was shown by the responses to the consultation on the Houses in Multiple Occupation Supplementary Planning Document (SPD). In the Cabinet report of 26 April 2022 "Adoption of Supplementary Planning Documents 1) Houses in Multiple Occupation 2) And Large-Scale Shared Accommodation" section 4.17 states that responses included:

"General concerns about the issues caused by HMOs such as noise, antisocial behaviour, litter, parking and the enforcement of standards were raised. Some

residents expressed a desire to see a complete moratorium on the licensing of and planning permission for further HMOs in the city”

- 5.6 Furthermore feedback from the selective licensing consultation indicated that citizens outside the 25 wards where selective licensing is proposed would like a licensing scheme for private rented accommodation in their area or ward. An additional licensing scheme would be a proportionate response to these views as it would not cover all private rented housing but focus on a type of occupancy that potentially has higher risks of negative impacts on tenants and neighbourhoods.

An additional licensing scheme would mean that landlords would have to adhere to licence conditions. These could include ensuring that they take all reasonable and practical steps for preventing and dealing with anti-social behaviour, making properties secure, ensuring space standards are adequate, provision of adequate refuse storage and disposal arrangements and maintaining in good order outbuildings and gardens. In addition, a landlord/managing agent would need to be a ‘fit and proper person’ and competent to manage the property.

- 5.7 The data shown in paragraphs 4.3 to 4.6 provides the evidence that support the view that a significant proportion of HMOs in Birmingham are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
- 5.8 During the period of a licence issued under an additional licensing scheme, there would be an inspection of the property to ensure that the licence conditions are being adhered to. Where it was identified that licence conditions were not being adhered to, enforcement action could be taken in line with the appropriate enforcement policy.

6.0 Additional Licensing Scheme Process

- 6.1 Unlike selective licensing schemes which require local housing authorities to request permission from the Department of Levelling Up, Housing and Communities for confirmation of any scheme which would cover more than 20% of their geographical area or that would affect more than 20% of privately rented homes in the local authority area, General Approval is given (subject to specific requirements being met) for additional licensing schemes to be approved by the local housing authority.
- 6.2 When considering whether to make an additional licensing designation, a local housing authority must ensure that any exercise of the power is consistent with the authority’s overall housing strategy. The authority must seek to adopt a coordinated approach in connection with dealing with homelessness, empty

properties and anti-social behavior affecting the private rented sector. The authority must not make a designation unless they have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question and they consider that making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well (Section 57 Housing Act 2004))

6.3 A local housing authority may designate an area as subject to additional licensing in relation to a description of HMOs specified in the designation if the requirements of Section 56 and 57 of the Act are met. The authority must:

- Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public
- Have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the relevant area
- Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question; and consider that making the designation will significantly assist them to deal with the problem or problems.

6.4 Before making a designation the authority must take reasonable steps to consult persons who are likely to be affected by the designation, and consider any representations made in accordance with the consultation.

- The authority must ensure that any exercise of the power is consistent with the authority's overall housing strategy and must
- seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action taken by the local authority or others.

6.5 The local housing authority must only make a designation if it is satisfied that the scheme will significantly assist it in achieving its objective or objectives, with other actions the local housing authority may be taking.

7.0 Current Activities to Improve Standards in Neighbourhoods and the Private Rented Sector

7.1 The Guidance states that an additional licensing scheme should complement other measures being taken to resolve issues HMOs. Below are the existing activities that the Council currently undertakes to improve standards within HMOs

7.2 HMO (Mandatory) Licensing

The Council currently delivers and enforces a mandatory licensing scheme for certain types of House in Multiple Occupation where a property is:

- rented to 5 or more people who form two or more households and
- tenants share toilet, bathroom and/or kitchen facilities

There are currently 2,455 mandatory HMOs that are licensed. This does not include any exempt accommodation and smaller HMOs as they are excluded from licensing under the legislation.

7.3 Use of Housing Act 2004 Enforcement Powers

The Council's enforcement powers in respect of the private rented sector are largely provided by the Housing Act 2004, with other public health legislation being applied where necessary and appropriate. Under the Act, formal notices can be served that require improvements to be carried out. Should these improvements not be carried out, the Council can carry out works in default. Landlords also risk being prosecuted if they do not comply with a notice or the breach of legislation is significant.

7.4 Civil Penalties

The Housing and Planning Act 2016 section 126 and Schedule 9 amended the Housing Act 2004 and introduced the ability for Local Housing Authorities to impose financial penalties (civil penalties) of up to £30,000 per offence. Civil Penalties are an alternative to prosecution for the following offences under the Housing Act 2004:

- failure to comply with an Improvement Notice (Section 30)
- offences in relation to licensing of Houses in Multiple Occupation (Section 72)
- offences in relation to licensing of houses under Housing Act 2004 Part 3, (Section 95)
- offences of contravention of an Overcrowding Notice (Section 139(7))
- offences of failure to comply with management regulations in respect of HMOs (Section 234)

The Council seeks to impose Civil Penalties in accordance with its Enforcement Policy for the Regulation of Housing Standards and the Licensing of Houses in Multiple Occupation.

7.5 Private Tenancy Enforcement

There is a specialist Private Tenancy Team that provides specialist advice on renting in the private rented sector. They will intervene to prevent unlawful eviction and harassment and pursue, in appropriate cases, criminal prosecutions for offences under the Protection from Eviction Act 1977 and other relevant legislation.

7.6 Empty Properties

It is estimated that there are approximately 10,000 empty properties in Birmingham. The majority of these are family accommodation which if brought back into use would add to the supply of family accommodation; a valuable contribution to the housing crisis in the city and it could contribute to reducing the number of households in temporary accommodation, especially Bed and Breakfast. Bringing these properties back into use will reduce the likelihood of nuisance, blight, devaluation of homes and crime in the local community.

7.7 Article 4 Direction

Planning legislation allows certain types of development to take place without planning approval; known as 'permitted development rights'. Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows local authorities to remove these permitted development rights. A city-wide HMO Article 4 direction requires planning permission to change from a residential house to an HMO. Policy DM11 Houses of Multiple Occupation within the Development Management in Birmingham Document sets out the Council's local planning policy in relation to the development of new or extensions of HMOs which is supported by the proposed supplementary planning document. This approach prevents harmful concentrations of HMOs arising which negatively impact on the character, balance, and amenity of local communities. This approach will enable the concentration of Exempt Accommodation to be taken into account.

8.0 Proposed Additional Licensing Scheme

- 8.1 Full details of the proposed scheme across all 69 wards are set out in the evidence report shown in Appendix 1.
- 8.2 Conditions for additional licensing have been met in all wards of the city based on a significant proportion of the Houses in Multiple Occupation (HMO) in the

area being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

8.3 The proposed designation would cover a predicted 9,500 HMOs not already covered by the mandatory licensing scheme.

8.4 Proposed objectives and outcomes

The key aims of the proposed additional licensing scheme is to:

- Prioritise identification, inspection, and enforcement of HMOs with highest risk of serious conditions and poor management
- Protect the health, safety and welfare of tenants through improved property conditions and management
- Improve intelligence and data on HMOs, leading to better regulation of the sector, and detection of non-compliance

The targeted outcomes for the proposed scheme over the five-year period are:

- Ensure that at least 75% of licensable properties are licensed
- In 100% of licensed properties that have been inspected, compliance with licence conditions have been achieved or enforcement action taken or in progress.
- Inspect 80% of licenced premises
- To reduce ASB incidents linked licensed properties by 20%
- To reduce waste incidents linked to licenced properties by 20%

8.4 Proposed property licence conditions

The proposed licence conditions can be found in Appendix 6.

8.5 Proposed Additional Licensing Fees

The fee for an additional licence is proposed as £755. The fee is split into two parts:

- Part A (application fee) £325
- Part B (licence fee) £430

A local authority may recover “reasonable costs” for administering a licensing scheme. The fees proposed in this report are calculated to recover the full cost of carrying out the scheme. This includes all costs related to administration of the scheme and processing the licences, as well as compliance with those licences and enforcement (except prosecution costs) against landlords operating without a licence in the designated area.

Members will note that the fees are split into a non-refundable application fee and a licence fee. This split is required further to case law set by R. (Hemming and Others) vs Westminster City Council and R. (Gaskin) v. Richmond-upon-Thames LBC (2018). Each fee takes account of salary costs, overhead costs, and processing and activity times. The time taken to process and administer (including compliance and enforcement) each licence has been calculated using forecast costs.

9.0 Additional Licensing Team Structure

- 9.1 The structure proposed in Appendix 3 seeks to ensure that there is adequate capacity in each of the five years of the scheme to ensure it can be delivered efficiently and that outputs and outcomes are delivered. The structure may be revised as part of the process for implementation but will remain within the budget envelope of the calculated fee income. Should additional resources be required in ensure compliance in future years, the licence fee will be reviewed and adjusted accordingly.

10.0 Options Considered and Recommended Proposal

- 10.1 The body of the report details the alternative options that are in place to improve standards in HMOs. It is considered that singularly or collectively they are insufficient to adequately improve standards within this housing sector

The powers available to the local authority in the absence of an additional licensing designation are predominantly reactive.

It may be that tenants in these properties are wary of complaining or may not know their rights or the responsibilities of their landlords. An additional licensing scheme would mean that the Council could proactively ensure that a framework is created for landlords to be actively required to manage their properties and ensure that they meet adequate standards. The Council can monitor this compliance. Landlords are required to sign up to mandatory and discretionary conditions and to engage with the local authority.

- 10.2 The proposed additional licensing scheme will enable the local authority to proactively plan interventions using a wide range of powers as detailed in section 7. This ability to co-ordinate activity within the city council and with partners will support a holistic approach to neighbourhood management, housing standards, housing security, ASB, and waste incidents. There are limited opportunities to explore these improvements without the information that would be available through a licensing scheme.

- 10.3 The additional licensing proposal would support wider private sector licensing arrangements including mandatory HMO licensing which applies to properties occupying five or more people made up of two or more households and selective licensing which will apply to 25 designated wards. The additional licensing proposal would apply to HMO's occupied by three or four people living together as two or more separate households.
- 10.4 Housing and related data has been analysed and assessed against the legislative criteria for additional licensing. The data indicates that problems linked to predicted HMOs are found across all wards of the city.
- 10.5 This report is seeking Cabinet's agreement that the conditions for additional licensing have been met as the evidence indicates that a significant proportion of the HMOs in the City are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
- 10.6 If pursuance of the scheme is agreed, it is proposed that it will commence from the 5 June 2023. This will coincide with the commencement of Birmingham's selective licensing scheme in the designated 25 wards of the city. Any HMO falling within the 25 wards would be subject to the additional licensing scheme as opposed to the selective licensing scheme.

11.0 Consultation

- 11.1 Section 56(3) of the Housing Act 2004 states that, when considering designating an area as subject to additional licensing the Council must take reasonable steps to consult persons who are likely to be affected by the designation e.g. local residents, landlords, businesses within the proposed designation etc. and all representation must be considered.
- 11.2 Section 58 Housing Act 2004 states that a designation of an area as subject to additional licensing cannot come into force unless it has been confirmed by the appropriate national authority.
- 11.3 However, the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 Order states that general approval is not given in relation to a designation in respect of which the local housing authority has not consulted persons who are likely to be affected by it under section 56(3)(a) or section 80(9)(a) of the Act for not less than 10 weeks.
- 11.4 In compliance with the General Approval, an extensive consultation exercise on the Council's proposal to introduce an additional licensing scheme across all 69

wards within Birmingham ran for a period of ten weeks from Monday 4 July 2022 to Tuesday 13 September 2022.

11.5 The consultation ensured that specific groups such as landlords, tenants and residents and businesses were consulted with regard to the proposals. However, the consultation was not limited to these groups and consultation was presented as a featured consultation (front page) on Birmingham City Council consultation hub “Be Heard”. News of the consultation was also reported in local media outlets. A review of the survey comments indicates that a range of respondents participated in the consultation.

11.6 The consultation activities included:

Written notifications to:

- National Residential Landlord Association who in turn shared details with their members
- Midland Landlord Accreditation Scheme
- Birmingham Landlord Forum attendees
- Birmingham Landlord Steering Group
- HMO licence holders
- St. Basils – youth homelessness and advice
- Shelter
- Citizens Advice Bureau
- Birmingham Solihull Women’s Aid
- Cranstoun – housing advice/support charity including domestic abuse
- Birmingham City Council Community Safety Team
- University of Birmingham
- Aston University
- Birmingham City University
- West Midlands Police
- West Midlands Fire and Rescue
- Chief Executives of neighbouring Local Authorities - Walsall, Sandwell, Dudley, Lichfield, North Warwickshire, Solihull, Bromsgrove, and nearest city, Wolverhampton.

In addition to the above:

- Press releases (which then appeared in local newspapers and landlord forums)
- Featured consultation (front page) Birmingham City Council consultation hub “Be Heard”.
- Agenda item at landlord steering group meeting
- Two virtual landlord consultation events facilitated by the National Residential Landlords Association

11.7 Appendix 4 details the consultation responses and the Council reply to the themes raised within the consultation. These themes included some views that there may be potential negative impacts to implementing an additional licensing scheme. However, overwhelmingly there was support for the proposal with 86% of respondents to the survey agreeing with the proposal to introduce additional licencing.

11.8 After full consideration of the feedback, no changes are proposed to the proposal.

12.0 Risk Management

12.1 Implementing an additional licensing scheme is human resource intensive. The administration of the scheme can be fully covered by resulting licence fees and be self-financing. However, costs related to prosecution related enforcement for landlords who do not have a licence cannot be recovered via the additional licencing fee. If a scheme is implemented the main risk is that there is a low take up by landlords, which would increase the cost of compliance and recovery of enforcement costs through the courts (related to prosecution). This risk is mitigated by the fact that operating without a licence is a criminal offence and landlords will need to consider if non-compliance, that may result in a criminal conviction, is a valid option.

12.2 The scheme could also be susceptible to legal challenge (judicial review) if, for example, there was a challenge as to whether the statutory conditions were met or whether appropriate consultation had been undertaken.

13.0 Compliance Issues

13.1 How are the recommended decisions consistent with the Council's policies, plans and strategies?

13.1.1 Corporate Plan 2022-2026

The Council's vision is to play our part in strengthening Birmingham's position as a thriving, young and diverse global city, as the beating heart of the UK both commercially and culturally; a place where everyone is included in the opportunities that the city can offer; a place where we can celebrate our heritage with a sense of pride and also look forward with a sense of optimism to a golden decade of shared opportunity in a Bolder, Better Birmingham. Tackling inequalities is at the heart of our mission and at the centre of everything we do. We will help make Birmingham a city where all citizens share in the creation and benefits of sustainable economic growth and can live longer, healthier, and happier lives.

Supporting residents to live in safe, secure, housing is one of the foundations of providing the stable environment necessary to promote a society where all citizens can be included in all opportunities.

13.1.2 A scheme will also be consistent with the council's Homelessness Prevention, Empty Properties, and Private Sector Housing Strategies as it would bring about improvements in the private rented sector, help to sustain and stabilise communities, thereby contributing to the reduction in approaches to the council for homelessness assistance.

13.1.3 The Environment and Sustainability Assessment (Appendix 7) has identified positive impacts of the scheme in terms of reducing carbon emissions, improving the environment, and reducing waste. No negative impacts have been identified.

13.2 Legal Implications

13.2.1 Section 56 (1) of the Housing Act 2004 enables a local authority to designate either the area of their district or an area in their district as subject to additional licensing in relation to HMOs specified in the designation, if specified requirements are met.

13.2.2 The Housing Act 2004 states that local authorities considering the introduction of an additional licensing scheme for HMOs specified in the designation must:

- Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public (Section 56 (2))
- In forming an opinion in respect of section 56 (2) have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the relevant area (Section 56 (5))
- Not make a designation unless they have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question; and consider that making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well)
- Take reasonable steps to consult persons who are likely to be affected by the designation, for a period of not less than ten weeks, and consider any

representations made in accordance with the consultation and not withdrawn.

- Ensure that any exercise of the power is consistent with the authority's overall housing strategy.
- Seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action taken by the local authority or others.

13.2.3 If an additional licensing scheme is approved there are specific requirements to issue notices to publicise the scheme and ensure landlords are made aware of it.

13.2.4 Any additional licensing scheme may be subject to legal challenge if the above criteria are not met, or consultation is not found to be adequate.

13.3 Financial Implications

13.3.1 As set out in the report, the additional licensing scheme will complement existing private sector licensing arrangements including Mandatory HMO Licensing and Selective Licensing across the City. The Council is entitled to charge a fee that covers the costs of administering and enforcing the scheme. The proposed fee structure has been calculated on the basis that the scheme will be self-financing and cost-neutral to the Council over the five-year life of the scheme. This is achieved with a full licence fee of £755 for 7,125 properties covering scheme costs of £5.4m. The scheme will be managed through a ring-fenced budget with appropriation to/from reserves to manage in-year surpluses or deficits due to profile of income received and costs incurred. If the scheme is approved, the licence fee will be presented to Licensing and Public Protection Committee in March 2023 for approval

13.4 Procurement Implications

13.4.1 To process the number of licences expected under the additional licensing scheme it is likely that a new IT software system will be required. The scope and specification of such a system will be progressed with IT & D and the required procurement processes will be followed.

13.5 Human Resources Implications

13.5.1 If an additional licensing scheme is introduced it is expected that it will be self-financing through the fee charging mechanism. Any recruitment will be done in accordance with the Council's recruitment and selection procedure.

13.6 Public Sector Equality Duty

13.6.1 An initial equality impact assessment has been completed (See Appendix 5).
This does not show an adverse impact on any specific protected characteristic

14.0 Appendices

Appendix 1 - Additional Licensing Evidence Report

Appendix 2 - Houses in Multiple Occupation (HMO) : Stressors Report

Appendix 3 - Proposed Team Structure

Appendix 4 - Consultation Report

Appendix 5 - Additional Licensing Scheme Equality Impact Assessment

Appendix 6 – Proposed Licence Conditions

Appendix 7 - Additional Licensing Environment and Sustainability Assessment

Birmingham City Council Report to Cabinet

17 January 2023



Subject: Citywide Additional Licensing – Houses in Multiple Occupation

Report of: Mark Wiltshire, Interim Strategic Director of City Operations

Relevant Cabinet Member: Councillor Sharon Thompson, Housing and Homelessness

Relevant O &S Chair(s): Councillor Mohammed Idrees, Housing and Neighbourhoods
Councillor Akhlaq Ahmed, Resources

Report author: Sajeela Naseer, Director of Regulation & Enforcement
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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 010710		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

1.0 Executive Summary

- 1.1 A report in respect of progressing an additional licensing designation across all wards of the city was previously submitted to Cabinet on 28 June 2022.
- 1.2 Following this report, Cabinet agreed that the conditions for additional licensing had been met based on a significant proportion of the Houses in Multiple Occupation (HMO) in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public, and that a consultation should take place regarding the pursuance of an additional licensing scheme across all 69 wards of the city. A comprehensive consultation relating to the

proposed additional licensing scheme was held between 4 July 2022 and 13 September 2022 (10 weeks).

- 1.3 This report details the outcome of that consultation and the Council's response to it.
- 1.4 This report seeks to progress the pursuance of an additional licensing scheme in Birmingham that covers all 69 wards and seeks approval to implement the proposed scheme.

2.0 Recommendations

- 2.1 That Cabinet notes and considers the outcome of the consultation in respect of the proposed Additional Licensing scheme.
- 2.2 That Cabinet approves the pursuance of an additional licensing scheme covering all wards.
- 2.3 That Cabinet approves commencement of the scheme from the 5 June 2023.
- 2.4 That Cabinet delegates to the Director of Regulation and Enforcement in consultation with the portfolio holder to take such steps as are necessary to promote and implement this decision on behalf of the Council.

3.0 Background

- 3.1 The private rented sector is the second largest housing sector after owner occupation in the city. Within the Council's Private Rented Sector Strategy there is a commitment to tackle issues within this tenure. An additional licensing scheme is one of the tools available to improve standards and ensure that non-mandatory HMOs meet a minimum housing standard and appropriate management mechanisms are in place.
- 3.2 Licensing with the private rented sector only applies to larger mandatory HMOs with occupancy of five or more people living together as two or more households being subject to a mandatory licensing scheme. If a local authority can evidence that further categories of this tenure require licensing, then this can be pursued through discretionary additional or selective licensing schemes.
- 3.3 On the 1 March 2022 Cabinet approved the pursuance of a selective licensing scheme covering 25 wards and the submission to the Secretary of State for Levelling Up, Housing and Communities, of an application for a selective licensing designation in Birmingham covering these wards.
- 3.4 On the 5 September 2022 the Council received permission from the Secretary of State for Levelling Up, Housing and Communities to operate a selective licensing

scheme across 25 of the city's wards. The selective licensing designation will start on the 5 June 2023.

- 3.5 Feedback from the consultation for this proposed selective licensing scheme indicated that residents in wards not included within the scheme supported inclusion of their wards. Whilst that was not possible, the pursuance of a city-wide additional licensing scheme will provide appropriate regulation of non-mandatory HMOs across the city.
- 3.6 A selective licensing scheme requires all private rented properties in a designated area to be licensed. An additional licensing scheme only applies to non-mandatory HMOs and certain categories or self-contained flats (as described below). The mandatory licence conditions (set out in legislation) are different for both schemes to reflect the different categories. The approval of a city-wide additional licensing scheme would enable a consistent approach to be taken across the city in terms of the regulation and licensing of non-mandatory (smaller) HMOs. Where these HMOs are located within the proposed designated 25 wards covered by the selective licensing scheme the Council would direct landlords to the appropriate licence they would need for their type of premises.
- 3.7 Section 3 Housing Act 2004 ("the Act") requires local housing authorities to not only keep the housing conditions in their area under review (a stock condition survey), but also to identify any action that may need to be taken by them to respond to issues that are identified.
- 3.8 The Council's Houses in Multiple Occupation: Stressors Report (Appendix 2) considers specific issues around the correlation between HMOs and certain stressors (e.g. waste, ASB).
- 3.9 Section 56 of the Act allows local authorities to designate the whole or any part or parts of their area as subject to additional licensing. The introduction of additional licensing relates to all Houses of Multiple Occupation that relate to a description of HMOs specified in the designation.
- 3.10 An additional licensing scheme would apply to HMOs that are not covered by the mandatory HMO licensing scheme. This includes properties occupied by three or four people living together as two or more separate households and which meets the standard, self-contained flat or converted building HMO test in Section 254 of the Housing Act 2004.
- 3.11 An additional licence would also be required for any purpose-built self-contained flat which meets the self-contained flat HMO test in Section 254 of the Housing Act 2004 and which is in a block of three or more self-contained flats. In these

cases, it is the rented occupancy of the flat by unrelated households that drives any designation as an HMO.

- 3.12 An additional HMO licence would also be required for any building that has been converted into and which consists entirely of self-contained flats, less than two-thirds of which are owner-occupied, and where the building works to convert the property into self-contained flats did not meet and still does not meet appropriate building standards in force at the time. Such properties are known as Section 257 HMO's.

4.0 Related Strategies and their consistency with an additional licensing scheme

Legislation requires that any additional licensing scheme must be consistent with other related strategies. The following evidences that an additional licensing scheme would be consistent with the Council's related strategies.

4.1 Council Plan 2018 - 2022

The Council Plan sets out six outcomes that the Council seeks to achieve:

- Birmingham, an entrepreneurial city to learn, work and invest in
- Birmingham, an aspirational city to grow up in
- Birmingham, a fulfilling city to age well in
- Birmingham, a great, clean and green city to live in
- Birmingham, a city whose residents gain the most from hosting the Commonwealth Games; and
- Birmingham a city that takes a leading role in tackling climate change.

An additional licensing scheme is a one of the tools available to improve standards in the non-mandatory HMO sector. Such a scheme would fit within the fourth outcome, 'Birmingham is a great, clean and green city to live in'. Specifically, the implementation of an additional licensing scheme will contribute to priorities 2 and 3 to achieve this outcome, as follows:

4.1.1 Priority 2 - We will have the appropriate housing to meet the needs of our citizens.

An additional licensing scheme would ensure that all non-mandatory HMOs not subject to a mandatory licensing scheme meet a minimum housing standard, which gives the tenant a stable home and helps with building stable communities. Tenants would be confident that homes meet the minimum energy efficiency standard, which would contribute to the green city aspiration.

An additional licensing scheme would also contribute to alleviating fuel poverty as measures to improve standards would ensure that heating appliances are properly checked, maintained and working efficiently. Improvements in the housing standards should also make properties more secure which should assist with minimising crime, particularly burglary.

4.1.2 Priority 3 - We will work with partners to tackle rough sleeping and homelessness.

The availability of improved housing, and living in improved housing conditions, will contribute to a reduction in homelessness.

4.2 Housing Strategy

The proposals within this policy support the delivery of the priorities of the Housing Strategy (Birmingham- A Great Place to Live) which are: - A strong supply of new high-quality homes; - Citizens are able to find, access and sustain housing that meets their needs; - Neighbourhoods are enhanced and the quality of existing housing is improved.

4.3 Homelessness Prevention Strategy 2017+

Since March 2018, the number of customers being made homeless from the private rented sector has increased. There are a variety of reasons for this, including disrepair. By ensuring that landlords meet a set housing standard it would be expected that there would be a reduction in homeless applications for this reason.

4.4 Empty Properties Strategy

The Council's Empty Property Strategy aims to bring privately owned properties back into use. Empty properties adversely affect the lives of people in the vicinity. They attract vandalism and anti-social behaviour. In addition, they have a negative impact on the surrounding living environment and those that live in it as well as driving down house values. By raising the standard of HMOs within the city, this will prevent premises falling into disrepair and becoming vacant i.e. an empty property. This will prevent properties becoming unavailable for housing purposes and such properties having a negative impact on the neighbourhood.

4.5 Private Rented Sector Strategy 2022-2027

An additional licensing scheme would support the priorities of the Council's Private Rented Sector Strategy, in particular:

4.5.1 Priority 2 – Identify and implement local initiatives to address local issues.

Additional Licensing – Houses of Multiple Occupation

The conditions found within the private rented sector varies greatly across the city. In addition to the varying standard of accommodation, the proportion of private sector housing in each ward also varies greatly. To meet this priority the Council stated an aim to undertake a review of the city's Houses in Multiple Occupation (HMO) and to consider implementing Additional Licensing if required and appropriate.

4.5.2 Priority 6 - Operate a high-quality mandatory HMO licensing scheme.

A high-quality mandatory HMO licensing scheme will ensure shared accommodation is safe and provides appropriate facilities to occupiers. Houses in Multiple Occupation (HMOs) play a valuable role in the city's housing market as they provide accommodation for many low income, vulnerable people and those requiring short term housing. However, HMOs are not without their problems with the physical condition varying considerably and there are concerns from many residents and partners that the property and management standards are poor.

4.5.3 HMOs also create increased population density, leading to greater demand for infrastructure services, such as waste collections and on-street parking. They can also lead to a higher proportion of transient residents, potentially leading to less community cohesion and making the area less popular with local residents.

4.5.4 Many of the problems associated with HMOs subject to mandatory licensing are present in smaller, non-licensable HMOs and the implementation of additional licensing is likely to raise the standard of all HMOs through greater awareness and education.

4.6 Development Management in Birmingham Development Plan Document (2021)

The Development Management in Birmingham Development Plan Document was formally adopted in December 2021. This introduced a new policy (DM11 Houses in Multiple Occupation) which requires that new HMOs will not be permitted where 10% or more of the number of residential properties within a 100-metre radius of the application site are a HMO, or if it would result in a family dwelling house being sandwiched between two HMOs or other non-family residential uses; or if it would lead to a continuous frontage of three or more HMOs or non-family residential uses.

To support the implementation of Policy DM11, the Council's Cabinet adopted the Houses in Multiple Occupation Supplementary Planning Document on 26 April 2022, which provides detailed planning guidance to help applicants and residents understand how the Council intends to apply its planning policy on HMOs.

5.0 Required Conditions and Evidence

5.1 There are specific conditions set out in the legislation that must be met before an additional licensing scheme can be considered (Section 56 and 57 of the Act). An additional licensing designation may be made if the authority considers that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

5.2 The Council's 2022 Private Sector Housing Stock and Stressors Report identified that between 2016-2021 a total of 11,122 ASB incidents were reported to the Council linked to private sector properties.

The report identifies that 21% of private rented sector properties are likely to have serious home hazards compared to 12% nationally, a large number of which will be an HMO.

A proportion (circa 10%) of the private rented sector is made up of shared accommodation.

5.3 Data shown in the Houses in Multiple Occupation: Stressors Report (Appendix 2) indicates that it is likely that:

- 11241 reported ASB incidents are associated with 4107 predicted HMO addresses (approximately a third of predicted HMOs).
- Repeat ASB incidents for a single property can be an indicator of properties that are poorly managed by the owners. Between 2016 and 2021, there were 1599 (14.2% of the total) repeat incidents of ASB linked to HMOs.
- There were 106,831 reported waste issues connected to an address over a five-year period between 2016 and 2021. 26.7% (28482) of these reports have been linked to predicted HMO addresses although they only make up 2.6% of all dwellings (452,754).
- 21% of all private rented properties in the City are predicted to have a serious home hazards compared with a national average of 12%. Within the City's HMO sector this is predicted to be 49.2% of properties (5866 of 11933 properties)

- 5.4 An Article 4 Direction requiring planning permission for all new smaller HMOs was implemented by the Council from 8 June 2020. It should be noted that Paragraph 53 of the National Planning Policy Framework (NPPF) 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 well-being of the area”. It is clear therefore that the evidence that supported this Direction demonstrated regulating density of HMOs was an action that needed to be taken to satisfy that paragraph. Although this was based on specific reasons related to planning legislation, reference was also made in the technical paper appended to the Cabinet report of 14 May 2019 at points 3.11

“As part of the research for this paper, officers undertook field visits to the many areas of the city illustrated above where higher proportions of HMOs are evident. This has helped to identify the following impacts, which appear to be linked to a prevalence of HMOs in an area;

- *More vehicles parked in front of properties and on streets*
- *Some HMOs were poorly maintained, resulting in a degradation of the quality of the local environment and raising questions about the quality of the living environment for the inhabitants*
- *Higher numbers of wheelie bins cluttering streets and pavements*
- *Property frontages cluttered with ‘rooms to let’ signs, multiple satellite dishes, electricity and gas meters, doorbells and occasionally multiple front doors.*

- 5.5 Further evidence of insufficient management of HMOs giving rise to problems was shown by the responses to the consultation on the Houses in Multiple Occupation Supplementary Planning Document (SPD). In the Cabinet report of 26 April 2022 “Adoption of Supplementary Planning Documents 1) Houses in Multiple Occupation 2) And Large-Scale Shared Accommodation” section 4.17 states that responses included:

“General concerns about the issues caused by HMOs such as noise, antisocial behaviour, litter, parking and the enforcement of standards were raised. Some residents expressed a desire to see a complete moratorium on the licensing of and planning permission for further HMOs in the city”

- 5.6 Furthermore feedback from the selective licensing consultation indicated that citizens outside the 25 wards where selective licensing is proposed would like a licensing scheme for private rented accommodation in their area or ward. An additional licensing scheme would be a proportionate response to these views as it would not cover all private rented housing but focus on a type of occupancy that potentially has higher risks of negative impacts on tenants and neighbourhoods.

An additional licensing scheme would mean that landlords would have to adhere to licence conditions. These could include ensuring that they take all reasonable and practical steps for preventing and dealing with anti-social behaviour, making properties secure, ensuring space standards are adequate, provision of adequate refuse storage and disposal arrangements and maintaining in good order outbuildings and gardens. In addition, a landlord/managing agent would need to be a 'fit and proper person' and competent to manage the property.

- 5.7 The data shown in paragraphs 4.3 to 4.6 provides the evidence that support the view that a significant proportion of HMOs in Birmingham are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
- 5.8 During the period of a licence issued under an additional licensing scheme, there would be an inspection of the property to ensure that the licence conditions are being adhered to. Where it was identified that licence conditions were not being adhered to, enforcement action could be taken in line with the appropriate enforcement policy.

6.0 Additional Licensing Scheme Process

- 6.1 Unlike selective licensing schemes which require local housing authorities to request permission from the Department of Levelling Up, Housing and Communities for confirmation of any scheme which would cover more than 20% of their geographical area or that would affect more than 20% of privately rented homes in the local authority area, General Approval is given (subject to specific requirements being met) for additional licensing schemes to be approved by the local housing authority.
- 6.2 When considering whether to make an additional licensing designation, a local housing authority must ensure that any exercise of the power is consistent with the authority's overall housing strategy. The authority must seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti-social behavior affecting the private rented sector. The authority must not make a designation unless they have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question and they consider that making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well (Section 57 Housing Act 2004))
- 6.3 A local housing authority may designate an area as subject to additional licensing in relation to a description of HMOs specified in the designation if the requirements of Section 56 and 57 of the Act are met. The authority must:

- Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public
- Have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the relevant area
- Consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question; and consider that making the designation will significantly assist them to deal with the problem or problems.

6.4 Before making a designation the authority must take reasonable steps to consult persons who are likely to be affected by the designation, and consider any representations made in accordance with the consultation.

- The authority must ensure that any exercise of the power is consistent with the authority's overall housing strategy and must
- seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action taken by the local authority or others.

6.5 The local housing authority must only make a designation if it is satisfied that the scheme will significantly assist it in achieving its objective or objectives, with other actions the local housing authority may be taking.

7.0 Current Activities to Improve Standards in Neighbourhoods and the Private Rented Sector

7.1 The Guidance states that an additional licensing scheme should complement other measures being taken to resolve issues HMOs. Below are the existing activities that the Council currently undertakes to improve standards within HMOs

7.2 HMO (Mandatory) Licensing

The Council currently delivers and enforces a mandatory licensing scheme for certain types of Houses in Multiple Occupation where a property is:

- rented to 5 or more people who form two or more households and
- tenants share toilet, bathroom and/or kitchen facilities

Additional Licensing – Houses of Multiple Occupation

There are currently 2,455 mandatory HMOs that are licensed. This does not include any exempt accommodation and smaller HMOs as they are excluded from licensing under the legislation.

- 7.3 Use of Housing Act 2004 enforcement powers The Council's enforcement powers in respect of the private rented sector are largely provided by the Housing Act 2004, with other public health legislation being applied where necessary and appropriate. Under the Act, formal notices can be served that require improvements to be carried out. Should these improvements not be carried out, the Council can carry out works in default. Landlords also risk being prosecuted if they do not comply with a notice or the breach of legislation is significant.

7.4 Civil Penalties

The Housing and Planning Act 2016 section 126 and Schedule 9 amended the Housing Act 2004 and introduced the ability for Local Housing Authorities to impose financial penalties (civil penalties) of up to £30,000 per offence. Civil Penalties are an alternative to prosecution for the following offences under the Housing Act 2004:

- failure to comply with an Improvement Notice (Section 30)
- offences in relation to licensing of Houses in Multiple Occupation (Section 72)
- offences in relation to licensing of houses under Housing Act 2004 Part 3, (Section 95)
- offences of contravention of an Overcrowding Notice (Section 139(7))
- offences of failure to comply with management regulations in respect of HMOs (Section 234)

The Council seeks to impose Civil Penalties in accordance with its Enforcement Policy for the Regulation of Housing Standards and the Licensing of Houses in Multiple Occupation.

7.5 Private Tenancy Enforcement

There is a specialist Private Tenancy Team that provides specialist advice on renting in the private rented sector. They will intervene to prevent unlawful eviction and harassment and pursue, in appropriate cases, criminal prosecutions for offences under the Protection from Eviction Act 1977 and other relevant legislation.

7.6 Empty Properties

It is estimated that there are approximately 10,000 empty properties in Birmingham. The majority of these are family accommodation which if brought back into use would add to the supply of family accommodation; a valuable contribution to the housing crisis in the city and it could contribute to reducing the number of households in temporary accommodation, especially Bed and Breakfast. Bringing these properties back into use will reduce the likelihood of nuisance, blight, devaluation of homes and crime in the local community.

7.7 Article 4 Direction

Planning legislation allows certain types of development to take place without planning approval; known as 'permitted development rights'. Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows local authorities to remove these permitted development rights. A city-wide HMO Article 4 direction requires planning permission to change from a residential house to an HMO. Policy DM11 Houses of Multiple Occupation within the Development Management in Birmingham Document sets out the Council's local planning policy in relation to the development of new or extensions of HMOs which is supported by the proposed supplementary planning document. This approach prevents harmful concentrations of HMO's arising which negatively impact on the character, balance, and amenity of local communities. This approach will enable the concentration of Exempt Accommodation to be taken into account.

8.0 Proposed Additional Licensing Scheme

8.1 Full details of the proposed scheme across all 69 wards are set out in the evidence report shown in Appendix 1.

8.2 Conditions for additional licensing have been met in all wards of the city based on a significant proportion of the Houses in Multiple Occupation (HMO) in the area being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

8.3 Proposed objectives and outcomes

The key aims of the proposed additional licensing scheme is to:

- Prioritise identification, inspection, and enforcement of HMOs with highest risk of serious conditions and poor management

- Protect the health, safety and welfare of tenants through improved property conditions and management
- Improve intelligence and data on HMOs, leading to better regulation of the sector, and detection of non-compliance

The targeted outcomes for the proposed scheme over the five-year period are:

- Ensure that at least 75% of licensable properties are licensed
- In 100% of licensed properties that have been inspected, compliance with licence conditions have been achieved or enforcement action taken or in progress.
- Inspect 80% of licenced premises
- To reduce ASB incidents linked licensed properties by 20%
- To reduce waste incidents linked to licenced properties by 20%

8.4 Proposed property licence conditions

The proposed licence conditions can be found in Appendix 6.

8.5 Proposed Additional Licensing Fees

The fee for an additional licence is proposed as £755. The fee is split into two parts:

- Part A (application fee) £325
- Part B (licence fee) £430

A local authority may recover “reasonable costs” for administering a licensing scheme. The fees proposed in this report are calculated to recover the full cost of carrying out the scheme. This includes all costs related to administration of the scheme and processing the licences, as well as compliance with those licences and enforcement (except prosecution costs) against landlords operating without a licence in the designated area.

Members will note that the fees are split into a non-refundable application fee and a licence fee. This split is required further to case law set by R. (Hemming and Others) vs Westminster City Council and R. (Gaskin) v. Richmond-upon-Thames LBC (2018). Each fee takes account of salary costs, overhead costs, and processing and activity times. The time taken to process and administer (including compliance and enforcement) each licence has been calculated using forecast costs.

9.0 Additional Licensing Team Structure

- 9.1 The structure proposed in Appendix 3 seeks to ensure that there is adequate capacity in each of the five years of the scheme to ensure it can be delivered
- Additional Licensing – Houses of Multiple Occupation**

efficiently and that outputs and outcomes are delivered. The structure may be revised as part of the process for implementation but will remain within the budget envelope of the calculated fee income. Should additional resources be required in ensure compliance in future years, the licence fee will be reviewed and adjusted accordingly.

10.0 Options Considered and Recommended Proposal

10.1 The body of the report details the alternative options that are in place to improve standards in HMOs. It is considered that singularly or collectively they are insufficient to adequately improve standards within this housing sector

The powers available to the local authority in the absence of an additional licensing designation are predominantly reactive.

It may be that tenants in these properties are wary of complaining or may not know their rights or the responsibilities of their landlords. An additional licensing scheme would mean that the Council could proactively ensure that a framework is created for landlords to be actively required to manage their properties and ensure that they meet adequate standards. The Council can monitor this compliance. Landlords are required to sign up to mandatory conditions and to engage with the local authority.

10.2 The proposed additional licensing scheme will enable the local authority to proactively plan interventions using a wide range of powers as detailed in section 7. This ability to co-ordinate activity within the city council and with partners will support a holistic approach to tackling deprivation and crime in these wards. There are limited opportunities to explore these improvements without the information that would be available through a licensing scheme.

10.3 The additional licensing proposal would support wider private sector licensing arrangements including mandatory HMO licensing which applies to properties occupying five or more people made up of two or more households and selective licensing which will apply to 25 designated wards. The additional licensing proposal would apply to HMO's occupied by three or four people living together as two or more separate households.

10.4 Housing and related data has been analysed and assessed against the legislative criteria for additional licensing. The data indicates that problems linked to predicted HMOs are found across all wards of the city.

10.5 This report is seeking Cabinet's agreement that the conditions for additional licensing have been met as the evidence indicates that a significant proportion of the HMOs in the City are being managed sufficiently ineffectively as to give rise,

or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

- 10.6 If pursuance of the scheme is agreed, it is proposed that it will commence from the 5 June 2023. This will coincide with the commencement of Birmingham's selective licensing scheme in the designated 25 wards of the city. Any HMO falling within the 25 wards would be subject to the additional licensing scheme as opposed to the selective licensing scheme.

11.0 Consultation

- 11.1 Section 56(3) of the Housing Act 2004 states that, when considering designating an area as subject to additional licensing the Council must take reasonable steps to consult persons who are likely to be affected by the designation e.g. local residents, landlords, businesses within the proposed designation etc. and all representation must be considered.
- 11.2 Section 58 Housing Act 2004 states that a designation of an area as subject to additional licensing cannot come into force unless it has been confirmed by the appropriate national authority.
- 11.3 However, the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 Order states that general approval is not given in relation to a designation in respect of which the local housing authority has not consulted persons who are likely to be affected by it under section 56(3)(a) or section 80(9)(a) of the Act for not less than 10 weeks.
- 11.4 In compliance with the General Approval, an extensive consultation exercise on the Council's proposal to introduce an additional licensing scheme across all 69 wards within Birmingham ran for a period of ten weeks from Monday 4 July 2022 to Tuesday 13 September 2022.
- 11.5 The consultation ensured that specific groups such as landlords, tenants and residents and businesses were consulted with regard to the proposals. However, the consultation was not limited to these groups and consultation was presented as a featured consultation (front page) on Birmingham City Council consultation hub "Be Heard". News of the consultation was also reported in local media outlets. A review of the survey comments indicates that a range of respondents participated in the consultation.
- 11.6 The consultation activities included:

Written notifications to:

- National Residential Landlord Association who in turn shared details with their members
- Midland Landlord Accreditation Scheme
- Birmingham Landlord Forum attendees
- Birmingham Landlord Steering Group
- HMO licence holders
- St. Basils – youth homelessness and advice
- Shelter
- Citizens Advice Bureau
- Birmingham Solihull Women's Aid
- Cranstoun – housing advice/support charity including domestic abuse
- Birmingham City Council Community Safety Team
- University of Birmingham
- Aston University
- Birmingham City University
- West Midlands Police
- West Midlands Fire and Rescue
- Chief Executives of neighbouring Local Authorities - Walsall, Sandwell, Dudley, Lichfield, North Warwickshire, Solihull, Bromsgrove, and nearest city, Wolverhampton.

In addition to the above:

- Press releases (which then appeared in local newspapers and landlord forums)
- Social media messaging
- Featured consultation (front page) Birmingham City Council consultation hub "Be Heard".
- Agenda item at landlord steering group meeting
- Two virtual landlord consultation events facilitated by the National Residential Landlords Association

11.7 Appendix 4 details the consultation responses and the Council reply to the themes raised within the consultation. These themes included some views that there may be potential negative impacts to implementing an additional licensing scheme. However, overwhelmingly there was support for the proposal with 86% of respondents to the survey agreeing with the proposal to introduce additional licencing.

11.8 After full consideration of the feedback, no changes are proposed to the proposal.

12.0 Risk Management

- 12.1 Implementing an additional licensing scheme is human resource intensive. The administration of the scheme can be fully covered by resulting licence fees and be self-financing. However, costs related to prosecution related enforcement for landlords who do not have a licence cannot be recovered via the additional licencing fee. If a scheme is implemented the main risk is that there is a low take up by landlords, which would increase the cost of compliance and recovery of enforcement costs through the courts (related to prosecution). This risk is mitigated by the fact that operating without a licence is a criminal offence and landlords will need to consider if non-compliance, that may result in a criminal conviction, is a valid option.
- 12.2 The scheme could also be susceptible to legal challenge (judicial review) if, for example, there was a challenge as to whether the statutory conditions were met or whether appropriate consultation had been undertaken.

13.0 Compliance Issues

- 13.1 How are the recommended decisions consistent with the Council's policies, plans and strategies?

13.1.1 Council Plan

The Council's vision is to be a City of growth where every child, citizen and place matters – It wants to make a positive difference, every day, to people's lives. This aim underpins everything we do, whether that's setting our priorities, making decisions or delivering services. There are eight outcomes to achieve that vision.

Outcome 4 - Birmingham is a great, clean and green city:

An additional licensing scheme is one of the tools available to improve standards in non-mandatory HMOs. Such a scheme would contribute to priority 2 of this outcome.

- 13.1.2 A scheme will also be consistent with the council's Homelessness Prevention, Empty Properties, and Private Sector Housing Strategies as it would bring about improvements in the private rented sector, help to sustain and stabilise communities, thereby contributing to the reduction in approaches to the council for homelessness assistance.
- 13.1.3 The Environment and Sustainability Assessment (Appendix 7) has identified positive impacts of the scheme in terms of reducing carbon emissions, improving the environment, and reducing waste. No negative impacts have been identified.

13.2 Legal Implications

13.2.1 Section 56 (1) of the Housing Act 2004 enables a local authority to designate either the area of their district or an area in their district as subject to additional licensing in relation to HMOs specified in the designation, if specified requirements are met.

13.2.2 The Housing Act 2004 states that local authorities considering the introduction of an additional licensing scheme for HMOs specified in the designation must:

- Consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public (Section 56 (2))
- In forming an opinion in respect of section 56 (2) have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the relevant area (Section 56 (5))
- Not make a designation unless they have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question; and consider that making the designation will significantly assist them to deal with the problem or problems (whether or not they take any other course of action as well)
- Take reasonable steps to consult persons who are likely to be affected by the designation, for a period of not less than ten weeks, and consider any representations made in accordance with the consultation and not withdrawn.
- Ensure that any exercise of the power is consistent with the authority's overall housing strategy.
- Seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action taken by the local authority or others.

13.2.3 If an additional licensing scheme is approved there are specific requirements to issue notices to publicise the scheme and ensure landlords are made aware of it.

13.2.4 Any additional licensing scheme may be subject to legal challenge if the above criteria are not met, or consultation is not found to be adequate.

13.3 Financial Implications

13.3.1 As set out in the report, the additional licensing scheme will complement existing private sector licensing arrangements including Mandatory HMO Licensing and Selective Licensing across the City. The Council is entitled to charge a fee that covers the costs of administering and enforcing the scheme. The proposed fee structure has been calculated on the basis that the scheme will be self-financing and cost-neutral to the Council over the five-year life of the scheme. This is achieved with a full licence fee of £755 for 7,750 properties covering scheme costs of £5.8m. The scheme will be managed through a ring-fenced budget with appropriation to/from reserves to manage in-year surpluses or deficits due to profile of income received and costs incurred. If the scheme is approved, the license fee will be presented to Licensing and Public Protection Committee in March 2023 for approval

13.4 Procurement Implications

13.4.1 To process the number of licences expected under the additional licensing scheme it is likely that a new IT software system will be required. The scope and specification of such a system will be progressed with IT & D and the required procurement processes will be followed.

13.5 Human Resources Implications

13.5.1 If an additional licensing scheme is introduced it is expected that it will be self-financing through the fee charging mechanism. Any recruitment will be done in accordance with the Council's recruitment and selection procedure.

13.6 Public Sector Equality Duty

13.6.1 An initial equality impact assessment has been completed (See Appendix 5). This does not show an adverse impact on any specific protected characteristic

14.0 Appendices

Appendix 1 - Additional Licensing Evidence Report

Appendix 2 - Houses in Multiple Occupation (HMO) : Stressors Report

Appendix 3 - Proposed Team Structure

Appendix 4 - Consultation Report

Appendix 5 - Additional Licensing Scheme Equality Impact Assessment

Appendix 6 – Proposed Licence Conditions

Appendix 7 - Additional Licensing Environment and Sustainability Assessment



Additional Licensing Evidence Report

July 2022

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Introduction

The Housing Act 2004 allows Local Authorities to introduce additional licensing of Houses of Multiple Occupation (HMOs) where there is evidence that certain HMOs are being managed sufficiently ineffectively so that they give rise to problems for the tenants or for members of the public in the vicinity.

Housing is a key priority for Birmingham residents and the City Council, and it plays a significant part in all our lives. The location, type, and quality of the homes in which we live has a major impact on the rest of our lives including the employment we can access and how long we can expect to live. Without question the human need for food, water and shelter are the highest priorities in life. We therefore urge you to consider our proposals carefully.

The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015 grants a general consent to Local Housing Authorities' to introduce additional HMO licensing, so far as the legislative steps have been complied with. It requires Local Authorities to take reasonable steps to consult persons who are likely to be affected by the designation.

This evidence report outlines our proposals and approach. The consultation survey seeks your views about these proposals, our objectives, our proposed licence conditions, our proposed licensing fees, and the alternatives that you think we should consider. We will listen carefully and consider the results of the consultation before making a decision about how to proceed.

The consultation process will run for a ten-week period from **9am Monday 4th July 2022 to 9am Tuesday 13th September 2022**.

The consultation survey can be accessed by visiting the Council's consultation hub "Be Heard" at www.birminghambeheard.org.uk/place/additional-licensing.

It is proposed, subject to legislative requirements and Cabinet approval, that the designation would come into effect on the 1st April 2023.

What is Additional Licensing?

The Housing Act 2004 (“the Act”) provides local authorities with the power to designate areas as being subject to an additional licensing scheme, in relation to some or all of the HMOs in their area, which are not already subject to mandatory licensing.

As a simple rule of thumb, an HMO is any property (house or flat) occupied by three or more people comprising two or more households who share facilities (kitchen, bathroom and/or toilet) and occupy the property as their only or main residence, even if they are all friends and occupy the property on a single tenancy.

It can also include converted blocks of flats known as Section 257 HMOs. Section 257 of the Housing Act 2004 applies to whole converted properties rather than individual dwellings and describes an HMO as a building:

- which has been converted into and consists of self-contained flats
- where the conversion work did not comply with the appropriate building standards and still does not
- where less than two-thirds of the flats are owner-occupied

The appropriate building standards are those required by the Building Regulations 1991 or 2000 (whichever were in force at the time of the conversion).

Owner-occupiers are those with a lease of more than 21 years or who own the freehold in the converted block of flats.

HMOs statistically present significantly greater risks to tenants’ health, safety and wellbeing than comparable single occupancy dwellings. Risks such as dangerous gas appliances, faulty electrical systems and inadequate means of escape and other fire precautions are just some of the hazards that the Private Sector Housing Team come across during inspections. These hazards put tenants’ health, safety, and lives at risk. Living in such conditions can also have a significant impact on the mental health and wellbeing of the occupants of the HMO. HMO residents are also eight times more likely than the general population to suffer from mental health problems as well as having other problems¹.

¹ Shaw M, Danny D and Brimblecombe N (1998) Health problems in houses in multiple occupation

For many people in this situation, their housing choices are limited due to socioeconomic status and availability of suitable alternative accommodation, and it may not be easy to find somewhere else to live. Local housing allowance caps have meant that for some, shared accommodation is the only affordable option. Issues such as a lack of community cohesion due to high turnover of tenancies can also be exacerbated by such private rented accommodation, especially where property management issues are present.

Additional licensing is a tool that local authorities can use alongside their normal enforcement powers in order to manage specific issues that are affecting housing in the local authority area and its communities.

Primarily, through the implementation of an additional licencing scheme, Birmingham City Council will look to address such issues related to property management such as waste problems, housing conditions, and anti-social behaviour. The proposal is to designate all 69 wards within the city as subject to additional licensing.

Additional licensing also enables a property to be easily identified and as such for organisations and regulators such as the Council, the Police, Her Majesty's Revenue and Customs (HMRC) and others, to be able to advise and support tenants and landlords alike. It provides a clearly defined offence in that a property is either licensed or unlicensed. It clarifies ownership and responsibility which simplifies enforcement and makes it more effective. Where a landlord is intentionally operating without a licence it is possible the inspection process will uncover further offences.

Licensing also provides a clear driver for effective engagement between landlords and local authorities, and drives up landlord awareness of their responsibilities.

Additional licensing encourages the development of effective intelligence gathering mechanisms to support compliance by identifying unlicensed properties and then targeting those problematic properties. It promotes joint working within the Council and other agencies – fire and rescue services, police, border control/immigration, social services and HMRC.

The designation would regulate the management, use and occupation of privately rented properties that are HMOs. The Council has reviewed the evidence available to understand the conditions within HMOs in the city and considers that the proposed scheme meets the statutory criteria for additional licensing in that the evidence shows that a significant proportion of the HMOs in the city are being managed sufficiently

ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

The designation will last for five years and will include statutory and general conditions aimed at ensuring licensed properties are safe, meet basic standards and they are managed in a satisfactory way.

The additional licensing designation will help the Council to:

- Prioritise enforcement against those landlords who flout the law.
- Protect the health, safety and welfare of tenants through improved property conditions and management
- Target resources towards HMOs with highest risk of serious conditions and poor management.
- Reduce the number of service requests concerning poor accommodation in the private rented sector.
- Improve intelligence and data on HMOs, leading to better regulation of the sector, and detection of non-compliance

The Council proposes the targets below to achieve these outcomes over a five-year period:

- Ensure that at least 75% of licensable properties are licensed
- In 100% of licensed properties that have been inspected, compliance with licence conditions have been achieved or enforcement action taken or in progress.
- Inspect 80% of licenced premises
- To reduce ASB incidents linked licensed properties by 20%
- To reduce waste incidents linked to licenced properties by 20%

If the proposal is implemented, the Council will provide regular and open publication of progress against targets and outcomes.

In implementing an additional licensing scheme, the Council not only wants to tackle non-compliant landlords, but also work with all landlords to address tenancy issues at the earliest opportunity. The eviction and reletting process can be costly for landlords and will have a range of negative impacts on tenants including moving costs and a possible move away from an existing support network and employment opportunities.

The Council has historically used existing enforcement powers to deal with property conditions and management. This is predominantly as a reactive response to complaints, with the Council relying heavily on the information from tenants and neighbours to identify which properties are HMOs are in poor condition or are being badly managed. The Council cannot solicit complaints by virtue of “marketing” its services or door knocking. It is therefore limited in proactively seeking out those tenants that may be living in poor or high-risk accommodation.

Additional licensing would be beneficial in identifying all HMOs and ensuring a minimum standard. In addition, it would allow landlords operating illegally to be identified and enable those properties to be targeted for inspection and to be brought into compliance. This would help to raise standards and improve conditions in the sector. It would provide a level playing field for legitimate landlords and reduce the risk of exploitation of tenants. Additional Licensing provides clear guidance for landlords on the expected standards for property conditions and management.

An Article 4 Direction requiring planning permission for all new smaller HMOs was implemented by the Council from 8 June 2020. It should be noted that Paragraph 53 of the National Planning Policy Framework (NPPF) 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 well-being of the area”. It is clear therefore that the evidence that supported this Direction demonstrated regulating density of HMOs was an action that needed to be taken to satisfy that paragraph. Although this was based on specific reasons related to planning legislation, reference was also made in the technical paper appended to the Cabinet report of 14 May 2019 at points 3.11.

“As part of the research for this paper, officers undertook field visits to the many areas of the city illustrated above where higher proportions of HMOs are evident. This has helped to identify the following impacts, which appear to be linked to a prevalence of HMOs in an area:

- *More vehicles parked in front of properties and on streets*
- *Some HMOs were poorly maintained, resulting in a degradation of the quality of the local environment and raising questions about the quality of the living environment for the inhabitants*

- *Higher numbers of wheelie bins cluttering streets and pavements*
- *Property frontages cluttered with 'rooms to let' signs, multiple satellite dishes, electricity and gas meters, doorbells, and occasionally multiple front doors.*

Further evidence of insufficient management of HMOs giving rise to problems was shown by the responses to the consultation on the Houses in Multiple Occupation Supplementary Planning Document. In the Cabinet report of 26 April 2022 "Adoption of Supplementary Planning Documents 1) Houses in Multiple Occupation 2) And Large-Scale Shared Accommodation" responses included:

"General concerns about the issues caused by HMOs such as noise, antisocial behaviour, litter, parking and the enforcement of standards were raised. Some residents expressed a desire to see a complete moratorium on the licensing of and planning permission for further HMOs in the city"

Furthermore, feedback from a previous consultation relating to selective licensing (which covers all private rented properties) in 25 wards of the city indicated that citizens outside of these wards would like a licensing scheme for private rented accommodation in their area or ward. An additional licensing scheme would be a proportionate response to these views as it would not cover all private rented housing but focus on a type of occupancy that potentially has higher risks of negative impacts on tenants and neighbourhoods.

An additional licensing scheme would mean that landlords would have to adhere to licence conditions. These could include ensuring that they take all reasonable and practical steps for preventing and dealing with anti-social behaviour, making properties secure, ensuring space standards are adequate, provision of adequate refuse storage and disposal arrangements, and maintaining in good order outbuildings and gardens. In addition, a landlord/managing agent would need to be a 'fit and proper person' and competent to manage the property.

Housing Profile

There is a total of 452,754 residential properties in Birmingham. Of these, 24.7% (111,811) are within the private rented sector (an increase of more than 50% since the 2011 census), 52.1% (235,760) are owner occupied, and 23.2% (105,183) socially rented. Birmingham is likely to have the largest private rented population, measured by the number of dwellings, of any housing authority in England. This compares to 17% of households in 2011 (Office of National Statistics). The growth of the private rented sector has come mostly from a proportional reduction in owner occupation, from 60% in 2011 to 52% in 2022 (Figure 1).

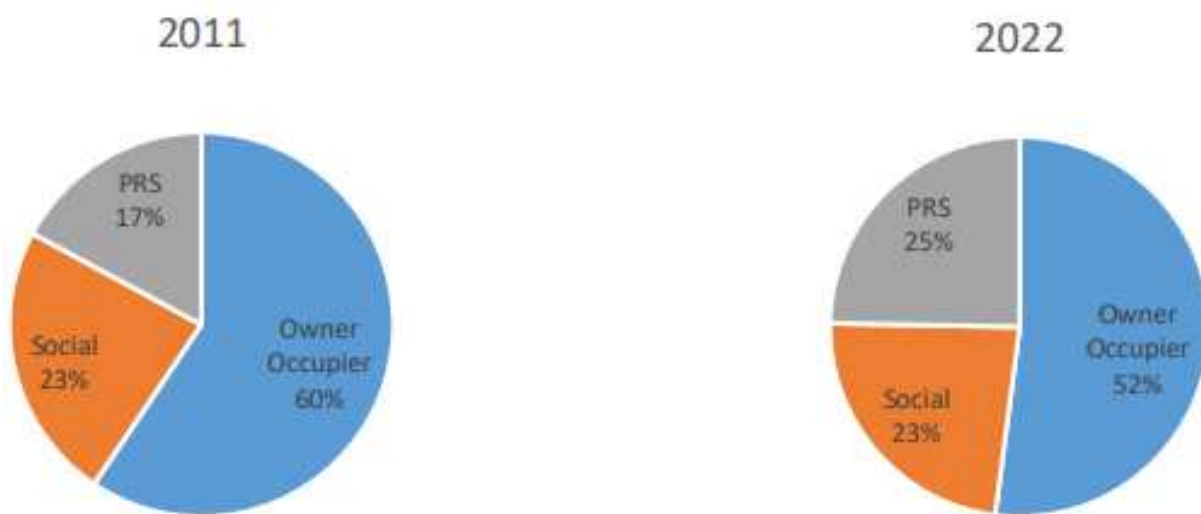


Figure 1. Tenure profile 2011 & 2022 (Source: ONS & Ti 2022)

This increase is part of a nationwide trend with the private rented sector now the second largest housing tenure in England, with a growing number of households renting from a population of around 1.5 million private landlords.

It is important to note that shared housing that is managed by a registered provider or public body is excluded from the definition of an HMO (see page 41 “Exemptions from Additional Licensing”). The volume of this type of accommodation has grown rapidly in the city over the last four years from about 11,000 bedspaces in 2018 to around 22,750 bedspaces in June 2022. It is recognised that such properties have similar characteristics to HMOs and therefore potentially similar impacts on local areas. The Council is aware of a number of issues in the supported exempt accommodation sector, which are largely due to insufficient legislation and regulation being in place nationally.

The Council are separately piloting a multi-agency approach to tackling issues related to exempt accommodation.

HMO Profile

HMOs referred to in this evidence report are HMOs that share basic amenities (“section 254 HMOs”) The Housing Act 2004 defines HMOs as a “dwelling of 3 or more persons not forming a single household”. Section 254 HMOs are categorised as buildings or flats that are occupied by two or more households and 3 or more persons that share a basic amenity, such as bathroom, toilet, or cooking facilities. This type of rented property represents the cheapest rental accommodation; rented by room with the sharing of amenities, usually kitchen/bathroom.

The Council estimates that there are 11,933 HMOs in the city. Figures 2 and 3 shows that they are distributed across all wards. Bournbrook & Selly Park has the highest number of HMO (1159), followed by Soho & Jewellery Quarter (418) & North Edgbaston (414).

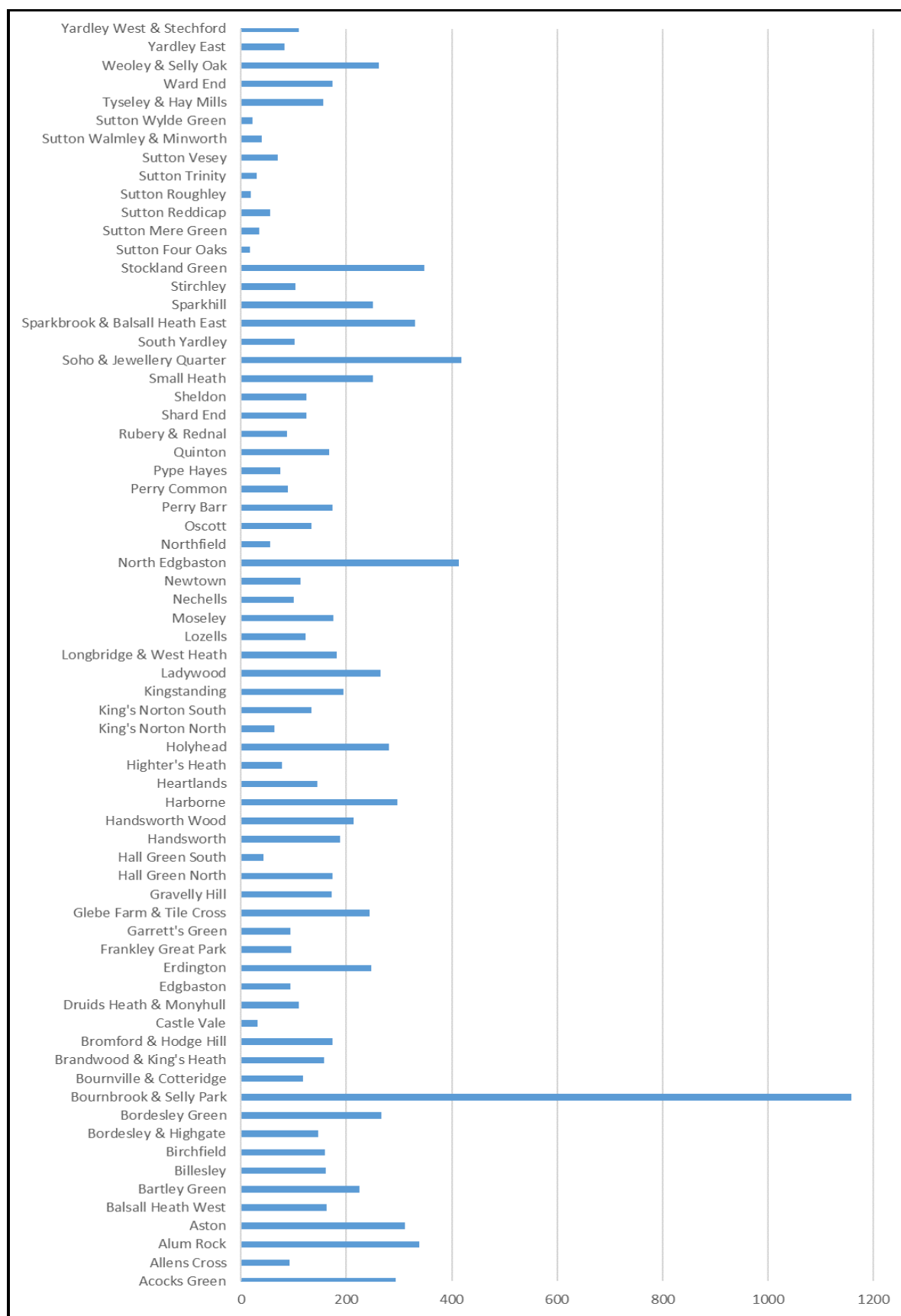


Figure 2. Number of shared amenities HMOs (s.254) by ward (Source Ti 2022).

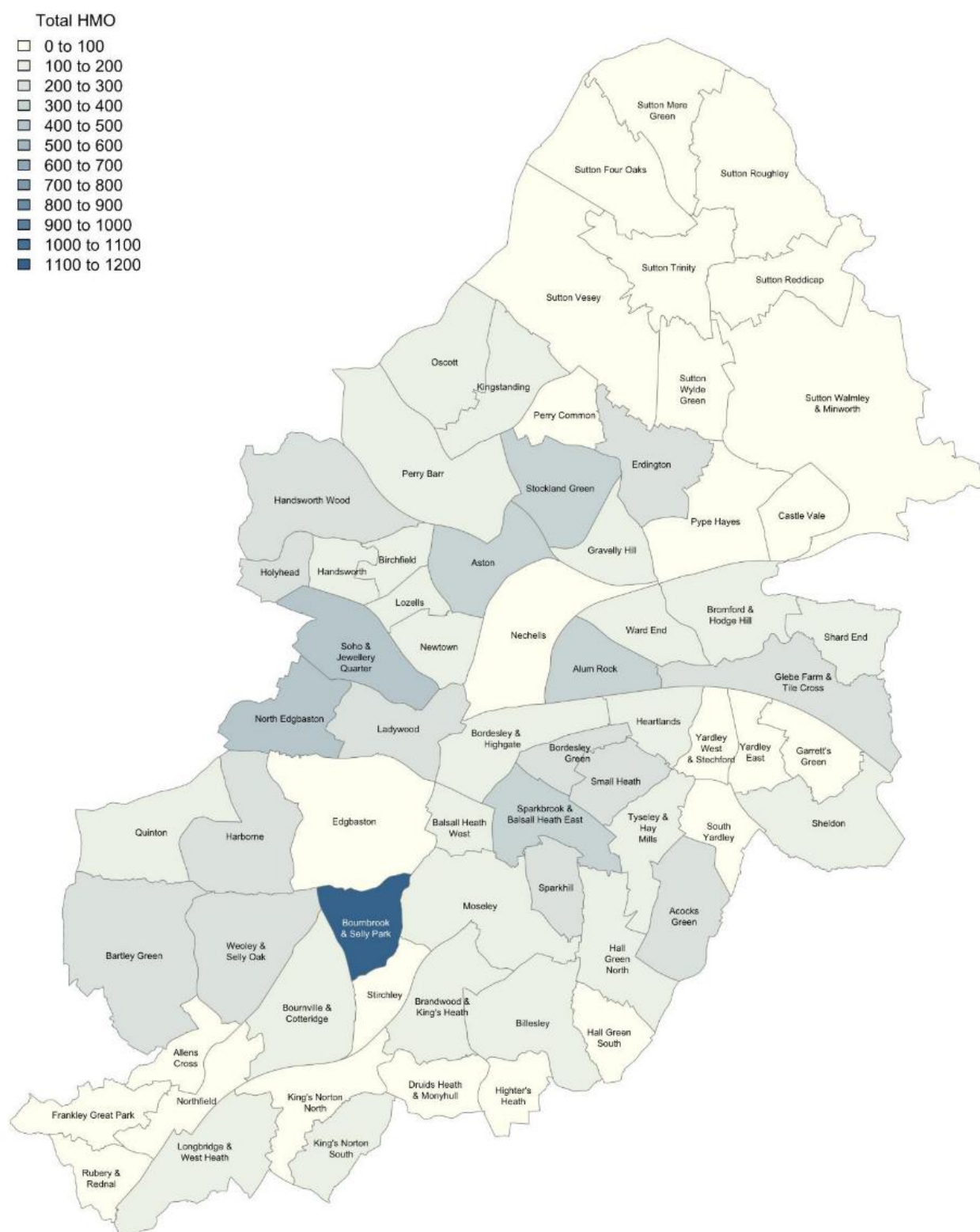


Figure 3. Heatmap showing number of HMOs (s.254) by Ward

Legislative Framework

Section 55 of the Act sets out the scope of the licensing provisions under Part 2 and the general duties on Local Housing Authorities (LHA) in relation to their licensing functions. The section provides that LHAs are required to license the types of HMOs prescribed in an order made by the appropriate national authority (that is initially to be those of 3 storeys and above occupied by at least 5 persons who constitute more than one household). It also provides that an LHA may license other categories of HMOs designated by it under an additional licensing scheme.

Section 56 permits a LHA to extend licensing beyond the scope of mandatory licensing. A LHA can designate part or all of its area as subject to additional licensing for specified types of HMOs. An LHA must consider that a significant proportion of the HMOs (of the type it is considering licensing) are being managed ineffectively so as to give rise problems for the occupiers or members of the public. In considering the quality of management, LHAs must take into account the degree to which relevant codes of practice (if any) are being adhered to (see section 233).

Before making a designation an LHA must consult with those likely to be affected by it and take account of any representations.

Section 57 sets out further requirements that the LHA must consider before extending licensing to additional categories of HMO. These are:

- ensuring the use of additional licensing is in accordance with the LHA's overall housing strategy and is part of a co-ordinated approach to deal with wider issues such as anti-social behaviour;
- examining whether there are other courses of action that could be used to deal with the problems identified (e.g. voluntary accreditation schemes) and
- concluding that additional licensing, whether on its own or in conjunction with other policies, will make a significant contribution to dealing with the problems.

In the Act, “anti-social behaviour” means conduct on the part of occupiers of, or visitors to, residential premises -

- which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or

- which involves or is likely to involve the use of such premises for illegal purposes

Section 60 of the Act provides that a designation must from time to time be reviewed and can be revoked following a review, but in any case, must end five years after it has been made. When a scheme is revoked, notice of the revocation must be publicised in accordance with requirements contained in regulations.

A local authority may only make a designation after they have considered if there are any other available courses of action to them and if these would produce the intended outcomes that the designation would achieve; and if making the designation will significantly assist them to achieve the objectives.

Key Aims of Proposed Scheme

The key aims of the proposed additional licensing scheme is to:

- Prioritise identification, inspection, and enforcement of HMOs with highest risk of serious conditions and poor management
- Protect the health, safety and welfare of tenants through improved property conditions and management
- Improve intelligence and data on HMOs, leading to better regulation of the sector, and detection of non-compliance

Related Strategies and Their Consistency with an Additional Licensing Scheme

The guidance requires that any additional licensing scheme must be consistent with other related strategies. The following information evidences that an addition licensing scheme would be consistent with the Council's related strategies.

Council Plan 2018 – 2022

The Council Plan sets out six outcomes that the Council seeks to achieve:

- Birmingham, an entrepreneurial city to learn, work and invest in
- Birmingham, an aspirational city to grow up in
- Birmingham, a fulfilling city to age well in

- Birmingham, a great, clean and green city to live in
- Birmingham, a city whose residents gain the most from hosting the Commonwealth Games; and
- Birmingham a city that takes a leading role in tackling climate change.

The Plan is currently being refreshed, but good quality housing for all is an important aspect of the City Council's goals.

An additional licensing scheme is a one of the tools available to improve standards in the private rented sector. The proposed scheme would fit within the fourth outcome - 'Birmingham, a great, clean and green city to live in'. Specifically, the implementation of additional licensing will contribute to priorities 2 and 3 of the eight priorities to achieve this outcome:

Priority 2 - We will have the appropriate housing to meet the needs of our citizens

An additional licensing scheme will ensure that all HMOs meet a minimum housing standard, which gives the tenant a stable home and helps with building stable communities. Tenants would be confident that accommodation meets the minimum energy efficiency requirements which would contribute to the green city aspiration.

An additional licensing scheme will also contribute to alleviating fuel poverty as measures to improve standards will ensure that heating appliances are properly checked, maintained, and working efficiently.

Priority 3 - We will work with partners to tackle rough sleeping and homelessness.

The availability of, and living in improved housing conditions, should contribute to the reduction in homelessness.

An awareness of all private rented sector property in the relevant 25 wards and engagement with both tenants and landlords will ensure all parties are aware of the protections in place under the tenancy. It is hoped that this will prevent illegal evictions and help support landlords by resolving tenant disputes. Enabling security of tenure and wrapping around partner services will hopefully reduce homelessness from the private rented sector which we are aware is a major contributor to homelessness in Birmingham.

Homelessness Prevention Strategy 2017+

Since March 2018, the number of customers being made homeless from the private rented sector has increased. There are a variety of reasons for this, including disrepair. By ensuring that landlords meet a set housing management standard it would be expected that there would be a reduction of homeless applications for this reason.

A landlord who is required to have a licence but does not, loses the right to automatic possession of the rented property under an assured shorthold lease under Housing Act 1988, s.21 (as amended s.75). Thereby offering extra protections from illegal evictions.

With a licence the Licence holder must supply to the occupiers of the house a written statement of the terms on which they occupy the property. This is usually a tenancy or licence agreement. This ensures the tenants understand their commitment and that of their landlord, but also the agreement in terms of length of tenancy and notice periods. This adds that protection of occupying under a legal framework.

Empty Properties Strategy

The Council's Empty Property Strategy aims to bring privately owned properties back into use. Empty properties adversely affect the lives of people in the vicinity. They attract vandalism and anti-social behaviour. In addition, empty properties have a negative impact on the surrounding living environment and drive down property values.

There is great demand for family accommodation in the city and most of the empty properties reported are houses. Bringing these properties back into use will contribute to the supply of family accommodation. An additional licensing scheme will assist with ensuring that the standards are maintained and reduce the likelihood of the property becoming void/empty.

Private Rented Sector Strategy 2022 – 2027

The Council's Private Rented Sector Strategy identifies the key challenges facing Birmingham and sets out the Council's priorities for tackling them.

It is generally accepted that poorly managed private rented accommodation can negatively impact individual residents, neighbourhoods, and the wider community – “the broken window” syndrome. Conversely, properly managed and maintained accommodation will help reduce environmental crime and increase community cohesion.

The Council's vision is to "Achieve long term and sustainable improvements in the quality of private rented sector through engagement and regulation". To achieve this vision, the Council has defined a number of priorities. The proposed scheme would fit within Priority 2 "Identify and implement local initiatives to address local issues". In order to meet this priority, the strategy states that we will:

- Undertake a review of the city's Houses of Multiple Occupation (HMO) and implement Additional Licensing if required.

Evidence Base

HMO & Tenant Complaints

Complaints made by tenants to the Council about HMOs are common and are distributed across all wards. The Council received 1,441 complaints related to HMOs over a 5 year period between 2016 and 2021. Complaints regarding poor property conditions and inadequate property management can be an indicator of low-quality properties.

Figure 4 shows the number of complaints by ward linked to predicted HMOs between 2016 and 2021. HMOs in Bournbrook & Selly Park (153) and Stockland Green (74) received the most complaints

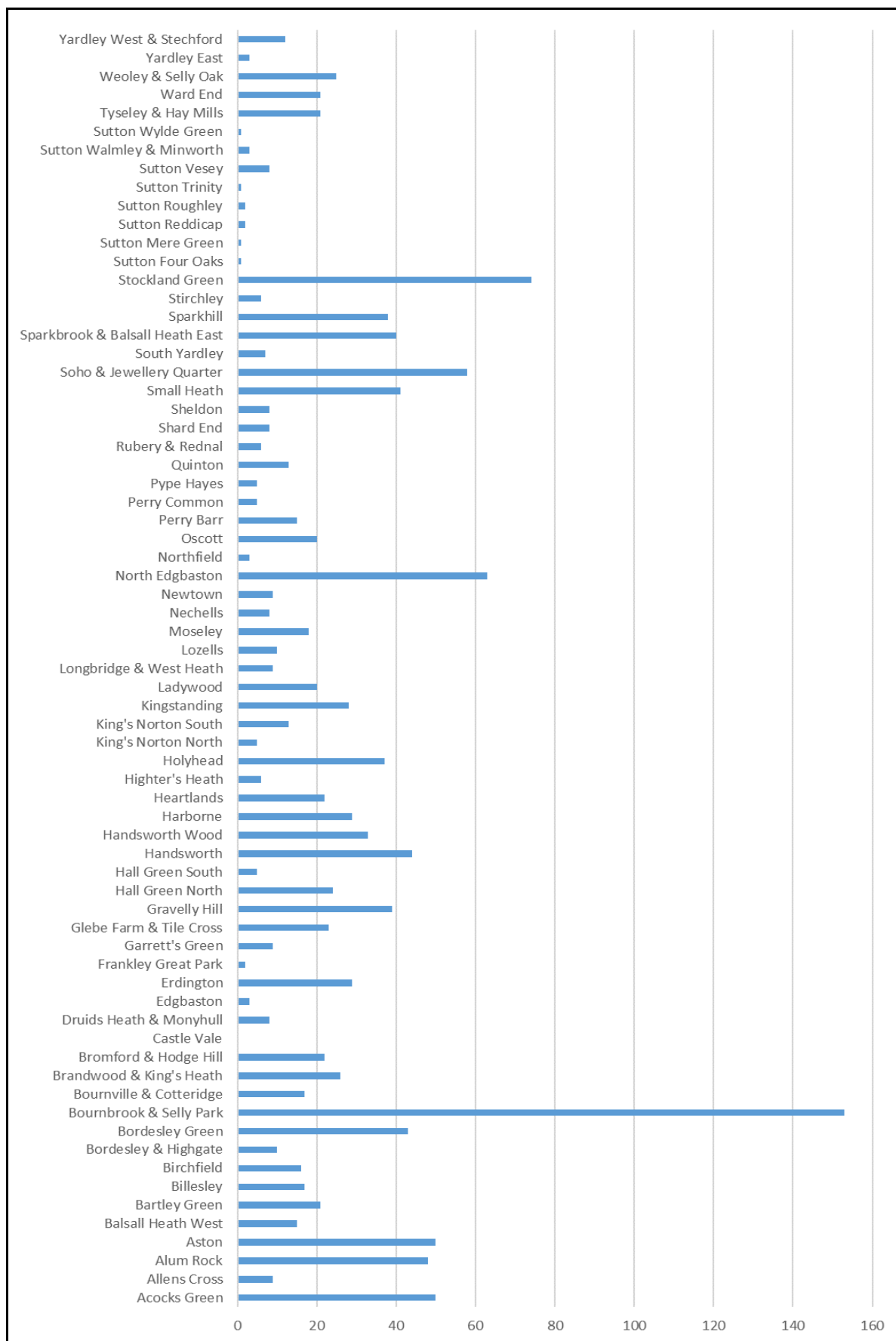


Figure 4. Complaints by ward linked to HMOs (s.254) (Source Ti 2022)

HMOs and Hazards

There are a predicted 5,866 private rental properties in Birmingham that are likely to have a serious home hazard (Category 1, Housing Health and Safety Rating System). This represents 49.1% of the HMO stock, significantly higher than the national average (12%) for the private rented sector as a whole.

Figure 5 shows the number of Category 1 hazards linked to predicted HMOs broken down by ward.

Predicted HMO properties with serious hazards are distributed across the city with Bournbrook & Selly Park (231) and Soho & Jewellery Quarter (196) having the highest number of properties with at least one Category 1 hazard (HHSRS).

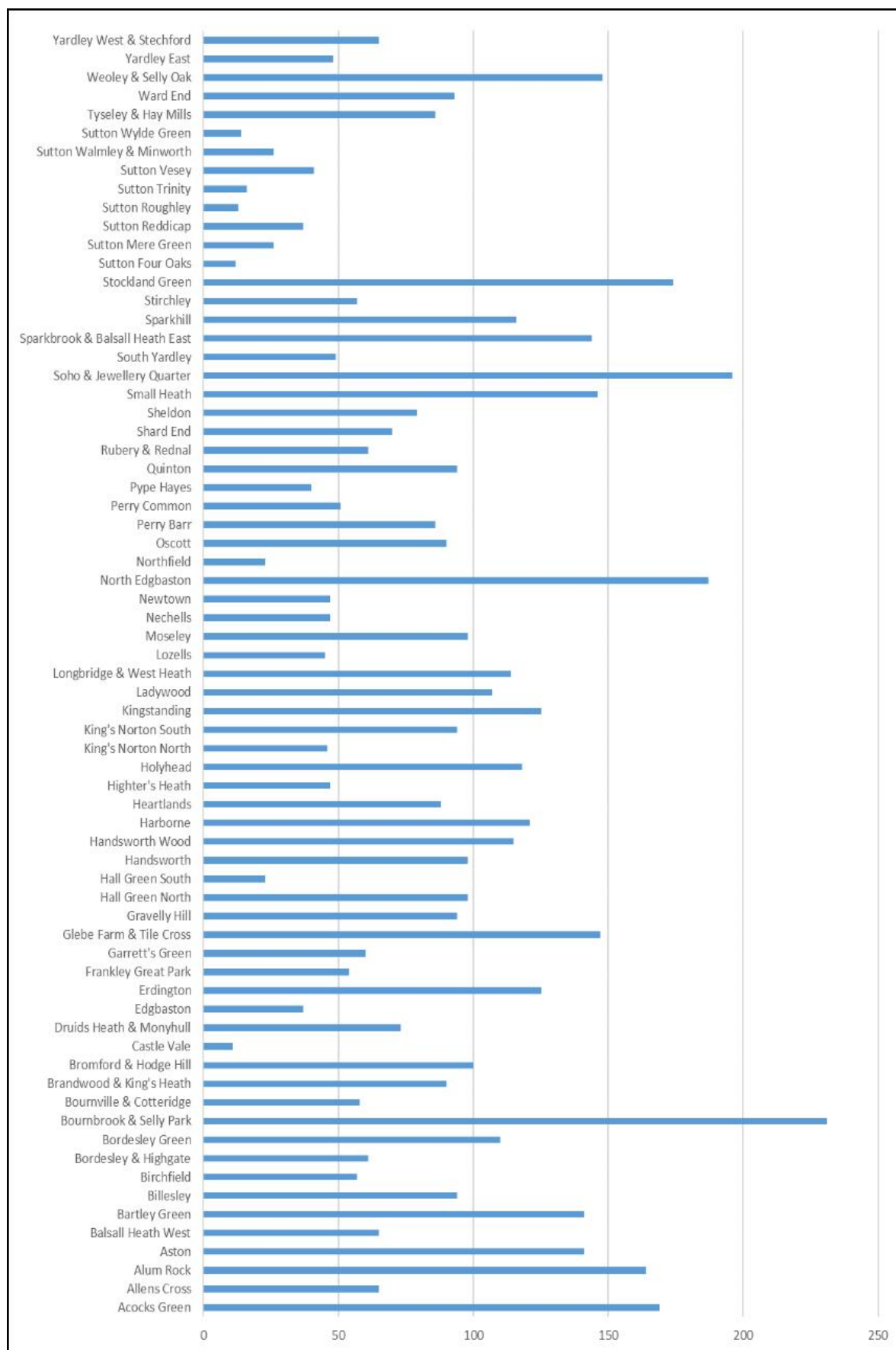


Figure 5. Category 1 hazards linked to predicted HMOs (s.254) (Source Ti 2022)

Energy Efficiency

Under the Energy Performance of Buildings (England and Wales) Regulations 2012, whenever a property is rented, an Energy Performance Certificate (EPC) is required,. The certificate contains information about the property's energy use, typical energy costs and provides recommendations about how to reduce energy use and save money. The energy performance of a building is rated on a scale of A to G. A indicates a highly efficient property, G indicates low efficiency

These regulations put obligations on landlords of private rented domestic properties in relation to their energy performance. The Regulations set the minimum energy efficiency rating for all private rented properties and make it unlawful for properties with an energy performance rating of F or G to be let. Essentially a landlord who rents a property with an EPC rating below an E will be required to undertake work to improve its energy performance. Additional Licensing imposes conditions which will ensure HMO properties which are licensed meet the legal requirements of Energy Efficiency, ensuring that all tenants live in warmer and more energy efficient homes. The rating is from A to G.

Figure 6 show the distribution of current Energy Performance Certificate ratings in HMOs. It is estimated that 215 HMOs have an F and G rating and are therefore likely to fail the MEES statutory requirement.

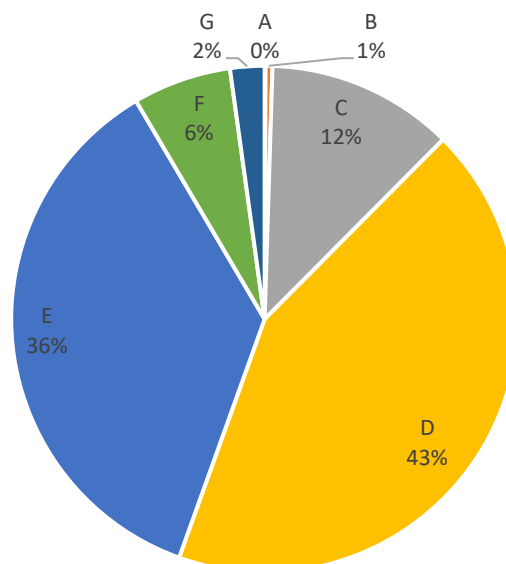


Figure 6. Distribution of current Energy Performance Certificate ratings in predicted HMOs (Rating A-G)(Source Ti 2022).

HMOs and Waste Incidents

The number of waste incidents that have been recorded by the Council over the last 5 years and have been linked to predicted HMOs are shown in Figures 7 and 8. Waste incidents not linked to residential premises are excluded from these figures.

The figures relate to waste that has not been properly disposed of, including dumped rubbish and accumulations of waste. Incidents that could not be linked to an individual HMO have been put aside. For example, waste incidents reported on a street corner that cannot be linked to a residential property are excluded.

28,490 records have been linked to 6,848 predicted HMOs. The original pool of data linked to a residential property included 106,831 records. Therefore, 26.7% of all waste records can be attributed to predicted HMOs in Birmingham. Soho & Jewellery Quarter (1,496) and Bordesley Green (1,297) have the highest number of waste incidents linked to HMOs.

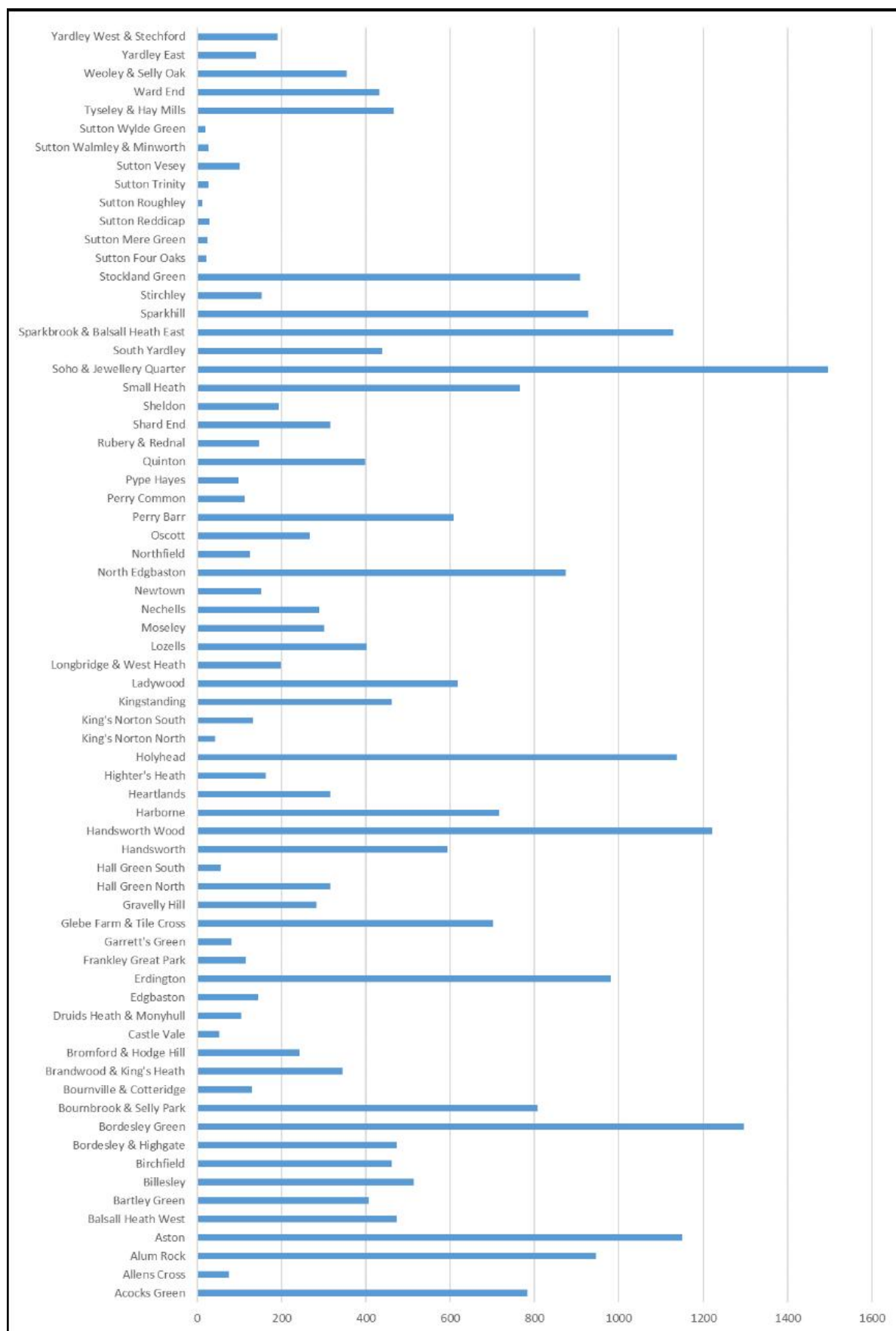


Figure 7. Waste records linked to predicted HMOs (s.254) (Source Ti 2022).

Waste Issues (HMO)

- 0 to 200
- 200 to 400
- 400 to 600
- 600 to 800
- 800 to 1000
- 1000 to 1200
- 1200 to 1400
- 1400 to 1600

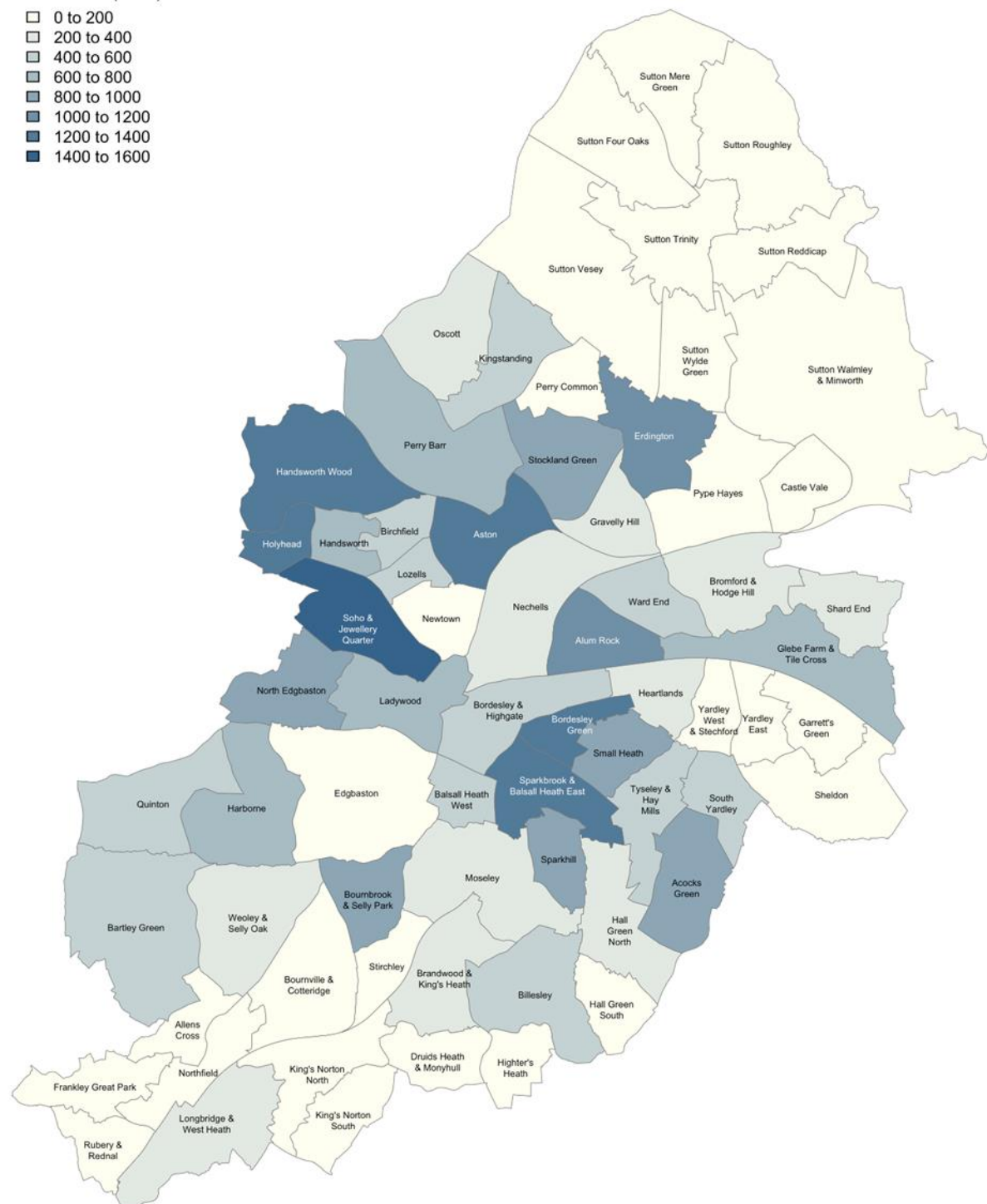


Figure 8. Heatmap showing number of waste incidents related to predicted HMOs (s254) by ward (Source Ti 2022).

HMO & Anti-Social Behaviour (ASB)

Over a 5-year period to between 2016 and 2021, 11,241 ASB incidents have been linked to 4,107 HMOs in Birmingham. 1,599 HMOs were the source of 2 or more incidents over the same period.

A high level of ASB can be used as a proxy indicator of poor property management. HMO properties typically have higher levels of transience which can result in higher waste production, more noise and other issues if the property is not managed well. Figures 9 and 10 show the number of ASB incidents associated with predicted HMO premises (ASB incidents not linked to residential premises are excluded from these figures). Bromford & Hodge Hill (468) & Bartley Green (435) have the highest recorded level of ASB.

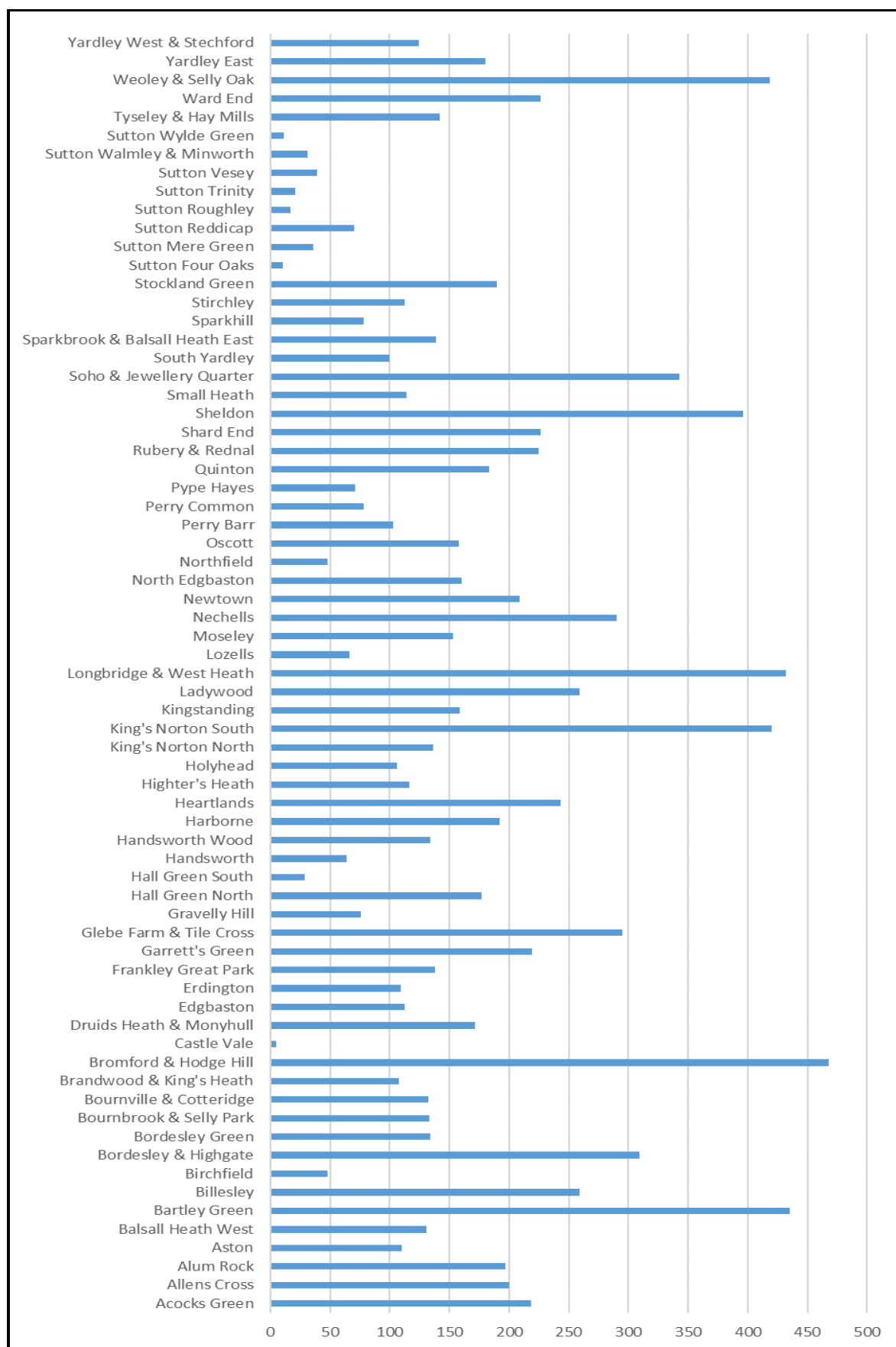


Figure 9. Number of ASB incidents linked to predicted HMOs (s254) by ward (Source Ti 2022).

ASB Incidents (HMO)

- 0 to 50
- 50 to 100
- 100 to 150
- 150 to 200
- 200 to 250
- 250 to 300
- 300 to 350
- 350 to 400
- 400 to 450
- 450 to 500

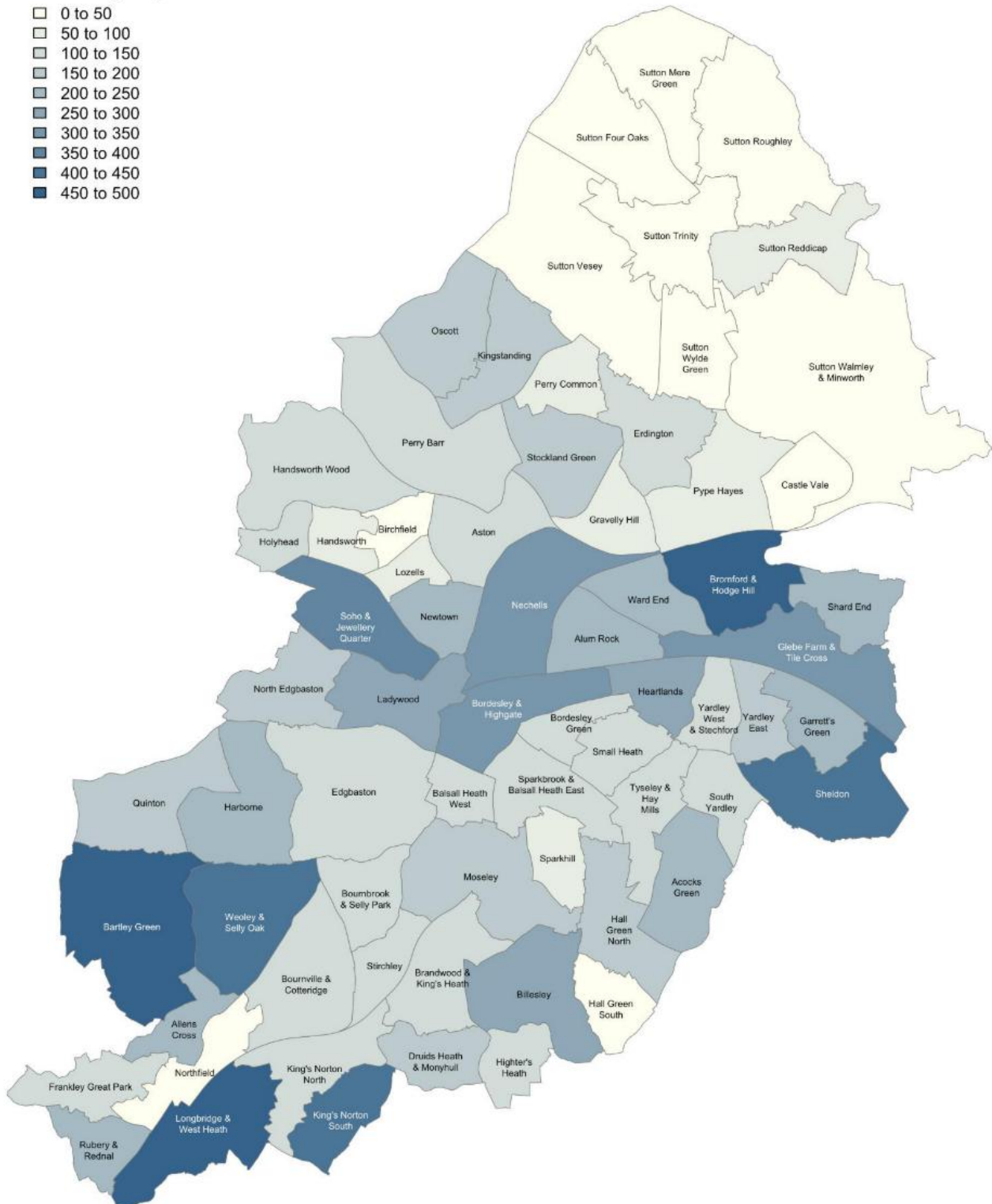


Figure 10. Heatmap showing number of ASB incidents linked to predicted HMOs (s.254) by ward (Source Ti 2022).

ASB incident in Birmingham City can be split into various sub-categories including noise, neighbour nuisance, harassment, vehicle nuisance, intimidation, drug and substance misuse (Figure 11).

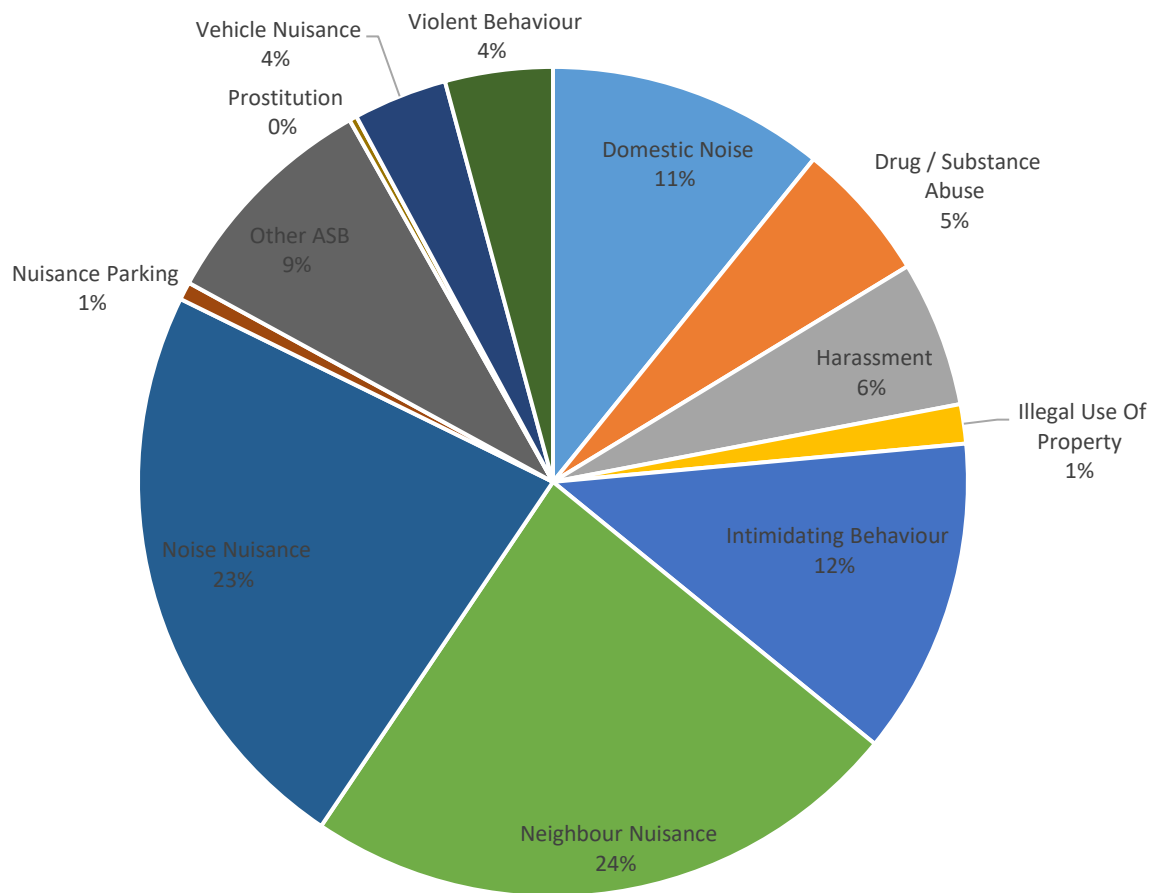


Figure 11. Types of ASB linked to predicted HMOs (s.254) (Source Ti 2022).

Repeat ASB incidents at any given property can be an indicator of properties that are poorly managed by their owners and start to identify a pattern of poor behaviour. 1,599 HMOs were the source of two or more incidents between 2016 and 2021 (Figures 12 and 13). Bartley Green (62) and Weoley & Selly Oak (62) have the highest recorded level of repeat ASB.

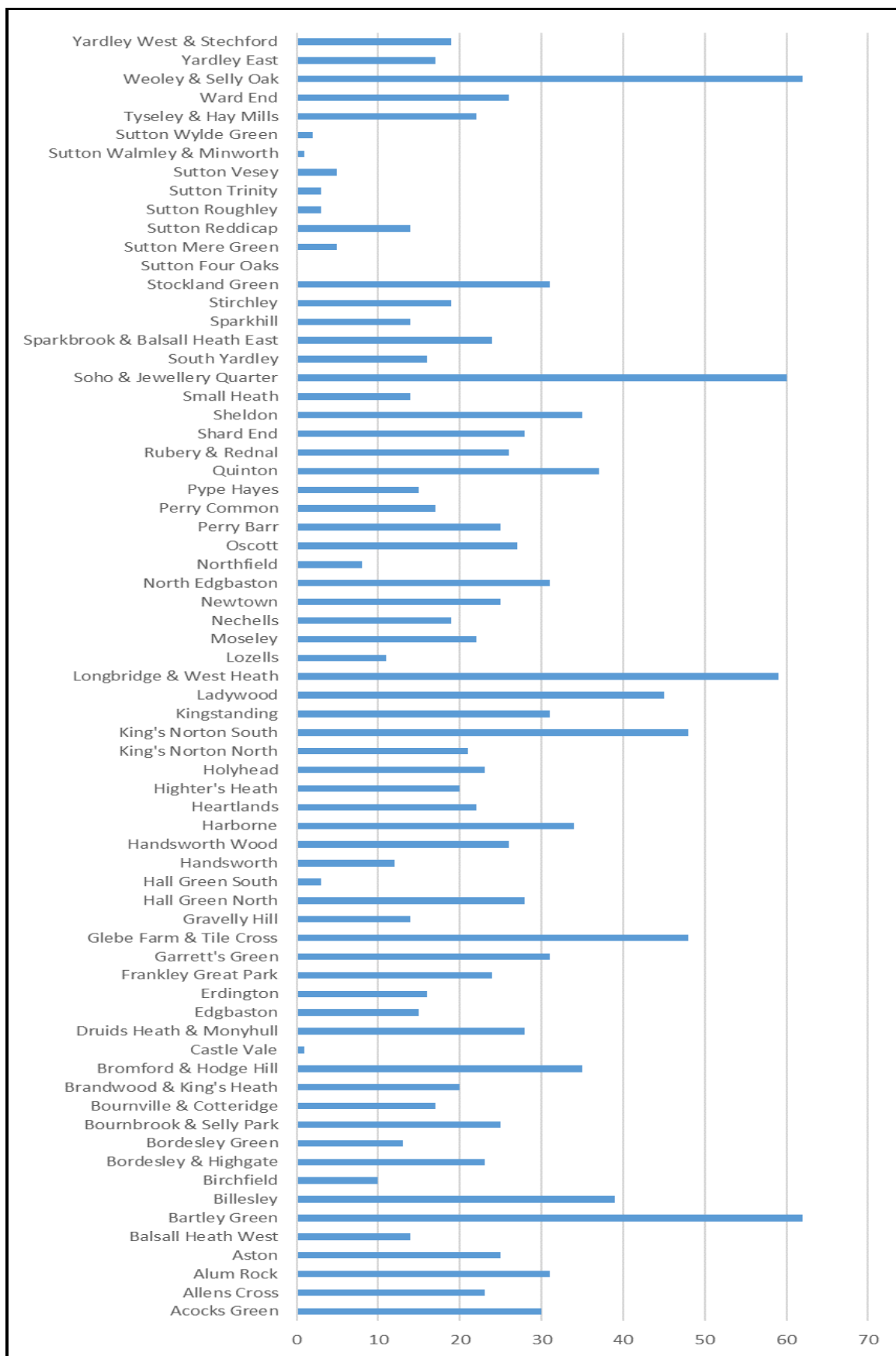


Figure 12. Two or more ASB incidents linked to HMOs (s.254) by ward (Source Ti 2022).

Repeat ASB Incidents (HMO)

- 0 to 10
- 10 to 20
- 20 to 30
- 30 to 40
- 40 to 50
- 50 to 60
- 60 to 70

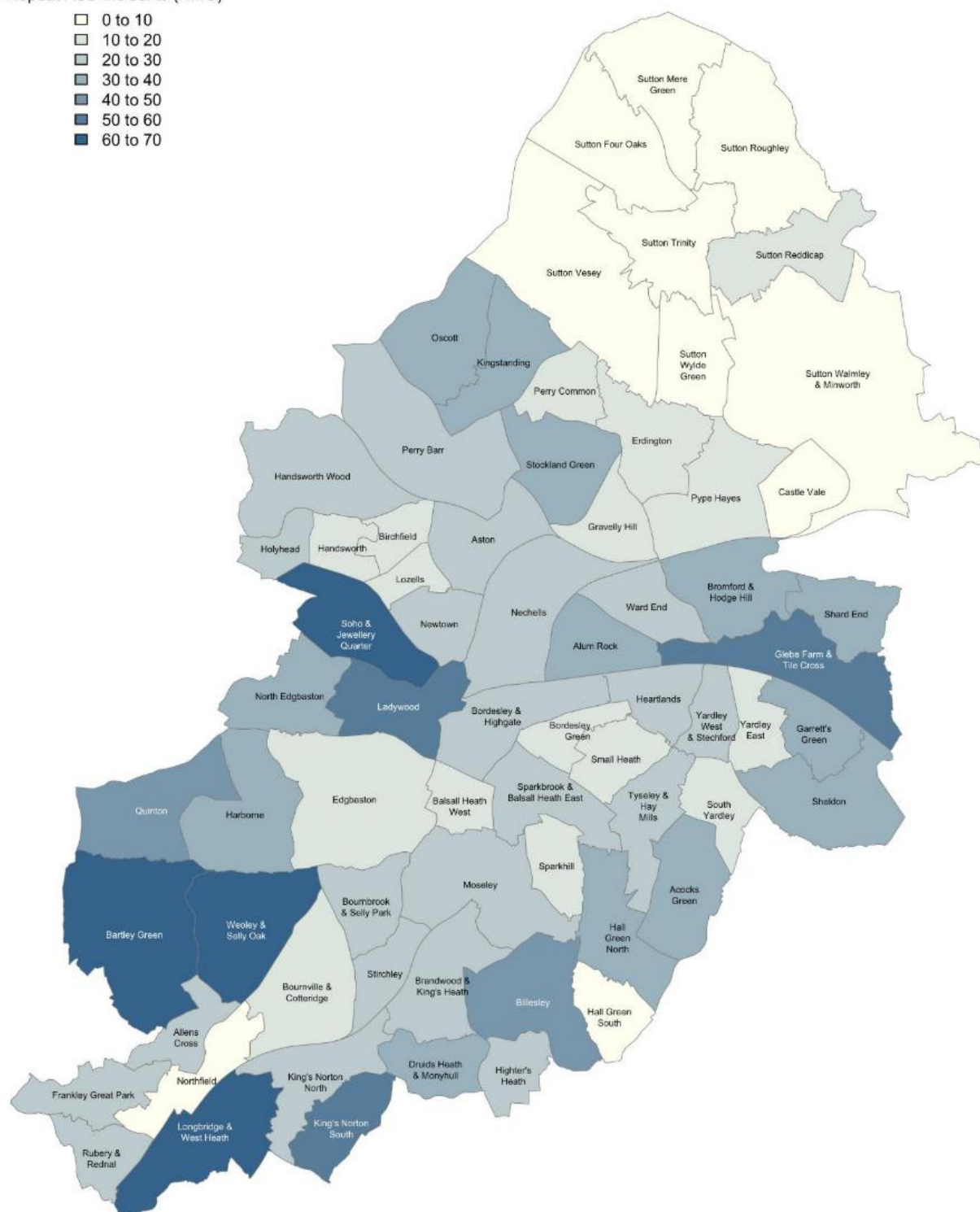


Figure 13. Heatmap showing repeat ASB incidents linked to predicted HMOs (s.254) by ward (Source Ti 2022).

Evidence Summary

The city is predicted to have 11,933 HMOs that share basic amenities ("section 254 HMOs") distributed across all 69 wards. Bournbrook & Selly Park has the highest number of HMOs (1,159), followed by Soho & Jewellery Quarter (418) & North Edgbaston (414)

215 HMOs have an Energy Performance Certificate Rating of F and G rating and are therefore likely to fail the Minimum Energy Efficiency Standard statutory requirement.

Complaints made by tenants about HMOs are common and are distributed across all wards with the Council receiving 1,441 complaints between 2016 and 2021. The highest number of complaints were related to Bournbrook and Selly Park (153) and Stockland Green (74).

The Council predicts that 5,866 HMOs in Birmingham are likely to have a serious home hazard (Category 1, HHSRS). This represents 49.2% of the HMO stock, significantly higher than the national average (12%) for the private rented sector as a whole.

28,490 waste incidents are linked to 6,848 HMOs. Soho and Jewellery Quarter (1,496) and Bordesley Green (1,297) have the highest number of waste incidents linked to HMOs. The original pool of waste data linked to a residential property included 106,831 records. Therefore, 26.7% of all waste records have been attributed to predicted HMOs although they only make up 2.6% of all dwellings (452,754).

Over a five-year period to March 2021, 11,241 ASB incidents have been linked to 4,107 predicted HMOs in Birmingham (approximately a third of predicted HMOs). Bromford & Hodge Hill (468) & Bartley Green (435) have the highest recorded level of ASB.

1,599 HMOs (14.2% of the total) were the source of two or more incidents over the same period which can be an indicator of properties that are poorly managed. Bartley Green (62) and Weoley & Selly Oak (62) have the highest recorded level of repeat ASB incidents linked to predicted HMOs.

The data shown in the above section provides the evidence that supports the view that a significant proportion of HMOs in Birmingham are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public. The Council are

therefore proposing to licence all HMOs not already covered by mandatory licensing including those in purpose-built blocks and those living in section 257 HMOs.

Data Summary

The table below and continued on pages 31 and 32 provides a summary of the main evidentiary data referred to in this report.

Ward	All figures below relate to predicted HMOs				
	No. of HMOs	Complaint recorded against HMOs	ASB incidents linked to HMOs	Repeat ASB incidents linked to HMOs	Waste issue linked to HMOs
Acocks Green	293	50	218	30	784
Allens Cross	92	9	200	23	75
Alum Rock	339	48	197	31	945
Aston	311	50	110	25	1151
Balsall Heath West	163	15	131	14	473
Bartley Green	225	21	435	62	407
Billesley	161	17	259	39	514
Birchfield	159	16	48	10	461
Bordesley & Highgate	146	10	309	23	473
Bordesley Green	267	43	134	13	1297
Bournbrook & Selly Park	1159	153	133	25	808
Bournville & Cotteridge	118	17	132	17	130
Brandwood & King's Heath	157	26	108	20	345
Bromford & Hodge Hill	173	22	468	35	242
Castle Vale	32	0	5	1	52
Druids Heath & Monyhull	109	8	171	28	104
Edgbaston	93	3	112	15	145
Erdington	248	29	109	16	982
Frankley Great Park	95	2	138	24	115

Ward	No. of HMOs	Complaint recorded against HMOs	ASB incidents linked to HMOs	Repeat ASB incidents linked to HMOs	Waste issue linked to HMOs
Garrett's Green	94	9	219	31	81
Glebe Farm & Tile Cross	244	23	295	48	702
Gravelly Hill	172	39	76	14	283
Hall Green North	174	24	177	28	316
Hall Green South	43	5	29	3	56
Handsworth	188	44	64	12	593
Handsworth Wood	213	33	134	26	1222
Harborne	297	29	192	34	717
Heartlands	145	22	243	22	316
Highter's Heath	77	6	116	20	162
Holyhead	280	37	106	23	1137
King's Norton South	133	13	420	48	132
Kingstanding	194	28	159	31	461
Ladywood	265	20	259	45	618
Longbridge & West Heath	182	9	432	59	199
Lozells	123	10	66	11	401
Moseley	176	18	153	22	300
Nechells	100	8	290	19	289
Newtown	113	9	209	25	151
North Edgbaston	414	63	160	31	874
Northfield	56	3	48	8	125
Oscott	134	20	158	27	267
Perry Barr	174	15	103	25	607
Perry Common	89	5	78	17	113
Pype Hayes	75	5	71	15	97
Quinton	168	13	183	37	398
Rubery & Rednal	87	6	225	26	147
Shard End	124	8	226	28	315

Ward	No. of HMOs	Complaint recorded against HMOs	ASB incidents linked to HMOs	Repeat ASB incidents linked to HMOs	Waste issue linked to HMOs
Sheldon	124	8	396	35	194
Small Heath	251	41	114	14	766
Soho & Jewellery Quarter	418	58	343	60	1496
South Yardley	101	7	100	16	439
Sparkbrook & Balsall Heath East	331	40	139	24	1129
Sparkhill	251	38	78	14	928
Stirchley	103	6	112	19	153
Stockland Green	348	74	190	31	908
Sutton Four Oaks	17	1	10	0	21
Sutton Mere Green	34	1	36	5	24
Sutton Reddicap	56	2	70	14	29
Sutton Roughley	19	2	17	3	11
Sutton Trinity	29	1	21	3	27
Sutton Vesey	70	8	39	5	101
Sutton Walmley & Minworth	39	3	31	1	27
Sutton Wylde Green	22	1	11	2	19
Tyseley & Hay Mills	156	21	142	22	466
Ward End	174	21	226	26	433
Weoley & Selly Oak	261	25	418	62	355
Yardley East	82	3	180	17	140
Yardley West & Stechford	109	12	124	19	191

Table 1. Summary of evidentiary data by ward

Alternative options considered

We have considered several other courses of action to address the issues described in this report. However, we do not believe that either individually, or collectively, that they would prove sufficiently effective, or be as an effective means of tackling anti-social behaviour and waste problems related to HMOs in the city. Below are the alternative approaches that we have considered and explains why we do not believe they are not sufficient to meet the city's objectives.

Use of Housing Act 2004 enforcement powers

The Council's enforcement powers in respect of the private rented sector are largely provided by the Housing Act 2004, with other public health legislation being applied where necessary and appropriate.

Under the Act, formal notices can be served that require improvements to be carried out. Should these improvements not be carried out, the Council can carry out works in default if a notice is not complied with. Landlords also risk being prosecuted if they do not comply with a notice.

Using the range of tools at its disposal, the Council will decide on the most appropriate action on a case by case basis. Formal action is generally a slow process with appeal provisions against most types of notices served, which can significantly delay the time for compliance. These powers do not place any obligation on landlords to be proactive in improving conditions. Work in default can be effective but is expensive and time consuming for the Council, with the risk that costs will not be recovered without significant delays. Whilst it is a powerful tool, it is still reactive,

Lastly, successful prosecutions do not themselves secure improvements in property conditions and the Council's prosecution costs will not always be met in full.

Voluntary landlord accreditation schemes to facilitate improvement in property conditions and management standards

The Council supports landlords in being members of accreditation schemes and recognises the benefits it can bring to both landlord and tenant in the successful management and sustainment of tenancies. However, accreditation requires voluntary landlord engagement and rogue landlords are unlikely to actively engage in these initiatives.

There is no single intervention that will achieve an overall solution to reducing anti-social behaviour and waste problems, and each measure will have its limitations. Additional licensing will provide a mechanism which allows for a co-ordinated approach for strong effective partnerships, which will link agencies and services together for the benefit of tenants and the communities they live in.

Mandatory Licensing

Mandatory licensing refers to the licensing of Houses in Multiple Occupation (HMO) where the premises are occupied by five or more people who form two or more households. This licensing regime has been in place in the city since 2006, but only covers a proportion of the HMO sector. If additional licensing was not implemented, this Mandatory Licensing would still take place.

Mandatory Licensing is able to ensure that standards are in place for specific, individual premises but does not apply to all HMOs. Therefore, the use of this mandatory licensing regime alone would not meet the objectives of ensuring all high risk housing is addressed.

Do Nothing

The proposed Additional Licensing scheme puts in place clear, set standards, that are advertised and consistent, ensuring that the risk across Houses in Multiple Occupation is addressed.

It places an emphasis on proactive application by landlords, allowing the Council to focus resources on those operating outside of the scheme.

While basic statutory standards can be enforced without a scheme, this would be on a reactive, complaint-based process, that does not lead to a consistent standard of protection to tenants, nor provision of clear standards for landlords to refer to. This will lead, even inadvertently, to new premises not meeting statutory requirements.

In line with Council commitments and requirements of putting the community first, and protecting the vulnerable and families, doing nothing is not an option.

Licence Fee

The Council will exercise its powers to charge under Section 63(7) of the Housing Act 2004 and does so taking into account the Provision of Services Regulations 2009.

Section 63(7) of the Act permits the Council to require any application for a licence under Part 2 is accompanied by a licence fee and that this fee may cover all costs incurred by the Council in carrying out its function.

In calculating the fee, the Council has set out the process for handling a licence application. This process includes the costs relating the set up costs, the administrative process involved in handling an application, the legal processes involved in proposing the licence and conditions and finally making the decision to either grant the licence or refuse it. The fee covers the entire period of the scheme.

This process has identified that the costs incurred to carry out the function of additional licensing to be £755 per licence application and is due in two parts (see table below).

Individual Property Licence Fee(s)	Standard Fee
Total Licence Fee	£755
Part A – Application Fee	£325
Part B - Fee on approval	£430

The first part (Part A) of the licence fee is payable when the licence application is submitted and is for the assessment and processing of the application to the stage of issuing the decision notice and, where applicable, the draft licence.

The second part (Part B) of the licence fee is due following the issue of a draft licence but prior to the licence being issued.

This fee structure reflects the cases of *R (on the application of Hemming (trading as Simply Pleasure Ltd) and Others) v Westminster City Council* and *R (Gaskin) v Richmond-upon-Thames*.

The fee must be paid in full in order for the licence application to be considered as having been duly made and, if it is not, then the application will not be considered, and

a licence cannot be granted. If an application is unsuccessful the Part B fee will not be required.

In principle the Council should not make a surplus from the scheme, neither should it make a loss. It is intended that the fees will be reviewed on an annual basis. This could mean that the fees charged may need to be increased or reduced depending on whether the number of applications received deviates from the assumed profiles or fluctuations in the running costs.

The Council is not proposing to have a discounted fee structure for membership of a landlord accreditation scheme, nor an “early bird” discount. This is because the fee is calculated to cover the administration of the scheme. Being a member of a landlord accreditation scheme or applying early does not reduce the resources required to administer a scheme.

As such, a reduced fee option would only result in a short fall in the amount of income from the fees that is required to cover the expenditure costs of administering the scheme. Such a shortfall would potentially risk the success of the scheme in that licences would not be determined within a reasonable timescales, compliance visits would not occur, and illegally operating rented property would not be tackled as appropriate staff resource would not be in place. Furthermore, the landlords paying the full fee would potentially be subsidising those paying the reduced fee.

The Council intends to deliver online resources and training to landlords in the future to raise awareness of property management standards.

The table below details the additional circumstances where either Part A, Part B, or both parts are due, and where no fee is due.

Change of licence holder	Standard fee (Part A & B)
Variation of licence – <ul style="list-style-type: none"> • Change of property owner, freeholder, mortgagee, or leaseholder • Change of property manager • Change of address details • Agreed change in number of occupiers • Increase in number of rooms or changes in room size and/or amenities 	No fee
Licence variation instigated by the Council	No fee
Licence application following revocation	Standard fee (Part A & B)
Licence application refused	Part A fee
Property ceases to be licensable during application process	Part A fee
Application withdrawn by applicant	Part A fee
Application made in error	No fee

Licence Conditions

The licence conditions will include the mandatory conditions set out in schedule 4 of the Housing Act 2004 as well discretionary licence conditions designed to assist in meeting the objectives and desired outcomes of the scheme. The proposed conditions can be found in Appendix 1 on pages 41 to 47.

Penalties for not having an additional licence

Failing to have a licence is a criminal offence and subject to an unlimited fine upon conviction. Listed below are details of possible breaches:

- it is an offence if the landlord or person in control of the property fails to apply for a licence and he/she is liable on summary conviction to an unlimited fine
- a licence holder who breaches any of the licence conditions is liable on conviction to a fine not exceeding level 5

- it is a criminal offence to obstruct the Local Authority in carrying out their functions under Parts 1 to 4 and sections 239 and 240 and is liable upon conviction a fine not exceeding level 4 on the standard scale
- overcrowding - a landlord committing an offence of overcrowding is liable on conviction to a fine not exceeding level 2 on the standard scale and to a further fine not exceeding one-tenth of the amount corresponding to that level in respect of every day subsequent to the day on which he is convicted on which the offence continues

Under s.324 of the Housing Act 1985 a 'dwelling' (home) is overcrowded when the number of persons sleeping in the dwelling is such as to contravene:

- 1) the standard specified in section 325 (the room standard)
- 2) the standard specified in section 326 (the space standard)

Consequences of not having an additional licence

The following are some of the consequences of not having a licence:

- A landlord who is required to have a licence but does not, loses the right to automatic possession of the rented property under an assured shorthold lease under HA1988, s.21 (as amended s.75).
- Tenants may make an application to a Residential Property Tribunal for a Rent Repayment Order (RRO) if the landlord has been convicted of the offence of operating a licensed property without a licence.
- If rents were paid through Housing Benefit, the Council will use its powers under the Act to seek RROs for repayment of twelve months' Housing Benefit or for the period since the landlord was required to license the HMO, if less. We may also provide tenants with information about how to apply for an RRO.

Defences for not having a licence

The Act provides for three defences to someone who does not have the requisite licence. These are:

- 1) When there is a reasonable excuse for his failure (section 95(1))
- 2) At the relevant time the landlord has notified the local Housing Authority of his intention to cease renting out the property or otherwise no longer be subject to additional licensing and his notification remains effective (section 95(3)(a))
- 3) At the relevant time the landlord has applied for a licence and the application remains effective (section 95(3)(b))

The Council acknowledges that there may be situations beyond the landlord's control that prevent them from applying. Should additional licensing be introduced, it is important that any problems are communicated to the Council as soon as possible so that agreement can be reached.

Exemptions from Additional Licensing

You do not need an additional licence if:

- The property is an HMO that already requires a licence under the mandatory HMO licensing scheme;
- The property is subject to an Interim or Final Management Order under Part 4 of the Housing Act 2004 (i.e. the council have taken over the management of the property);
- The property is covered by a temporary exemption notice.
- The property is managed a local housing authority, registered social landlord, police or fire & rescue authority or a health service body;
- The property is already regulated under certain other statutory provisions (Schedule 1 to SI 2006 Number 373)
- The property falls within an exemption applying to certain student halls of residence;
- The property is occupied principally for the purposes of a religious community whose principle occupation is prayer; contemplation, education or the relief of suffering;

- The property is owner occupied with no more than two lodgers; or
- The property is occupied by just two people who form two households.

Appendix 1 - Proposed Additional Licencing Conditions

Mandatory conditions under Part 2 Housing Act 2004

Condition 1 – Gas

If gas is supplied to the house, the Licence Holder must provide Birmingham City Council a Gas Safety Certificate issued within the previous 12 months at the time of the application and thereafter on demand.

Condition 2 – Electrical Appliances

The Licence Holder must keep electrical appliances made available by them in the house in a safe condition and supply the authority (at the time of the application and on demand thereafter) a declaration by the Licence Holder as to the safety of such appliances.

Condition 3 – Furniture and Furnishings

The Licence Holder must ensure that furniture and furnishings supplied by them are compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended 1989 and 1993) and must provide a declaration as to their safety at the time of application and thereafter on demand.

Condition 4 - Smoke Alarms

- i) The Licence Holder must ensure that smoke alarms are installed on each storey of the house on which there is a room used wholly or partly as living accommodation. A declaration as to the positioning of such alarms must be provided to Birmingham City Council on demand.
- ii) The Licence Holder must ensure that the smoke alarms are kept in proper working order. A declaration as to the proper working order of the alarms must be supplied to the Council on request.

Condition 5 - Carbon Monoxide Alarms

The Licence Holder must ensure that a carbon monoxide alarm is installed in any room which is used wholly or partly as living accommodation and contains a solid fuel combustion appliance. A declaration as to the positioning of such alarms must be supplied to the Council on demand.

Note: Room includes a hall or landing. A bathroom or lavatory is to be treated as a room used for living accommodation. The Licence Holder must ensure that the carbon monoxide alarms are kept in proper working order. A declaration as to the proper working order of such alarms must be supplied to the Council on demand.

Condition 6 – Bedroom Sizes

The Licence Holder must ensure that:

- The floor area of any room in the House of Multiple Occupation (HMO) which is used as sleeping accommodation by one person over the age of 10 years is not less than 6.51 square metres.
- The floor area of any room in the HMO which is used as sleeping accommodation by two persons over the age of 10 years is not less than 10.22 square metres.
- The floor area of any room in the HMO which is used as sleeping accommodation by one person under the age of 10 years is not less than 4.64 square metres.
- Any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.
- Where any room in the HMO which is used as sleeping accommodation by persons aged over the age of 10 years only, it is not used as such by

more than the maximum number of persons aged over 10 years specified in the Licence.

- Where any room in the HMO which used as sleeping accommodation by persons aged under the age of 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the Licence.
- Where any room in the HMO which is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the Licence together with the maximum number of persons aged under 10 years as so specified.

Condition 7 - Terms of Occupation

The Licence Holder must supply to the occupiers of the house a written statement of the terms on which they occupy the HMO. This is usually a tenancy or licence agreement. A copy of the terms will be provided to the Council on demand.

Condition 8 – Waste

The Licence Holder must ensure that suitable and adequate provision is made for the storage and disposal of domestic refuse from the house and that the Council's arrangements for storage and waste disposal are adhered to.

Discretionary Conditions

Condition 9 – Bedroom area

Any area of the room in which the ceiling height is less than 1.5m cannot be counted towards the minimum room size. Communal space in other parts of the HMO cannot be used to compensate for rooms smaller than the prescribed minimum.

Condition 10 – Change of Circumstances

The Licence Holder must notify the Council within 14 days of any material change in circumstances that may affect the validity and terms of the licence.

This would include:

- i) a change of address
- ii) change of manager, management arrangements, or HMO ownership
- iii) any change in the Licence Holders and, if appropriate, a person on whom restrictions or obligations under the licence are imposed, or any associate's circumstances that may affect their status as a fit and proper person under the Housing Act 2004
- iv) any proposed changes to the house, including its layout.

Condition 11 – Energy Performance Certificate

The HMO must have a valid Energy Performance Certificate (EPC) throughout the duration of the licence and in compliance with the Minimum Energy Efficiency Standard in place at the time. The EPC should be displayed clearly in a common part of the HMO.

Condition 12 – Security

The Licence Holder must:

- i) Carry out a lock change prior to a new tenant taking up occupation when the previous tenant has not returned all keys.
- ii) Ensure that provisions for securing access to the premises are maintained in good working order at all times, and sufficient to prevent reasonable attempts of forced entry.

- iii) Ensure occupiers have access to the necessary keys to access the security provisions, including window locks if fitted.
- iv) Where a burglar alarm is fitted to the HMO, the Tenant(s) is (are) made aware of the code, how the alarm is operated and the circumstances under which the code for the alarm can be changed.
- v) So far as reasonably practicable, any works necessary to protect the security of the HMO are undertaken within 24 hours of notification e.g. damage to windows/entry points to the HMO.

Condition 13 – Crime and Anti-Social Behaviour

The Licence Holder must:

- i) ensure that all reasonable and practical steps are taken to prevent or reduce criminality or anti-social behaviour by the occupants of, and visitors to, the HMO.
- ii) where complaints of criminality or anti-social behaviour are made to the Licence Holder, the Licence Holder shall investigate them and take appropriate action to resolve them. Copies of the complaint shall be kept together with notes arising during the course of the investigation and how the matter was resolved; and the Licence Holder must keep them for the duration of the Licence. Where the Licence Holder has reason to believe that criminal activity is taking place at the HMO or the curtilage of it, the Licence Holder must ensure that the appropriate authorities e.g. Police, are informed.
- iii) There may be instances where anti-social behaviour occurs more than once, but not continuously and possibly intermittently over several months. In such circumstances the Licence Holder shall, as far as is reasonably practicable, take all steps required to ensure that it is effectively dealt with, up to and including eviction.

Condition 14 – Refuse and recycling

The Licence Holder must:

- i) Provide suitable and sufficient provision for storage of refuse generated in the HMO and ensure that occupants use receptacles provided by the Council for storage prior to collection. No waste or waste receptacle must cause obstruction.
- ii) Ensure that all tenants upon commencement of their tenancy are given details about the refuse storage arrangements, including the collection dates for refuse, recycling and green waste, and how to present their waste.
- iii) Ensure that any kind of refuse which the Council will not ordinarily collect (e.g. large items, bedding, furniture, hazardous waste etc.) are disposed of responsibly and appropriately.
- iv) Ensure that no refuse or bulky waste items are kept in the front or rear garden otherwise within the curtilage other than in an appropriate storage container for that purpose. These areas are also to be kept free of litter. The Licence Holder is also responsible for ensuring that any kind of refuse which the Council will not ordinarily collect (e.g. large items of furniture, hazardous waste etc.) are disposed of responsibly and appropriately.

Condition 15 – References

The Licence Holder must demand references from persons who wish to occupy the house. No new occupiers should be allowed to occupy the HMO if they are unable to provide a suitable reference. When referencing, consideration must be given to the prospective tenant's previous tenancy history, and right to rent checks. The Licence Holder must provide evidence of such reference and checks carried out when requested by the Council. The Licence Holder must respond to any tenant reference requests they receive within 14 days.

Condition 16 – Inventory

The Licence Holder must arrange to carry out a detailed inventory to be agreed with each tenant at the start of their occupation of the house. The Licence Holder must provide the tenant with a copy of the agreed inventory and keep their own copy.

Condition 17 – Rent Payments

The Licence Holder must ensure that there is a record of all rent payments received in respect of the HMO. All occupiers should be given a rent book or similar receipt for payments made, such as a rent statement. If rent is due weekly, this should be provided to the tenant each week. If rent is due monthly, this should be provided to the tenant at monthly intervals as a minimum.

Condition 18 – Copy of licence

The Licence Holder shall give the tenant(s) a copy of the licence to which these conditions relate at the start of their tenancy together. A copy of the licence shall also be displayed in a prominent position in the common parts of the HMO.

Condition 19 - Emergency Arrangements

The Licence Holder must have in place appropriate emergency and other management arrangements in the event of their absence. The name and contact details of the alternative contact must be provided to the occupant/occupiers.

Appendix 2

Birmingham City Council

Houses in Multiple Occupation (HMO): Stressors Report

May 2022



Executive Summary

Metastreet were commissioned by Birmingham City Council to review Houses in Multiple Occupation in the city and assess stressors related to this sub-tenure.

The information provided in this report will facilitate the development and delivery of Birmingham's housing strategy and enable a targeted approach to tackling poor housing in the private rented sector (PRS).

The main aim of this review was to investigate and provide accurate estimates of:

- Information on the number of Houses in Multiple Occupation (HMOs) as a subset of the PRS
- Other housing related stressors, including antisocial behaviour (ASB), tenant/property complaints and waste incidents linked directly to HMOs
- Assist the council to make policy decisions

Metastreet has developed a stock-modelling approach based on metadata and machine learning to provide insights about the prevalence and distribution of a range of housing factors.

The housing models are developed using unique property reference numbers (UPRN), which provide detailed analysis at the property level.

Data records used to form the foundation of this report include:

Council tax	Electoral register	Nuisance waste records	Tenancy deposit data
Housing benefit	Property complaints and interventions records	ASB complaints and interventions records	Energy Performance data

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Introduction & Project Objectives

Metastreet were commissioned by Birmingham City Council to review its housing stock with a focus on the following key areas:

- Distribution of HMOs
- Housing condition in HMOs (HHSRS)
- Other housing related stressors, including Anti-Social Behaviour (ASB), complaints, and waste

From the original Birmingham data frame developed in 2021 to identify privately rented properties and stressors, a separate updated data frame focused on HMO has been developed specifically for this project. The data frame includes some of the original data but has been refreshed where possible. New training data has been used to build the predictive models.

For the purposes of this review, it was decided that a ward-level summary is the most appropriate basis to assess housing conditions across Birmingham, built up from property level data.

Three predictive tenure models (Ti) have been developed as part of this project which are unique to Birmingham, they include:

- Houses in multiple occupation (HMO)
- Private housing
- Category 1 (HHSRS)

The appendices to the report contain a summary of the data and a more detailed report methodology.

1 Houses in Multiple Occupation

HMOs identified as part of this study are HMOs that share basic amenities (“section 254 HMOs”) The Housing Act 2004 defines HMOs as a “dwelling of 3 or more persons not forming a single household”. Section 254 HMOs are categorised as buildings or flats that are occupied by two or more households and 3 or more persons that share a basic amenity, such as bathroom, toilet, or cooking facilities. This type of rented property represents the cheapest rental accommodation; rented by room with the sharing of amenities (usually kitchen/bathroom).

1.1 HMO Population & Distribution

The modelling estimates that there are 11,933 HMOs in the city, figure 1 shows that they are distributed across all wards.

Bournbrook & Selly Park has the highest number of HMOs (1159), followed by Soho & Jewellery Quarter (418) & North Edgbaston (414).

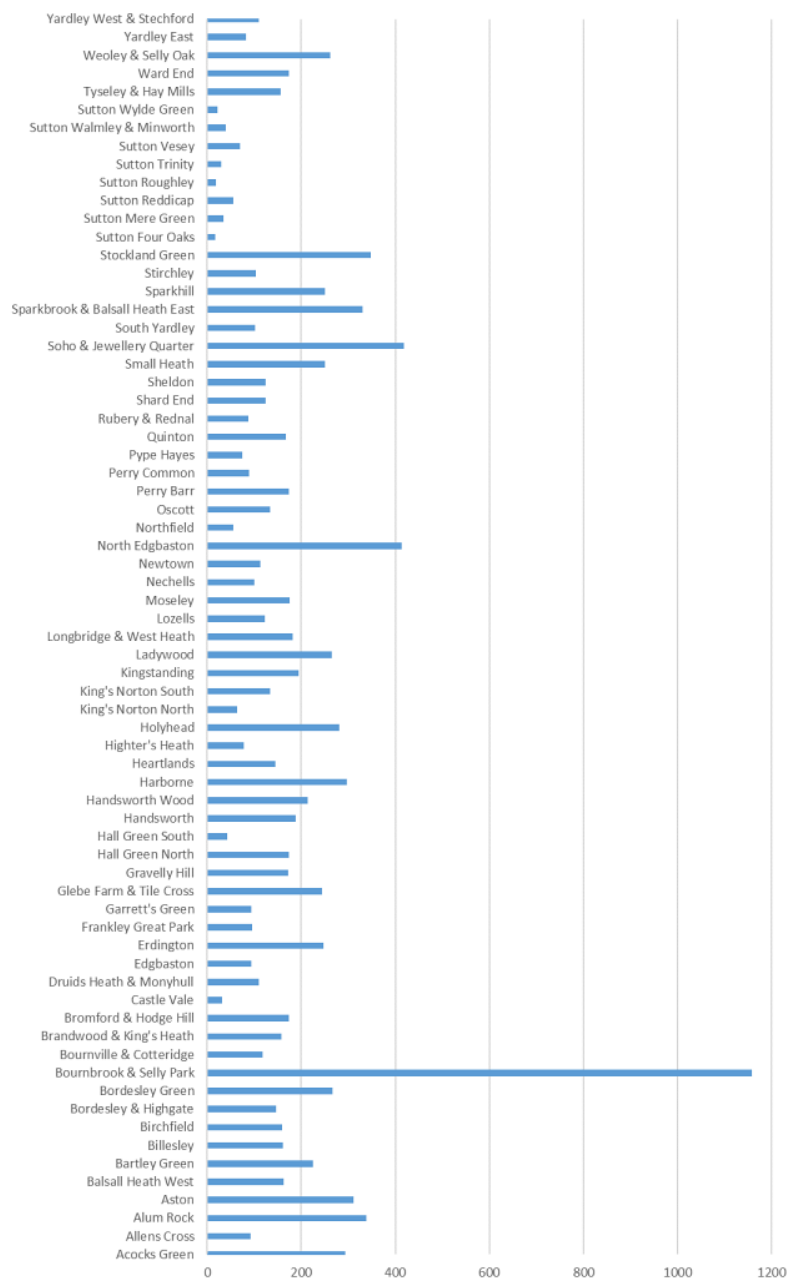
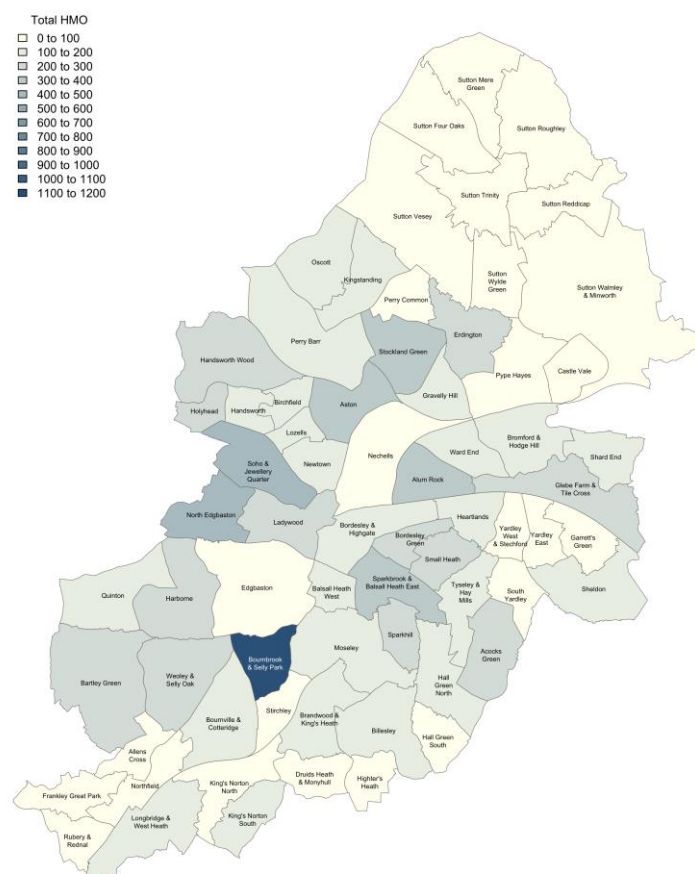


Figure 1. Number of shared amenities HMOs (s254) by ward (Source Ti 2022).



Map 1. Distribution of shared amenities HMOs (s254) by ward (Source: Ti 2022, map by MS).

1.2 HMO & Energy Performance

An Energy Performance Certificate (EPC) rating is an assessment of a property's energy efficiency. It is primarily used by buyers or renters of residential properties to assess the energy costs associated with heating a house or flat. The rating is from A to G. A indicates a highly efficient property, G indicates low efficiency.

The Minimum Energy Efficiency Standard (MEES) came into force in England and Wales on 1 April 2018. The regulation applies to PRS properties and mandates that all dwellings must have an EPC rating of E and above to be compliant. It has been calculated using the matched addresses that **215** HMOs have an F and G rating and are therefore likely to fail the MEES statutory requirement.

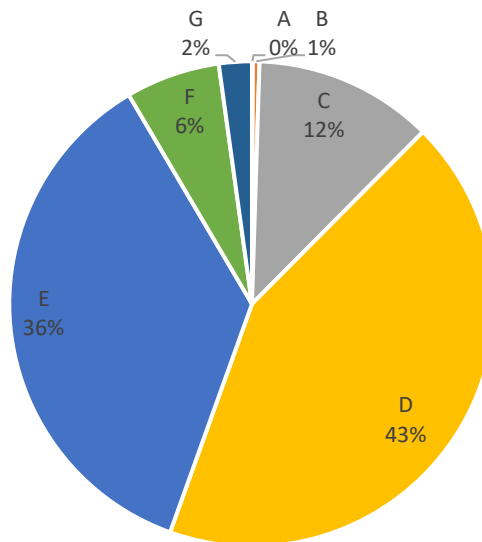


Figure 2. Distribution of current Energy Performance Certificate ratings in HMOs (Rating A-G) (Source: Ti 2022).

EPC records also shows the potential rating. This means the assessment calculates how energy efficient the property could be if the reasonable improvements the EPC recommends were made. Therefore it is possible to compare current against potential EPC rating for any given housing population area (Figure 3).

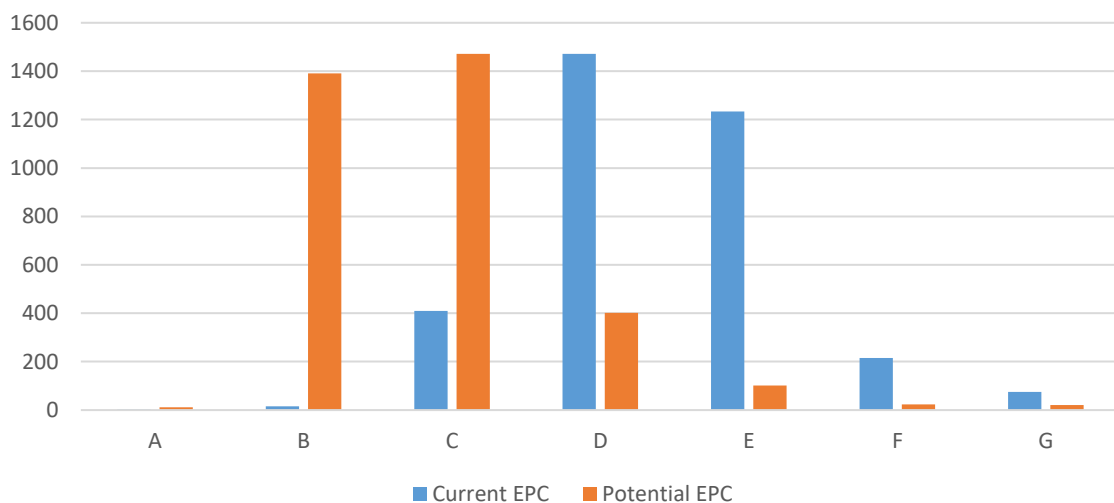


Figure 3. Current and Potential Energy Performance Ratings (EPC) linked to HMOs by ward (Source Ti 2022).

1.3 HMO & Tenant/Property Complaints

Complaints made by tenants & others about HMOs are common and are distributed across all wards, the council has received 1,441 complaints over the 5 years. Complaints regarding poor property conditions and inadequate property management can be an indicator of low-quality properties. Figure 4 shows the number of complaints received by Birmingham City Council linked to HMOs. Bournbrook & Selly Park (153) and Stockland Green (74) received the most complaints.

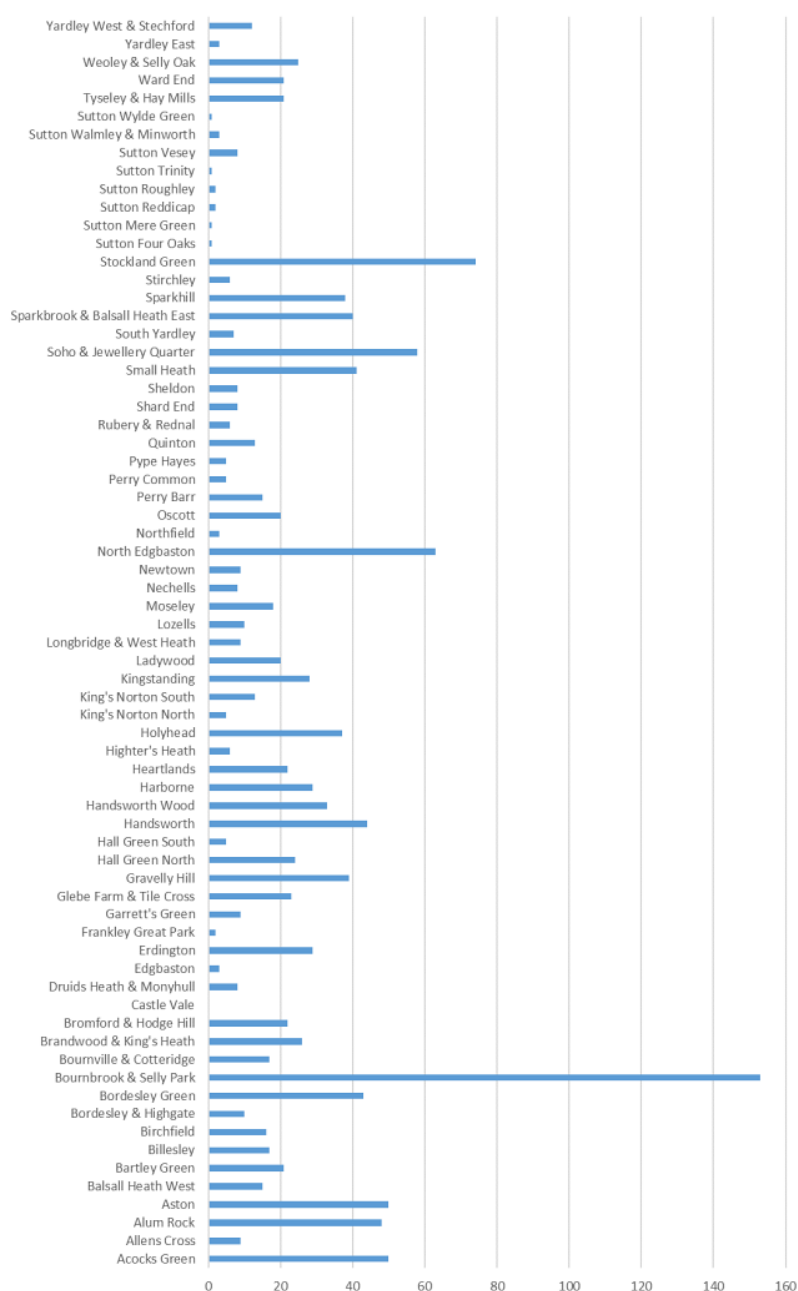
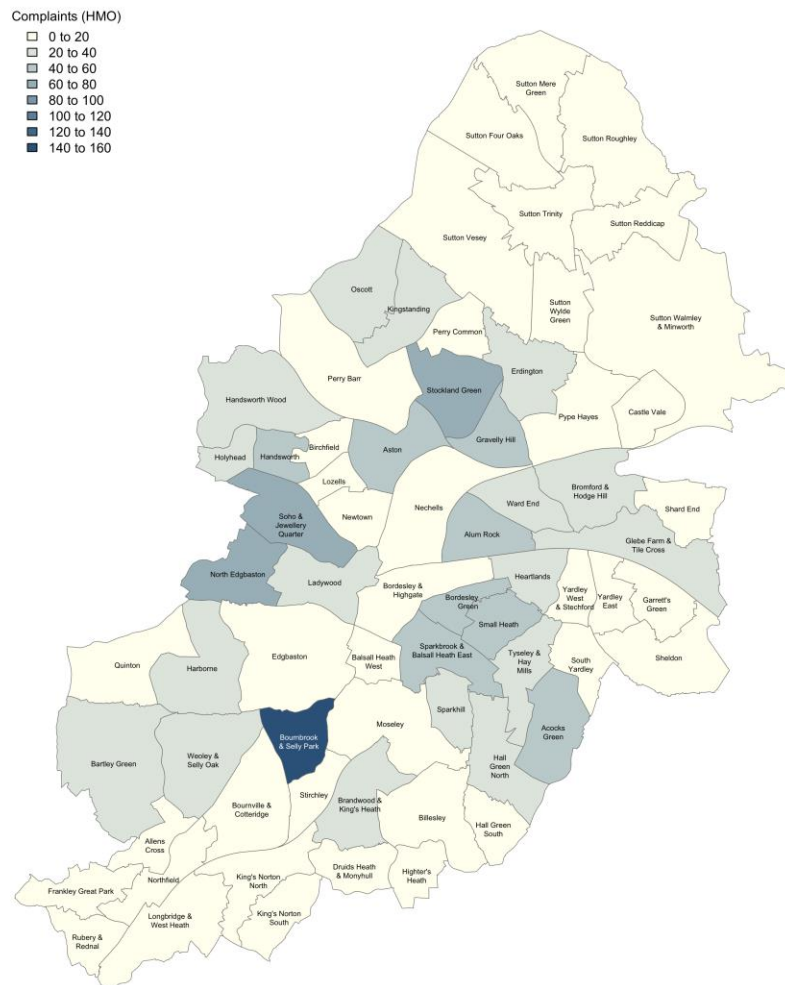


Figure 4. Complaints linked to HMOs by ward (s254) (Source Ti 2022).



Map 2. Distribution of complaints linked to HMOs by ward (s254) (Source: Ti 2022, map by MS).

1.4 HMO & Hazards (HHSRS)

Using a sample of properties that are known to have at least 1 serious housing hazard (Category 1, HHSRS), it is possible to predict the number of HMOs with at least 1 serious hazard across the City. This methodology is focussed on identifying Category 1 hazards, however, it is also likely to identify some high scoring Category 2 hazards.

There are 5,866 HMOs in Birmingham that are likely to have a serious home hazard (Category 1, HHSRS). This represents 49.1% of the HMO stock, significantly higher than the national average (12%) for the PRS as a whole. HMOs properties with serious hazards are distributed across the City. Bournbrook & Selly Park (231) and Soho & Jewellery Quarter (196) have the highest number of properties with at least one Category 1 hazard (HHSRS).

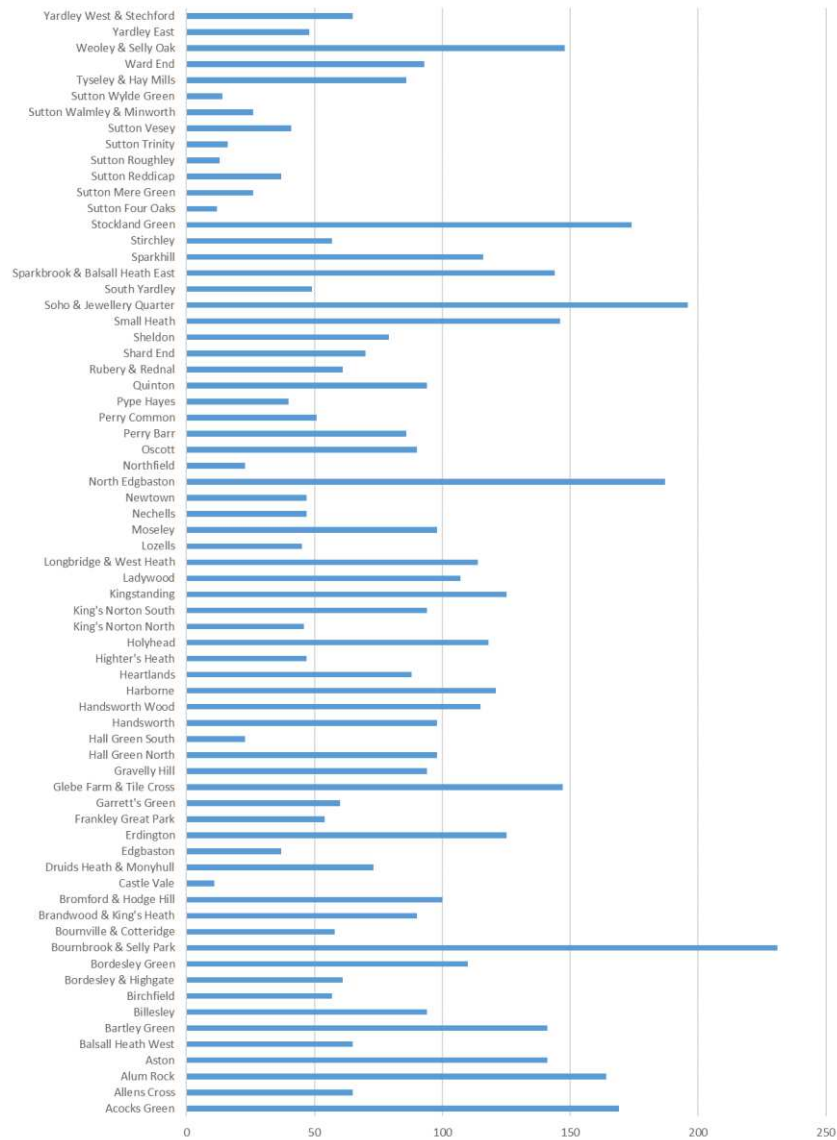
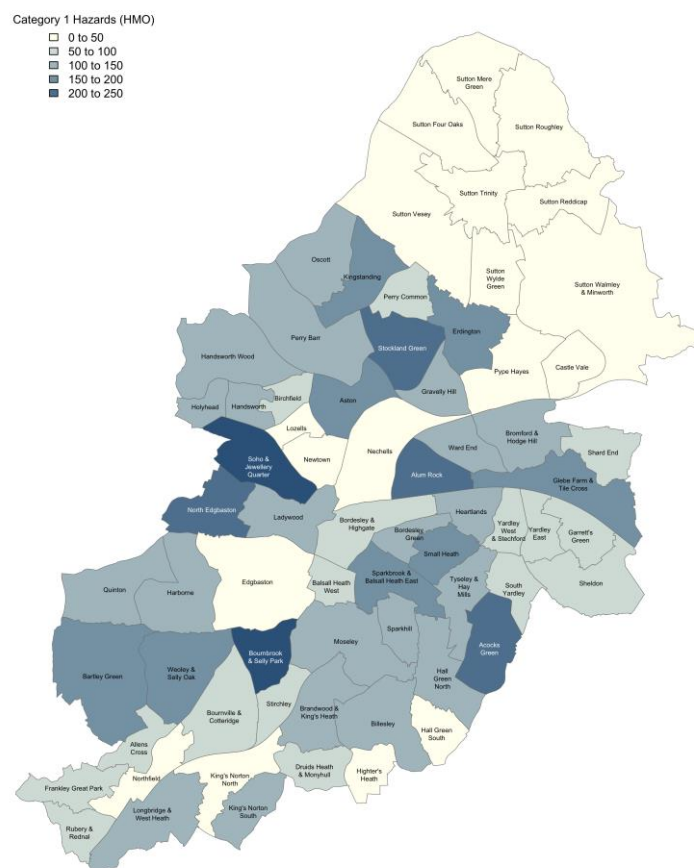


Figure 5. Category 1 hazards linked to HMOs by ward (Source Ti 2022).



Map 3. Distribution of category 1 hazards linked to HMOs by ward (Source: Ti 2022, map by MS).

1.5 HMO & Waste Incidents

The number of waste incidents that have been recorded by the council over the last 5 years and have been linked to HMOs are shown below (Figure 6). Waste incidents not linked to residential premises are excluded from these figures.

They relate to waste that has not been properly disposed of, including dumped rubbish and accumulations of waste. Incidents that could not be linked to an individual HMO have been put aside. For example, waste incidents reported on a street corner that cannot be linked to a residential property are excluded.

The study linked 28,490 records to 6,848 HMOs. The original pool of waste data linked to a residential property included 106,831 records. Therefore, 26.7% of all waste records have been attributed to HMOs in Birmingham. Soho & Jewellery Quarter (1,496) and Bordesley Green (1,297) have the highest number of waste incidents linked to HMOs.

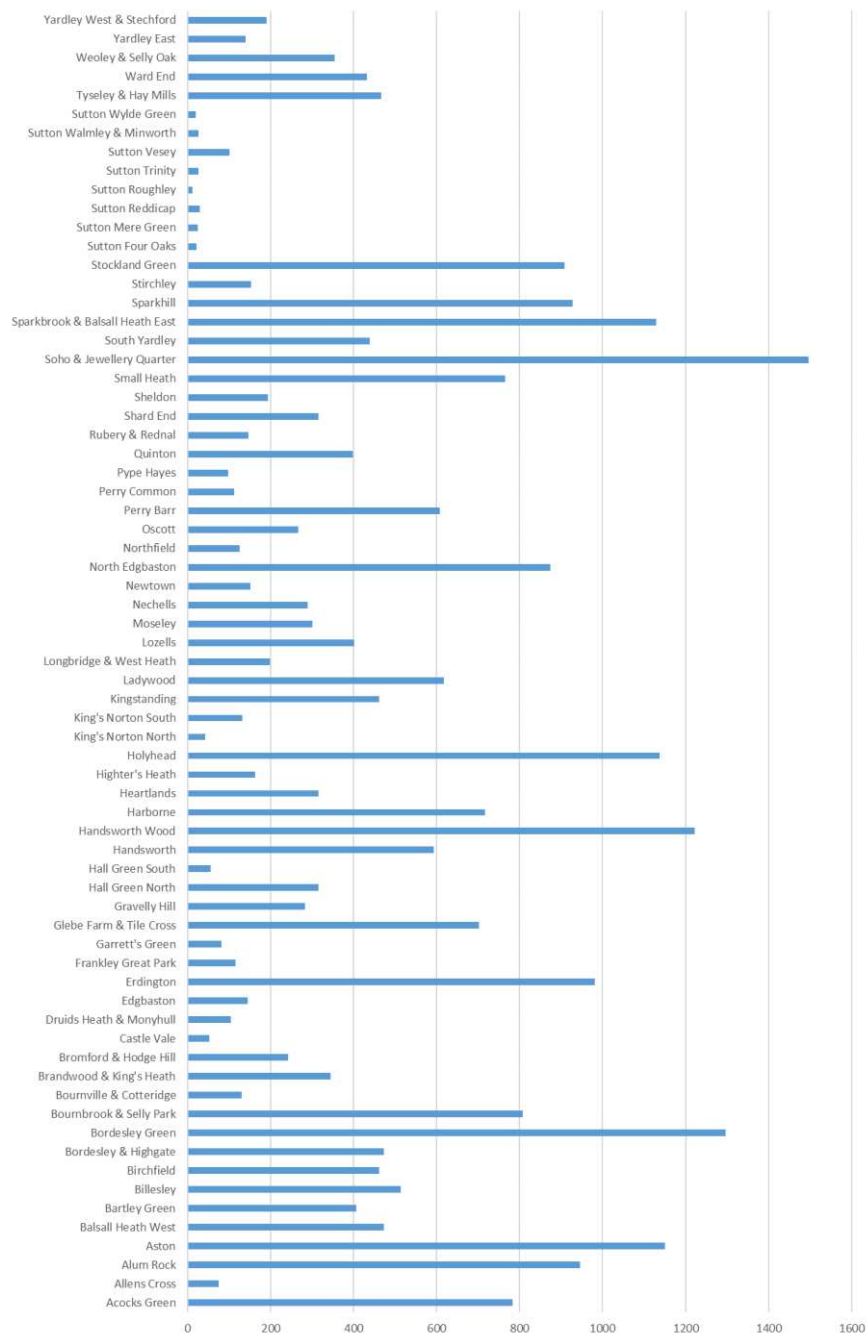
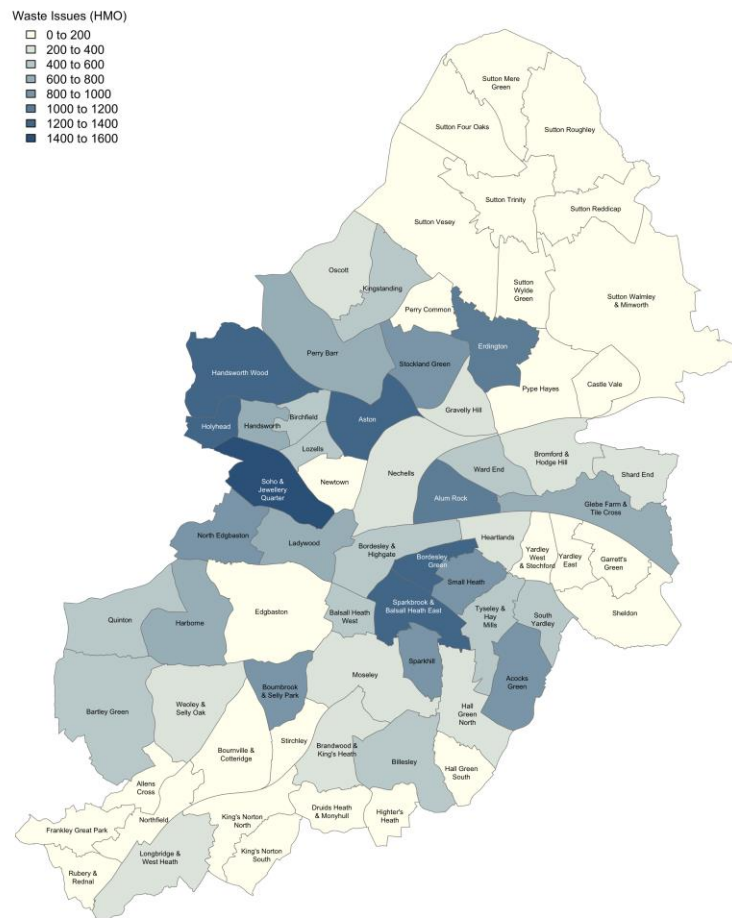


Figure 6. Waste records linked to HMOs (s254) by ward (Source Ti 2022).



Map 4. Distribution of Waste records linked to HMOs (s254) by ward (Source: Tf 2022, map by MS).

1.6 HMO & Anti-Social Behaviour (ASB)

Over a 5-year period, 11,241 ASB incidents have been linked to 4,107 HMOs in Birmingham. 1,599 HMOs were the source of two or more incidents over the same period.

A high level of ASB can be used as a proxy indicator of poor property management. HMO properties typically have higher levels of transience which can result in higher waste production, more noise and other issues if the property is not managed well.

Figure 7 shows the number of ASB incidents (11,241) associated with HMO premises (ASB incidents not linked to residential premises are excluded from these figures). Bromford & Hodge Hill (468) & Bartley Green (435) have the highest recorded level of ASB.

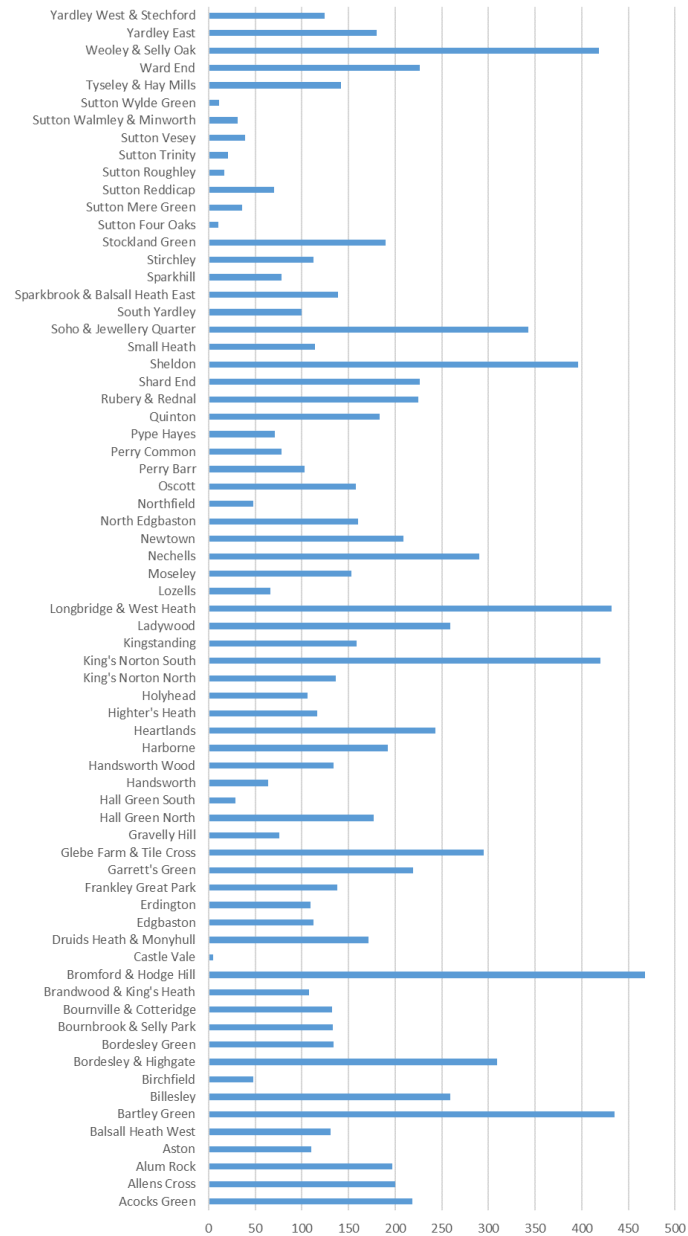
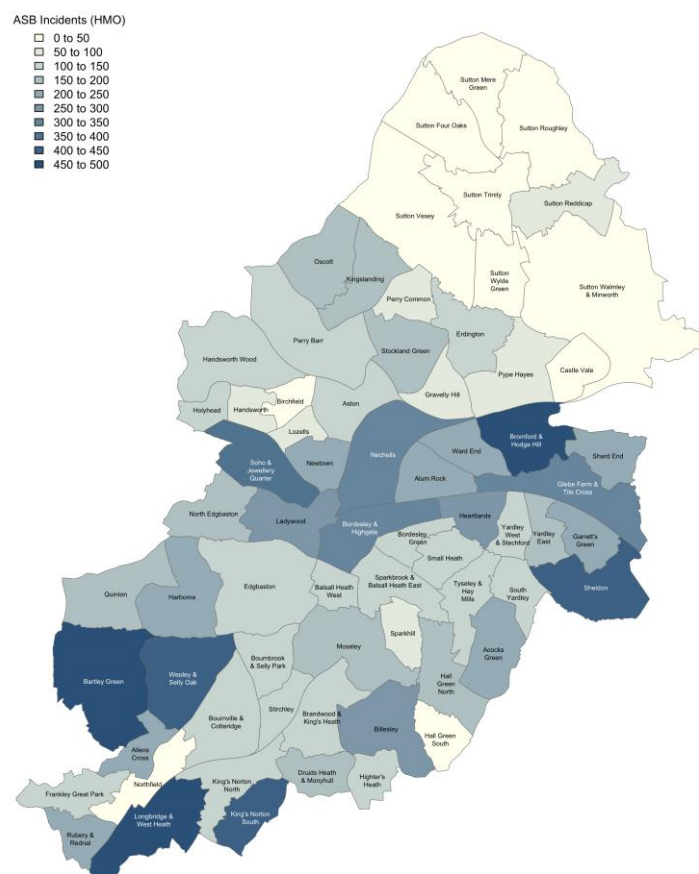


Figure 7. Number of ASB incidents linked to s254 HMOs by ward (Source Ti 2022).



Map 5. Distribution of ASB incidents linked to s254 HMOs by ward (Source: Ti 2022, map by MS).

ASB incidents in Birmingham in the PRS can be split into various sub-categories including noise, neighbour nuisance, harassment, vehicle nuisance, intimidation, drug and substance misuse (Figure 8).

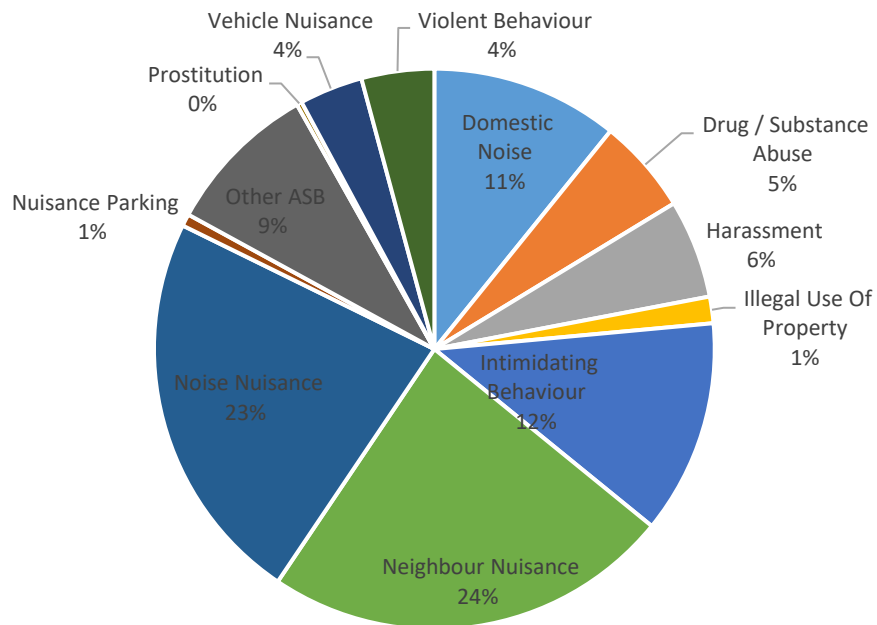


Figure 8. Types of ASB linked to PRS (Source: Ti 2022).

Repeat ASB incidents start to identify a pattern of poor behaviour at any given property. 1,599 HMOs were the source of two or more incidents over the same period (Figure 9).

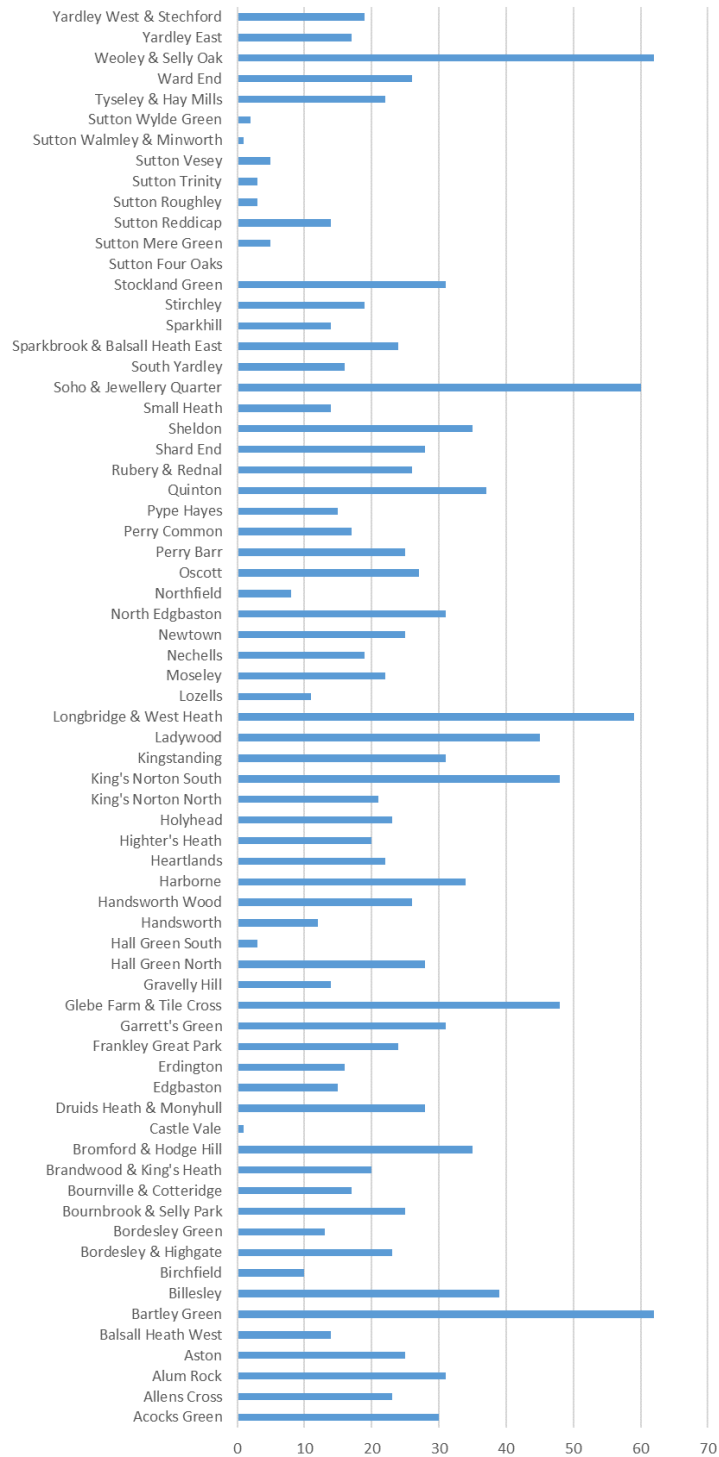
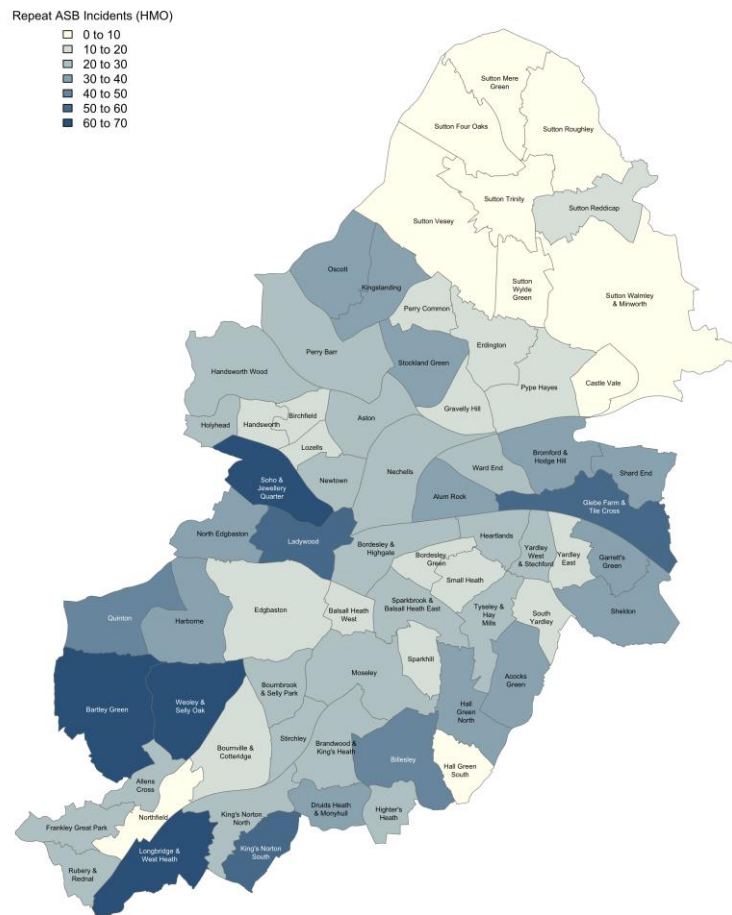


Figure 9. Two or more ASB incidents linked to (s254) HMOs by ward (Source Ti 2022).



Map 6. Distribution of two or more ASB incidents linked to (s254) HMOs by ward (Source: Ti 2022, map by MS).

2 Conclusions

Birmingham City is predicted to have 11,933 HMOs that share basic amenities (“section 254 HMOs”) distributed across all 69 wards. Bournbrook & Selly Park has the highest number of HMO (1,159), followed by Soho & Jewellery Quarter (418) & North Edgbaston (414)

It was found that 215 HMOs have an F and G rating and are therefore likely to fail the MEES statutory requirement.

Complaints made by tenants/others about HMOs are common and are distributed across all wards, the council has received 1,441 complaints about HMOs over the 5 years. Bournbrook & Selly Park (153) and Stockland Green (74) received the most complaints.

The study predicts that 5,866 HMOs in Birmingham are likely to have a serious home hazard (Category 1, HHSRS). This represents 49.1% of the HMO stock, significantly higher than the national average (12%) for the PRS as a whole.

The study linked 28,490 waste records to 6,848 HMOs. Soho & Jewellery Quarter (1,496) and Bordesley Green (1,297) have the highest number of waste incidents linked to HMOs. The original pool of waste data linked to a residential property included 106,831 records. Therefore, 26.7% of all waste records have been attributed to HMOs.

Over a 5 year period to March 2021, 11,241 ASB incidents have been linked to 4,107 HMOs in Birmingham. Bromford & Hodge Hill (468) & Bartley Green (435) have the highest recorded level of ASB. 1,599 HMOs were the source of two or more incidents over the same period.

Appendix 1 – Ward summaries

Table 1. Ward summary overview (Source Ti 2022).

Wards	No. HMOs	Complaint recorded (HMOs)	ASB incidents (HMOs)	Repeat ASB incidents (HMOs)	Waste issues linked to HMOs
Acocks Green	293	50	218	30	784
Allens Cross	92	9	200	23	75
Alum Rock	339	48	197	31	945
Aston	311	50	110	25	1,151
Balsall Heath West	163	15	131	14	473
Bartley Green	225	21	435	62	407
Billesley	161	17	259	39	514
Birchfield	159	16	48	10	461
Bordesley & Highgate	146	10	309	23	473
Bordesley Green	267	43	134	13	1,297
Bournbrook & Selly Park	1159	153	133	25	808
Bournville & Cotteridge	118	17	132	17	130
Brandwood & King's Heath	157	26	108	20	345
Bromford & Hodge Hill	173	22	468	35	242
Castle Vale	32	0	5	1	52
Druids Heath & Monyhull	109	8	171	28	104
Edgbaston	93	3	112	15	145
Erdington	248	29	109	16	982
Frankley Great Park	95	2	138	24	115
Garrett's Green	94	9	219	31	81
Glebe Farm & Tile Cross	244	23	295	48	702
Gravelly Hill	172	39	76	14	283
Hall Green North	174	24	177	28	316
Hall Green South	43	5	29	3	56
Handsworth	188	44	64	12	593
Handsworth Wood	213	33	134	26	1,222
Harborne	297	29	192	34	717
Heartlands	145	22	243	22	316
Highter's Heath	77	6	116	20	162
Holyhead	280	37	106	23	1137
King's Norton North	64	5	136	21	43
King's Norton South	133	13	420	48	132
Kingstanding	194	28	159	31	461

Ladywood	265	20	259	45	618
Longbridge & West Heath	182	9	432	59	199
Lozells	123	10	66	11	401
Moseley	176	18	153	22	300
Nechells	100	8	290	19	289
Newtown	113	9	209	25	151
North Edgbaston	414	63	160	31	874
Northfield	56	3	48	8	125
Oscott	134	20	158	27	267
Perry Barr	174	15	103	25	607
Perry Common	89	5	78	17	113
Pype Hayes	75	5	71	15	97
Quinton	168	13	183	37	398
Rubery & Rednal	87	6	225	26	147
Shard End	124	8	226	28	315
Sheldon	124	8	396	35	194
Small Heath	251	41	114	14	766
Soho & Jewellery Quarter	418	58	343	60	1,496
South Yardley	101	7	100	16	439
Sparkbrook & Balsall Heath East	331	40	139	24	1,129
Sparkhill	251	38	78	14	928
Stirchley	103	6	112	19	153
Stockland Green	348	74	190	31	908
Sutton Four Oaks	17	1	10	0	21
Sutton Mere Green	34	1	36	5	24
Sutton Reddicap	56	2	70	14	29
Sutton Roughley	19	2	17	3	11
Sutton Trinity	29	1	21	3	27
Sutton Vesey	70	8	39	5	101
Sutton Walmley & Minworth	39	3	31	1	27
Sutton Wylde Green	22	1	11	2	19
Tyseley & Hay Mills	156	21	142	22	466
Ward End	174	21	226	26	433
Weoley & Selly Oak	261	25	418	62	355
Yardley East	82	3	180	17	140
Yardley West & Stechford	109	12	124	19	191

Appendix 2 - Tenure Intelligence (Ti) – stock modelling methodology

This Appendix explains at a summary level Metastreet’s Tenure Intelligence (Ti) methodology.

Ti uses a wide range of data to spot trends at the property level. Machine learning is used in combination with expert housing knowledge to accurately predict a defined outcome at the property level.

Council and external data have been assembled as set out in Metastreet’s data specification to create a property data warehouse.

Machine learning is used to make predictions of defined outcomes for each residential property, using known data provided by Birmingham.

Results are analysed by skilled practitioners to produce a summary of housing stock. The results of the analysis can be found in the report findings chapter.

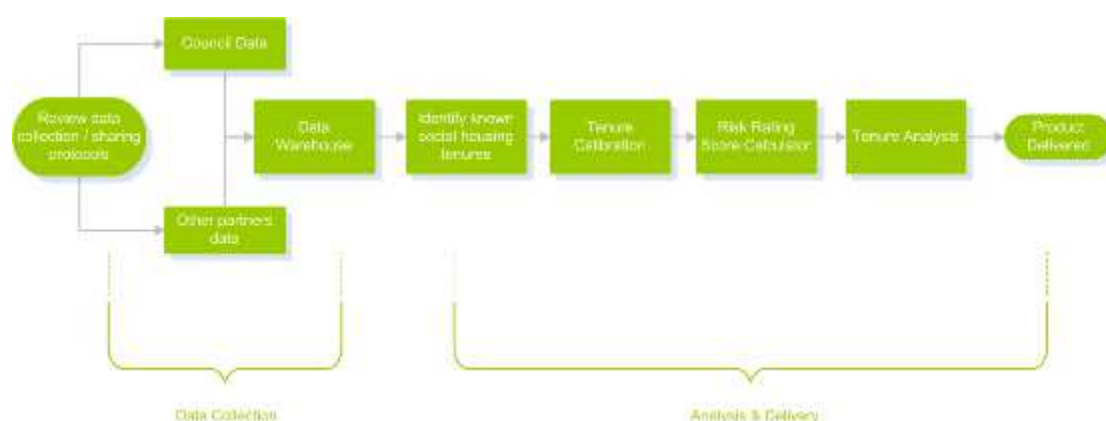


Figure 10. Summary of Metastreet Tenure Intelligence methodology.

Methodology

Metastreet has worked with Birmingham to create a residential property data warehouse based on a detailed specification. This has included linking millions of cells of data to thousands of unique property references, including council and externally sourced data. All longitudinal council held data is 5 consecutive years, from April 2016 – March 2021 unless otherwise stated.

From the original data frame developed for the PRS, a separate updated data frame focused on HMO has been developed. However it is important to note that properties licenced under part 2 of the Housing Act 2004 (HMOs) were excluded from the PRS stressor report but have been included in this report. Moreover, additional data has been used in this updated study, including waste

incidents. Therefore, the PRS and HMO studies are different and should not be compared like for like.

HMOs (s254) properties have been identified from the total PRS population. Once the property data warehouse was created, the Ti model was used to predict tenure and stock condition using the methodology outlined below.

Machine learning was utilised to develop predictive models using training data provided by the council. Predictive models were tested against all residential properties to calculate risk scores for each outcome. Scores were integrated back into the property data warehouse for analysis.

Many combinations of risk factors were systematically analysed for their predictive power using logistic regression. Risk factors that duplicated other risk factors but were weaker in their predictive effect were eliminated. Risk factors with low data volume or higher error are also eliminated. Risk factors that were not statistically significant are excluded through the same processes of elimination. The top 5 risk factors for each model have the strongest predictive combination.

Three predictive models have been developed as part of this follow up project. Each model is unique to Birmingham; they include:

- Houses in Multiple occupation (HMO)
- PRS housing hazards
- Category 1 (HHSRS) hazards model

Using a D^2 constant calculation it is possible to measure the theoretical quality of the model fit to the training data sample. This calculation has been completed for each model. The D^2 is a measure of “predictive capacity”, with higher values indicating a better model.

Based on the modelling each residential property is allocated a probability score between 0-1. A probability score of 0 indicates a strong likelihood that the property tenure type is *not* present, whilst a score of 1 indicates a strong likelihood the tenure type *is* present.

Predictive scores are used in combination to sort, organise and allocate each property to one of 3 categories described above. Practitioner skill and experience with the data and subject matter is used to achieve the most accurate tenure split.

It is important to note that this approach cannot be 100% accurate as all mathematical models include error for a range of reasons. The D^2 value is one measure of model “effectiveness”. The true

test of predictions is field trials by the private housing service. However, error is kept to a minimum through detailed post analysis filtering and checking to keep errors to a minimum.

A continuous process of field testing and model development is the most effective way to develop accurate tenure predictions.

The following tables include detail of each selected risk factors for each model. Results of the null hypothesis test are also presented as shown by the Pr(>Chi) results. Values of <0.05 are generally considered to be statistically significant. All the models show values much smaller, indicating much stronger significance.

HMO (House in Multiple Occupation) model

This model predicts the likelihood that a UPRN will be a HMO (Table 2). Each of the 5 model terms is statistically significant and the overall model has a “predictive capacity” of around 61%.

Table 2. HMO predictive factors.

Risk factors selected	Pr(>Chi)
Number of habitable rooms	5.072e-11
ASB records	2.2e-16
Rubbish records	2.2e-16
Private Housing complaint made	2.2e-16
Accounts.over.5.years	0.0015464
Training data, n= 1032	
D ² test = 0.61	

PRS predictive model

The PRS model shows that each of the 5 model terms is statistically significant, with the overall model having a “predictive capacity” of around 85% (Table 3).

Table 3. PRS predictive factors.

Risk factors selected	Pr(>Chi)
Accounts.over.5.years	2.2e-16
Benefit.claims.over.last.5.years	2.2e-16
Length.of.current.account	2.2e-16
Housing benefit	2.2e-16
Total service requests	2.2e-16
Training data, n= 2047	
D ² test = 0.85	

Category 1 (HHSRS) hazards model

Numerous properties where the local housing authority has taken action to address serious hazards were sampled for training data, including poor housing conditions. Specifically, this included Housing Act 2004 Notices served on properties to address Category 1 hazards. The model results show that each of the model terms is statistically significant, with the overall model having a “predictive capacity” of around 90% (Table 4).

Table 4. Category 1 (HHSRS) hazard predictive factors.

Risk factors selected	Pr (>Chi)
CURRENT_ENERGY_EFFICIENCY	2.2e-16
Benefit.claims.over.last.5.years	2.2e-16
ASB.count	0.0056803
Length.of.current.account	8.771e-05
Private.Housing.complaint.made	2.333e-12
Training data, n= 402	
D ² test = 0.90	

Version, 2

Metastreet Ltd

6-8 Cole Street

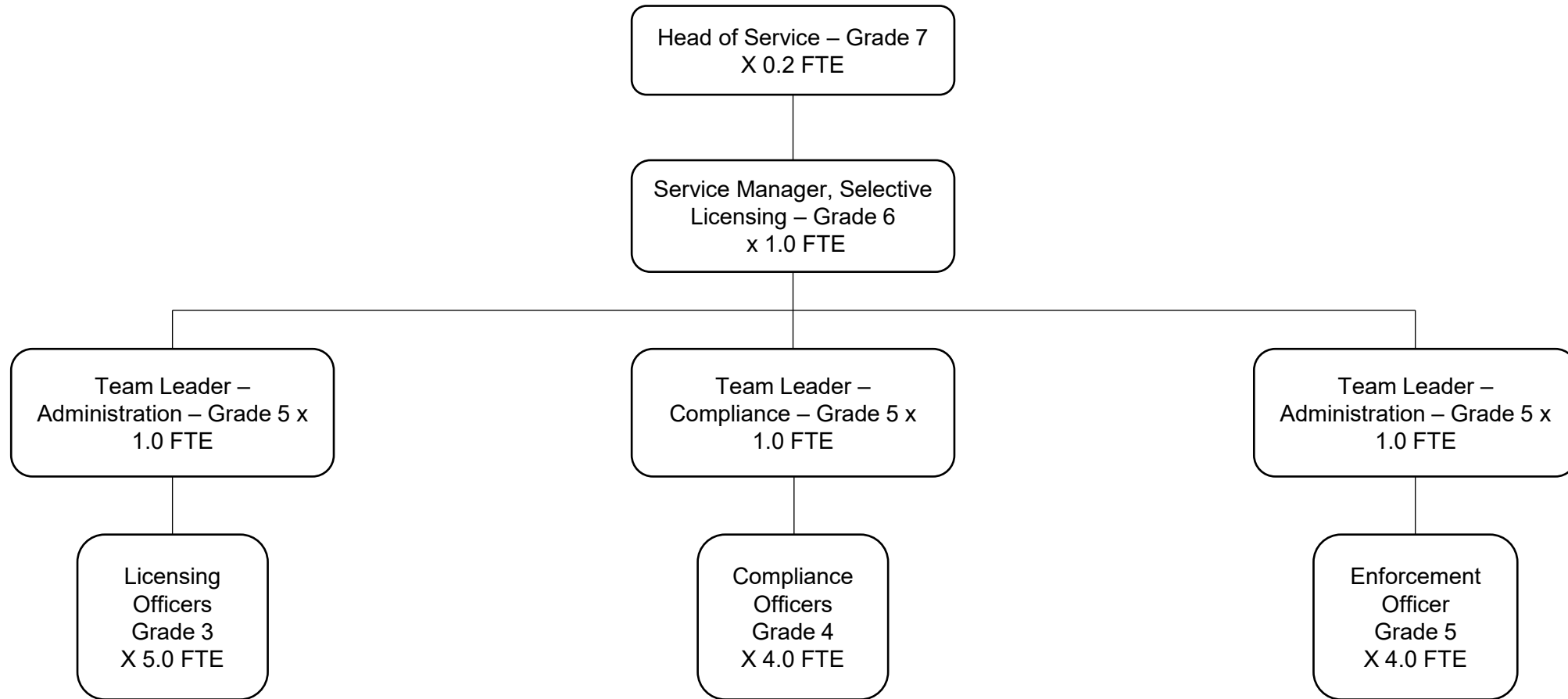
London

SE1 4YH



Appendix 3

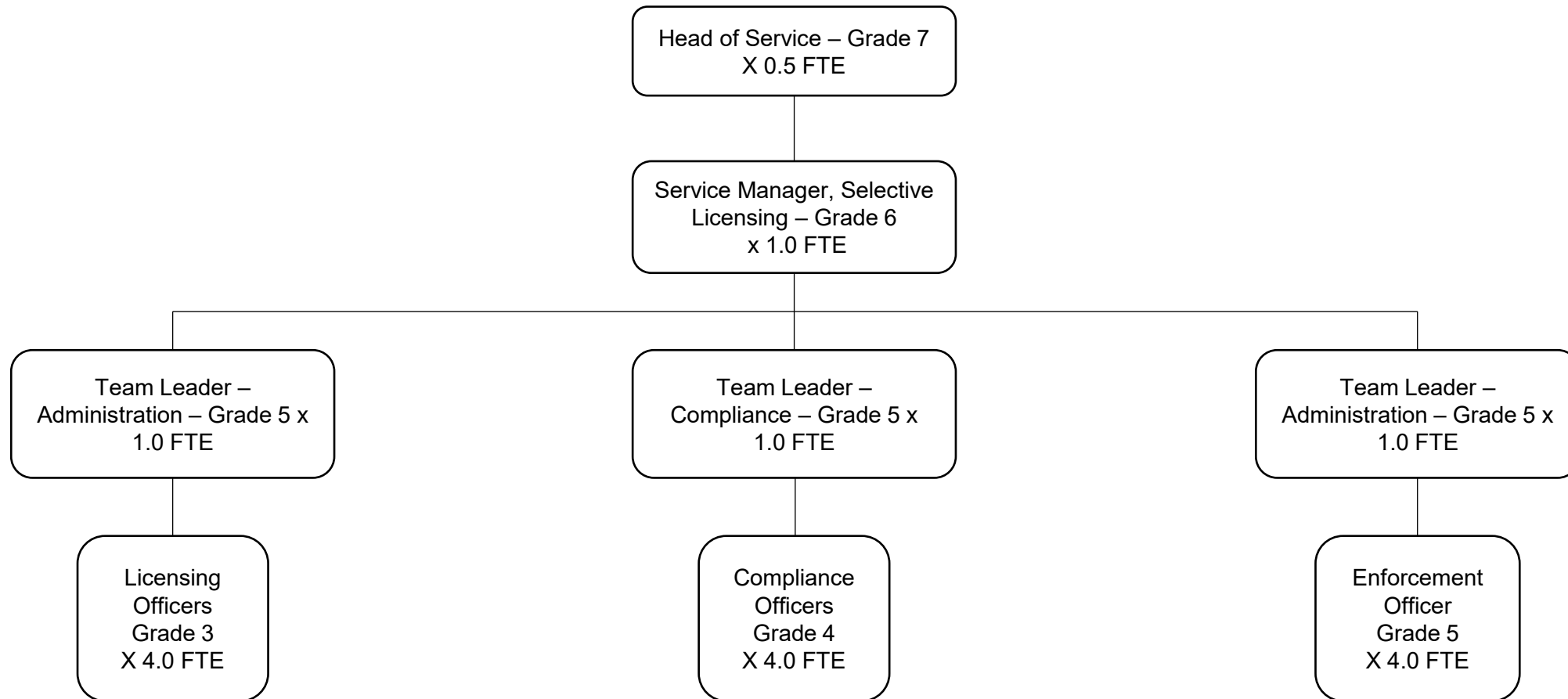
Additional Licensing Service – Structure at Year 1 & 2



Summary

Head of Service x 0.5 FTE
Service Manager x 1.0 FTE
Team Leader – Licensing x 1.0 FTE
Team Leader – Compliance x 1.0 FTE
Enforcement Officer x 4.0 FTE
Compliance Officer x 4.0 FTE
Licensing Officer x 5.0 FTE

Additional Licensing Service – Structure at Year 3



Summary

Head of Service x 0.5 FTE

Service Manager x 1.0 FTE

Team Leader – Licensing x 1.0 FTE

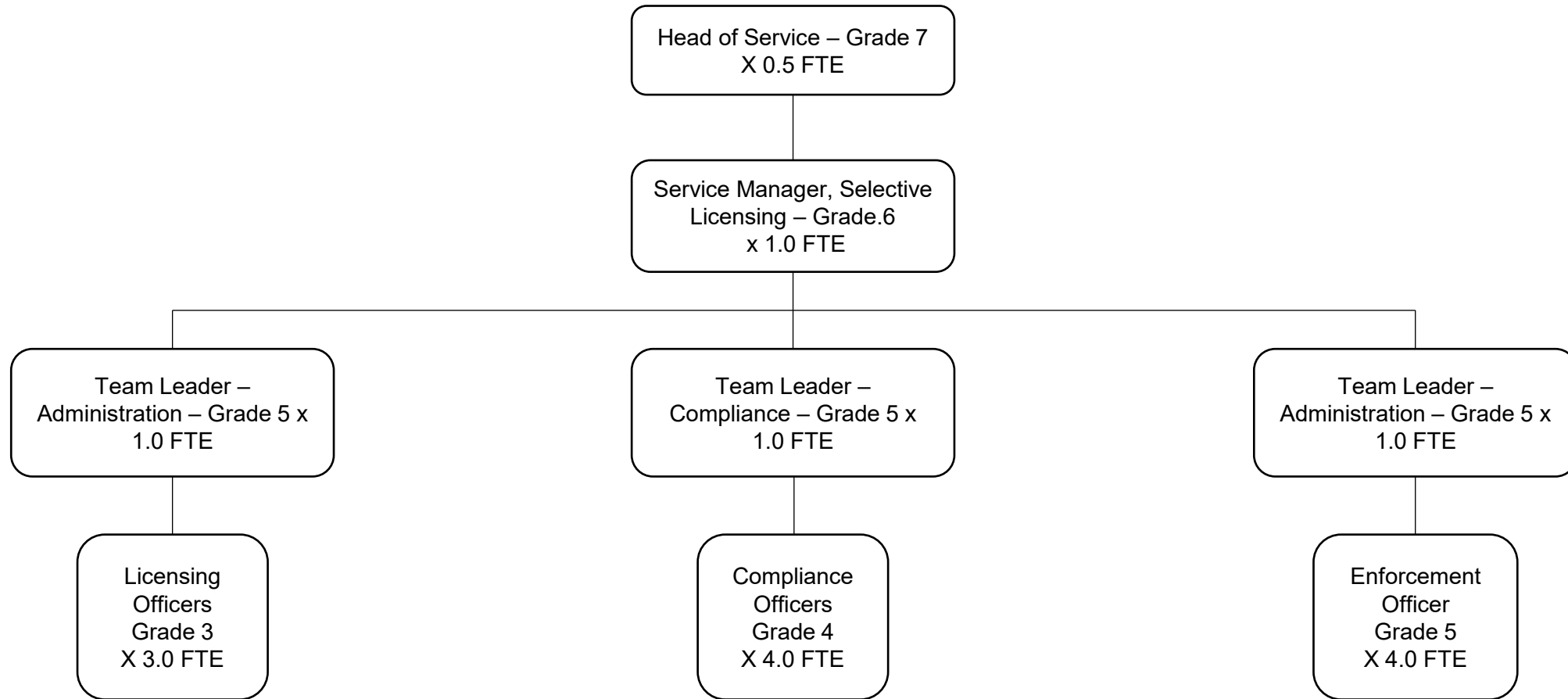
Team Leader – Compliance x 1.0 FTE

Enforcement Officer x 4.0 FTE

Compliance Officer x 4.0 FTE

Licensing Officer x 4.0 FTE

Additional Licensing Service – Structure at Years 4 & 5



Summary

Head of Service x 0.5 FTE

Service Manager x 1.0 FTE

Team Leader – Licensing x 1.0 FTE

Team Leader – Compliance x 1.0 FTE

Enforcement Officer x 4.0 FTE

Compliance Officer x 4.0 FTE

Licensing Officer x 3.0 FTE

Appendix 4

Birmingham City Council's Consultation on Proposal to Introduce Additional Licensing - Report of findings and Council response

1.0 Background

- 1.1 This report details the results of Birmingham City Council proposed additional licensing scheme consultation.
- 1.2 The Council is proposing to introduce a citywide additional licensing scheme for smaller Houses in Multiple Occupation (HMOs) which are not covered by mandatory licensing. The scheme is proposed to run for up to five years. This would apply to properties which are occupied by three or more people who are not from the same family, and who share a kitchen, bathroom or toilet.
- 1.3 The Council is also proposing to include what are known as Section 257 HMOs within the designation. Section 257 Housing Act 2004 defines these HMOs as converted blocks of flats and applies to whole converted properties rather than individual dwellings and describes an HMO as a building:
 - which has been converted into and consists of self-contained flats
 - where the conversion work did not comply with the appropriate building standards and still does not
 - where less than two-thirds of the flats are owner-occupied

The appropriate building standards are those required by the Building Regulations 1991 or 2000 (whichever were in force at the time of the conversion)

- 1.4 By requiring landlords to apply for a licence, the Council is able to ensure they are a 'fit and proper' person and through compliance with the licence conditions, are providing well managed homes.

2.0 Consultation

- 2.1 The consultation period ran for 10 weeks, commencing on the 4 July 2022 and ending on the 13 September 2022. Details of the proposal including an evidence report and a shorter, summary report, along with an online survey, were available on the Council's consultation website, Birmingham BeHeard at www.birminghambeheard.org.uk/place/additional-licensing during this period.
- 2.2 In total, 545 responses were received via the online survey, as well as 49 written responses received directly.
- 2.3 Two virtual consultation events, facilitated by the National Residential Landlords Association, were held.

3.0 Understanding the results

- 3.1 Most of the results are given as percentages, which may not always add up to 100% because of rounding.
- 3.2 Where appropriate, additional comments have either been summarised into key themes or included in their entirety.

- 3.3 Accountability means that public authorities should give an account of their plans and take into account public views: they should conduct fair and accessible engagement while reporting the outcomes openly and considering them fully.
- 3.4 This does not mean, however, that the majority views should automatically decide public policy, and the popularity or unpopularity of the proposal should not displace professional and political judgement about what is the right or best decision in the circumstances. The levels of, and reasons for, public support or opposition are very important, but as considerations to be taken into account, not as factors that necessarily determine the Council's decision. Above all, public bodies have to consider the relevance and cogency of the arguments put forward during the public consultation processes, not just count heads.
- 3.5 Importantly, the consultation methods cannot simply be combined to yield a single point of view on the proposed additional licensing scheme that reconciles everyone's differences and is acceptable to all.
- 3.6 There are two main reasons why this is not possible. First, the engagement methods differ in type. They are qualitatively different, and their outcomes cannot simply be aggregated into a single result. Secondly, different areas and sub-groups will inevitably have different perspectives on the proposal and there is no formula in the consultation process that can reconcile everyone's differences in a single way forward.
- 3.7 It is also important to recognise that the outcome of the consultation process will need to be considered alongside other information available about the likely impact of the proposal. Whilst the process highlights aspects of this information that stakeholders consider to be important, appropriate emphasis should be placed on each element. In this sense there can be no single 'right' interpretation of all the consultation elements and other information in the decision-making process.
- 4.0 Executive summary
- 4.1 The headline results of the online survey reveal that:
- 90% agreed that poor property conditions are a problem in some areas of the city
 - 92% agree that anti-social behaviour is a problem in some areas of the city
 - 93% agree that waste incidents are a problem in some areas of the city
 - 86% agree with the proposal to introduce additional licencing
 - 81% believe the proposed scheme would have a positive impact on them
 - 74% agree that the scheme would contribute to reducing anti-social behaviour linked to HMOs
 - 70% agree that the scheme would contribute to reducing waste incidents linked to HMOs
 - 78% agree that the scheme would contribute to improving property and management standards of HMOs
- 4.2 The proposal to introduce additional licensing gained support from 86% of those that responded to the consultation, including 79% that strongly agreed. Conversely, 13% disagreed with the proposal, including 11% that strongly disagreed.
- However, only 56% of landlords and lettings agents agreed with the proposal, with 44% disagreeing. Of those landlords and agents who disagreed, 84% strongly disagreed.

4.3 Reducing anti-social behaviour linked to HMOs

Of all respondents, around three quarters agreed that proposal would have a positive effect on reducing anti-social behaviour. Of those that agreed, 49% strongly agreed.

Around one in five disagreed (20%). Of the landlords and agents that responded, half (50%) disagreed. Of those that disagreed, 66% strongly disagreed.

4.4 Reducing waste incidents linked to HMOs

70% of respondents agreed that the proposed scheme would contribute to reducing waste incidents linked to HMOs. Of those that agreed, 43% strongly agreed.

Similar to respondents' views on reducing ASB, around one in five disagreed (21%). Of the landlords and agents that responded, 55% disagreed, of which 37% strongly disagreed.

4.5 Improving property and tenant management standards within HMOs

78% of respondent agreed that the proposed scheme would contribute to improving property and tenant managements standards in HMOs. Of those that agreed, 51% strongly agreed.

Following a similar pattern to other questions on the impact of the proposed scheme, 18% of respondents disagreed, with 10% strongly disagreeing.

Around half (47%) of landlords and agents disagreed with the statement that the proposed scheme would improve the standard and management of HMOs, with 67% strongly disagreeing.

4.6 Issues impacting the City

The online sought respondents view on the extent they believe specific housing related issues to be a problem in some areas of Birmingham. Respondents were asked for their views on:

- Poor property conditions
- Anti-social behaviour
- Fly tipping and other waste issues
- Vacant/empty properties
- Homelessness and rough sleeping

4.7 Poor property conditions

90% of survey respondents agreed that poor property conditions was an issue in some areas of the city, with 62% strongly agreeing.

6% disagreed and 4% were unsure. Of those that disagreed, around half(46%) strongly disagreed.

Amongst landlords and agents, views were broadly similar to that of other respondents with 77% agreeing, whilst 17% disagreed. Of those that disagreed, around half (42%) strongly disagreed.

4.8 Anti-social behaviour

92% of all respondents agreed that anti-social behaviour was an issue in some areas of the City, with 68% strongly agreeing.

5% disagreed and 3% were unsure. Of those that disagreed, around a quarter (27%) strongly disagreed.

Amongst landlords and agents, 74% agreed, with 34% strongly agreeing.

Of those landlords and agents that disagreed (14%), around a third (30%) strongly disagreed, similar to the view of all respondents.

4.9 Fly tipping and other waste issues

The majority (93%) of respondents agreed that waste incidents are a problem in some parts of the city, with a minority (4%) disagreeing. Of those that disagreed, 24% strongly disagreed. Amongst those that agreed, 75% strongly agreed.

Responses from landlords and agents were similar with 84% agreeing, but a lower percentage (51%) strongly agreeing. Of those landlords and agents who disagreed (7%), one strongly disagreed.

4.10 Vacant/empty properties

Respondents views on empty properties differed significantly from the view on the three topics above with 63% agreeing they were an issue in some parts of the city. The split between agreeing and strongly agreeing was around half and half, with 55% agreeing and 45% strongly agreeing.

19% disagreed, of which 25% strongly disagreed. 18% of all respondents were not sure.

Amongst landlords and agents, a lower percentage (46%) agreed, with 37% disagreeing, twice that of all respondents.

4.11 Homelessness and rough sleeping

85% of all survey respondents agreed that homelessness and rough sleeping was an issue in some areas of the city, nearly half (46%) strongly agreeing.

8% disagreed and 8% were unsure. Of those that disagreed, nearly a third (32%) strongly disagreed.

Amongst landlords and agents, views were not too dissimilar to that of other respondents with 79% agreeing and 11% disagreeing. Of those that disagreed, 38% strongly disagreed.

4.12 Fees

Around a quarter (23%) of respondents to the consultation felt that the proposed fee was about right, compared to 55% who felt the fee was too low, and 16% too high.

There was however a disparity between the views of landlords and agents, and other respondents, with 63% of landlords and agents believing the proposed fee to be too high. 13% of landlords and agents consider the fee is too low, with 19% believing the fee is about right.

- 5.0 Online survey
- 5.1 In total, the Council received 545 responses to its online survey.
- 5.2 Respondents were also given the opportunity to comments on any other things they think the Council should consider to help improve or reduce the issues linked to HMOs in the City and if there any comments that they would like to make about other aspects of the proposal.
- 5.3 In addition to seeking views on the proposal, equality and diversity data was also captured. A summary of this data can be found in Appendix 1.
- 6.0 Connection to Birmingham
- 6.1 The consultation survey could be completed by anybody with an interest in the proposals e.g. landlords and agents, local residents, or those responding on behalf of organisations.
- 6.2 Respondents completing the online survey were asked to indicate their connection to the city. Where applicable, respondents were able to indicate more than one connection and the full breakdown of responses by respondent type is provided in Figure 1. There were 545 responses to this question.

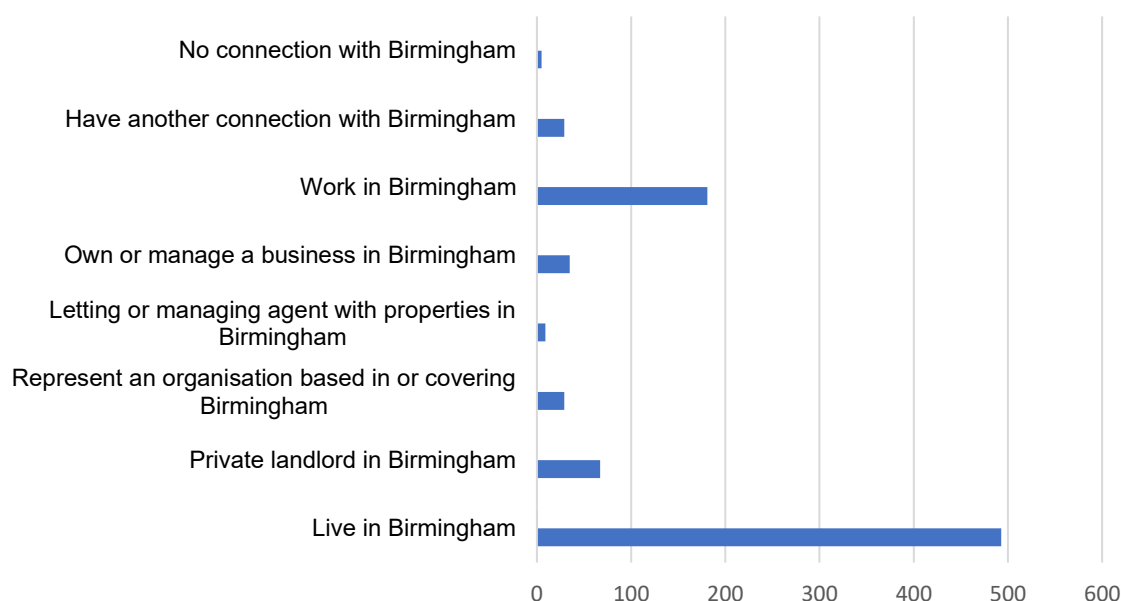


Figure 1: Graph showing online survey respondent's connection to the City

- 6.3 It can be seen that the majority of respondents (90.46%) live in the city, with 33% working in the city, while around 14% were private landlords and letting and managing agents. The remainder were a mixture of businesses, organisations, or had another connection with the city. Five respondents had no connection to the city.
- 7.0 Issues affecting the city
- 7.1 Respondents were asked to what extent they believe each of the following to be a problem in some areas of Birmingham.
- Poor property conditions
 - Anti-social behaviour e.g noise

- Fly tipping and other waste issues e.g. overflowing bins
- Vacant/empty properties
- Homelessness and rough sleeping

8.0 Poor property conditions

8.1 Views were sought on the extent to which respondents felt that poor property conditions were an issue in some parts of the City. There were 545 responses to this question. The extent to which respondents agreed or disagreed that poor property conditions is shown in the pie chart below.

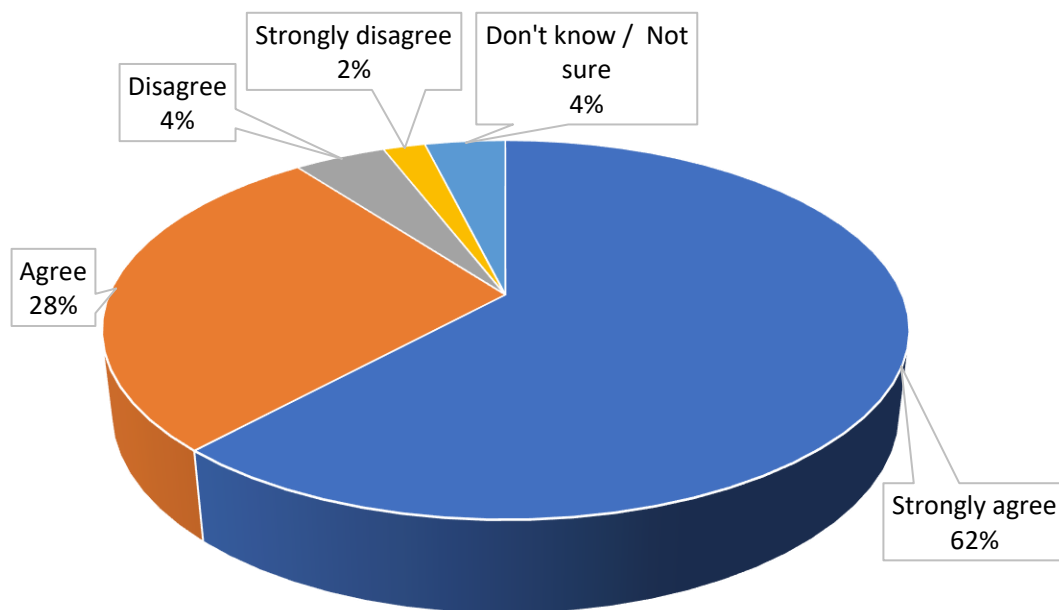


Figure 2: Pie chart showing the extent to which respondents agreed or disagreed that poor property conditions are an issue in some parts of the city.

8.2 Some respondents highlighted through the additional comments section of the survey that poor property conditions are not present across all wards of the City and that the Council should recognise this when considering the introduction of additional licensing.

8.3 90% of survey respondents agreed that poor property conditions are an issue in some areas of the city, with 62% strongly agreeing. 6% disagreed and 4% were unsure. Of those that disagreed, around half(46%) strongly disagreed.

8.4 Amongst landlords and agents, views were broadly similar to that of other respondents with 77% agreeing, whilst 17% disagreed. Of those that disagreed, around half (42%) strongly disagreed.

8.5.1 Additional comments/views received in respect of poor property conditions included:

8.5.1 The conditions proposed do not give any detail about improving the conditions inside the property. It is not clear whether this will be addressed using Housing Health and Safety Rating System (HHSRS) or more licence conditions

- 8.5.2 Poor living conditions can have a significant impact on people's sense of wellbeing and sense of worth. Anything to raise standards may also help those suffering from depressive and anxiety.
- 8.5.3 Too many people suffer in disgraceful conditions while the unscrupulous are allowed to profiteer.
- 8.6 Additional licensing will allow landlords operating illegally to be identified and enable those properties to be targeted for inspection and to be brought into compliance. This would help to raise standards and improve conditions in the HMO sector. It would provide a level playing field for legitimate landlords and reduce the risk of exploitation of tenants.
- 8.7 Additional licensing will provide clear guidance for landlords on the expected standards for property conditions and management. The proposed licence conditions include requirements related to the safety of gas and electrical installations, the provision of smoke and carbon monoxide alarms, as well as minimum room sizes and maximum occupancy levels, which will contribute to addressing poor property conditions.
- 8.8 Inspections under the HHSRS will continue to be undertaken and appropriate enforcement action taken to ensure remedial action is taken by the licence holder. Depending on the nature of the issue, this may be a breach of the licence conditions and/or a Category 1 or 2 hazard under the HHSRS. The Council will have regard to its Regulation and Enforcement - Enforcement Policy when determining appropriate enforcement action.
- 9.0 Anti-Social Behaviour
- 9.1 Views were sought on the extent to which respondents felt that anti-social behaviour is an issue in some parts of the City. There were 545 responses to this question. The extent to which respondents agreed or disagreed that anti-social behaviour is an issue is shown in the pie chart below.

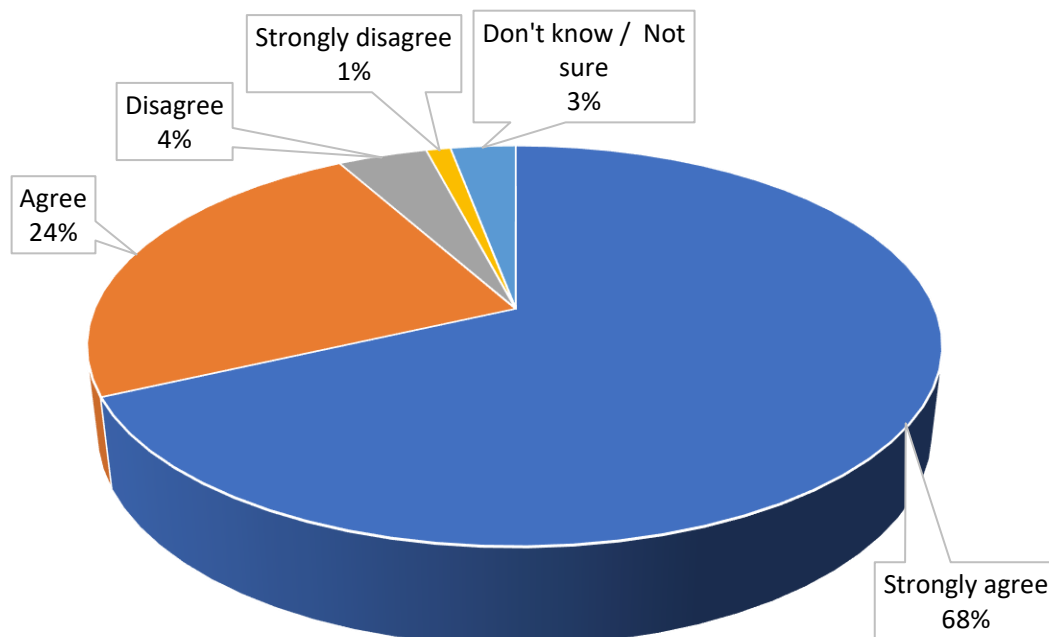


Figure 3: Pie chart showing the extent to which respondents agreed or disagreed that anti-social behaviour is an issue in some parts of the city.

9.2 92% of all respondents agreed that anti-social behaviour was an issue in some areas of the City, with 68% strongly agreeing. 5% disagreed and 3% were unsure. Of those that disagreed, around a quarter(27%) strongly disagreed.

9.3 Amongst landlords, 74% agreed, with 34% strongly agreeing. Of those landlords that disagreed (14%), around a third (30%) strongly disagreed, similar to the view of all respondents.

9.4 Additional comments in respect of anti-social behaviour included:

9.4.1 Respondents questioned the extent to which the smaller HMOs falling under additional licensing contribute toward ASB when compared with the current mandatory licensing.

9.4.2 There should be information sharing from the Police to allow the Council to identify crime by property where it relates to licensable properties. In addition, respondents felt that there should be better liaison with the Police when tackling issues.

9.4.3 Ensure that landlords are liable for anti-social behaviour caused by tenants and that landlords have a duty to act quickly where licence conditions are breached.

9.4.4 There needs to be a vast increase in the number of inspectors and inspections. It is only a zero tolerance attitude towards errant landlords and anti-social behaviour that will improve the disgusting state of large swathes of the city.

9.4.5 Immediate action is required from the Council to address anti-social behaviour.

9.5 Additional licensing would work in unison with other strategies and with partners such as West Midlands Police to address issues at a neighbourhood level in a holistic manner. Additional licensing would enhance the community safety partnership response through improved working relationships and referral routes.

10.0 Flytipping and other waste issues

10.1 Views were sought on the extent to which respondents felt that fly tipping and other waste issues is an issue in some parts of the City. There were 545 responses to this question. The extent to which respondents agreed or disagreed that waste incidents is an issue is shown in the pie chart below.

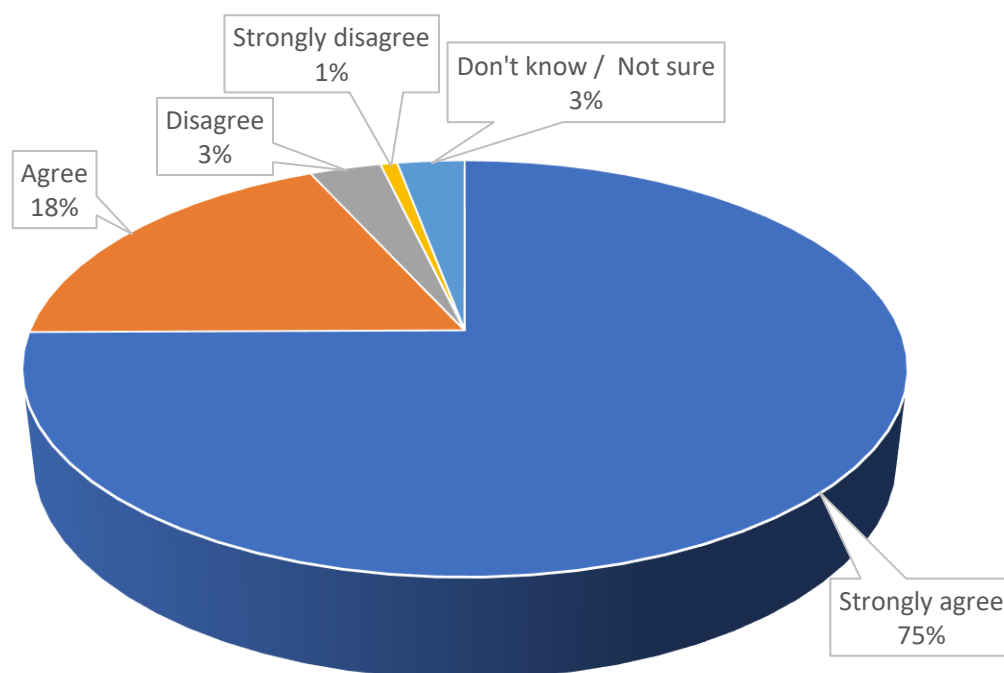


Figure 4: Pie chart showing the extent to which respondents agreed or disagreed waste incidents are an issue in some parts of the city.

10.2 As can be seen in the Figure 4, the vast majority (93%) of respondents agreed that waste incidents are a problem in some parts of the city, with only a minority (4%) disagreeing. Amongst those that agreed, 75% strongly agreed, and of those that disagreed, 24% strongly disagreed.

10.3 Responses from landlords and agents were broadly similar with 84% agreeing, but a lower percentage (51%) strongly agreeing. Of those landlords who disagreed (7%), one strongly disagreed that waste incidents are an issue.

10.4 Additional views in relation to waste incidents included:

10.4.1 Landlords and/or management companies must be held accountable for their tenants behaviour however, it is frequently these people rather than the tenants themselves who are responsible for the majority of flytipping.

10.4.2 The Council need to make sure landlords are accountable for waste left outside, and that gardens/outdoor areas are kept tidy.

10.4.3 All HMOs should have an appropriate waste disposal licence, however it would still be more economic for a dishonest landlord to possess a waste disposal licence and pay somebody to fly tip.

- 10.4.4 How will the Council going monitor all the HMO properties and deal with the waste/fly tipping that they bring?
- 10.4.5 There should be an easy way to report issues with HMOs, such as waste, anti-social behaviour, drugs etc
- 10.4.6 There should be a contact registry for landlords so that neighbours affected by anti-social behaviour or waste issues can contact them first to resolve any issues.
- 10.4.7 The landlords need to be paying for waste collection, especially in student houses.
- 10.4.8 The onus should be on the landlord and if bins are not put back on property they should be charged.
- 10.4.9 Landlords are flytipping and residents are not taking responsibility for looking after things like recycling and waste collection.
- 10.5 In determining whether waste incidents are an issue affecting HMOs more than other types of residential accommodation, the Council has identified 28,490 waste incident record linked to 6,848 predicted HMOs. The original pool of data linked to a residential property included 106,831 records. Therefore, 26.7% of all waste records can be attributed to predicted HMOs in the city, although they only make up around 2.6% of the total housing stock within the city. This evidence tells us that HMOs are attracting a disproportionate level of waste complaints.
- 10.6 The introduction of additional licensing will require the licence holder to adhere to specific licence conditions for the storage and disposal of waste from the property. These include making arrangements for the proper storage of bins and recycling boxes within the boundary of their properties, ensuring rubbish and recycling bins are stored in a neat and tidy manner, and to give waste collection information to tenants
- 10.7 Any loose waste stacked next to full bins, or bags piled gardens and forecourts, will be taken as evidence that landlords have not provided sufficient waste storage at their properties and the Council will pursue appropriate action against the licence holder. Individuals who flout regulations in relation to waste will continue to be dealt with under current legislation and these breaches will be covered by the Council's Environmental Waste Enforcement Unit. The Council will seek to provide support and guidance through its officers and on its website to assist licence holders in their responsibilities.
- 10.8 Additional licensing provides a mechanism by which reports of waste incidents can be shared between internal departments, and be received from tenants, residents, and organisations such as the Police and Fire Service. The proposed team structure includes enforcement and compliance officers who will take appropriate action upon receipt of a report. Any waste concerns identified in the course of a compliance inspections would also be addressed with the licence holder.
- 10.9 Should the proposed scheme be implemented, the Council will agree a Memorandum of Understanding (MoU) with relevant agencies to facilitate the sharing of information. This MoU will be compliant with the General Data Protection Regulations and Data Protection Act 2018.
- 11.0 Empty Properties

- 11.1 Views were sought on the extent to which respondents felt that empty properties are an issue in some parts of the City. There were 545 responses to this question. The extent to which respondents agreed or disagreed that empty properties are an issue is shown in the pie chart below.

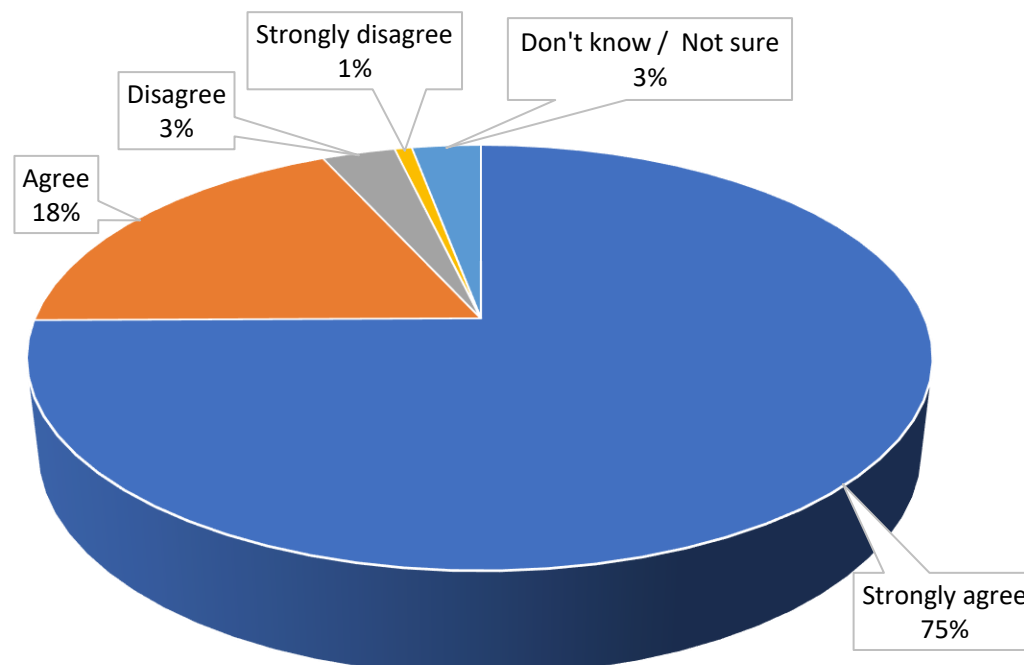


Figure 5: Pie chart showing the extent to which respondents agreed or disagreed that empty properties are an issue in some parts of the city.

- 11.2 Empty homes can blight a neighbourhood, attracting vandalism and antisocial behaviour. Through the introduction of additional licencing, property conditions improve and tenancies are more likely to be sustained.
- 11.3 63% of respondents agreed that empty properties were an issue in some parts of the city. The split between agreeing and strongly agreeing was around half and half, with 55% agreeing and 45% strongly agreeing. 19% disagreed, of which 25% strongly disagreed. 18% of all respondents were not sure. Amongst landlords and agents, a lower percentage (46%) agreed, with 37% disagreeing, twice that of all respondents.
- 11.4 Additional comments in respect of empty properties included:
- 11.4.1 One respondent raised concerns over second homes and a view that the Council should focus on these.
- 11.4.2 Concerns that additional licensing will result in some landlords leaving the rental market, thereby resulting in an increase in empty properties
- 11.4.2 One respondent cited concerns over the number of student accommodation properties that are empty over the summer holiday period.
- 11.4.3 The Council has stated they want additional licensing to reduce the number of empty homes within the proposed wards; however, the Council has outlined no strategy beyond this. There is no mention of previous activity from the Council on how empty

homes have been tackled in the form of Empty Management Dwelling Orders, loans/grants available to bring these properties back into use or case studies involving empty properties. The Council should provide further information on what active steps have been taken to reduce the number of vacant properties within the city to aid in its overall objective.

11.4.4 The selective licensing scheme seeks to work in conjunction with other strategies. For example, by raising standards within the private rented sector it is less likely that these premises will fall into disrepair and become vacant i.e. an empty property, that would have a negative impact on the neighbourhood and be unavailable for housing purposes.

11.4.5 The Council's Help to Rent Scheme supports homeless households into the private rented sector and provides landlords with suitable tenants rather than leave the property unoccupied.

12.0 Homelessness and Rough Sleeping

12.1 Views were sought on the extent to which respondents felt that homelessness and rough sleeping are an issue in some parts of the City. There were 545 responses to this question. The extent to which respondents agreed or disagreed that rough sleeping and homelessness is an issue is shown in the pie chart below.

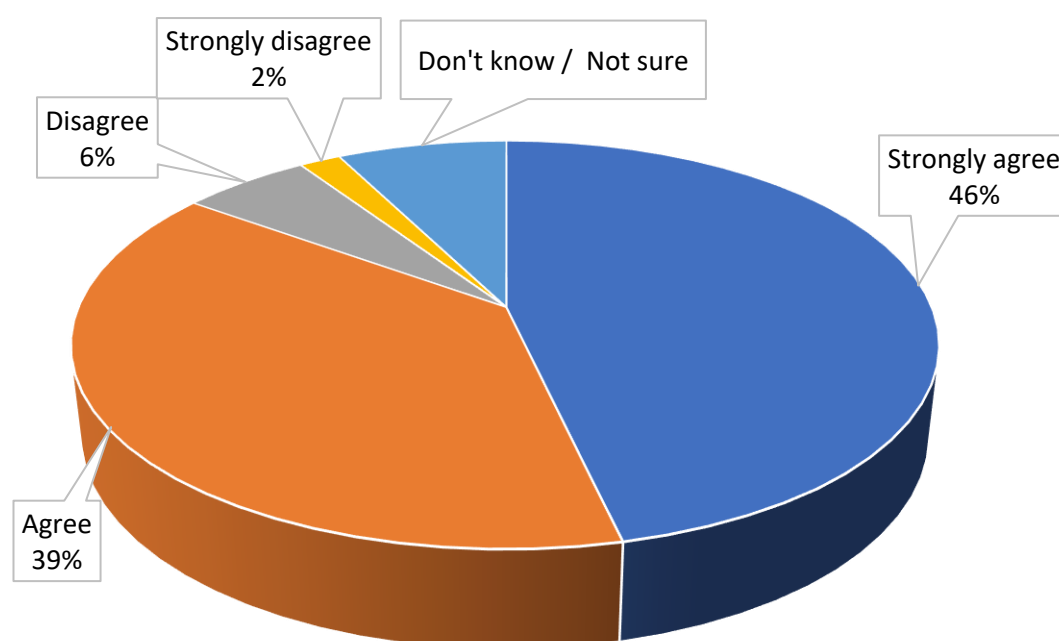


Figure 5: Pie chart showing the extent to which respondents agreed or disagreed that homelessness and rough sleeping is an issue in some parts of the city.

12.2 85% of all survey respondents agreed that homelessness and rough sleeping was an issue in some areas of the city, nearly half (46%) strongly agreeing. 8% disagreed and 8% were unsure. Of those that disagreed, nearly a third (32%) strongly disagreed. Amongst landlords, views were not too dissimilar to that of other respondents with 79% agreeing and 11% disagreeing. Of those that disagreed, 38% strongly disagreed.

- 12.3 Additional comments provided in relation to rough sleeping and homelessness included:
- 12.3.1 Several respondents had a view that homelessness may increase as a result of landlords exiting the market.
- 12.3.2 One respondent commented that it should be made mandatory for tenants who are vulnerable to accept support for addictions, education support, and employment, with the the completion of these programs being linked to their tenancy. They believe that this would help the most vulnerable continue with support and break the cycle of poverty, homelessness and deprivation for many.
- 12.3.3 Several respondents commented on the licence condition requirement for tenant referencing. One respondents view was that vast majority of those in HMOs have either been previously homeless, or are currently serving a sentence in the community, and questioned how, or if, they could obtain references, and the inability to secure a satisfactory reference will drive up the homeless rate in the city.
- 12.3.4 Another respondent commented that the Council should consider provision of accommodation for those people unable to provide an adequate reference and questioned if this requirement would increase homelessness for those with criminal records.
- 12.3.5 One respondent commented that landlords of HMOs should be incentivised to support people from low incomes or facing homelessness.
- 12.4 A 1998 study found that residents living in HMOs are eight times more likely than the general population to suffer from mental health problems as well as having other problems. For many people in this situation, their housing choices are limited due to socioeconomic status and availability of suitable alternative accommodation, and it may not be easy to find somewhere else to live.
- 12.5 Local housing allowance caps have meant that for some, shared accommodation is the only affordable option. Issues such as a lack of community cohesion due to high turnover of tenancies can also be exacerbated by such private rented accommodation, especially where property management issues are present.
- 12.6 By raising the management standards of HMOs, tenancy turnover will reduce and residents are less likely to become homeless. Additional licensing will also work in collaboration with other Council services to address issues and prevent homelessness.
- 13.0 Agreement with proposal
- 13.1 Respondents were asked to what extent the agree with the proposal to designate the City as subject to an additional licensing scheme. There were 545 responses to this part of the question

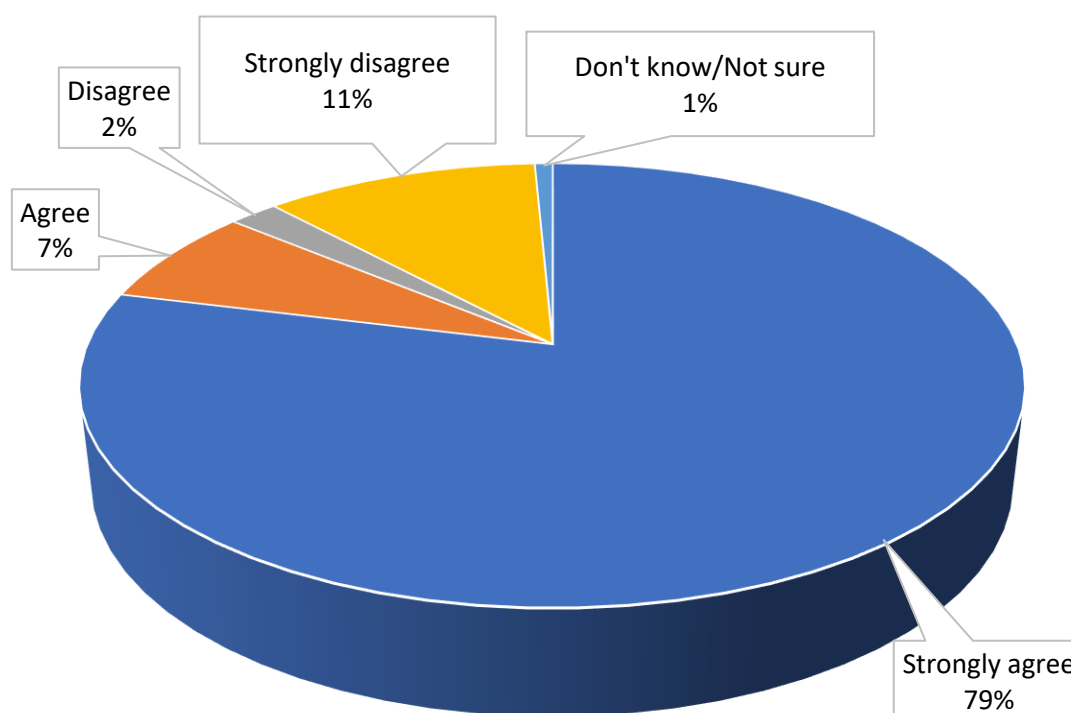


Figure 6: Pie chart showing the to which respondents agreed or disagreed with the proposal to designate the City as subject to an additional licensing scheme

- 13.2 The proposal to introduce additional licensing gained support from 86% of those that responded to the consultation, including 79% that strongly agreed. Conversely, 13% disagreed with the proposal, including 11% that strongly disagreed.
- 13.3 However, only 56% of landlords and lettings agents agreed with the proposal, with 44% disagreeing. Of those landlords who disagreed, 84% strongly disagreed.
- 13.4 Additional comments and views in respect of the proposed scheme included:
- 13.4.1 Some respondents questioned why good landlords have to be licensed and concerns were raised that the fee is simply another revenue stream for the Council and that issues in the HMO sector will not be tackled.
- 13.4.2 Many respondents questioned why they as good landlords need to pay for a licence because others have below standards practices and procedures. Some proposed that all properties should be inspected and that the Council only licence those where failing are identified.
- 13.4.3 Many respondents welcomed the proposal as they consider their lives to have been blighted by issues emanating from HMOs.
- 13.5 The proposed scheme and associated structures allows the Council to resource a licensing, compliance, and enforcement structure that will address the issues in this housing sector. The Council acknowledges that there are many landlords operating in the city who may already be meeting the proposed licence conditions, however by visiting the majority of licensed properties, officers would not only check that they were safe to live in and managed properly, but would also identify individuals who may need help and advice with issues such as access to training and employment, household

budgeting and debt management, health and support around the home. Officers would be able to make referrals to relevant agencies and act as a link between occupants and other council departments.

- 13.6 The proposed licence conditions consolidate what a landlord should already be doing regardless of whether there is selective licensing or not. Good, compliant landlords should not need to spend significant sums of money in order to meet the proposed licence conditions.
- 13.7 Holding a licence and being fully compliant with licence conditions will enable landlords to demonstrate to tenants' good standards of management. This should be seen as a positive and will be increasingly so when the majority of HMOs are licensed.
- 14.0 Impact of proposed scheme
- 14.1 Respondents were asked what impact, if any, they feel the proposed additional licensing scheme would have on you if it was introduced. There were 545 responses to this part of the question.

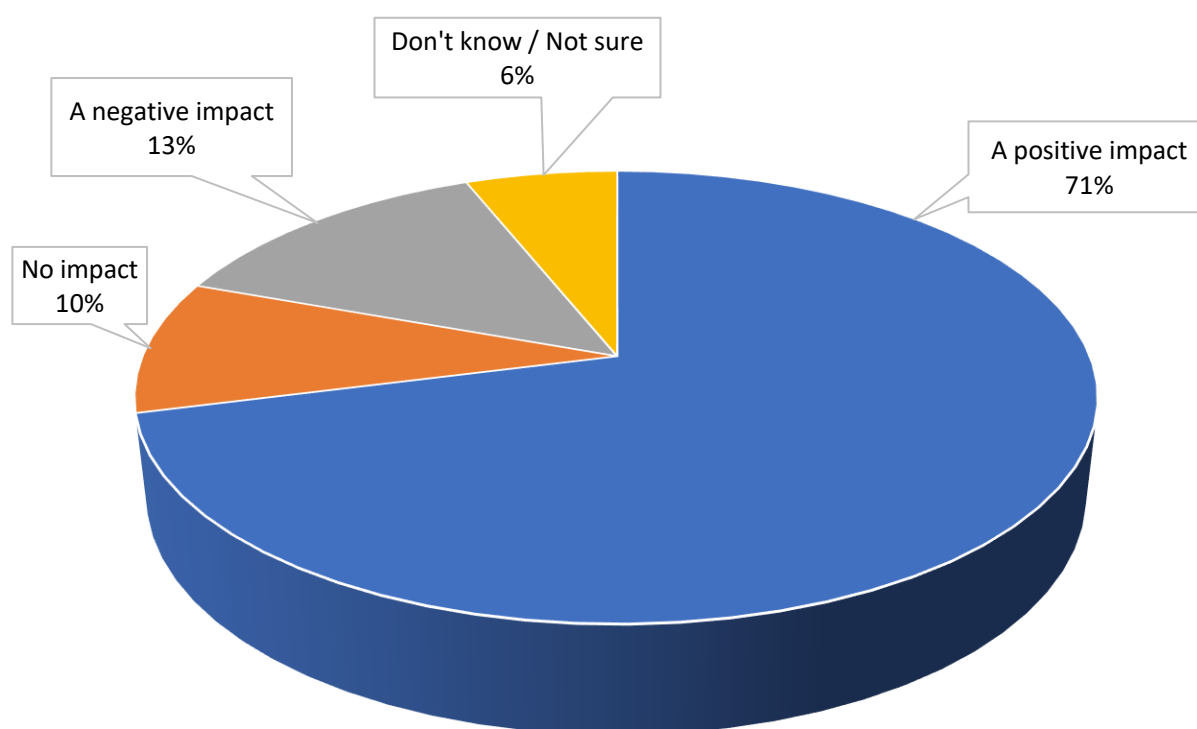


Figure 7: Pie chart showing the impact respondents felt that the proposed additional licensing scheme would have on them if it was introduced

- 14.2 The proposal to introduce additional licensing gained support from 86% of those that responded to the consultation, including 79% that strongly agreed. Conversely, 13% disagreed with the proposal, including 11% that strongly disagreed.
- 14.3 However, only 56% of landlords and lettings agents agreed with the proposal, with 44% disagreeing. Of those landlords who disagreed, 84% strongly disagreed.

15.0 Reducing anti-social behaviour

15.1 Respondents were asked to what extent they agree or disagree that an additional licensing scheme would contribute towards the Council's objectives of reducing anti-social behaviour linked to HMOs. There were 545 responses to this question.

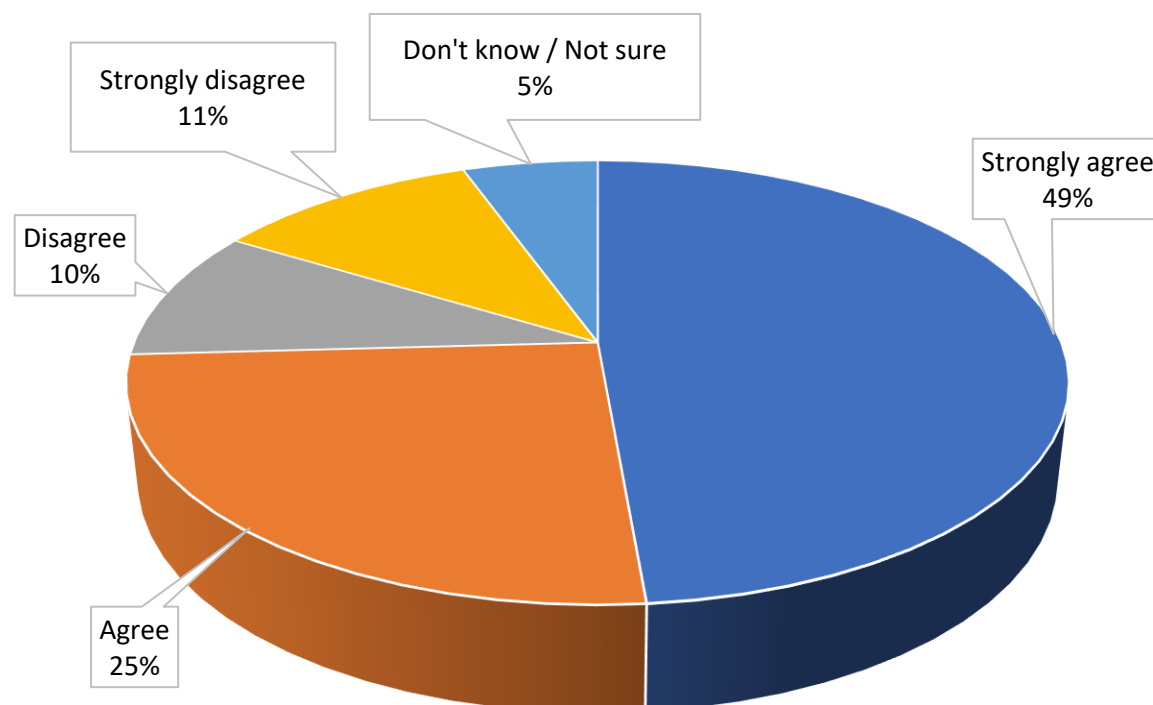


Figure 8: Pie chart showing the extent to which respondents agreed or disagreed that an additional licensing scheme would contribute towards the Council's objectives of reducing anti-social behaviour linked to HMOs.

15.2 Of all respondents, around three quarters agreed that proposal would have a positive effect on reducing anti-social behaviour. Of those that agreed, 49% strongly agreed.

15.3 Around one in five disagreed (20%). Of the landlords and letting agents that responded, half (50%) disagreed. Of those that disagreed, 66% strongly disagreed.

15.4 Additional comments and views in respect of the impact of the scheme on anti-social behaviour included:

15.4.1 Landlords are usually not experienced in managing antisocial behaviour and do not have the professional capacity to resolve tenants' mental health issues or drug and alcohol dependency. Suppose there are any allegations about a tenant causing problems, and a landlord ends the tenancy. In that case, the landlord will have fulfilled their obligations, even if the tenant has any of the above issues. This moves the problems around Birmingham Council but does not help the tenant, who could become lost in the system, or worst, move towards the criminal landlords. They will also blight another resident's life.

15.4.2 Regarding reducing antisocial behaviour, landlords must tackle such activity within their properties; it should be highlighted that landlords and agents can only enforce a contract; they cannot manage behaviour.

- 15.5 Condition 13 of the proposed licence conditions would require the licence holder to ensure that all reasonable and practical steps are taken to prevent or reduce criminality or anti-social behaviour by the occupants of, and visitors to, the HMO. The Council believes that landlords should be willing and able to deal with complaints about any occupier's behaviour promptly and effectively.
- 15.6 Where a report of anti-social behaviour has been received a first step in less serious cases would be to ask the occupier to refrain from, or stop the conduct, and the landlord giving a verbal warning about of the potential consequences of not doing so. If the problem persists the landlord should give the occupier a written warning and consider calling on other agencies for support, such as the local authority, the Police, and mental health, drug, and alcohol support organisations. If there are no improvements, or the problem is very serious, the landlord should take his own enforcement action against the occupier. This could include starting possession proceedings in more serious and persistent cases. The Council will also signpost landlords and tenants to support services and where appropriate will make direct referrals.
- 15.7 A landlord can reduce the possibility of anti-social behaviour occurring by ensuring that the tenancy agreement has a clause about anti-social behaviour. The proposed conditions also include a requirement for a landlord to undertake tenant referencing. Landlords should always ask your tenants to provide written references from previous landlords (with telephone numbers for verification) and landlords should check them out in person. Landlords should ensure their tenants are aware of their responsibilities before they have signed the tenancy agreement and be very clear about any possible consequences of breaching the conditions.
- 16.0 Reducing waste incidents
- 16.1 Respondents were asked to what extent they agree or disagree that an additional licensing scheme would contribute towards reducing waste incidents linked to HMOs. There were 545 responses to this question.

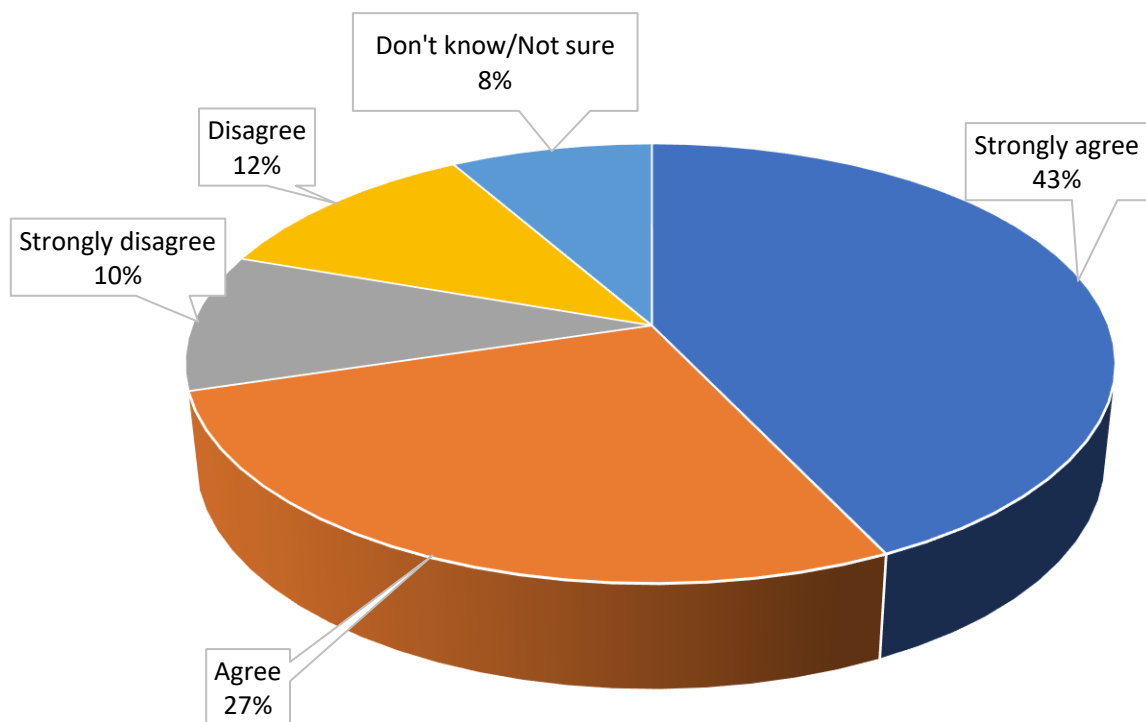


Figure 9: Pie chart showing the extent to which respondents agreed or disagreed that an additional licensing scheme would contribute towards the Council's objectives of reducing waste incidents linked to HMOs.

- 16.2 70% of respondents agreed that the proposed scheme would contribute to reducing waste incidents linked to HMOs. Of those that agreed, 43% strongly agreed.
- 16.3 Similar to respondents' views on reducing anti-social behaviour, around one in five disagreed (21%). Of the landlords and lettings agents that responded, 55% disagreed, of which 37% strongly disagreed.
- 16.4.1 Additional comments/views provided by respondents in respect of the impact of the proposed scheme on waste incidents included:
- 16.4.1 The provision of bigger bins for HMOs if requested by the landlord to tackle waste issues.
- 16.4.2 As a landlord of a number of HMO's I would welcome co-operation from the Council with rubbish/waste. It is very difficult to control an individual's habits/understanding of waste. A chargeable second collection or extra waste in assigned chargeable bags would be useful in aiding control where there is excess waste from a property on a regular basis, otherwise there is bin overspill and rubbish left uncollected at the front wall of the property. The property managers can regularly empty waste from the property but its then a problem to dispose of as the bins become overfilled and uncollected.
- 16.5 The Council operates a chargeable bulky waste collection service which tenants can arrange via the Council's Brum Account. The Council will take up to 10 items for each

collection that is booked. Two bin bags count as 1 item e.g. up to 20 bags of household waste. Larger items such as beds, mattresses, and fridges can also be collected.

16.6 Should a property require additional or larger bins to provide adequate waste and recycling facilities, these can also be requested via the Council's "Brum Account".

17.0 Improving property and management standards

17.1 Respondents were asked to what extent they agree or disagree that the proposed additional licensing scheme would contribute towards the Council's objectives of improving property and tenant management standards within HMOs. There were 545 responses to this question

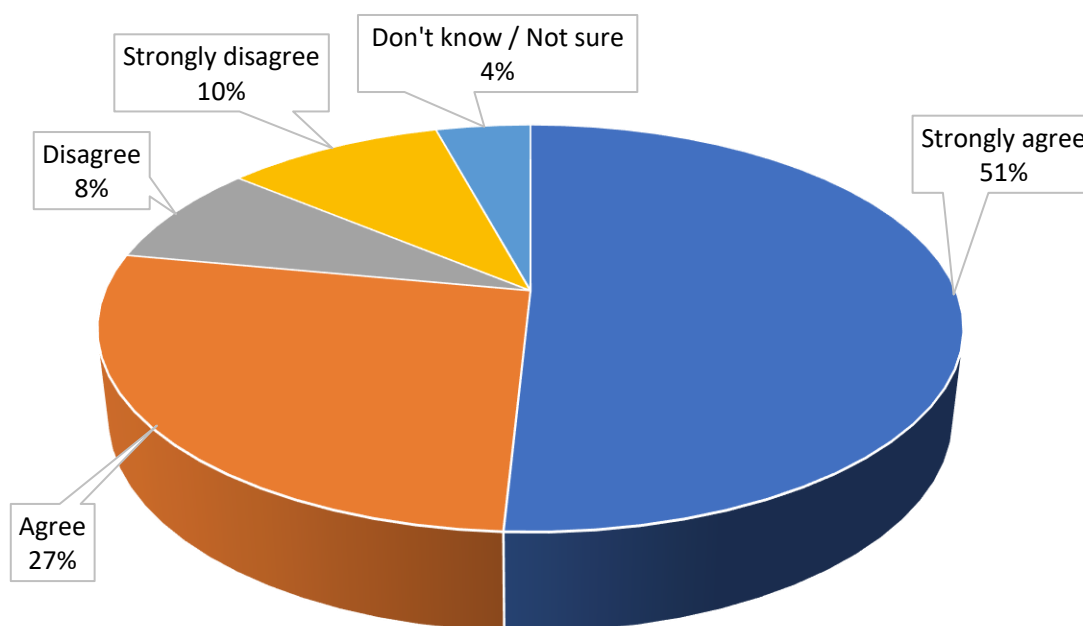


Figure 10: Pie chart showing the extent respondents agree or disagree that the proposed additional licensing scheme would contribute towards the Council's objectives of improving property and tenant management standards within HMOs

17.2 78% of respondent agreed that the proposed scheme would contribute to improving property and tenant managements standards in HMOs. Of those that agreed, 51% strongly agreed.

17.3 Following a similar pattern to other questions on the impact of the proposed scheme, 18% of respondents disagreed, with 10% strongly disagreeing.

17.4 Around half (47%) of landlords and lettings agents disagreed with the statement that the proposed scheme would improve the standard and management of HMOs, with 67% strongly disagreeing.

17.5 Additional comments/views provided by respondents in respect of property and tenant management standards included:

17.5.1 Overcrowding is complicated for a landlord to manage if the tenant has overfilled the property. A landlord will tell a tenant how many people are permitted to live on the property and that the tenant is not to sublet it or allow additional people to live there. Beyond that, how is the landlord managing this matter without interfering with the

tenant's welfare? Equally, how will the council assist landlords when this problem arises? It is impractical for landlords to monitor tenants' everyday activities or sleeping arrangements.

17.5.2 Limits on number of people per (bed)room, or per square meter, in order to prevent overcrowding e.g. a family of 2 adults and 2 children all sleeping in one room.

17.6 The Council acknowledges the difficulty a licence holder may have in identifying and remedying overcrowding, however the requirement to include conditions requiring the licence holder to ensure minimum room sizes and occupancy levels is a mandatory requirement of the Housing Act 2004. As such, it must be included within the licence conditions if the proposed scheme is introduced. It should be noted that in the absence of the proposed scheme, that overcrowding may be a Category 1 or 2 hazard under the Housing, Health and Safety Rating Scheme and require the Council to take appropriate enforcement action under the Housing Act 2004.

17.7 Condition 6 of the proposed licence condition sets out the requirements for minimum rooms sizes and the level of occupation allowable for rooms of different sizes.

18.0 Licence fee

18.1 Respondents were asked if they felt that the licence fee of £755 for up to five years is appropriate. There were 545 responses to this question. The pie chart below shows the views of respondents to the online survey.

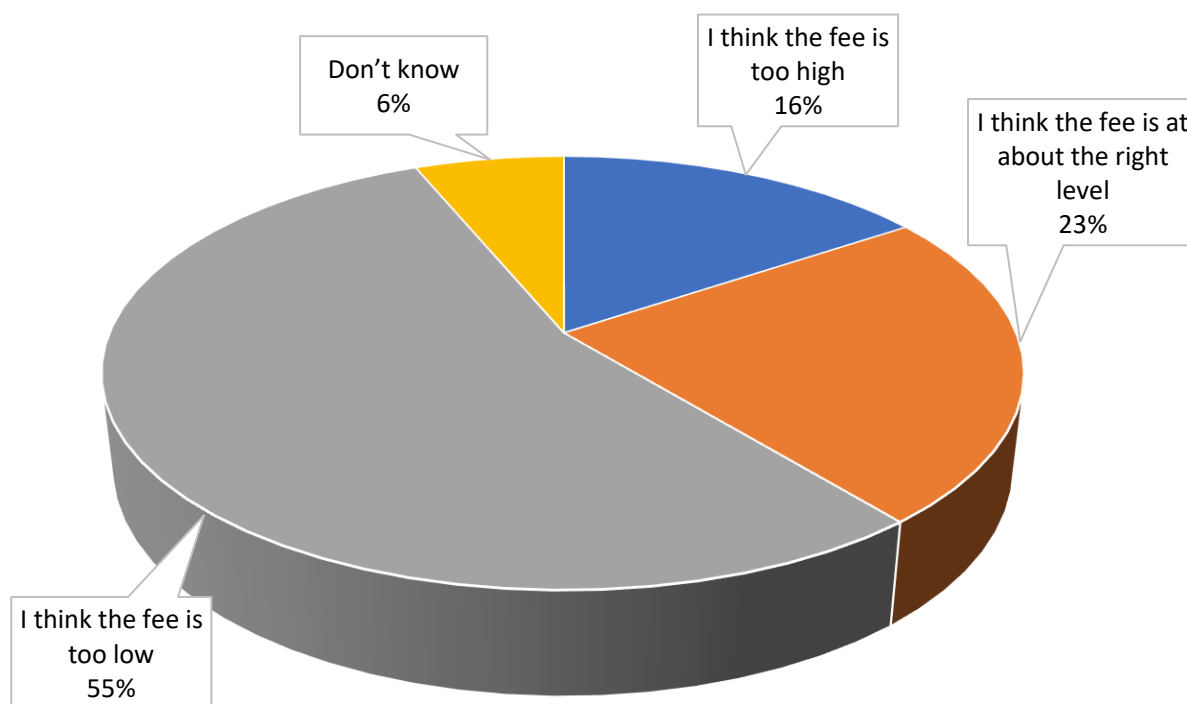


Figure 11: Pie chart showing views of survey respondents to the proposed licencing fee of £755 for a licence of up to five years

18.2 Around a quarter (23%) of respondents to the consultation felt that the proposed fee was about right, compared to over half who felt the fee was too low, and 16% too high.

- 18.3 There was however a disparity between the views of landlords and other respondents, with 60% of landlords believing the proposed fee to be too high. 16% of landlords consider the fee is too low, with 18% believing the fee is about right.
- 18.4 Some respondents to the survey provided additional comments in relation to the proposed fee. These included:
- 18.4.1 The fee feels quite low, given that landlords tend to be making a fair profit on these properties. I would consider £1000-£1250 a more appropriate fee. I think the Council should be looking to do more than just cover its costs for this new licensing.
- 18.4.2 The fee cost covers "expenditure costs of administering the scheme", it doesn't say how it is going to monitor it or improve the city.
- 18.4.3 The biggest problem is an unreasonable fee. £755 is 1 half times more than the rent I charge.
- 18.4.4 I am hugely concerned that landlords will pass this cost onto tenants onto tenants via tenancy agreements. This must be prevented as part of the proposal. Landlords disproportionately do not care about the community and are wealthy, so should pay for the burden they are having on the community, not tenants.
- 18.4.5 I think the income from the fees should be spent on policing it.
- 18.4.6 I feel the fees/requirements should be higher/stricter for those with a larger number of properties versus those with only one.
- 18.4.7 I feel the fees for this HMO license should be based on the size of the property. Perhaps a £200 levy per bedroom or something like that.
- 18.4.8 Incentivise licence fees to reward the compliant and punish the non-compliant.
- 18.4.9 How will you deal with unlicensed HMOs? Will you charge them an additional fee or reduce
- 18.4.10 The fee should not be a way for the Council to make money.
- 18.4.11 The license fee needs to be higher. But how many staff does the Council have to come out and sort out issues.
- 18.4.12 The license fee is too low. The growth of HMO's in Brum is costing a whole range of our public services in different ways.
- 18.4.13 I feel that any extra costs will inevitably be passed on to tenants.
- 18.4.14 Structure the fee so that the poorer performing landlords pay more for their license, after all they are making your job more difficult and time consuming compared to the landlord who makes the process seamless.
- 18.4.15 Licence fees should take into account how many people it is let to. I don't think £755 is an appropriate amount to those houses (especially in Selly Oak) that have a high number of renters.

- 18.4.16 Put the fee slightly higher, then landlords more likely to make sure licenses are adhered to, as there are investing so much.
- 18.4.17 The licence fee should be annual as this would help fund additional enforcement.
- 18.5 The Council is entitled to charge a fee that would be used to cover the costs of administering and enforcing the licensing designation whilst in force. The decision is that the grant of a licence would be subject to the payment of a fee. The proposal has set fees for licence applications that take into account all of the Council's costs in administering and carrying out its licensing activities and carrying out its functions under the Housing Act 2004.
- 18.6 The proposed fee structure has been calculated on the basis that the scheme would be cost-neutral to the Council, with the licence fee covering the costs of administering the schemes and meeting the objectives. The proposed fee was underpinned by assumptions about the number of licence applications each year over the period of the designation and the likely levels of compliance based on existing schemes in operation by other Local Authorities.
- 18.7 Whilst the Housing Act 2004 allows councils to charge a licence fee to cover the cost of administering selective licensing, it does not allow them to make a financial gain. The Government's Regulatory Impact Assessment attached to SI 2006/373 makes it clear that fees cannot be used to raise extra revenue for the local authority.
- 18.8 Overall the costs of the scheme to landlords, and the landlords objections to paying this cost, have been taken into consideration, however, this does need to be balanced against the strong evidence that HMOs in the city are being mismanaged and the need to address this in the proposed designation.
- 18.9 A 2019 report commissioned by the Government "An Independent Review of the Use and Effectiveness of Selective Licensing" found no evidence to support the claim that licensing has had a demonstrable effect on rent levels.
- 18.10 As additional licensing only covers a small range of occupancy levels (3 or 4 persons) a sliding fee structure is not seen as being appropriate. The mandatory HMO fee structure does however have a sliding fee structure to reflect the greater time resource required to licence and inspect larger properties.
- 18.11 The proposed team structure includes an Enforcement and Compliance sub team, the aim and objective of which is to identify and address those landlords who have failed to licence their properties.
- 18.12 As part of the Council's enforcement work in identifying unlicensed landlords, the Council will check property records against the databases held for council tax and housing benefit purposes. This can help with identifying whether a property is rented.
- 18.13 As the Council is required to publicise the designation widely. This will ensure that landlords, tenants, and residents, will be aware of the legal requirement for a private rented property to be licenced. The Council also expects to receive reports of unlicensed properties via the residents and tenants, the Police and fire service, and other agencies.

- 19.0 Landlord consultation events
- 19.1 Two virtual consultation events were held on the 24 August 2022. These events, arranged and facilitated by the National Residential Landlords Association, were attended by 78 landlords over the two events.
- 19.2 The Council presented an overview of the proposed scheme and attendees had the opportunity to ask the Council questions. Attendees also had the opportunity to present their views using the chat function.
- 19.3 A summary of the key themes highlighted by attendees can be found below.
- 19.3.1 It was generally believed that that the cost of the licence would most likely be handed down to tenants in the form of increased rent.
- 19.3.2 This was seen as problematic since many tenants are already struggling financially. Some participants suggested that this could create further issues as tenants could fall into arrears and become homeless.
- 19.3.3 Attendees questioned whether the predicted number of HMOs referred to in the Council's evidence report was correct and whether it included Exempt Accommodation.
- 19.3.4 Attendees voiced concerns over the financial viability of retaining their rental portfolio going forward, with particular reference to recent tax changes and possible future changes announced in the Government's white paper on the private rented sector.
- 19.3.5 Some warned that they would "sell up" if additional licensing was introduced, thereby reducing private rented accommodation in the city and leading to an increase in homelessness.
- 19.3.6 Warnings that they and others may choose to let their property to the exempt accommodation sector, thereby exacerbating an already existing problematic area of the housing sector in the City.
- 19.3.7 Concerns were raised over the Council's ability to adequately administer a discretionary scheme when there have been significant delays in assessing mandatory HMO licence applications.
- 19.3.8 The Council was asked why it was not offering a discounted fee to landlords who are members of landlord accreditation schemes and why licence renewal fees are the same. These are fee discount structures that are in place at other Local Authorities.
- 19.4 As per 18.9, a 2019 report commissioned by the Government "An Independent Review of the Use and Effectiveness of Selective Licensing" found no evidence to support the claim that licensing has had a demonstrable effect on rent levels. The Council acknowledges that this report looked at the impact of selective licensing but considers that the conclusions can be applied to additional licensing.
- 19.5 The private rented sector is a competitive market and market forces mean that rents are set at a level the market will bear. An analysis of Valuation Office Agency data on private rent levels in licensed areas does not support the claim that licensing has had

a demonstrable effect on rent levels. On average, lower quartile rents in the areas interrogated increased by 274% over a representative five-year period (during which licensing was introduced in each case), whilst the licence fee alone (spread over 60 months) would account for an average increase of less than 3%. Even in the minimum case, the data found that the rent increase over the five year period was over 22 times the increase that can be put down to the licence fee alone. This is compelling evidence that the impact of market forces on rent levels dwarfs that of the cost of a licence.

- 19.6 The mandatory HMO licensing scheme has undergone a significant review and a new operating procedure was introduced on the 1st April 2022. This procedure has ensured that the backlog of applications built up during the Covid period has been resolved. New applications are being dealt with in a timely manner via the new online procedure.
- 19.7 A private member's bill introduced the Supported Housing (Regulatory Oversight) Bill on 15 June 2022. The long title of the Bill says it will "make provision about the regulation of supported exempt accommodation; to make provision about local authority oversight of, and enforcement powers relating to, the provision of supported exempt accommodation; and for connected purposes."
- 19.8 The second reading is scheduled for 18 November 2022. If the Bill gains Government support it might be the vehicle through which changes to Exempt Accommodation occur.
- 19.9 In the future this could result in a registration scheme modeled local authorities' licensing powers in relation to HMO, new powers for local authorities in England to better manage their local supported housing market ,and mechanisms that ensure that rogue landlords cannot exploit the system to the detriment of vulnerable residents and at the expense of taxpayers.
- 20.0 Written Submissions
- 20.1 During the formal consultation process, 49 individuals provided written submissions. Some of these were from organisations representing landlords and agents, and tenants and residents. Others were received independently from citizens.
- 20.2 All the written submissions have been reviewed and themes summarised below. None have been disregarded even if they were not expressed in a formal way. The process has identified the main issues raised by respondents
- 20.3 The written submissions referenced in this section vary between brief statements and detailed documents, sometimes being strongly polarised in their support for, or argument against, the proposal. The following overview gives a sense of the types of issues raised. Where appropriate, relevant sections of submissions have been included in their entirety.
- 20.3.1 Landlords were largely opposed to the proposals and questioned the data and how the scheme would achieve the Council's objectives. Responses from individual landlords and representatives of landlords displayed scepticism and disapproval of the proposed scheme.
- 20.3.2 The most common reasons given for this were the believe that the proposed additional licensing scheme would not be effective at addressing anti-social

behaviour and waste incidents, and that the costs of the licence would be passed on to the tenant by increasing their rent.

- 20.3.3 Many responses questioned how the Council expected the proposed licence scheme and conditions would reduce anti-social behaviour and waste incidents as it claimed that it would. It was suggested that if the licensing scheme was to be introduced, then information on its success should be assessed regularly and made publicly available. It was suggested that this should take place in the form of an annual summary report of outcomes, demonstrating to tenants and landlords the improvements made as a result of the licensing scheme, as well as its overall impacts.
- 20.3.4 Landlords cited concerns over the financial viability of retaining their rental portfolio going forward, with particular reference to recent tax changes and other possible changes announced in the Government's white paper on the private rented sector.
- 20.3.5 Some landlords warned that they would "sell up" if additional licensing was introduced, thereby reducing private rented accommodation in the city and leading to an increase in homelessness.
- 20.3.6 Some warned that property owners may choose to let their property to the exempt accommodation sector, thereby exacerbating an already existing problematic area of the housing sector in the City.
- 20.3.7 Publicity should make it clear when a licence is required.
- 20.3.8 One of the key aims of the proposal is 'Improve intelligence and data on HMOs, leading to better regulation of the sector, and detection of non-compliance'. Specific thought should be given to how this data is shared with partner agencies, such as the Police, who may find this information useful when looking at targeted operational policing to prevent and reduce crime and ASB.
- 20.3.9 A multi-agency approach is best ensured through effective governance. With one of the key ambitions for additional licensing being improved intelligence, there needs to be clear oversight of the intelligence which is gathered and where it is fed into. Further, the challenges faced in Birmingham could extend to other areas within the West Midlands, which is why regional representation needs to be factored into the oversight of this schemes rollout. Preventative factors need to be put in place to ensure that the problems we are seeing with exempt accommodation and HMOs do not manifest themselves elsewhere.
- 20.3.10 Emphasis was placed on the importance of tenants knowing and understanding their rights in connection with this proposed additional licensing scheme. It is important that information is provided publicly, in person, as well as online. For example, having leaflets/posters at GP services and other public buildings which signpost to services or drop-in sessions at support services. Additionally, the information provided to tenants living in HMOs is not sufficient, with tenants being unaware of what their rights are and what support is available to them. Tenants should be provided with welcome packs by landlords containing all relevant information relating to their legal rights.
- 20.3.11 Landlords questioned the Council's ability to successfully administer the scheme in light of their view of the Council's performance in respect of mandatory licensing which many saw as being poor.

- 20.3.12 While supporting the introduction of additional licensing in principle, resident groups were concerned that the targets for inspection, licensing and compliance are surprisingly low and unambitious, given the rationale and need for the introduction of additional licensing in the first place.
- 20.3.13 Resident groups advocated the use of LSOA/small area data to develop an accurately targeted multi-disciplinary neighbourhood approach. Using LSOA data avoids neglecting neighbourhoods with endemic poor housing, high crime, high deprivation, and environmental street scene issues, which ward data averages hide.
- 20.3.14 The same groups advised that resident engagement as vital to the implementation of the additional licensing proposal. For the proposed scheme to be successful requires the Council to harnesses the invaluable knowledge of residents. Residents must have a mechanism for comment on new licence applications and for reporting non-compliance with existing conditions and other related issues.
- 20.3.15 There was a call on the Council to mitigate the risk of landlords displacing their activities from the HMO to the exempt accommodation sector in response to the new licensed environment for HMOs.
- 20.3.16 It will enable the Council to adopt a more comprehensive approach to HMOs by extending licensing from mandatory licensing applicable by statute to larger HMOs to all HMOs including smaller ones across the city. This will enable the Council to adopt intervention strategies which relate to whole neighbourhoods, as there will be no Ward boundaries demarking areas included in the Additional Licensing Scheme from those excluded from the Scheme.
- 20.3.17 As the whole city will be included in the proposed additional licensing designation, this will reduce the risk of landlords shifting their HMO activity from one part of the city to another to evade licensing.
- 20.3.18 It will enable a more strategic and interventionist approach by the Council as the proposal will permit the Council to contact landlords of small HMOs proactively, something which does not occur without a licensing scheme. This should permit improvement at scale and pace not achievable through a reactive, complaints driven approach.
- 20.3.19 The scheme will provide a clearer and stronger motivation for landlords to comply with Licence conditions, as compared to the existing and more reactive enforcement processes. This will also help to drive up standards across the smaller HMO sector faster and on a larger scale.
- 20.3.20 Respondents expressed concerns over the Council's proposed targets with some believing that the target of licensing only 75% of licensable properties over the five year period of the designation to be too low. Some also felt that the related target of inspecting 80% of licensed properties was also too low i.e if only 75% of properties are licensable properties are licensed, and only 80% of licensed properties are to be inspected, this means that only 60% of licensable properties will be inspected
- 20.3.21 Some view the targets of reducing HMO-related anti-social behaviour incidents and HMO related waste management incidents by only 20% is too low.
- 20.3.22 There were queries as to the criteria by which the Council would identify the pool of 25% of licensable properties that it would decide not to license.

20.3.23 Alternative options were also put forward which could rectify the identified problems as part of the Council's housing strategy. These include:

- Criminal Behaviour Orders
- Crime Prevention Injunctions
- Interim Management Orders
- Empty Dwelling Management Orders
- Improvement Notices (for homes that do not meet the Decent Homes Standard)
- Litter Abatement Notices (Section 92 of the Environmental Protection Act 1990)
- Fixed Penalty Notices or Confiscation of equipment (Sections 8 and 10 of the Noise Act 1996)
- Directions regarding the disposal of waste (for example, Section 46 of the Environmental Protection Act 1990)
- Notices to remove rubbish from land (Sections 2 and 3 of the Prevention of Damage by Pests Act 1949)

20.3.24 We are fully in support of the Council's Proposed Licensing scheme. Without this the prospect of improving standards in HMOs across the city is very significantly diminished. However, the Council needs to address the real and present risk of landlords decamping from the HMO sector as it becomes licensed into the more opaquely regulated Exempt Accommodation sector.

20.4 Landlords are responsible for ensuring their house has suitable and sufficient provision for the storage of and collection of waste arising from the household occupying the property, including having the correct type and number of waste bins.

20.5 Individuals who flout regulations in relation to waste will continue to be dealt with under current legislation and these breaches will be covered by the Council's Environmental Waste Enforcement Unit. The Council will seek to provide support and guidance through its officers and on its website to assist licence holders in their responsibilities.

20.6 Additional licensing provides another tool for addressing these issues. This, together with other complementary measures and initiatives as part of a wider strategy, would allow the Council and partners to address the complex range of issues that are evident in the area and improve housing management and conditions in the private rented sector through licence conditions.

20.7 Other forms of enforcement as detailed in 20.3.23 can be expensive and would require funds being taken from the General Fund (predominantly Council Tax funded) with no guarantee that costs could and would be recovered. This would be unfair when many of the problems are due to poor management practices by landlords or agents operating in a high demand sector. Additional licensing would be self-financing with the fee covering the cost of licensing and paid by the licence holder, not by the wider community. Other enforcement approaches can also be seen to be heavy handed and can cause problems for the Council when attempting to work with and engage with landlords.

20.8 Ultimately, none of the alternative options above give a long-term solution to the problems within the HMO sector and are largely reactive in nature

- 20.9 The purpose of additional licensing is to enhance and exploit opportunities for delivering overall neighbourhood improvements. It is not intended to be a standalone scheme, and for that reason we have sought to demonstrate with the evidence report how it fits into the Council's Plan and other strategies.
- 20.10 The Council has set clear targets as part of the proposed scheme. The aim is that these objectives will be used as part of determining the progress that the Council has made. The Council will report its performance annually against these target at landlord forums and on its website.
- 20.11 The experience of other Local Authorities and housing consultancies has shown that high levels of licence compliance to be challenging to achieve. The targets the Council are higher than elsewhere as it has the benefit of the Article 4 Direction and knows where many of the HMOs in the city are located. Targets will be kept under continual review and changed as required.
- 21.0 Exempt Accommodation
- 21.1 Whilst the proposed additional licensing scheme does not cover exempt accommodation, many respondents provided additional comments in respect of this type of housing, given the extent of these comments and the weight of negative feeling, this report will include and respond to these.
- 21.2 Respondents views included:
- 21.2.1 You need to tackle the exempt accommodation in our city. Our area has been destroyed by exempt properties and this licensing does nothing at all to tackle them. I have lived in Birmingham all my life and the area I live in has changed for the worse forever. We feel unsafe as a group of residents and no one should have to live the way we do due to a flood of exempt accommodations bringing people from all over the UK with serious needs and criminal intent.
- 21.2.2 This needs to cover exempt sector
- 21.2.3 HMOs have been the bane of residents lives in the B23 post code area. Many residents have moved because of the proliferation of HMOs and Exempt properties in and around the area.
- 21.2.4 The Council should lobby central government for changes/tightening in legislation to require social exempt property owners are bound by the same licensing conditions. The license conditions must be met by the owner, not the social exempt license holders.
- 21.2.5 Increased regulation of the provision of care given to those in exempt properties. It is clear just from working/living near these properties that these people do not have the support they need. Landlords, specifically in Bournbrook should be targeted for this and all other issues. The waste problems and overcrowding are all immense.
- 21.2.6 If exempt HMOs (supported living) were brought into licensing, then that would help with anti-social behaviour and rubbish issues.
- 21.2.7 I want to have easy access to the data that the Council collects on numbers of exempt houses in an area, the makeup of occupants, level of support to this very vulnerable

group of residents. The quality and quantity of home/support visits. The logging of incidents that involve emergency services or neighbours . The landlords are running a business that we pay into I want and legally should have an account of how my money is being used.

- 21.2.8 100 percent landlords of exempt houses to be licenced. Record of supported visits, the aims and progress recorded for effectiveness and outcomes for the resident, and documentation of incidents involving emergency services and the wider community. I am giving these landlords a large sum of money and I have a right to know if it is getting results for people.
- 21.2.9 It should ensure that landlords who are not granted an HMO license are prevented from turning their property into exempt accommodation which is happening a lot all over Birmingham and especially in areas with large single house stock.
- 21.2.10 Landlords who are put off by the scheme should also be prevented from turning their properties into exempt accommodation which is blighting the city.
- 21.2.11 If the legislation around HMOs is tightened landlords will just let as exempt accommodation, far more lucrative with zero checks.
- 21.2.12 The problem HMOs are in the exempt sector and this licencing is only applicable to the private rent. We need national regulation. We need an audit of all current HMO properties, with a focus on the exempt accommodation sector.
- 21.2.13 All supported accommodation should have a HMO licence as-well and they should not be exempt. These are causing a misery to local neighbourhood and these are popping up everywhere on every road and need to be capped and need to be stopped causing a lot off anti-social behaviour. You have drug dealing going on everywhere where there is a supported accommodation property.
- 21.3 Section 79(3) of the Housing Act 2004 exempts socially let properties (both Local Authority and Housing Association tenancies) from selective licensing. There are other exemptions, which are detailed in The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006. These exemptions Exempt Accommodation.
- 21.4 The Council is aware of a number of issues in the supported exempt accommodation sector, which have arisen largely due to insufficient legislation and regulation in place nationally. The Council are piloting a multi-agency approach to tackling issues related to exempt accommodation.
- 21.5 The pilot has included the roll out of a new Birmingham Quality Standard and new multi-disciplinary teams who are undertaking a regime of inspections of property and support standards and investigating anti-social behaviour and organised crime.
- 21.6 In December 2021, a report from the Birmingham City Council Overview & Scrutiny Committee has produced some further key recommendations which include the following:
 - Building on the success of the pilot, continuing inspection teams and ensuring resolution of concerns from local citizens.

- Ensuring council-wide practice is consistent with the aims of the Quality Standards for Providers, Charter of Rights for Tenants and the Supported Housing Strategy
- Supporting the Housing Benefit process through additional multi-disciplinary reviews
- Strengthening planning controls through a review of existing practices and enforcement policies.
- Working with regional partners and other local authorities to reduce 'lifting and shifting' of vulnerable people from elsewhere in the country
- Continue to lobby the government to address the national issues and lack of regulation set out in the Scrutiny Committee report

21.7 All feedback referencing Exempt Accommodation has been anonymised and passed to the relevant team within the Council. This information will help support the Council's case for greater regulation of the Exempt Accommodation sector.

Appendix 1

Of the 545 respondents to the survey, the percentage who answered each equality question was as follows:

Age group: 99.45%

Sex: 98.72%

Ethnic group: 67.52%

Religion or belief: 95.96%

Sexual orientation: 96.15%

Physical or mental health condition: 97.98%

A detailed breakdown of the responses can be found in the tables below.

Respondents by age group

Age group	Number of respondents	Percentage of respondents
15 - 17	1	0.18%
18 - 19	0	0.00%
20 - 24	18	3.30%
25 - 29	25	4.59%
30 - 34	41	7.52%
35 - 39	55	10.09%
40 - 44	72	13.21%
45 - 49	52	9.54%
50 - 54	58	10.64%
55 - 59	52	9.54%
60 - 64	46	8.44%
65 - 69	39	7.16%
70 - 74	32	5.87%
75 - 79	12	2.20%
80 - 84	2	0.37%
Prefer not to say	37	6.79%
Not Answered	3	0.55%

Respondents by sex

Sex	Number of respondents	Percentage of respondents
Male	218	40.00%
Female	261	47.89%
Prefer not to say	59	10.83%
Not Answered	7	1.28%

Respondents by ethnicity

Ethnic Group	Number of respondents	Percentage of respondents
English/Welsh/Scottish/Northern Irish/British	324	59.45%
Irish	12	2.20%
Gypsy or Irish Traveller	0	0.00%
Polish	1	0.18%
Baltic States	0	0.00%
Jewish	4	0.73%
Other White European (including Mixed European)	20	3.67%
Any other White background (please specify)	7	1.28%
Not Answered	177	32.48%

Respondents by religion

Religion	Number of respondents	Percentage of respondents
No Religion	174	31.93%
Christian (including church of England, Catholic, Protestant, and all other Christian denominators)	164	30.09%
Buddhists	1	0.18%
Hindu	4	0.73%
Jewish	7	1.28%
Muslim	71	13.03%
Sikh	7	1.28%
Any other religion (please specify below)	3	0.55%
Prefer not to say	92	16.88%
Not Answered	22	4.04%

Respondents by sexual orientation

Sexual Orientation	Number of respondents	Percentage of respondents
Bisexual	13	2.39%
Gay or Lesbian	31	5.69%
Heterosexual or Straight	367	67.34%
Other	5	0.92%
Prefer not to say	108	19.82%
Not Answered	21	3.85%

Respondents by physical or mental health conditions

Physical or mental health conditions?	Number of respondents	Percentage of respondents
Yes	98	17.98%
No	367	67.34%
Prefer not to say	69	12.66%
Not Answered	11	2.02%

Of those answering yes to physical or mental health conditions*

Condition	Number of responses	Percentage of respondents
Vision (e.g. blindness or partial sight)	8	1.47%
Hearing (e.g. deafness or partial hearing)	23	4.22%
Mobility (e.g. walking short distances or climbing stairs)	46	8.44%
Dexterity (e.g. lifting and carrying and carrying objects, using a keyboard)	11	2.02%
Learning or understanding or concentrating	8	1.47%
Memory	14	2.57%
Mental Health	37	6.79%
Stamina or breathing or fatigue	15	2.75%
Socially or behaviourally (e.g. associated with autism, attention deficit disorder or Asperger's syndrome)	9	1.65%
Other (please specify)	11	2.02%
Not Answered	444	81.47%

* Respondents could indicate more than one health condition and the number and percentage of responses may not match the figures in the "Respondents by physical or mental health conditions" table.

Title of proposed EIA	Additional Licensing in the Private Rented Sector
Reference No	EQUA1014
EA is in support of	New Function
Review Frequency	No preference
Date of first review	15/07/2024
Directorate	City Operations
Division	Regulation and Enforcement
Service Area	Private Rented Sector
Responsible Officer(s)	<input type="checkbox"/> Sajeela Naseer
Quality Control Officer(s)	<input type="checkbox"/> Rehana Kosar
Accountable Officer(s)	<input type="checkbox"/> Mark Croxford
Purpose of proposal	Additional Licensing in the Private Rented Sector
Data sources	Survey(s); Consultation Results; Statistical Database (please specify); Other (please specify)
Please include any other sources of data	MHCLG report on Selective Licensing 2019 Statistical database referred to is the HMO Stressors report commissioning for Birmingham in May 2022
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Not Applicable
Age details:	
Protected characteristic: Disability	Not Applicable
Disability details:	
Protected characteristic: Sex	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:	
Socio-economic impacts	Tenants of houses of multiple occupation are more likely to be deprived than occupants of other tenures. The additional licensing scheme would require all houses in multiple occupation to be licenced and maintain a certain standard.

Please indicate any actions arising from completing this screening exercise.	None
Please indicate whether a full impact assessment is recommended	
What data has been collected to facilitate the assessment of this policy/proposal?	Consultation with the general public, landlords, tenants groups and other interested parties. Birmingham HMO Stressors report
Consultation analysis	<p>90% agreed that poor property conditions are a problem in some areas of the city</p> <p>92% agree that anti-social behaviour is a problem in some areas of the city</p> <p>93% agree that waste incidents are a problem in some areas of the city</p> <p>86% agree with the proposal to introduce additional licencing</p> <p>81% believe the proposed scheme would have a positive impact on them</p> <p>74% agree that the scheme would contribute to reducing anti-social behaviour linked to HMOs</p> <p>70% agree that the scheme would contribute to reducing waste incidents linked to HMOs</p> <p>78% agree that the scheme would contribute to improving property and management standards of HMOs</p>
Adverse impact on any people with protected characteristics.	The premise of the scheme is to improve the standard of of HMOs in Birmingham and hence the living conditions of the tenants. There will be no adverse impact.
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	N/A
How will the effect(s) of this policy/proposal on equality be monitored?	EA will be reviewed after year one.
What data is required in the future?	Intervention, enforcement and complaint data will be collected.
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	The proposed additional licensing scheme for HMOs will not have an adverse impact on any groups from a protected characteristic.
QUALITY CONTORL SECTION	
Submit to the Quality Control Officer for reviewing?	No
Quality Control Officer comments	I am happy to pass this EIA to the Accountable Officer 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

22/11/2022

Reasons for approval or rejection

As Accountable Officer I have investigated if the EIA has considered the impact on the actual tenants if the costs were passed on in rent. I am advised: Consideration has been given to whether landlords will pass the licencing fee on to their tenants to recover their costs. A 2019 report commissioned by the Government "An Independent Review of the Use and Effectiveness of Selective Licensing" found no evidence to suggest that licensing has had a demonstrable effect on rent levels. The Council acknowledges that this report looked at the impact of selective licensing but considers that the conclusions can be applied to additional licensing. The private rented sector is a competitive market and market forces mean that rents are set at a level the market will bear. On average, lower quartile rents in areas which adopted selective licensing increased by 274% over a representative five-year period, whilst the licence fee alone (spread over 60 months) would account for an average increase of less than 3%. Even in the minimum case, the data found that the rent increase over the five year period was over 22 times the increase that can be put down to the licence fee alone. This is compelling evidence that the impact of market forces on rent levels dwarfs that of the cost of a licence.

Based on this i am content on the scope and information in the EIA. M Croxford

No

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Content Type: Item

Version: 44.0

Created at 15/11/2022 11:16 AM by ☐ Sajeela Naseer

Last modified at 22/11/2022 02:34 PM by Workflow on behalf of ☐ Mark Croxford

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Appendix 6

Proposed Additional Licencing Conditions

Mandatory conditions under Part 2 Housing Act 2004

Condition 1 – Gas

If gas is supplied to the house, the Licence Holder must provide Birmingham City Council a Gas Safety Certificate issued within the previous 12 months at the time of the application and thereafter on demand.

Condition 2 – Electrical Appliances

The Licence Holder must keep electrical appliances made available by them in the house in a safe condition and supply the authority (at the time of the application and on demand thereafter) a declaration by the Licence Holder as to the safety of such appliances.

Condition 3 – Furniture and Furnishings

The Licence Holder must ensure that furniture and furnishings supplied by them are compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended 1989 and 1993) and must provide a declaration as to their safety at the time of application and thereafter on demand.

Condition 4 - Smoke Alarms

- i) The Licence Holder must ensure that smoke alarms are installed on each storey of the house on which there is a room used wholly or partly as living accommodation. A declaration as to the positioning of such alarms must be provided to Birmingham City Council on demand.
- ii) The Licence Holder must ensure that the smoke alarms are kept in proper working order. A declaration as to the proper working order of the alarms must be supplied to the Council on request.

Condition 5 - Carbon Monoxide Alarms

The Licence Holder must ensure that a carbon monoxide alarm is installed in any room which is used wholly or partly as living accommodation and contains a solid fuel combustion appliance. A declaration as to the positioning of such alarms must be supplied to the Council on demand. Note: Room includes a hall or landing. A bathroom or lavatory is to be treated as a room used for living accommodation. The Licence Holder must ensure that the carbon monoxide alarms are kept in proper working order. A declaration as to the proper working order of such alarms must be supplied to the Council on demand.

Condition 6 – Bedroom Sizes

The Licence Holder must ensure that:

- The floor area of any room in the House of Multiple Occupation (HMO) which is used as sleeping accommodation by one person over the age of 10 years is not less than 6.51 square metres.
- The floor area of any room in the HMO which is used as sleeping accommodation by two persons over the age of 10 years is not less than 10.22 square metres.
- The floor area of any room in the HMO which is used as sleeping accommodation by one person under the age of 10 years is not less than 4.64 square metres.
- Any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.
- Where any room in the HMO which is used as sleeping accommodation by persons aged over the age of 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the Licence.
- Where any room in the HMO which used as sleeping accommodation by persons aged under the age of 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the Licence.
- Where any room in the HMO which is used as sleeping accommodation by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the Licence together with the maximum number of persons aged under 10 years as so specified.

Condition 7 - Terms of Occupation

The Licence Holder must supply to the occupiers of the house a written statement of the terms on which they occupy the HMO. This is usually a tenancy or licence agreement. A copy of the terms will be provided to the Council on demand.

Condition 8 – Waste

The Licence Holder must ensure that suitable and adequate provision is made for the storage and disposal of domestic refuse from the house and that the Council's arrangements for storage and waste disposal are adhered to.

Discretionary Conditions

Condition 9 – Bedroom area

Any area of the room in which the ceiling height is less than 1.5m cannot be counted towards the minimum room size. Communal space in other parts of the HMO cannot be used to compensate for rooms smaller than the prescribed minimum.

Condition 10 – Change of Circumstances

The Licence Holder must notify the Council within 14 days of any material change in circumstances that may affect the validity and terms of the licence.

This would include:

- i) a change of address
- ii) change of manager, management arrangements, or HMO ownership
- iii) any change in the Licence Holders and, if appropriate, a person on whom restrictions or obligations under the licence are imposed, or any associate's circumstances that may affect their status as a fit and proper person under the Housing Act 2004
- iv) any proposed changes to the house, including its layout.

Condition 11 – Energy Performance Certificate

The HMO must have a valid Energy Performance Certificate (EPC) throughout the duration of the licence and in compliance with the Minimum Energy Efficiency Standard in place at the time. The EPC should be displayed clearly in a common part of the HMO.

Condition 12 – Security

The Licence Holder must:

- i) Carry out a lock change prior to a new tenant taking up occupation when the previous tenant has not returned all keys.
- ii) Ensure that provisions for securing access to the premises are maintained in good working order at all times, and sufficient to prevent reasonable attempts of forced entry.
- iii) Ensure occupiers have access to the necessary keys to access the security provisions, including window locks if fitted.
- iv) Where a burglar alarm is fitted to the HMO, the Tenant(s) is (are) made aware of the code, how the alarm is operated and the circumstances under which the code for the alarm can be changed.

v) So far as reasonably practicable, any works necessary to protect the security of the HMO are undertaken within 24 hours of notification e.g. damage to windows/entry points to the HMO.

Condition 13 – Crime and Anti-Social Behaviour

The Licence Holder must:

- i) ensure that all reasonable and practical steps are taken to prevent or reduce criminality or anti-social behaviour by the occupants of, and visitors to, the HMO.
- ii) where complaints of criminality or anti-social behaviour are made to the Licence Holder, the Licence Holder shall investigate them and take appropriate action to resolve them. Copies of the complaint shall be kept together with notes arising during the course of the investigation and how the matter was resolved; and the Licence Holder must keep them for the duration of the Licence. Where the Licence Holder has reason to believe that criminal activity is taking place at the HMO or the curtilage of it, the Licence Holder must ensure that the appropriate authorities e.g. Police, are informed.
- iii) There may be instances where anti-social behaviour occurs more than once, but not continuously and possibly intermittently over several months. In such circumstances the Licence Holder shall, as far as is reasonably practicable, take all steps required to ensure that it is effectively dealt with, up to and including eviction.

Condition 14 – Refuse and recycling

The Licence Holder must:

- i) Provide suitable and sufficient provision for storage of refuse generated in the HMO and ensure that occupants use receptacles provided by the Council for storage prior to collection. No waste or waste receptacle must cause obstruction.
- ii) Ensure that all tenants upon commencement of their tenancy are given details about the refuse storage arrangements, including the collection dates for refuse, recycling and green waste, and how to present their waste.
- iii) Ensure that any kind of refuse which the Council will not ordinarily collect (e.g. large items, bedding, furniture, hazardous waste etc.) are disposed of responsibly and appropriately.
- iv) Ensure that no refuse or bulky waste items are kept in the front or rear garden otherwise within the curtilage other than in an appropriate storage container for that purpose. These areas are also to be kept free of litter.

The Licence Holder is also responsible for ensuring that any kind of refuse which the Council will not ordinarily collect (e.g. large items of furniture, hazardous waste etc.) are disposed of responsibly and appropriately.

Condition 15 – References

The Licence Holder must demand references from persons who wish to occupy the house. No new occupiers should be allowed to occupy the HMO if they are unable to provide a suitable reference. When referencing, consideration must be given to the prospective tenant's previous tenancy history, and right to rent checks. The Licence Holder must provide evidence of such reference and checks carried out when requested by the Council. The Licence Holder must respond to any tenant reference requests they receive within 14 days.

Condition 16 – Inventory

The Licence Holder must arrange to carry out a detailed inventory to be agreed with each tenant at the start of their occupation of the house. The Licence Holder must provide the tenant with a copy of the agreed inventory and keep their own copy.

Condition 17 – Rent Payments

The Licence Holder must ensure that there is a record of all rent payments received in respect of the HMO. All occupiers should be given a rent book or similar receipt for payments made, such as a rent statement. If rent is due weekly, this should be provided to the tenant each week. If rent is due monthly, this should be provided to the tenant at monthly intervals as a minimum.

Condition 18 – Copy of licence

The Licence Holder shall give the tenant(s) a copy of the licence to which these conditions relate at the start of their tenancy together. A copy of the licence shall also be displayed in a prominent position in the common parts of the HMO.

Condition 19 - Emergency Arrangements

The Licence Holder must have in place appropriate emergency and other management arrangements in the event of their absence. The name and contact details of the alternative contact must be provided to the occupant/occupiers.

Appendix 7

Environment and Sustainability Assessment

Birmingham City Council is required to assess any positive or negative impacts that any policy/strategy/ decision/development proposal is likely to have on the environment. This assessment must be completed for CLT and Cabinet reports where appropriate. It is the responsibility of the Service Director signing off the report to ensure that the assessment is complete.

To complete the assessment, you should consider whether the proposal will have a positive or a negative impact on each of the key themes by placing a (✓) for positive, (x) for negative and (?) for unclear impact, and (N/A) for non-applicable impact. Further guidance on the completion of the template is available on page 3 below.

Project Title:	Additional Licensing of Houses of Multiple Occupation	
Directorate: Regulation and Enforcement	Team: Private Rented Sector	Person Responsible for assessment: Simon Beasley
Date of assessment: 10/05/2022	Is it a new or existing proposal? New	
Brief description of the proposal: <p>The proposal is for an additional licensing scheme (ALS) covering all non-mandatory Houses of Multiple Occupation (HMO) in all 68 wards of Birmingham. The primary aim of ALS is to reduce anti-social behaviour and address poor waste management.</p> <p>The report outlines the evidence that an ALS is required to improve standards within this sector which will then enable tenants to have managed accommodation which will in turn will reduce anti-social behaviour and complaints around waste issues.</p> <p>The report outlines how this will be achieved by complementing current strategies and powers.</p>		

Potential impacts of the policy/development/ decision on:	Positive Impact	Negative Impact	No Specific Impact	What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?
Natural Resources - including water, soil, air	X			The reduction in carbon emissions achieved by ensuring homes meet the Minimum Energy Efficiency Standard will improve air quality.
Energy use and CO ₂ emissions	X			<p>One of the key priorities is to “Improve the energy efficiency of Birmingham homes, tackle fuel poverty, and reduce carbon emissions supporting grant schemes and advising/signposting both tenants and landlords to support organisations thus supporting improvements in some of the most energy inefficient homes in the city.” Domestic energy is responsible for around a third of all carbon emissions.</p> <p>An ALS will mean that all landlords within the scheme will be monitored in respect of having up to date Energy Performance Certificate (EPC) and Electrical Installation Conditions Reports (EICR).of Ensure landlords are compliant with all aspects of the Energy Act 2011 including compliance with the Minimum Energy Efficiency Standards Signpost landlords and tenants to grant funding opportunities for heating and insulation works. Heating homes more efficiently will not only make utility bills more affordable for the tenant but will also contribute towards the Government’s Net Zero Strategy and the city’s Carbon Roadmap.</p> <p>Ensure all HMO accommodation meets minimum standards and category 1 hazards such a damp, mould and insufficient heating are addressed. The addition of four new environmental health officers will assist in response to</p>

				complaints of disrepair. The subsequent repair of buildings may assist in improve energy efficiency and decreasing carbon emissions.
Quality of environment	X			An ALS will improve standards of accommodation across the entire city. This includes specific conditions around waste receptacles etc and it is hoped that the local environment will improve as a result of this.
Impact on local green and open spaces and biodiversity			X	
Use of sustainable products and equipment			X	
Minimising waste	X			<p>The proposed licence conditions include a requirement for the landlord to provide suitable and sufficient refuse arrangements. This would include recycling bins. Licence condition below:</p> <p><i>The Licence Holder must:</i></p> <p><i>i) Provide suitable and sufficient provision for storage of refuse generated in the HMO and ensure that occupants use receptacles provided by the Council for storage prior to collection. No waste or waste receptacle must cause obstruction.</i></p> <p><i>ii) Ensure that all tenants upon commencement of their tenancy are given details about the refuse storage arrangements, including the collection dates for refuse, recycling and green</i></p>

				<p>waste, and how to present their waste.</p> <p>iii) Ensure that any kind of refuse which the Council will not ordinarily collect (e.g. large items, bedding, furniture, hazardous waste etc.) are disposed of responsibly and appropriately.</p> <p>iv) Ensure that no refuse or bulky waste items are kept in the front or rear garden otherwise within the curtilage other than in an appropriate storage container for that purpose. These areas are also to be kept free of litter</p> <p>The Licence Holder is also responsible for ensuring that any kind of refuse which the Council will not ordinarily collect (e.g. large items of furniture, hazardous waste etc.) are disposed of responsibly and appropriately.</p>
Council plan priority: a city that takes a leading role in tackling climate change	X			Implementation of the objectives will help meet the Council's aim to take a leading role in tackling climate change
Overall conclusion on the environmental and sustainability impacts of the proposal	<p>The private rented sector is the second largest residential tenure in the city. implementation and monitoring of the objectives should reduce the level of carbon emissions in the sector. This should have a positive environmental and sustainable impact.</p>			

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Guidance for completing the template

Theme	Example
Natural Resources - Impact on natural resources including water, soil, air.	<p>Does the decision increase water use?</p> <p>Does the decision have an impact on air quality?</p> <p>Does the decision discourage the use of the most polluting vehicles (private and public) and promote sustainable modes of transport or working from home to reduce air pollution?</p> <p>Does the decision impact on soil?</p> <p>For example, development will typically use water for carrying out various operations and, once complete, water will be needed to service the development. Providing water to development and treating affluent water requires energy and contributes to climate change. Some of the activities including construction or disposal of waste may lead to soil pollution. The decisions may lead to more journeys thereby deteriorating air quality and thus contribution to climate change and greenhouse gases.</p>
Energy use and CO ₂ emissions.	<p>Will the decision have an impact on energy use?</p> <p>Will the decision impact on carbon emissions?</p> <p>Most day-to-day activities use energy. The main environmental impact of producing and using energy such as electricity, gas, and fuel (unless it is from a renewable source) is the emission of carbon dioxide.</p>
Quality of environment.	<p>Does the decision impact on the overall quality of the built environment?</p> <p>Decisions may have an impact on the overall setting, character and distinctiveness in the area. For example, if development involves ground digging and excavations etc. it may have an impact on the local archaeology.</p>
Impact on local green and open spaces and biodiversity	<p>The proposal may lead to localised impacts on the local green and open spaces which may have an impact on local biodiversity, trees and other vegetation in the area.</p> <p>Will the proposal lead to loss (or creation) of green and blue infrastructure?</p> <p>For example, selling an open space may reduce access to open space within an area and lead to a loss of biodiversity. However, creating a new open space would have positive effects.</p>
Use of environmentally sustainable products, equipment and packaging'	<p>Will the decision present opportunities to incorporate the use of environmentally sustainable products (such as compostable bags, paper straws etc.), recycled materials (i.e. Forest Stewardship Council (FSC) Timber/wood), non-polluting vehicles, avoid the use of single use plastics and packaging.</p>
Minimising waste	<p>Will the decision minimise waste creation and the maximise recycling during the construction and operation</p>

	of the development/programme/project? Will the decision provide opportunities to improve recycling? For example, if the proposal involves the demolition of a building or a structure, could some of the construction materials be reused in the new development or recycled back into the construction industry for use on another project?
Council plan priority: a city that takes a leading role in tackling climate change and deliver Route to Zero.	How does the proposal or decision contribute to tackling and showing leadership in tackling climate change and deliver Route to Zero aspirations?

If you require further assistance with completing this template, please contact: ESAGuidance@birmingham.gov.uk

Birmingham City Council

Report to Cabinet

17th January 2023



Subject: Private Rented Sector Leasing Scheme – Capital Grant - Extension of delegation

Report of: Paul Langford, Acting Strategic Director, City Housing

Relevant Cabinet Member: Councillor Sharon Thompson, Cabinet Member for Housing & Homelessness

Relevant O & S Chair(s): Councillor Mohammed Idrees, Housing and Neighbourhoods

Report author: Tim Gray, tim.gray@birmingham.gov.uk 07533 347316

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: 010913/2023		
Is the decision eligible for call-in?	<input type="checkbox"/> Yes	<input checked="" 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 September 2022, Cabinet agreed to delegate authority to the Strategic Director for City Housing, in consultation with the Director Council Management, to determine the optimal solution to make use of an expected Department for Levelling Up, Housing & Communities (DLUHC) capital grant of £3.8m to set up a private rented sector leasing scheme to accommodate families experiencing homelessness.
- 1.2 The expected award of the DLUHC grant did not take place due to ministerial changes since September and it has only become clear very recently that it could

still be available. However, the availability of the DLUHC grant is conditional on it being spent by the Council before the end of the financial period 2022/23.

- 1.3 There is insufficient time to run a competitive procurement process and implement in order to spend the DLUHC grant within the time available. The value of the grant funding is over the threshold for the Public Contract Regulations 2015 (PCR) to apply. Therefore, the Council would need to rely on Regulation 32 (2)(c) (negotiated procedure without prior publication, brought about through reasons of extreme urgency) to directly award contracts. An extension of the delegated authority already agreed, to enable the direct award of contracts to deliver the scheme is therefore required.
- 1.4 In addition to the urgent Cabinet decision, due consideration is being requested to approve immediate implementation to enable the Council to spend the grant before the end of 2022/23.

2 Recommendations

That Cabinet:

- 2.1 Extends the existing delegated authority to the Strategic Director for City Housing, in consultation with the Assistant Director, Procurement (or their delegate), the Strategic Director, Council Management (or their delegate) and the City Solicitor & Monitoring Officer (or their delegate) to include authority to make use of the negotiated procedure without prior publication under PCR Reg 32(2)(c) due to the urgent timescales and waives the requirement under the Procurement and Contract Governance Rules to report the award to Cabinet for approval.
- 2.2 Authorises the City Solicitor to negotiate, execute and complete all necessary documentation to give effect to the above recommendations.

3 Background

- 3.1 In September 2022, Cabinet agreed to:
 - 3.1.1 Accept the £3.8m DLUHC grant via the WMCA to set up a private rented sector leasing scheme.
 - 3.1.2 Delegate authority to the Strategic Director for City Housing, in consultation with the Director Council Management, to determine the optimal solution following further investigation of whether to make use of InReach as a Wholly Owned Company or procure such services to take on leases to accommodate families experiencing homelessness.
 - 3.1.3 Delegate authority to the Strategic Director for City Housing, the Assistant Director Corporate Procurement (or their delegate), in conjunction with the Director of Council Management (or their delegate), and the City Solicitor (or their delegate) to approve the procurement strategy and award of any subsequent contract (if required).

- 3.1.4 Authorise the City Solicitor to negotiate, execute and complete all necessary documentation to give effect to the above recommendations.
- 3.2 At the time of the September Cabinet it was expected, based on discussion with DLUHC officials, that an award of capital grant was likely to be imminent. It was also understood that it would be sufficient to have committed the funding received within the financial period of 2022/23 and not to have spent the whole of the funding received.
- 3.3 However, since then there have been two changes of Prime Minister, and accompanying ministerial changes, which meant that the payment of the grant to the Council was not approved and it became very uncertain if it would be approved at all.
- 3.4 On 30th November 2022 the Council received e-mail confirmation that the grant might still be awarded but that this could only be the case if the Council was able to spend the whole of the funding by the end of March 2023.
- 3.5 This delay was outside the Council's control. It would not have been prudent to start a procurement exercise without this information, as it was not at all clear that new ministers would have the same policy in this area.
- 3.6 The current timing makes a competitive procurement exercise impractical, because it would take too long to be able to conduct the procurement activity and award the contract in time.
- 3.7 It has also become clear since September Cabinet that InReach are not well placed to deliver the programme.
- 3.8 A way in which this issue may be resolved is to work with registered housing associations working in the Birmingham area to deliver the programme through advance payment before the end of the financial period 2022/23.
- 3.9 Whilst this still leaves very little time to make the arrangements, officers believe that awarding contracts in this way can both achieve value for money for the Council and allow the DLUHC grant to be spent within the 2022/23 the financial period if an expedited process is followed.
- 3.10 This is, of course, subject to the DLUHC grant being confirmed and also dependent on one or more housing associations being willing to work with us in this way. However, DLUHC officials have confirmed by email that such an arrangement would be acceptable to them, and the Council has already begun discussions with the Birmingham Social Housing Partnership (BSHP) group to establish the level of interest of local housing associations.
- 3.11 If the proposed route of awarding the payment in advance is not taken it is currently difficult to see how the Council could avoid losing the DLUHC grant funding. Robust provisions will be put in place to mitigate this particular risk through review and management of the contract.

- 3.12 DLUHC have agreed that their grant will be governed by a memorandum of understanding (MoU) with the Council, rather than with WMCA, and that this will specify the purpose of the funding, that it is for leasing properties in order to reduce use of B&Bs for homeless families, but will not specify delivery model or milestones as DLUHC are content for the Council to determine what works best locally.
- 3.13 DLUHC have also agreed that the funding could be paid direct to Birmingham City Council rather than through WMCA.
- 3.14 Whilst the grant will be Section 31 funding and would be difficult for the government to attempt to claw back after award, the draft MoU, whilst not legally binding, makes clear that DLUHC expects the Council to spend all grant funding by the end of the financial year 2022/23 and that the parties enter into the MOU intending to honour all their obligations.

4 Options Considered and Recommended Proposal

- 4.1 These are set out in the 6 September 2022 Cabinet report.

5 Consultation

- 5.1 Consultation is as discussed in the September Cabinet report with additional consultation having taken place with InReach, DLUHC, West Midlands Combined Authority (WMCA) and BSHP to arrive at the position set out above.

6 Risk Management

- 6.1 Risks and mitigations are as set out in the September Cabinet report, with the new key risk that grant will not be received unless it can be spent within the 2022/23 financial period, which has been discussed in the above paragraphs.

7 Compliance Issues:

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

- 7.1 The proposal is in compliance with the priorities in the Corporate Plan 2022/26, notably the priorities to tackle poverty and inequality, to support and enable all children and young people to thrive, and to tackle homelessness.

7.2 Legal Implications

7.2.1 Under Section 1 of the Localism Act 2011 ('the LA'), the Council has the power to enter into the arrangements set out in this report, which are within the remit and limits of the general power of competence (Section 2 and 4 of the LA).

7.2.2 The proposal will enable the Council to comply with its statutory duty under the Homelessness Suitability of Accommodation Order 2003.

7.3 Financial Implications

7.3.1 These are as set out in the 6 September 2022 Cabinet report, with the addition of:

7.3.2 Without taking a direct award approach to deliver the scheme, it is unlikely that any DLUHC grant will be received.

7.3.3 The proposal creates no financial commitment from BCC to provide ongoing funding beyond the value of the external funding and is based on covering costs for providers so creates no VAT implications for BCC.

7.4 Procurement Implications

7.4.1 The Procurement Strategy will set out the approach to be taken and options considered. The procurement approach will follow the required due diligence under PCR Reg 32(2)(c) which permits direct awards where, for reasons of extreme urgency brought about by events unforeseeable, competitive procedures cannot be complied with.

7.5 Human Resources Implications

7.5.1 No specific issues identified.

7.6 Public Sector Equality Duty

Equality Impact Assessment is attached at Appendix 1.

8 Appendices

Appendix 1 – Equality Impact Assessment

9 Background Documents

September Cabinet Report on Private Sector Leasing Scheme – Capital Grant

Title of proposed EIA	Private Sector Leasing - Capital Grant
Reference No	EQUA966
EA is in support of	New Service
Review Frequency	Annually
Date of first review	16/08/2023
Directorate	City Housing
Division	Housing Solutions and Support
Service Area	New leasing scheme to end homelessness duties
Responsible Officer(s)	<input type="checkbox"/> Tim Gray
Quality Control Officer(s)	<input type="checkbox"/> Kieran Cronin
Accountable Officer(s)	<input type="checkbox"/> Gary Messenger
Purpose of proposal	To obtain cabinet approval to accept DLUHC grant funding and set up a social lettings agency to lease properties to end a homelessness duty
Data sources	relevant reports/strategies; relevant research
Please include any other sources of data	
ASSESS THE IMPACT AGAINST THE PROTECTED CHARACTERISTICS	
Protected characteristic: Age	Service Users / Stakeholders
Age details:	No negative impact identified. The proposal will allow families to move out of unsuitable Bed & Breakfast accommodation and families to move out of temporary accommodation into good quality, settled, professionally managed accommodation under an assured shorthold tenancy
Protected characteristic: Disability	Service Users / Stakeholders

Disability details:

No negative impact identified. The proposal will allow families to move out of unsuitable Bed & Breakfast accommodation and families to move out of temporary accommodation into good quality, settled, professionally managed accommodation under an assured shorthold tenancy.

This is particularly positive for families with a member with a disability who will be able to move to more suitable accommodation

Protected characteristic: Sex

Service Users / Stakeholders

Gender details:

No negative impact identified. The proposal will allow families to move out of unsuitable Bed & Breakfast accommodation and families to move out of temporary accommodation into good quality, settled, professionally managed accommodation under an assured shorthold tenancy.

Most families in B&B are headed by women

Protected characteristics: Gender Reassignment

Not Applicable

Gender reassignment details:

Protected characteristics: Marriage and Civil Partnership

Not Applicable

Marriage and civil partnership details:

Protected characteristics: Pregnancy and Maternity

Service Users / Stakeholders

Pregnancy and maternity details:

No negative impact identified. The proposal will allow families to move out of unsuitable Bed & Breakfast accommodation and families to move out of temporary

	accommodation and families to move out of temporary accommodation into good quality, settled, professionally managed accommodation under an assured shorthold tenancy
Protected characteristics: Race	Service Users / Stakeholders
Race details:	No negative impact identified. The proposal will allow families to move out of unsuitable Bed & Breakfast accommodation and families to move out of temporary accommodation into good quality, settled, professionally managed accommodation under an assured shorthold tenancy.
	Homeless families tend disproportionately to belong to disadvantaged racial and ethnic groups
Protected characteristics: Religion or Beliefs	Not Applicable
Religion or beliefs details:	
Protected characteristics: Sexual Orientation	Not Applicable
Sexual orientation details:	
Socio-economic impacts	No negative impact identified. The proposal will allow families to move out of unsuitable Bed & Breakfast accommodation and families to move out of temporary accommodation into good quality, settled, professionally managed accommodation under an assured shorthold tenancy
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?	No specific data collected. However, gender and ethnicity data is routinely collected on homeless families. This shows a

	large number of single parent families headed by women, and disproportionate representation among disadvantaged ethnic groups
Consultation analysis	WMCA research on households in TA shows a clear preference for settled accommodation over B&B and other temporary accommodation with shared facilities
Adverse impact on any people with protected characteristics.	None
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	No adverse impact identified
How will the effect(s) of this policy/proposal on equality be monitored?	Number of leased properties used to provide settled accommodation. Reduction in B&B for families
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	
Consulted People or Groups	
Informed People or Groups	
Summary and evidence of findings from your EIA	The proposal will have a positive impact on homeless families, especially those currently living in B&B. Such families are disproportionately likely to be headed by women, and to include family members from disadvantaged socio-economic and ethnic groups
QUALITY CONTORL SECTION	
Submit to the Quality Control Officer for reviewing?	No
Quality Control Officer comments	Information reviewed and some typos corrected - passed to accountable officer for final approval

Decision by Quality Control Officer

Submit draft to Accountable Officer?

Decision by Accountable Officer


Date approved / rejected by the Accountable Officer


Reasons for approval or rejection

Please print and save a PDF copy for your records

Content Type: Item

Version: 48.0

Created at 17/08/2022 02:52 PM by  Tim Gray

Last modified at 18/08/2022 03:37 PM by Workflow on behalf of  Gary Messenger

Proceed for final approval

No

Approve

18/08/2022

Yes

Close

Birmingham City Council

Report to Cabinet

17th January 2023



Subject: **MULTIPLY: FINANCIAL LITERACY PROGRAMME**

Report of: **Sue Harrison,
Strategic Director - Children and Families**

Relevant Cabinet Member: **Cllr Karen McCarthy - Children, Young People & Families
Cllr Yvonne Mosquito - Finance & Resources**

Relevant O &S Chair(s): **Cllr Kerry Jenkins - Education and Children Social Care
Cllr Akhlaq Ahmed – Resources**

Report author: **Ilgun Yusuf,
Head of Service, Birmingham Adult Education Service
Email: Ilgun.Yusuf@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: 010888/2023		
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, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 This is a national programme set up by the Department for Education. The funding was devolved to Mayoral Combined Authorities (MCAs) and Local Authorities that are not part of a MCA.

- 1.2 All Local Authorities, MCAs have now received the funding from DfE and a significant number of Local Authorities across the country are now starting to deliver the Multiply programme
- 1.3 The overall objective of [Multiply](#) is to increase the levels of functional numeracy in the adult population across the UK.
- 1.4 Multiply will support the Government's Levelling Up mission to ensure that by 2030, the number of people successfully completing high-quality skills training will have significantly increased in every area of the United Kingdom. To support this, they have committed that the first priority of the UK Shared Prosperity Fund, will be a 3-year programme focused on improving functional numeracy skills.
- 1.5 The programme will increase adult numeracy across the city's population – this overall impact, which goes beyond achieving certificates or qualifications, will track both the perceived and actual difference taking part in the programme makes in supporting learners to improve their understanding and use of maths in their daily lives, at home and at work - and to feel more confident when doing so.
- 1.6 It will also generate improved labour market outcomes e.g. fewer numeracy skills gaps reported by employers, and an increase in the proportion of adults that progress into sustained employment and / or education.
- 1.7 All interventions will have an immediate and direct positive impact on the personal finances of participants. For example, the co-design and co-delivery of the "Understanding Bills/Energy Usage" courses in partnership with Warmer Homes will incorporate sustainability in practice, as well as practical advice on grants for participants to help them with the cost-of-living crisis.
- 1.8 To support the legacy and sustainability of the project, all interventions will be delivered with a collaborative learning approach, where participants will be encouraged to share their skills and knowledge with other participants. We will identify informal leaders within the cohorts and provide them with the necessary skills to share the knowledge and skills with other members of the community.
- 1.9 Our work with SMEs and anchor institutions will co-design in-work numeracy and digital skills programmes to help low-wage workers progress through the structure of the organisation. An example of this, is the work we will develop with the Women's Hospital in Birmingham.
- 1.10 Financial Literacy interventions will be aligned to the Prevention and Early Intervention Team's work at the Literacy Hubs in the city to become part of an integrated service to residents in places where there is natural footfall and residents are used to visit in order to get community support and services.
- 1.11 We have a proven track record of running projects of this size, for example a 3 year programme for the Department of Levelling Up to set up the Birmingham ESOL Hub with a value of £400,000 per year. In addition, we hold an AEB Grant and we are, therefore, able to adhere to formal funding and performance monitoring rules.

- 1.12 Our robust quality assurance framework has delivered a good range of strong outcomes that overall were rated Good by Ofsted.
- 1.13 Our Community Learning, servicing ca. 5,000 students every year has been developed to incorporate financial literacy and numeracy within a range of projects, some of which regularly encourage learners to take up follow on courses to develop self-employment skills, as well as employability skills.

2 Recommendations

Cabinet is recommended to:

- 2.1 To approve acceptance of the bid funding as detailed in the BID Document at **Appendix 1** of this report from the West Midlands Combined Authority for the purposes of supporting the development and implementation of the Multiply Project.
- 2.2 To authorise the Director of Children and Families, in consultation with the Cabinet Member for Children, Young People and Families to develop and implement the Multiply Project
- 2.3 To note that the Director of Children and Families will provide Cabinet with periodic updates as regards the progress of the Multiply Project.

3 Background

- 3.1 The government allocated £0.5 billion pounds to be invested in 3 years across England, of which ca. £15 million have been allocated to the West Midlands (the second largest share after London GLA)
- 3.2 The West Midlands Combined Authority has allocated £1.581 million over 3 years for Birmingham Adult Education to run Financial Literacy Intervention in the city.
- 3.3 The Multiply funding will enable the Service to offer bespoke numeracy and financial literacy courses with embedded literacy skills to residents on low income (employed and unemployed) who are being most affected by the cost-of-living crisis.

Evidence of need:

- 3.4 More people (9.6% vs 6.7% nationally) with no qualifications, compared to other areas.
- 3.5 Growing in-work poverty, driven by lower-than-average wage levels.
- 3.6 Lower GVA per head (£25.5k in the region compared to £30k nationally).
- 3.7 Persistent skills shortages. In the latest Employer Skills Survey, 31% of employers experienced challenges in finding applicants with basic numerical skills and understanding, a higher proportion than any other region.
- 3.8 A high number of residents in jobs/sectors at risk of automations or broader economic change.

- 3.9 There is a very high number of employed residents and claiming Universal Credit in Birmingham (52,500 as at September 2022) Numeracy/Financial Literacy interventions will help decrease the number of UC claimants, the highest in West Midlands.
- 3.10 Self-employed adults, generally with low income. In Birmingham, they are more likely to be Black, Asian and Minority Ethnic. Research shows residents from this group are more entrepreneurial but with limited access to business support.
- 3.11 Young adults (19 to 23), including care leavers and young parents likely to have a low-wage job, to improve on the rate of 17% for young learners currently taking part in maths courses across the West Midlands.
- 3.12 White workers on low wages. Current statistics show an increase in employment inactivity amongst white British residents, which is higher than any other group.

Outcomes and Benefits:

- 3.13 Through this programme, 650 residents in year 1 and 1,100 per year in Years 2 and 3 will:
 - 3.13.1 Improve their budgeting capability, practical sustainability knowledge to save energy
 - 3.13.2 Improve their family finances through improved understanding of interest rates, the impact of debt and debt management
 - 3.13.3 Maximise their income through smart-spending skills
 - 3.13.4 Improve their awareness of financial help and grants to retrofit their homes through schemes promoted by partners such as Warmer Homes
 - 3.13.5 Become aware of the help they can obtain through Family Hubs and Financial Literacy Hubs in the city as part of the Early Intervention and Prevention team's activity
- 3.14 By increasing participation in practical numeracy courses, as well as accredited courses engaging learners will improve their chances to get a job or better jobs.
- 3.15 One of our key partners will be Trade Union Congress (TUC). The involvement of TUC in the project will provide an excellent opportunity to develop think opportunity to build employer engagement for wider workforce development, progression and wellbeing – including night industries and flexible working hrs, and workers on 0 hours contracts.

Financial Context:

- 3.16 The tables below show the cost broken down per year and the income/ expenditure variance per year and cumulative.
- 3.17 The Adult Education Service will receive a total of £1,580,795 over the 3 years of the life of the programme. The cumulative expenditure over 3 years will be £1,580,645.

- 3.18 The Multiply funding runs on financial years. As there will not be a full year of delivery, the funding relating to delivery in year 1 is less than years 2 and 3. However, there are set-up costs considered into year 1, as detailed below.

Breakdown of costs	Year 1	Year 2	Year 3
6.0 FTE Teachers (for delivery and development)	£126, 991	£317,653	£333,501
1.0 FTE Project Lead	£34,300	£71,950	£75,600
0.8 Community Liaison Officer	£17,600	£36,950	£38,800
0.4 Marketing officer (Social Media and Copywriter)	£8,700	£18,200	£19,100
0.2 Marketing Lead	£5,800	£12,200	£12,800
Venue Hire and associated venue costs	£12,600.	£30,000	£30,000.00
Teaching resources including IT purchased Y1	£140,000	£15,000	
Advertising and marketing set up costs	£65,000	£20,000	£14,000
Learner Support (DLSF)	£20,000	£52,900	£51,000
TOTAL Expenditure per year	£430,991	£574,853	£574,801
WMCA FUNDING	£430,991	£574,902	£574,902

- 3.19 As all of the teaching for Multiply will be supplied by sessional teachers (from a fund ring-fenced to Multiply) and they are already employed by BAES to fulfil their Adult Education Budget contract, we will continue to employ them in line with current practice.
- 3.20 As the Marketing capacity will be supplied by existing staff, through a temporary redistribution of their workload, we will continue to employ them after the programme concludes.
- 3.21 The Multiply funding will provide the Service with the financial capacity to get a project of this scale started and run through 3-years. This period would allow the Service to make arrangements to its business plan, so that the demand created by the programme can be met through our regular funding allocation.

4 Options considered and Recommended Proposal

OPTION A:

Deliver the project using the Multiply Funding, engaging the workforce indicated in page 22 of the Bid Document – section Financial Case

- 4.1 The Multiply funding will provide the Service with the financial capacity to get a project of this scale started and run through 3-years. This period would allow the

Service to make arrangements to its business plan, so that the demand created by the programme can be met through our regular funding allocation.

4.2 The project will benefit more than 4,000 residents over the period of 3 years

4.3 The project will deliver innovative, flexible provision as detailed in paragraphs 1.6, 1.7, 1.8 and 1.9, within this document

OPTION B:

Don't deliver the project and limit our delivery to our current allocation

Recommended Proposal

4.4 We would like to recommend **Option A** because:

4.4.1 It is an excellent opportunity to run innovative, flexible courses that will have a direct positive impact on the personal finances of more than 4,000 residents.

4.4.2 It supports Financial Literacy interventions will be aligned to the Prevention and Early Intervention Team's work at the Literacy Hubs in the city to become part of an integrated service to residents in places where there is natural footfall and residents are used to visit in order to get community support and services.

4.4.3 We are duty-bound to offer learning that supports residents' skills and resilience through the cost-of-living crisis

5 Consultation

5.1 There is no consultation required as the project will not affect the Council's existing structure. This programme will generate the recruitment of new posts, and all employees will have a fair and equal opportunity to apply for the vacancies. The posts will be advertised first to Priority Movers and where necessary, then internally and externally.

6 Risk Management

6.1 The following risks and mitigation strategies have been identified

Risk	Mitigation	Likelihood (H/M/L)	Impact (H/M/L)
Lower than planned recruitment to activity in year 1	Increased targeted marketing. Review of partnerships.	M	H
Insufficient lead in time to develop new programmes	Anticipate positive response to application and begin development in November	L	H

	irrespective of notification of success in application.		
Insufficient lead in time to recruit necessary people resources	People plan ahead of notification of success. Utilise part-time staff with additional hours	M	M
The project will generate additional demand that residents may expect and will need to be met	The 3-year period of funding will allow the Service to make arrangements to its business plan, so that the demand created by the programme can be met through our regular funding allocation.	L	M

7 Compliance Issues:

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

7.1.1 This project supports 4 of the 5 Top Challenges identified in the 22-26 BCC Corporate Plan as follows:

- **Community Resilience and Cohesion:** The interventions will help “Reduce inequalities between wards, e.g., health, unemployment, educational”, focusing particularly on residents on low-income jobs and on benefits
- **Employment, Skills and the Local Economy:** Through this programme we will provide “Opportunities for local people to develop skills and make the best of economic growth”
- **Health and Wellbeing:** The practical skills acquired by participants will help “Reduce inequalities between wards, e.g. health, unemployment, educational”
- **Opportunities for Children and Young People:** The Financial Literacy intervention will provide young parents and young families with essential tools to maximise through smart spending skills by “Inspire young people to be ambitious, and achieve their potential”

7.2 Legal Implications

7.2.1 Under 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.

7.3 Financial Implications

7.3.1 The costs of the Multiply programme are planned to total £1.581m over three years and will be fully funded by the grant from WMCA.

	2022-23	2023-24	2024-25	total
	£m	£m	£m	£m
Funding	0.431	0.575	0.575	1.581
Expenditure	0.431	0.575	0.575	1.581
Variance	-	-	-	-

7.3.2 Programme expenditure will be monitored to ensure that it remains within the limits of the grant funding and mitigating action will be taken to reduce expenditure if required.

7.3.3 The local authority will report on its expenditure to WMCA regularly and should expenditure in the financial year be lower than planned then grant funding for that year will be reduced accordingly. There will be no carry forward of unspent funding.

7.3.4 There is the potential for demand for service provision to increase as a result of a successful programme and the service will monitor and adapt the delivery of its provision if necessary.

7.4 Procurement Implications

7.4.1 There are no procurement implications.

7.5 Human Resources Implications

7.5.1 On Cabinet's approval of this request to bid and receive funds, we will recruit the posts listed below, following the Council's current recruitment process.

7.5.2 All posts will be advertised to Priority Movers first, followed by internal and external adverts if the posts have not been filled at the Priority Movers stage

7.5.3 The posts to be recruited to are:

- 1.0 FTE Project Lead
- 1.0 FTE Community Liaison Officer
- 0.4 FTE Marketing Officer (Social Media and Copywriter)

These posts will be Fixed Term Contract posts.

7.6 Public Sector Equality Duty

- 7.6.1 We have considered the possible impact on unemployed residents who could benefit from this programme, and although they are not the target group, they will not be prevented from taking part, as they may become employed with the right support.
- 7.6.2 We have also considered the potential for more people with protected characteristics who are unemployed, and this kind of interventions will be very helpful to them, with that in mind, all unemployed learners will be allowed to join the programmes and will be funded through AEB.

7.7 Environmental and Sustainability Implications

- 7.7.1 There are no environmental implications.
- 7.7.2 Sustainable delivery, and approach to learning to ensure legacy. Our Community Learning programme has developed a model to promote autonomous learning and an ethos of learning within the community through the Community Learning Champions. This programme will have the same ethos with a view to identify informal leaders within the cohorts and provide them with the necessary skills to share the knowledge and skills with other members of the community.

8 Appendices

- 8.1 **Appendix 1** - Multiply Investment Prospectus – Department for Education
- 8.2 **Appendix 2** - Multiply Invitation to Bid – Birmingham Adult Education

9. Background Papers

None



Department
for Education

Multiply

Multiply

Investment Prospectus (England)

April 2022

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Forward

We want everyone to have the opportunity to learn and develop the essential skills they need to succeed at any age. We know that numeracy is universally important for individuals' life chances, and for the United Kingdom's economy as a whole. 17m adults in England - half of the working-age population - have everyday maths skills roughly equivalent to those expected of a primary school child (Entry Levels)¹. This compares poorly internationally – below the OECD average, and behind countries such as Japan, Germany and Canada².

That is why the UK Government has committed that the first priority of the [UK Shared Prosperity Fund](#), will be Multiply. With up to £559 million in funding available, Multiply has the potential to reach adults across the whole United Kingdom over the next three years; improving their functional numeracy skills. This will support our Levelling Up mission to ensure that by 2030, the number of people successfully completing high-quality skills training will have significantly increased in every area of the United Kingdom.

We want to help people improve their ability to understand and use maths in daily life, home, and work. Whether that be improving household finances, helping children with homework, making more sense of the facts in the media, or improving numeracy skills specific to a line of work. To achieve that, Multiply will offer a range of options such as free personal tutoring, digital training and flexible courses that fit around people's lives and are tailored to specific needs, circumstances, sectors and industries.

We know this really matters. People who improve their numeracy skills are more likely to be in employment, have higher wages, and better wellbeing. Gaining a maths qualification at Level 2 or equivalent also unlocks the door to progress to higher levels of free training to secure a skilled job in our economy. Improved numeracy also matters to businesses right across the country – small and big. Businesses that develop their employees' numeracy skills can boost productivity, increase profits, and improve employee retention. With the launch of this investment prospectus, all local areas across the United Kingdom will be able to receive funding to deliver bespoke adult numeracy programmes over the next three years. Up to £430 million will be available across all four nations.

Through Multiply, we want to see these local areas invest in meaningful participation that boosts people's ability to use maths in their daily life, at home and work – and enable adults to achieve formal qualification that can open doors for them (such as into a job, progression in a job, or progression to further study). Adults who need to improve their

¹ [nn124_essentials_numeracyreport_for_web.pdf \(nationalnumeracy.org.uk\)](#)

² [Survey of Adult Skills \(PIAAC\) - PIAAC, the OECD's programme of assessment and analysis of adult skills](#)

numeracy (up to, and including, Level 2 or equivalent) will be able to access free flexible courses that fit around their lives – whether that be in person or online, at work or in the evening, part time or intensive. This prospectus sets out how.

In addition to providing funding to local areas to deliver innovative solutions to increase adult numeracy levels, Department for Education will also be launching a national digital numeracy platform later in 2022. This will give people the ability to learn at their own place (including at work, or at home), and pace. Through the platform, we hope to see people sign up for personalised free online tutorials, to help them build their confidence and take the stepping stones towards a maths qualification. We also intend to signpost to Multiply courses in local areas and would welcome your support in ensuring this.

We'll also be launching a programme to test innovative approaches to reducing adult learning barriers and improving adult numeracy (such as through randomised control trials) and build the evidence base on what works – helping inform local areas' approach to Years 2 and 3 of the programme.

Prospectus aims

This prospectus invites the GLA, Mayoral Combined Authorities, and upper tier/unitary authorities outside of these areas in England, to develop investment plans for bespoke adult numeracy programmes, against the national menu of interventions set out below. These programmes should be delivered across the Spending Review period (2022-23 to 2024-25), with the aim that provision starts for the 2022-23 academic year. Investment plans should be submitted no later than 30th June 2022.

In return for funding, we expect local areas to measurably improve adult functional numeracy levels locally. That includes through increasing the number of adults participating in, and achieving, adult numeracy qualifications up to and including Level 2 (both GCSE Grade C/4 or above, and Functional Skills Qualifications).

Provisional maximum funding allocations for local areas in England are [on the Multiply web page](#). Further technical guidance providing detail on performance measurement, grant management and data collection is also [on the Multiply web page](#). This guidance should be carefully considered alongside this prospectus as local areas develop their investment plans.

Multiply funding and delivery in Scotland, Wales and Northern Ireland will be covered in the broader [UKSPF prospectus](#).

Multiply success measures

The overall objective of Multiply is to increase the levels of functional numeracy in the adult population across the UK. We have identified the following success measures for the whole programme at a national level:

1. **More adults achieving maths qualifications courses** (up to, and including, Level 2 – with GCSEs and FSQs as the qualifications of choice in England – or equivalent) and an **increase in participation in numeracy courses**. We expect local areas to evidence improvements in functional numeracy, rather than solely participation in Multiply interventions.
2. **Improved labour market outcomes** e.g. fewer numeracy skills gaps reported by employers, and an increase in the proportion of adults that progress into sustained employment and / or education.
3. **Increased adult numeracy across the population** – this overall impact, which goes beyond achieving certificates or qualifications, will track both the perceived and actual difference taking part in the programme makes in supporting learners to improve their understanding and use of maths in their daily lives, at home and at work - and to feel more confident when doing so.

DfE will evaluate Multiply nationally against these and other success measures and local areas will be asked to collect data in order to inform this evaluation. In their investment plans, local areas may wish to identify local measures of success against their stated ambitions for the programme in order to understand the impact and benefits at a local level.

Further information on the national evaluation, local success and performance measurement and data collection can be found in the technical guidance [on the Multiply web page](#).

Multiply menu of interventions

We want local authorities to have the flexibility to determine what provision is needed to deliver high quality, innovative numeracy interventions that meet the needs of local people and the national aims for Multiply. Some of these interventions will lead to attainment of a qualification, but non-qualification provision should also be developed where more appropriate.

To support local areas to identify the right provision, we have designed a menu of interventions which they can draw down from – choosing a mix of interventions that best suits each area. These interventions should be for adults aged 19 and over.

This menu is based on the growing evidence base on the barriers that hold people back from addressing their numeracy skills and what works in tackling poor adult numeracy, as well as engagement with local areas, providers and other numeracy organisations.

Please note that interventions delivered with Multiply funding need to be additional and differentiated from that which is already fully funded through the Adult Education Budget (AEB) legal entitlement and should not displace that provision.

- a) **Courses designed to increase confidence with numbers for those needing the first steps towards formal numeracy qualifications.** This includes using best practice to engage new learners such as a cross-agency / partnership approach, working with local employers (for example, to deliver in-work confidence building courses), or the design of new teaching material. We know that adults with poor numeracy are more likely to have had negative experiences at school and may have a “fear factor” in addressing their numeracy needs. That’s why we want to see local interventions that help de-mystify maths by putting it into everyday, relatable, context; and help boost an adult’s confidence to take the next step towards a qualification.
- b) **Courses designed to help people use numeracy to manage their money.** This includes focussing on people who are in serious debt (for example through linking with debt advisory services), but may also be an element built into broader numeracy courses where appropriate. The primary aim of the course should be to improve people’s functional numeracy, rather than simply duplicating existing provision in this area.
- c) **Innovative numeracy programmes delivered together with employers – including courses designed to cover specific numeracy skills required in the workplace,** with employers committing to offer career progression conversations for those achieving a qualification / completing a course. We know some of the biggest barriers that prevent adults from engaging in skills training are cost and time, including time off work. That’s why we want to see local interventions that are delivered in partnership with employers, such as in the workplace and / or

targeted at priority sectors to national and local economies (such as construction, manufacturing or adult social care). Areas should be conscious of potential links between this type of Multiply intervention and wider UKSPF interventions providing tailored wrap-around support to help people in employment address barriers to accessing education and training.

- d) **Courses aimed at people who can't apply for certain jobs because of lack of numeracy skills and/or to encourage people to upskill in numeracy order to access a certain job/career.** This could, for example, be done in partnership with job centres and large employers in your local area, such as NHS Trusts. We know that attainment of maths Level 2 is an important stepping stone into and within work, not just for the next career move but equips adults with evidence of their numeracy skills as they upskill or change jobs throughout their working lives. That's why we want to see courses that better fit around the needs of adults and employers across the country.
- e) **New intensive and flexible numeracy courses targeted at people without Level 2 maths, leading to a Functional Skills Qualification.** FSQs are specifically designed to provide skills for for work, study and life and can be delivered flexibly throughout the year. We know achievement of an FSQ demonstrates a sound grasp of mathematical skills and evidences the ability to apply mathematical thinking effectively to solve problems successfully in the workplace and other real-life situations. That can include:
 - a. Flexible FSQ (or equivalent) courses offered outside of the workplace for local workers that can attend at irregular times.
 - b. FSQ (or equivalent) courses run in the workplace for employees of local organisations, that allow people to study during/around working hours.
 - c. Intensive short courses for people e.g. who are unemployed in order to achieve an FSQ (or equivalent) in maths (entry level, level 1 or level 2).
 - d. Intensive/flexible e.g. 12 week courses to achieve an FSQ (or equivalent) in maths (entry level, level 1 or level 2) that are also accessible for people in work.
 - e. Fully remote or blended courses for any of the above e.g. using the digital online platform.
- f) **Courses for parents wanting to increase their numeracy skills in order to help their children, and help with their own progression.** We know the evidence suggests that improving the education qualifications of a parent can also positively impact of the attainment of their child; as well as accrue benefits to the parent themselves. That's why, where local areas can demonstrate the impact, we are interested in family numeracy programmes, such as those delivered in schools or through numeracy toolkits.

- g) **Numeracy courses aimed at prisoners, those recently released from prison or on temporary licence.** In line with the Prisons Strategy White Paper, we want to ensure that people are equipped with the numeracy skills and qualifications that help increase their prospect of finding work on release and contribute towards reducing reoffending. Most prisoners have low levels of education and 42% were excluded from school³. Of the prisoners who undertook an initial assessment between April 2019 and March 2020, most were at entry level 1-3 (equivalent to primary school): 57% in English and 61% in maths; and 29% had a learning difficulty/disability (LDD)⁴, although a recent study by the Criminal Justice Joint Inspectorate estimates that this could be as high as 50%⁵. That's why we are interested in courses that may include peer-mentor led approaches; family learning sessions; or other bite-sized learning opportunities which complement existing provision.
- h) **Numeracy courses aimed at those 19 or over that are leaving, or have just left, the care system** – given that we know these young adults are more likely to be not in education, employment or training (NEET), with the most recent data showing that 41% of care leavers aged 19-21 were NEET, compared to 12% of young people that age in the general population. We are particularly interested in interventions that help care leavers with their financial awareness and budgeting skills.
- i) **Numeracy activities, courses or provision developed in partnership with community organisations and other partners aimed at engaging the hardest to reach learners – for example, those not in the labour market or other groups identified locally as in need.** We know that there is no one-size-fits-all when it comes to learning, that not all people will recognise that they necessarily have low numeracy, and that many future learners may not be close to stepping into a classroom. These courses include innovative ideas for wrap around support if local areas can evidence the value for money link to improving numeracy; considering how to use other “touch-points” (such as money advice, community or housing services) to improve people’s numeracy skills; or dedicated community numeracy champions to drive up engagement. Areas should be conscious of potential links between this type of Multiply intervention and wider UKSPF interventions providing employment support for economically inactive people. We will also provide local areas flexibility to use some Multiply funding for activity to maximise the reach of the programme and make sure interventions engage those

³ [Prisoners' childhood and family backgrounds \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/824443/prisoners-childhood-and-family-backgrounds.pdf)

⁴ Prison Education Statistics 2019/20 ([publishing.service.gov.uk](https://publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/824443/prison-education-statistics-2019-20.pdf))

⁵ Criminal Justice Joint Inspectorate *Neurodiversity in the Criminal Justice System: A review of evidence* (2021)

learners that are hardest to reach. This could include, but is not limited to, communications; reaching out to people via employers, ‘touch points’ such as housing and other community groups, in order to encourage people to take the first steps towards participating in formal learning. Further details on this are available in the technical guidance.

- j) Additional **relevant maths modules embedded into other vocational courses**. We know that adults often learn best when they can see the practical application of their learning - for example, ratios for mixing paint, or assessing roof angles, or calculating the number of bricks needed. That's why we'd also like to see numeracy learning brought into other vocational courses, so people can build their skills in parallel.

We recommend including assessment of potential learners wherever possible and appropriate in relation to any/all of the above interventions with the aim of signposting them into provision that best meets their needs.

We are willing to consider proposals that are “off menu” where local areas can demonstrate an extremely strong rationale for doing so, and can evidence impact and value for money.

Financial incentives for employers on employees achieving a qualification may be considered but, only on a case-by-case basis. Areas would need to evidence an extensive value for money analysis, displaying the value in utilising the investment in this way, including the learner reach it will achieve.

As we gather evidence from local areas about what works to improve adult numeracy throughout the programme, we will share this amongst local areas – and update the menu of interventions – to inform delivery in Years 2 and 3.

We are aware that local authorities may wish to propose interventions that rely on FE teachers or tutors for successful delivery. Some local areas may need to build workforce capacity to deliver their selected Multiply initiatives successfully, for example, to invest in recruitment campaigns to target key teachers, to invest in dedicated training and support for existing staff, or support numeracy champions and tutors.

Spending on workforce capacity building must directly support the delivery of local areas’ interventions, and areas should explain this in investment plans under each intervention. Areas should, at a high level, identify the workforce required to deliver interventions, and, if necessary, how they plan to use funding to increase capability. We expect plans to detail how it does not duplicate existing HM Government programmes supporting FE Workforce recruitment and retention. They should also show how they will ensure that any action to support their Multiply workforce needs will not be to the detriment of other priority programmes they are delivering.

Local areas will be expected to consider the Public Sector Equalities Duty (PSED) in any

provision they develop through Multiply, including but not limited to gender, age, disability and race. This will also include promoting equality through their recruitment processes; offering information, advice and guidance; ensuring that the structure and content of the activities delivered are suitable and appropriate; and ensuring that provision is accessible and flexible where necessary.

We also want to be able to recognise where adults have improved their numeracy skills through Multiply, aside from attainment of a formal qualification. That could include an increase in the number of adults participating and acquiring and evidencing skills through non-qualification provision, or towards a qualification. We will work with local areas, sector experts and providers to determine how that can be achieved through both activity delivered locally and via the online platform.

General principles of use of Multiply funding

Geography

Multiply funding will be distributed to the Greater London Authority, all Mayoral Combined Authorities, and upper tier/unitary authorities outside of these areas in England.

Provisional allocations are [on the Multiply web page](#).

Target Audience

Target learners are adults 19+ who have not previously attained a GCSE Grade 4/C or higher maths qualification. They can either be working towards a maths GCSE or Functional Skills Qualification, need specific numeracy skills for their work or progression, or just want to brush up on the skills to help them get on in life and work.

Existing arrangements

Interventions should not displace, replace and / or duplicate any existing adult numeracy provision, such as activity funded through the existing Adult Education Budget (AEB) statutory entitlement for maths qualifications. Multiply boosts funding for adult numeracy, enabling local areas to deliver more innovative approaches and reach more people. We expect local areas to demonstrate how this is complementary and different to AEB interventions, in their investment plans.

We also expect investment plans to pay due regard and coordinate where possible with wider skills and employment interventions in local areas (for example through Skills Advisory Panels), such as interventions funded through the broader UKSPF (e.g. in district council investment plans) or other programmes, to avoid duplication of provision through Multiply and ensure effective wrap-around support is available where applicable.

Funding allocations

Provisional three year allocations are [on the Multiply web page](#). This is the maximum available to local areas. A confirmation of allocation, grant agreement and first payments will follow when we are satisfied with the investment plan. We expect funds allocated to be ringfenced for Multiply purposes in the relevant FY by the local authority/MCA/GLA. Further technical guidance is [on the Multiply web page](#) and grant agreements will detail the arrangement including the funding mechanism, legislation and assurance.

Partnerships

Each area (upper tier/unitary authority/MCA/GLA) should submit their own investment plan. We welcome joint interventions carried out between two or more local authorities where there is added value in these. We also encourage local areas to develop interventions in partnership with providers and employers, as well as other partners in their local area as we see this as important to maximising value for money and ensuring

delivery of effective solutions for learners.

Funding non-learning activities and capacity support

In recognition of the need to establish the programme on a successful footing, local areas will be permitted to use some Multiply funding for administrative expenditure, in order to build the necessary capacity for successful delivery. Further detail is set out in the technical guidance. As part of our grant agreements with local areas, we will require details of how this will be spent. This amount will be reviewed by Department for Education ahead of Years 2 and 3, based on Year 1 delivery.

Peer to peer support and sharing evidence of what works

We are keen to facilitate peer learning and networking opportunities for local areas involved in the Multiply programme. We will convene a series of events in April/May 2022 in order to discuss any initial concerns as local areas develop investment plans. Networking events will then be held in each year of Multiply to enable peer to peer support and sharing of best practice amongst local areas and with sector experts, providers and employers.

As we gather evidence from local areas about what works to improve adult numeracy throughout the programme, we will share this amongst local areas to inform delivery.

More detailed technical guidance covering requirements such as data collection, reporting frameworks, assurance and grant management is [on the Multiply web page](#). We recommend that local areas use both the technical guidance and this prospectus to develop investment plans for Multiply.

Investment plan criteria

In order to qualify for Government funding, investment plans must meet the criteria below. Plans will be reviewed against these criteria over the summer, with the Department for Education and local areas agreeing success measures to be met before memorandums of understanding are issued.

We expect areas to submit plans for the full three-year funding allocation. However, we will accept more tentative plans for years 2 and 3, to enable local areas to build on the growing evidence base from year 1 of the programme on what works to improve adult numeracy. We will revisit investment plans, and allocations before each year of Multiply in order to approve any amendments.

All proposals should have the backing of local leaders in the authorities in which they are situated.

1. Deliverability

Reaching those most in need of improved numeracy skills may be challenging and will require strong coordination in local areas. **All interventions should include detail of their deliverability by addressing each of the points below:**

- a) Partnership working with local education providers, employers, voluntary and community sector organisations, Job Centres, and others.
- b) Plans for engagement with other, local touchpoints where there may be interaction/identification of people with low numeracy skills such as housing providers, debt advisory services, schools, Family Hubs, and others.
- c) If lack of workforce is identified as an issue for deliverability of Multiply, this should be evidenced clearly and linked to a proposal on how you plan to use funding to increase capability. Plans should also address any impact of proposed interventions on current educational provision and how this will be managed.
- d) If you intend to use some of your allocation for admin to support delivery you should outline how you plan to use these funds.
- e) An ability to deliver new activity starting in financial year 2022-23 and covering the three years of the Multiply Programme.
- f) Evidence of the benefits of the proposal and how you will ensure/protect value for money.

2. Evidence of need and demand

- a) Available data on local adult numeracy levels, for example on historic and current participation and achievement, from existing employer surveys, etc.

- b) A clear understanding of current provision support by the Local Skills Plan or LSIP
- c) Short explanation of why improving adult functional numeracy matters to your local area.

3. Interventions

- a) What interventions you will deliver, to improve functional adult numeracy in your local area, drawing down from the menu of interventions in this prospectus, and including detail on deliverability as above.
- b) A short explanation of how the above interventions will not displace or duplicate the maths entitlement funded through the Adult Education Budget.

4. Strategic Fit

- a) Investment plans should demonstrate how interventions fit with the Government's wider ambitions set out in the [Levelling Up White Paper](#) and [Skills For Jobs White Paper](#), in particular:
 - i. Putting employers at the heart so that provision leads to progression into or within employment, or to further study.
 - ii. Ensuring people can access training and learning flexibly, as part of our commitment to lifelong learning – i.e. delivering Multiply provision alongside wider DfE programmes, such as Bootcamps, as appropriate.
 - iii. Offering new opportunities to access high quality work and progress in the workplace.
 - iv. The Levelling Up 'skills mission' that "by 2030, the number of people successfully completing high-quality skills training will have significantly increased in every area of the UK."
- b) Interventions should also demonstrate how they are a strategic fit locally e.g. how they fit with a local areas labour market and skills strategies, covid recovery strategies and/or LSIP (where one exists), and critically, respond to adult numeracy needs locally.
- c) We expect to see join up and coordination where appropriate with the wider UKSPF, including in upper tier authorities where other UKSPF funds are administered by lower tier authorities.

5. Engaging and motivating learners

Local areas should set out how they intend to engage and motivate

learners to achieve their proposed interventions. This should include:

- a. Reducing negative attitudes to maths and addressing barriers to participation.
- b. Raising awareness of Multiply locally.
- c. Engaging with local employers and identifying and engaging with local touch points (such as housing associations, JCPs, debt advisory services, health services, other community organisations and / or buildings) where people with low numeracy skills could be identified, supported direct and / or signposted into provision.
- d. Identifying, where possible, clear progression routes that people can follow once they have improved numeracy skills / a qualification, e.g. being able to apply in a certain field / job or further study course, being able to progress in a certain workplace.
- e. Identifying further study courses that require numeracy / a maths qualification and targeting people who may be interested in these courses.
- f. Embedding additional relevant maths modules into vocational courses.
- g. Incorporating Information, Advice and Guidance into courses.

Measuring success

The technical guidance sets out details of the data to be collected from providers, practitioners, learners and employers over the course of the programme in order to inform programme-wide monitoring and evaluation. It also sets out how DfE will analyse this data and share it with local areas to inform local planning, decision-making and delivery.

In investment plans we expect local areas to consider what further data collection, evaluation or research may be appropriate to build on the DfE data collection in order to meet local priorities and assurance.

You Tell Us

Please let us know if you do not currently have the capacity to develop an investment plan for Multiply and effectively deliver on this funding.

Assurance, accountability and reporting

While flexibility and innovation will be key to reaching those who most need Multiply, we expect areas to provide assurance, accountability and reporting around the funding:

- a) In agreeing investment plans, we will agree outcome expectations for local areas based on the approved investment plans, and areas will report progress against these on a regular basis. This is detailed in the technical guidance [on the Multiply web page](#).
- b) In signing off investment plans, areas will be asked to commit to working with the Department for Education and ESFA on data collection and other activity to support the overarching evaluation of the programme.
- c) Allocation amounts may be subject to change in Years 2 and 3 according to delivery against agreed outcome expectations and spend against allocation profiles. Further guidance on management of under-spends can be found in the technical guidance [on the Multiply web page](#).
- d) Areas will need to capture individual learner data and more detail is available in the technical guidance [on the Multiply web page](#).
- a) Areas will also need to capture information from and about learners, teachers and providers in order to enable effective evaluation of the programme. More detail will be issued on requirements. The Department for Education will be establishing formal 'keep in touch' and peer support arrangements around the programme, that we expect local areas to engage in.

Application process

A template for investment plans will be issued shortly.

Investment plans are invited from the Greater London Authority, all Mayoral Combined Authorities, and Upper Tier authorities outside of these areas in England.

Scotland, Wales and Northern Ireland should refer to the [wider UKSPF investment framework](#).

Local area investment plans should be submitted by 30th June 2022 to Multiply.investmentplans@education.gov.uk

Once investment plans are assessed and approved, provisional allocations will be signed off, grant agreements will be put in place and first payments made in September 2022.

For further information or to discuss a proposal ahead of submission please contact DfE at Multiply.investmentplans@education.gov.uk



Department
for Education

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Multiply



West Midlands
Combined Authority

Multiply

Invitation to bid

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1. About Multiply

The overall objective of [Multiply](#) is to increase the levels of functional numeracy in the adult population across the UK. Government have identified the following success measures for the whole programme at a national level:

- More adults achieving maths qualifications courses (up to, and including, Level 2 – with GCSEs and FSQs as the qualifications of choice in England – or equivalent) and an increase in participation in numeracy courses. We expect local areas to evidence improvements in functional numeracy, rather than solely participation in Multiply interventions.
- Improved labour market outcomes e.g. fewer numeracy skills gaps reported by employers, and an increase in the proportion of adults that progress into sustained employment and / or education.
- Increased adult numeracy across the population – this overall impact, which goes beyond achieving certificates or qualifications, will track both the perceived and actual difference taking part in the programme makes in supporting learners to improve their understanding and use of maths in their daily lives, at home and at work - and to feel more confident when doing so.

Multiply will support governments Levelling Up mission to ensure that by 2030, the number of people successfully completing high-quality skills training will have significantly increased in every area of the United Kingdom. To support this, they have committed that the first priority of the UK Shared Prosperity Fund, will be a 3-year programme focused on improving functional numeracy skills.

Funding has been allocated to the West Midlands Combined Authority to act as Lead Authority for our 7 local authority partners (Birmingham, Coventry, Dudley, Sandwell, Solihull, Walsall and Wolverhampton). Our Multiply Investment plan was submitted to the Department for Education on the 30th June, the plan took account of:

- Need/demand in locality inc. data of current numeracy levels and provision
- How areas will increase participation
- Plans for engagement and outreach
- Strategic fit with AEB (if applicable), and other UKSPF funding
- How areas meet the general principles - including provision they intend to support
- Outcomes seeking to achieve
- How areas will assure deliverability
- What areas need from Government as enablers.

Further information can be found in the [Multiply Investment Prospectus](#)

2. WMCA Multiply Evidence of Need and Demand

The WMCA faces a number of long-standing challenges:

- Uneven attainment by young people through early years, primary, secondary, and tertiary education and training.
- More people (9.6% vs 6.7% nationally) with no qualifications, compared to other areas.
- Low employment rates and high levels of unemployment, particularly for some groups of residents and in some parts of the region.
- Growing in-work poverty, driven by lower-than-average wage levels.
- Lower GVA per head (£25.5k in the region compared to £30k nationally).

- Persistent skills shortages. In the latest Employer Skills Survey, 31% of employers experienced challenges in finding applicants with basic numerical skills and understanding, a higher proportion than any other region.
- A high number of residents in jobs/sectors at risk of automations or broader economic change.

Improving adult functional numeracy has a key role to play in addressing these challenges. It delivers clear employment, economic and social benefits – including higher employment rates, access to better quality work, and increased job satisfaction, pay and security. There are also wider social benefits too, associated with improved self-esteem and well-being, and more confidence to complete everyday tasks, including helping children with schoolwork or managing household finances.

Modelling undertaken by Learning and Work Institute using OECD's adult basic skills survey, shows that an estimated 440,000 people (24.1%) in the WMCA area have low literacy or numeracy skills. Of these:

- 17% are aged 16-24 and 83% are aged 25-64 —matching the age profile of current adult numeracy learners.
- 36% are out of work and 64% are in work — in direct contrast to the employment profile of current adult numeracy learners, highlighting the need to focus on engaging those already at work and on providing in-work support.
- At LA level, Sandwell (26%) and Wolverhampton (25%) have the highest proportion of residents with low essential skills. However, Birmingham has the highest number by volume of people with low essential skills — 40% of the total across the WMCA area — as a result of its large population.

The challenges faced by our residents has been further exacerbated by the cost-of-living crisis, with the current rate of inflation at 10.1% (July 2022), the highest it has been in 40 years and households set to struggle with rising costs of food, fuel and energy.

The impact of rising inflation and the cost-of-living crisis means this situation is set to worsen, In May, a JRF survey with Savanta ComRes showed the stark hardship already facing lower income households, revealing that 60% of low-income families had gone without essentials in 2022.

The Office for National Statistics (ONS) has reported that around 8 in 10 (83%) adults reported an increase in their cost of living in 2022 compared with around 6 in 10 (62%) adults in 2021.

Disabled people were more likely than non-disabled people to have reduced their spending on food and essentials because of their increased costs of living (42%, compared with 31%).

Economic factors, such as personal income and the level of deprivation of the area they live in (based on the Index of Multiple Deprivation), also appeared to affect a person's likelihood of having reduced spending on food and essentials.

Among those who had seen cost of living increases, those living in the most deprived fifth of areas in England were more likely to have cut back on food and essentials (42%) than average (35%).

Just over 1 in 10 (13%) people in England reported using credit (such as credit cards, loans or bank overdrafts) more than usual because of the rising cost of living. However, this rose to almost one-fifth (18%) among those living in the most deprived areas. (ONS, 2022-08-05)

Whilst the recently announced government support package largely covers the upcoming rise in energy bills, the JRF observe that it does not go far enough to support those who came into this crisis in a tough financial position. With some 7 million low-income households going without at least one essential (such as a warm home, enough food, appropriate clothing or basic toiletries) and over 2 million families were neither eating properly nor heating their home adequately.

In addition, 4.6 million were in arrears with at least one bill, with the average amount owed around £1,600. Almost all families on means tested benefits that are being deducted (repayments for certain types of debt are taken directly from benefits) have gone without at least one essential (93%). (JRF May 2022)

This data highlights the impact the cost-of-living crisis is having on residents nationally, this is particularly concerning in the West Midlands, where around a quarter of the jobs in the region earn less than the real living wage.

Despite the scale of need, enrolments in AEB-funded maths provision in the West Midlands metropolitan area have declined over recent years — in part a result of the pandemic — before increasing again to 15,020 in 2021 /22.

During academic year 21/22, enrolments on AEB-funded maths provision across the WMCA, were as follows:

By level	37% entry level; 22% level 1; 40% level 2
By age	17% age 19-23; 74% age 24-49; 9% age 50+
By gender	73% female; 27% male
By ethnicity	31 %White; 30% Asian or Asian British; 23% Black or Black British; 4% mixed ethnic group; 7%other; 5% not known
By employment status	39% employed; 61 % unemployed
By local authority	52% Birmingham; 10% Coventry; 6% Dudley; 14% Sandwell; 3% Solihull; 8% Walsall; 8 %Wolverhampton

WMCA investment in Basic English and Maths is significant, with circa £19m allocated Community Learning and Adult Skills provision in 2020/21, which is balanced with other provision in local authority areas through ESF and other funding.

Notably, analysis of current math delivery in the region shows that it predominantly services unemployed residents. Given this, the WMCA Multiply Fund will be prioritised for provision that is able to deliver interventions focused on those who are in employment.

The WMCA have identified a need to make our adult numeracy offer more accessible and better aligned to vocational areas, in order to support greater progression into and within employment, and into further learning.

Work undertaken by the Behaviours Agency on behalf of the WMCA on analysis of ILR data from participation in AEB skills offers, has identified factors that will influence the decision to take part in maths provision offers. These include:

- Confidence emerged as key theme as a major barrier for younger, poorer and unemployed people.
- Evidence suggests that there will be increased take up of learning offers where the learning is offered at a time, place and learning medium that suits the individual.

The In Work Progression Commission's recent report '[Supporting progression out of low pay: a call to action](#)' provides further evidence and recommendations, which cover many of the challenges we have identified regionally.

3. Scope/Specification

As set out in our latest [Local Skills Report](#), our focus is on securing stronger and more inclusive regional growth. Put simply, we want to deliver a better match between the skills of the people in our region and the current and future needs of our businesses, to accelerate productivity and deliver economic growth. We want to make sure more people have the skills they need to enter and progress in work.

To achieve this ambition, the WMCA [AEB 2022-25 Strategy](#) sets out our vision for a responsive and flexible adult skills offer which supports a people-centred approach to ensuring the skills needs of businesses are met and everybody can benefit from economic growth.

Over the next three years, we are focused on:

- getting residents into employment;
- upskilling and reskilling to respond to the regional economy and net zero;
- providing a good basic education up to Level 2 for those who need it; and
- supporting our communities to be stronger and to benefit from inclusive growth.

Improving adult functional numeracy has a key role to play in addressing the challenges we face as a region. Multiply will be aligned to and complement AEB provision, expanding the maths offer and testing different approaches to reaching those who would benefit from increased numeracy skills and new innovative approaches to delivery. The financial resilience of our region's residents will be critical through the current cost of living crisis and can be boosted by understanding how money works in everyday life.

As stated, Multiply Funding will be primarily focused on those in-work given the numbers of people in this group and the limited reach of AEB provision to this group. Research clearly shows that improving maths skills helps adults find employment, progress at work, and improve their earnings. Since the creation of the WMCA it has been a strategic priority to reduce the number of residents with no or low qualifications. Multiply provides an opportunity to accelerate the work we have started through AEB.

The West Midlands Combined Authority are now seeking proposals for projects from our seven Local Authority partners, to act as lead bodies in delivering Multiply provision within localities. These proposals will be based on earlier work progressed with local authority skills leads to identify projects that will benefit local areas and align with Multiply menu of interventions as set out in the [Multiply Investment Prospectus](#).

We expect that project proposals submitted are focused primarily on residents who are in work and who are or likely to be experiencing hardships due to the cost of living rises. Proposals will be reviewed by the WMCA in order to ensure that interventions are additional and differentiated from that which is already funded/or can be funded through the Adult Education Budget (AEB) and do not displace this provision.

Back to Back Funding agreements will be issued for a 3-year period, with annual allocations agreed each financial year (aligned to the approach set out by DfE in the [Multiply Investment Prospectus](#). Enabling provision to be flexible to local need and reviewed against outputs and outcomes achieved).

Consideration should be given to the shorter delivery window for provision in year 1. and activity and outputs should reflect this.

To support the development of local proposals, we expect submissions to be aligned to one or more of the interventions as set out below:

- a) Pilot online intensive flexible math programmes, supported by face-to-face IAG or proposals to trial Flexible Functional Skills Qualifications (FSQs or equivalent) offered outside of the workplace/out of work hours.
- b) Potential partnership approaches with the Voluntary and Community Sector to deliver local interventions.
- c) Proposals to provide numeracy support at local venues, such as Family Support Hubs and libraries.
- d) Proposals for improved partnership working with other key local partners/stakeholders to deliver numeracy support offers for example Housing Associations.
- e) Development of short introductory financial literacy modules to introduce maths and give people practical help with financial management
- f) Proposals focused on communities in disadvantaged areas.

4. Aims and Mandatory Delivery Requirements

For a proposal to be successful you will need to be able to fulfil both the aims of the programme, and the requirements as set out below:

COHORT:	Predominate focus of provision for in work
AIMS:	<ol style="list-style-type: none"> 1. Programmes should have a demonstrable need and a clear impact on residents of the West Midlands/local areas. 2. A measurable improvement for residents in attitude towards, and confidence in, developing math skills. 3. A measurable improvement in adult functional numeracy levels – across the region and particularly in areas with highest levels of need. 4. Improved employer confidence in the number of applicants/ employees with basic numeracy skills and understanding. 5. Increased wage levels reducing in-work poverty. 6. Proposals should not replicate any provision funded by the WMCA through AEB or other funding.
REQUIREMENTS*	<ol style="list-style-type: none"> 1. Proposals should be developed taking full account of the Interventions (a-f) as set out under section 3 of this document. 2. Where applicable, proposals should include details on number of Guided Learning Hours. 3. Proposals should include outputs and outcomes (as set out in section 5 below). 4. Where applicable, proposals should include a completed action plan and IAG on recommendations for next steps and progression and certificate of achievement for all participants. 5. Pro-active engagement/awareness raising activity. 6. Where applicable, access to dedicated training environments, either in the workplace or in dedicated “neutral” training facilities. 7. Appropriate provisions for the safeguarding of vulnerable adults. 8. Data on learners to be submitted through ILR. 9. If required, undertake Ofsted Inspection as FE provider.

	<p>10. Bidders must be confident in their submissions and ensure that they have the capacity, capability and strategies in place to deliver the adult numeracy offer from day 1.</p> <p>11. The service must comply with the contract and the performance management rules published by the WMCA.</p> <p>12. Prior to commencing delivery of the service, procured providers must hold the appropriate approvals and authorities to deliver the service.</p> <p>13. Successful bidders must have robust processes and controls in place to ensure the eligibility of the learner, comply with audit requirements, monitor progress and manage risks. Further information on data, evidence and reporting requirements can be found in the funding rules.</p>
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** We accept that some of these mandatory requirements will depend on the intervention proposal and may not be applicable to all.*

5. Measuring Success and Reporting

Data on Multiply learners is submitted through the Individualised Learner Record (ILR). Additional non-regulated learning aims will be added to the ILR to support this, and Multiply funded qualifications will also be able to be recorded in the ILR. Further information is provided in the [Multiply Technical Guidance](#). Compliance with this reporting is an expectation of participation in the WMCA multiply programme.

In addition to ILR data, you will be required to complete and return monthly summary reports including progress against delivery, funding spent to date, challenges and risks along with financial reports, claims and supporting evidence. Further details on exact requirements will be issued with the Funding Agreement.

Indicative indicators for Multiply, based on the overarching success criteria for the Fund, are set out below.

Indicative Outcomes:

- a. Increased number of adults achieving maths qualifications up to, and including, Level 2.
- b. Increased number of adults participating in maths qualifications and courses up to, and including, Level 2.
- c. Increased number of adults participating, acquiring, and evidencing skills through non-qualification provision, or towards a qualification, including online learning.
- d. Improved labour market outcomes.
- e. Increased adult numeracy (by supporting learners to improve their understanding and use of maths in their daily lives, at home and at work).

Indicative Outputs:

- a. Number of adult numeracy courses run in a local area through Multiply.
- b. Number of people participating in Multiply funded courses, broken down by ethnicity, sex/gender, age and disability to enable Public Sector Equality Duty monitoring
- c. Number of people achieving a qualification, broken down by ethnicity, sex/gender, age and disability to enable Public Sector Equality Duty monitoring.
- d. Number of courses developed in collaboration with employers.
- e. Number of people referred from partners onto upskill courses.
- f. Number of different cohorts participating in numeracy courses (e.g. parents etc).

From a WMCA perspective, through Multiply investment we would expect to see:

- A measurable improvement in adult functional numeracy levels
- An increase in the number of adults participating in, and achieving adult numeracy qualifications, up to and including level 2
- Improved labour market outcomes, as demonstrated through earnings and employment outcomes of adult numeracy learners.

In order to evidence these outcomes – and to understand what is most effective in delivering these for different groups of learners, we will require collection of outcomes data. We will also be commissioning an external evaluation, which delivery partners will need to engage with.

6. Funding and Target Groups -update

The total funding available for the 3 year and broken down by year 1, alongside details of priority group is outlined below:

Area	Funding Available	Target Groups
Multiply: Financial Literacy Programmes	Approximately 20 hr duration	Delivery across the WMCA region
Total Funding Available over 3 years: £1,690,887.00	Flexible delivery on-line and “neutral” locations, one to one, face to face, out of working hours, weekends	All residents 19+ in employment
Broken down by years as follows: Y1 –£541,084.00 Y2 - £574,902.00 Y3 - £574,902.00		

7. Mobilisation

Local Authority Partners must be able to demonstrate that they are able to commence delivery by 31st October 2022 and complete year 1 delivery by end of March 2023.

Subject to a review of year 1 delivery activity and submission of an updated Business Case for year 2 activity, partners will then progress delivery of year 2 activity on 1st April 2023 to end on 31st March 2024.

In year 3, subject to a review of delivery activity for years 1 and 2 and submission of an updated Business Case, partners will be able to progress delivery activity to commence on the 1st April 2024 with all activity completed by 31st March 2025.

8. Payments Schedules

This activity will be funded from the WMCA Multiply allocation and managed in line with the WMCA funding rules. Following review of proposals, local authority partners will receive a grant funding agreement from the WMCA confirming details of reporting, payment and claim schedules and requirements. At this time (subject to DfE funding agreement) we anticipate this be:

Year 1.

Up Front Payment – October 2022*	Mid programme payment – end of December 2022	Positive Outcome payment – end of March 2023
30%	40%	30%

* subject to LA returning the signed Grant Funding Agreement

Year 2.

Up Front Payment – 1 st April 2023	Mid programme payment – end of October 2023	Positive Outcome payment – end of March 2024
30%	40%	30%

* subject to performance review and updated business case being submitted

Year 3.

Up Front Payment – 1 st April 2024	Mid programme payment – end of October 2024	Positive Outcome payment – end of March 2025
30%	40%	30%

* subject to performance review and updated business case being submitted

9. Supply chain and consortia partners

The WMCA understands that both supply chain and partnership relations between employers and training providers can have an important role to play in the delivery of numeracy provision. Bidders will need to be clear and transparent about any supply chain and/or partnership arrangement(s) it will put in place, in terms of what will be delivered, the volume and value of supply chain and/or partnership arrangement to support its bid.

If successful, the bidder will be required to submit a supply chain declaration and adhere to the [WMCA Skills Programmes Supply Chain Funding Rules](#).

Where practical, bidders are encouraged to develop working partnerships with existing collaborative groups operating across higher education, further education, local authorities, VCS Sector and adult education community.

10. Response

The WMCA require completion of a short business case from Local Authorities. The template can be found in annex 1. If you are delivering several projects, against different interventions we suggest, where possible that you complete one Businesses Case per project.

If your project has been developed in collaboration with other Local Authorities, please include this in this the business case (one business case can be submitted on behalf of multiple LA's with costs apportioned per LA).

11. Timelines

Completed Business Case Templates and supporting delivery plans will need to be submitted by noon on the **23rd September 2022**. These must be submitted to UKSPF@wmca.org.uk and include title FE Multiply Bid FAO Lisa Hamilton.

Annex 1: Business Case Template - Multiply: Financial Literacy Projects

Please ensure you have reviewed and considered applicable mandatory requirements.

Local Authority:	Birmingham City Council
Lead Contact Name:	Ilgun Yusuf
Lead Person Contact Details:	Email: Ilgun.yusuf@birmingham.gov.uk Tel:
Does your proposal only cover your LA area?	YES
Total value of Project being delivered	Y1 –£430,991 Y2 - £574,853 Y3 - £574,801
Total value being requested from WMCA for this Project	Y1 –£430,991 Y2 - £574,902 Y3 - £574,902

PROJECT SUMMARY YEAR 1. 2022-2023
<p>Project Name: Making Maths Work, for life and for Jobs</p>
<p>Please provide a project summary, outlining your project proposal including core focus and target group.</p> <p>Response:</p> <p>Engagement Events. The financial literacy interventions will start with engagement events at staff areas within employers' premises, such as foyer or canteens. The engagement events will raise awareness of the direct benefits to individuals' personal finances of the interventions.</p> <p>For large employers a teacher and a CEIAG officer will be at the staff room or foyer at the start of the day or lunch time to inform employees. Employers will also help disseminating the message.</p> <p>For SMEs, with the support of the LEP or Chambers Commerce, we will run events for groups of SMEs to raise awareness.</p> <p>We will also be present at Job Fairs, Financial Literacy hubs, Adult Hubs and community venues, supermarkets, JCP –</p> <p>Four Short Financial Literacy courses Through the first part of the delivery, prospective participants/learners will be able to choose from a menu of 4 financial literacy short courses. These courses have a specific focus designed to address skills or knowledge (see next section for specifics).</p> <p>Participants will be encouraged to take at least 2 short courses, and they are able to take the 4 modules if the need is identified.</p> <p>The financial literacy courses will be:</p>

- a) *Understanding Energy Bills/Usage in the House* (in partnership with Warmer Homes) Participants will develop maths skills to understand bills and maximise energy usage in their homes. The course has a strong element of sustainability applied to their daily lives.
- b) *Maximising Income* – designed to understanding the principles of budgeting, but also help maximise income, including through strategic investment, for example for professional development to improve job prospects and therefore income
- c) *Understanding Loan Sharks and the Impact of Debt*
- d) *Understanding Interest Rates*

CEIAG and Professional Progression Plan

Throughout the financial literacy short courses, participants will have 1:1 building a CEIAG/Professional Progression Plan with the teacher. **we will need to recruit LSAs, progress coaches** Participants will also be provided with employment support, such as guidance to improve their resilience at work, coaching to critically assess their strengths, which in turn may help them to look for a better job.

Numeracy courses (bespoke – this means modules or units of a FSQ and online, flexible Functional Skills)

As the CEIAG/employment support develops, learners will be encouraged to join the progression numeracy course, which may be specific modules of a functional skills qualification, a bespoke course (designed in collaboration with their employer) suited to the sector or a fast-track Functional Skills Qualification.

Other progression as part of this project may include Literacy courses. With the inception of the reformed Functional Skills Qualifications we have identified an increase need for literacy skills in order to approach more complex numeracy problems.

Modes of Delivery

There will be two modes of delivery, depending on learners' needs and circumstances: online and onsite.

- **The onsite** delivery will be offered on a Saturday or evening, depending on the group. The venues may community venues (which will become financial literacy hubs), any of our centres or the employer premises, as required.
- **The online** delivery will include the short courses (depending specific groups' requirement) but will be mainly focused on the bespoke numeracy courses. The delivery will be flexible but with the following structure: 2 initial sessions to ensure participants are comfortable with the digital tools for delivery of the course and to get them started on the course. Each participant will have at least 2 tutorials to continue working on their Professional Progression Plan and the course will have a final session with the group.

Approach to learning – ensuring legacy

Our Community Learning programme has developed a model to promote autonomous learning and an ethos of learning within the community through the Community Learning Champions. This programme will have the same ethos with a view to identify informal leaders within the cohorts and provide them with the necessary skills to share the knowledge and skills with other members of the community.

The approach to learning will be collaborative, where participants will be encouraged to share their skills and knowledge with other participants, encouraging the development of Social Capital amongst participants.

The size of the groups will vary depending on needs and availability, but there will small group provision and a number of 1:1 delivery, for example for staff from SMEs.

Target groups

- Male learners to increase the current rate of male participation at BAES (last year was 28%, 1% above WMCA)
- Employed residents and claiming Universal Credit (52,500 in Birmingham as at September 2022) to help decrease the number of UC claimants which one of the highest in WMCA.
- Self-employed adults, generally with low income. In Birmingham, they are more likely to be BAME. Research shows residents from this group are more entrepreneurial but with limited access to business support.
- Young adults (19 to 23), including care leavers and young parents likely to have a low-wage job, to improve on the rate of 17% for young learners currently taking part in maths courses across the West Midlands.
- White workers on low wages. Current statistics show an increase in employment inactivity amongst white British residents, which is higher than any other group.
- 50+ (50 – 59) to improve on the rate of participation seen across the West Midlands of 9% (BAES current rate is 11%). Although this group is 50-59, we need to consider targeting 60+ as latest reports show that more people are coming out of retirement to become employed on low-wage jobs due to the cost-of-living crisis.

Partnership work.

- This project will be linked to the City Council's Financial Literacy Hubs (*IY to be link to Heads of Service in BCC who are setting this up – for info Early Intervention and Prevention – Kalvinder Kholi*) and Adult Hubs across the city, as part of a integral package of support for residents, many of whom although appearing as inactive in the official statistics are self-employed and in low-wages. The project will benefit from the existing footfall in these community venues.
- We have already agreement with the NHS Women's hospital to run these interventions for cleaning staff, alongside Digital Skills with the sole focus of skilling the low wage workforce to progress within the NHS. A second phase will extend to the Children's Hospital. These interventions will also be offered to low-wage staff in anchor institutions and VCS.
- We are partnering with Warmer Homes to deliver the courses 'Understanding energy bills/usage in the house'. Alongside the course, Warmer Homes will offer advice on how to access grants to help with energy bills, free electric blankets, light bulbs.
- TUC has been engaged to support the work we do for in-work residents. As part of this collaboration, they will join our Multiply project to support with referrals and identify and engage employers (and their employees) to benefit from this project.
- The involvement of TUC in the project will provide an excellent opportunity to develop think opportunity to build employer engagement for wider workforce development, progression and wellbeing – including **'night industries and flexible working hrs, and workers on 0 hours contracts'**.

What activities will take place?

Engagement

- Development of the engagement strategy with partners (employers, VCS and BCC departments)
- Engagement events and marketing activities (we will start with the pull approach, but we aim to benefit from the work being developed by WMCA as part Multiply on Behavioural Insights messaging from year 2. The marketing campaign will be driven in collaboration with VCS organisations, employers and partnerships with the Early Intervention and Prevention team within BCC (responsible for the setup of the Financial Literacy and Adult Hubs in the city).

Delivery

- Curriculum design (onsite and online), resources development and design of engagement activities, community events and workshops.
- Delivery of 4 short courses (4 GLH) each
- Delivery of bespoke numeracy courses to include modular, vocational/sector specific, online flexible learning FSQ. Each of these courses will be between 20 and 30 GLH.
- Development of CEIAG programme and 1:1 support for participants to create their Professional Progression Plan.
- Delivery of CEIAG 1:1 support to create Professional Progression Plans (4 weeks maximum)

Partnership working

- Co-design and co-delivery of Understanding Energy Bill/Usage in the House with Warmer Homes
- Co-design with the NHS Women's Hospital a professional development programme for cleaning staff at the Women's Hospital
- Development of partnership strategy with the Early Intervention and Prevention team to support the Financial Literacy Hubs and Adult Hubs in the city

Administration, Monitoring and Evaluation – Integration of the Multiply programme onto our Quality Assurance and Quality Improvement cycles

- Development of processes and procedures to manage, co-ordinate and report on Multiply activity.
- Termly and Annual evaluation of project success and recommendations for improve/increase impact of the programme.

How will the activities be delivered? (including resources required, time to deliver, duration, location, equipment)

Birmingham Adult Education will deliver the programme with the participation of its partners within the council, VCS organisations and Warmer Homes.

The Service has a strong track record of successful delivery of Maths for adults. In 21-22 the rate of high grades in GCSE maths was 29% higher than the National rate. In Functional Skills maths Level 1 and Level 2 the achievement rate is ca. 20% higher than the National Rate. All Multiply activity will be subject to our Quality Assurance systems.

All of our teachers have a Level 5 numeracy specialism and have a Level 5 teaching qualification as a minimum. Many of them have developed and taught our Bitesize Maths programme, a number of which focus on financial literacy, but include elements of wellbeing.

Resources will include:

- Online and offline teaching and learning resources
- Specialist input to design curriculum and create content as detailed in the previous section, under the heading **Delivery**.
- Human resource to design, organise and lead the events and marketing activities
- Staff time to risk assess venues
- General administration and management of the programme
- Marketing resources, marketing content and delivery of marketing activities

- Management Information System administration
- HR process to include recruitment of teachers (if additional capacity is required), management and cost of DBS checks.

Equipment and systems

Learners will benefit from the BAES laptop loan scheme and where necessary data from the Birmingham City Digital Inclusion Strategy. Online resources will include Moodle, padlet. Quality monitoring process will include use of ProSolution and eTrackr.

The short modules will be 16GLH and the bespoke numeracy courses will be 20 to 30 GLH.

Locations will include city libraries, Financial Literacy Hubs, Adult Hubs any of our 10 centres and places of work, such as the Women's Hospital.

Who will be the beneficiaries of the project?

- Male learners to increase the current rate of male participation at BAES (last year was 28%, 1% above WMCA)
- Employed residents and claiming Universal Credit (52,500 in Birmingham as at September 2022) to help decrease the number of UC claimants which one of the highest in WMCA.
- Self-employed adults, generally with low income. In Birmingham, they are more likely to be BAME. Research shows residents from this group are more entrepreneurial but with limited access to business support.
- Young adults (19 to 23), including care leavers and young parents likely to have a low-wage job, to improve on the rate of 17% for young learners currently taking part in maths courses across the West Midlands.
- White workers on low wages. Current statistics show an increase in employment inactivity amongst white British residents, which is higher than any other group.
- 50+ (50 – 59) to improve on the rate of participation seen across the West Midlands of 9% (BAES current rate is 11%). Although this group is 50-59, we need to consider targeting 60+ as latest reports show that more people are coming out of retirement to become employed on low-wage jobs due to the cost-of-living crisis.

Where will activities take place?

Online, city libraries, Financial Literacy Hubs, Adult Hubs any of our 10 centres and places of work, such as the Women's Hospital.

PROJECT IMPACT AND STRATEGIC ALIGNMENT (STRATEGIC CASE) FOR YEAR 1.

Does your project predominantly focus activity on residents already in employment?		YES
Please tick which of the following key objectives your project supports	a) Innovative numeracy programmes delivered together with employers – including courses designed to cover specific numeracy skills required in the workplace or specific projects focused on micro and SME businesses.	✓
	b) Pilot online intensive flexible math programmes, supported by face-to-face IAG or proposals to trial Flexible Functional Skills Qualifications (FSQs (or equivalent) offered outside of the workplace/out of work hours.	✓
	c) Potential partnership approaches with the Voluntary and Community Sector to deliver local interventions	✓
	d) Proposals to provide numeracy support at local venues, such as Family Support Hubs and libraries.	✓
	e) Proposals for improved partnership working with other key local partners/stakeholders to deliver numeracy support offers for example Housing Associations	✓
	f) Development of short introductory financial literacy modules to introduce maths and give people practical help	✓
	g) Proposals focused on communities in disadvantaged areas, including those inactive in the labour market and long term unemployed	✓
How does your proposal align with local needs and long-term strategic plans for local growth?		
<p>Our project aligns perfectly with the Early Intervention and Prevention agenda, of which the Financial Literacy and Adult Hubs are a part of. The strategy is set to reduce the level of inequality in the city and promote employment and financial wellbeing in the population.</p> <p>The target groups have been decided based on local need in Birmingham, for example, when focusing on the employed residents who claim Universal Credits, we will focus our efforts on residents from the Sparkbrook & Balsall Heath East, Soho & Jewellery Quarter, Aston, Glebe Farm & Tile Cross and Alum Rock wards, where the percentage of adults in employment and claiming UC is at or higher than 30% with a total of 7,500 adults in this group.</p>		
How does your project demonstrate innovation in service delivery?		
<p>The co-design and co-delivery of the Understanding Bills/Energy Usage courses in partnership with Warmer Homes will incorporate sustainability in practice, as well as practical advice on grants for participants to help them with the cost-of-living crisis. This will have an immediate and direct impact on the personal finances of participants.</p> <p>Co-design of in-work programmes with the sole purpose of help low-wage workers progress through the structure of the NHS. As well as the Multiply interventions, this piece of work will provide Digital Skills to workers with embedded numeracy.</p> <p>Financial Literacy interventions will be aligned to the Prevention and Early Intervention Team's work at the Literacy Hubs in the city to become part of an integrated service to residents in places where there is natural footfall and residents are used to visit in order to get community support and services.</p>		

Provision of data and laptops set up as part of the work from the Birmingham City Digital Inclusion team.

Development of 4 new programmes as described in the first sections of this document.

We will set up an innovative model of referrals and promotion where the VCS will have in vested interest as their employees will also benefit from the programme. The referral system to be set up will incorporate an innovative dimension where the VCS are incentivised to support success through a financial reward model for recruitment of beneficiaries, use of venue and support to promote and communicate the opportunity to their target audience.

Please describe how you have considered equalities impacts of your proposal, the relevant affected groups based on protected characteristics, and any measures you propose in response to these impacts.

We have considered the possible impact on unemployed residents who could benefit from this programme, and although they are not the target group, they will not be prevented from taking part, as they may become employed with the right support.

We have found that a significant percentage of learners whose work status is inactive under JCP terms become interested in looking for work and have positive employment destinations. We are also aware that there is a potential for more people with protected who are unemployed and these kinds of interventions will be very helpful to them, with that in mind, all unemployed learners will be allowed to join the programmes and will be funded through AEB.

What outputs will the project deliver? (see fund indicators P8 [Multiply Technical Guidance](#) Prospectus)

Output	Numbers Year 1
Number of different types of provision	5
Number of adult numeracy courses run in a local area through Multiply.	93
Expected number of learners participating in substantive learning provision & which is informal outreach focussed provision broken down by ethnicity, sex/gender, age and disability to enable Public Sector Equality Duty monitoring	660 Of which: 40% male 25% employed claiming UC 25% age 19-23 15% 50+ 20% disabled
Expected number of learners participating in substantive learning provision	300 Of which: 40% male 25% employed claiming UC 25% age 19-23 15% 50+ 20% disabled
Number of people achieving a qualification, broken down by ethnicity, sex/gender, age and disability to enable Public Sector Equality Duty monitoring.	216 Of which: 40% male

	25% employed claiming UC 25% age 19-23 15% 50+ 20% disabled
Number of courses developed in collaboration with employers.	6
Number of different cohorts participating in numeracy courses (e.g. learners in prison, parents etc).	40% male 25% employed claiming UC 25% age 19-23 15% 50+ 20% disabled Self-employed Single parents and young parents
What outcomes will the project deliver? (see fund indicators P8 Multiply Technical Guidance)	
Outcome	Number
Increased number of adults achieving maths qualifications up to, and including, Level 2.	180
Increased number of adults participating in maths qualifications and courses up to, and including	216
Increased number of adults participating, acquiring and evidencing skills through non-qualification provision, or towards a qualification, including online learning.	660
Increased adult numeracy (by supporting learners to improve their understanding and use of maths in their daily lives, at home and at work).	660

DELIVERY (MANAGEMENT CASE) YEAR 1			
When will the project start? (NB delivery must commence by October 2022)	November 2022	When will the project end?	31 st March 2025
What are the key milestones for the development and implementation of the project?			
Milestone	Target date/month		
Response: Project mobilisation plan developed	Response: November 22		
Response: Governance arrangements established	Response: November 22		
Response: Marketing plan developed	Response: November 22		
Response: Partnership group and working arrangements established	Response: November 22		
Response: Recruitment of key additional personnel for the project	Response: November/December 22		

Response: Quality plan developed and mobilised	Response: November/December
Response: Monitoring and reporting regime established and beneficiary feedback/voice arrangements established	Response: November/December
Response: Community engagements events planned and delivered	Response: November/December
Response: Development of online and face to face household budgeting course: key content, Scheme of Work, resource requirements.	Response: November/December 22
Response: Pilot delivery of both models	Response: November/December 22
Response: Recruitment to programmes mobilised	Response: November/December 22
Response: Enrolment to programmes	Response: December 22/January 23
Response: Full programme underway	Response: January 23

[add additional rows if required]

Who will deliver the activities and how will they be appointed?

Response:

All our teachers have a Level 5 numeracy specialism qualification and have a Level 5 teaching qualification. The delivery of CEIAG is vocationally linked and done with the principles of an individual learning plan.

Our marketing, management, administrative are suitably qualified. Where staff is already working for the Service or the City Council, they will be seconded to the project in line with the FTE indicated under the resourcing section.

External candidates will be recruited through formal council recruitment procedures and practices adhering to Right to Work, Safer Recruitment and Safeguarding rules and regulations. All staff working on the project will have an enhanced DBS certificate.

What experience do you/the project deliverer/s have of delivering this type of activity?

Response:

We have a proven track record running projects of this size, for example a 3 year programme for the Department of Levelling Up to set up the Birmingham ESOL Hub with a value of £400,000 per year. In addition, we hold an AEB Grant and we are, therefore, able to adhere to formal funding and performance monitoring rules.

Our robust quality assurance framework has delivered a good range of strong outcomes that overall were rated Good by Ofsted.

We are very experienced in using the ILR to report our activity to the WMCA with a significant maths programme delivering from entry level to GCSE, to more than 1,100 students annually.

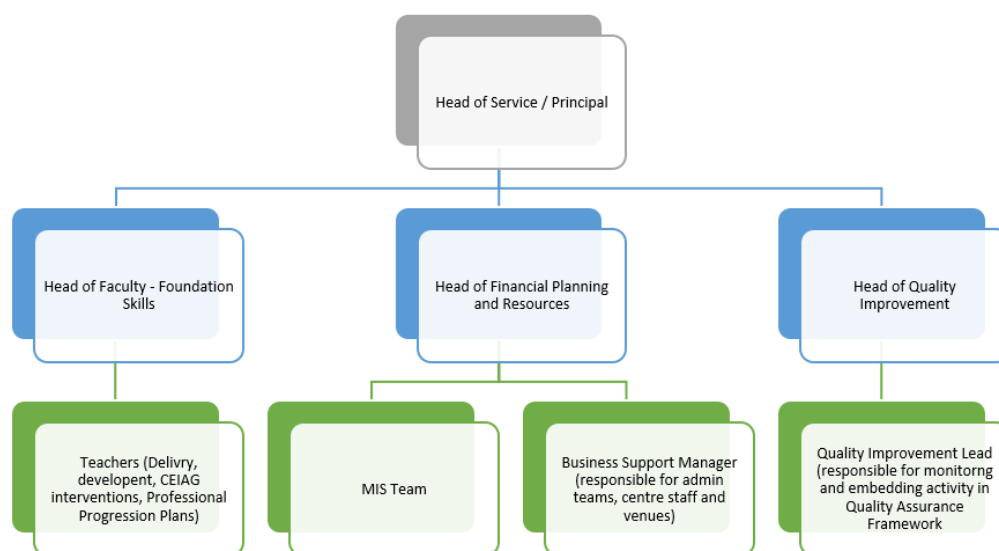
Our Community Learning, servicing ca. 5,000 students every year has been developed to incorporate financial literacy and numeracy within a range of projects, some of which regularly encourage learners to take up follow on courses to develop self-employment skills, as well as employability skills.

Summarise the resources (people) you/the delivery organisation/s will utilise to deliver the project? (Provide a structure chart(s)/organogram with this business case)

Response:

Our Head of Service/Principal will have overall oversight of the project. The Head of Faculty for Foundation Skills will lead on the planning and delivery of the curriculum programme. Our Head of Quality Improvement will oversee the monitoring of outcomes and quality of delivery, ensuring the project is fully embedded into our Quality Assurance framework.

Our Head of Financial planning and Resources will oversee the CEIAG, MIS enrolment and reporting, finance, venue risk assessment and ICT support.



If you/delivery organisations need to recruit people or appoint contractors what plans are in place to manage the risk of delay?

Response:

We will underpin any gaps with existing staff wherever possible. We will provide existing part-time staff the opportunity to work additional hours to cover any gaps. In addition, we have a large pool of fully qualified sessional teachers who will be able to take on additional teaching whilst any vacancies are recruited to.

At BCC, we work with 10 employment agencies, specialised in teaching and educational workforce. They will be engaged if/when required to ensure we have no vacancies to deliver the project.

Describe contingency arrangement in the event of reduced people resources

Response:

We will underpin any gaps with existing staff wherever possible. We will provide existing part-time staff the opportunity to work additional hours to cover any gaps. We will reskill existing staff to cover any gaps and we will use the 10 recruitment agencies working with BCC to recruit staff as a last resort if needed.

Rescheduling of activity whilst reduced people resources were built up and combine activity where possible to reduce risk of disappointing participants.

Summarise the key risks and mitigation actions of your project

Risk	Mitigation	Likelihood (H/M/L)	Impact (H/M/L)
Response Lower than planned recruitment to activity in year 1	Increased targeted marketing. Review of partnerships.	H	H
Response Insufficient lead in time to develop new programmes	Anticipate positive response to application and begin development in October irrespective of notification of success in application.	L	H
Response Insufficient lead in time to recruit necessary people resources	People plan ahead of notification of success. Utilise part-time staff with additional hours and/or other Council staff.	M	M

[add additional rows if required]

Summarise any key dependencies associated with this project (i.e. is the project reliant on any external factors in order to be successful?)

Response:

Key dependencies include:

- Securing good quality venues for community delivery with adequate facilities for high quality learning, including ICT and WiFi
- Building sufficient partnerships and interest to engage effectively with those who need support with household budgeting, maths and learning generally
- Having sufficient AEB to fund unemployed learners alongside employed learners to ensure an equitable offer for all residents where possible

How will you monitor and manage these risks and dependencies? Describe the process

Response

Risk: Late start to project: We have started project initiation work, such as securing resource and beginning module development work during November to ensure an immediate start, after WMCA provide written agreement to the project. As with AEB grant, formal agreements can be signed at a date later than project initiation.

Risk: Challenges to recruitment in year 1: Our Community Learning Faculty has a well established track record of business development in the community, including small businesses, bringing in new partners every week, yielding ca, 900 enrolments in Term 3 of last year between May and July. It must be noted that in the Adult Education sector, these three months are the weakest months for enrolments and new business development. For

this project, we will therefore use the same model to ensure targets are met. We will set monthly targets and will monitor enrolments against target every week. This will allow us to put in place early intervention if we need to double down on the recruitment work, including through VCS partners.

Insufficient lead time to recruit resources in year 1. This would be mitigated in part by using the resources we already have to deliver current work. However, there is a limit to the amount of additional work the service would be able to manage within current staffing levels. Therefore, recruitment agencies would need to be used to fill short term gaps and/or leveraging in resources from other Council departments and providers where possible.

Key dependencies:

Insufficient AEB to support unemployed residents who want to join the programme. This is unlikely to be an issue, and if it were, we would be able to discuss a flexibility to meet this demand with the WMCA.

Securing good quality venues to deliver from: We will not deliver from venues that do not meet predetermined standards for delivery. We carry out risk assessments and health and safety assessments for all new venues. However, we already work with a large number of community venues for the AEB contract and so do not envisage being unable to cover the full geography of the City. In addition, we would be able to provide laptops and WiFi to for most community learners if needed.

FINANCIAL CASE YEAR 1.

Outline how the project will be funded. Include:

- A breakdown by each year of delivery
- Any commitments already made to guarantee other funding/resources required
- Details confirming if any additional funding is secured/applied for
- Any assumptions regarding revenue generation
- Any impacts on the balance sheet (e.g. increases in assets/liabilities) and how these will be managed

Year 1 will be fronted by training to take place in the first 2 weeks of the project, and with follow up training. This is so that the project starts immediately. There are additional Human Resources costs, such as management of the project, which will be assumed by the Service within its current structure.

In Year 1, in November and December, the following activity will take place: Community engagements events will be planned and delivered; Monitoring and reporting regime, beneficiary feedback/voice arrangements will be established; the Quality plan will be developed and mobilised, recruitment of key additional personnel for the project will be completed and partnership group and working arrangements will be established. A monthly delivery plan with targets will be established for the start of the delivery in January.

Year 1, January and end of March: Delivery will take place and progress against contract will be monitored weekly. We have a well-established monitoring system of enrolments and participation across the Service, which will be implemented for this project. The weekly monitoring of participation against targets will allow us to put in place early intervention if we need to double down on the recruitment work, including through VCS partners.

We are planning to run at least 10 engagement events in year 1, both in the community and with employers. This will be double for Year 2 and Year 3 as are full years.

Years' 2 and 3 will assume a full year of delivery and outputs will be 2 times that of year 1 dependent on project demand and success.

Provide a breakdown of costs associated with the project (funding cannot be top sliced for 'on costs')

Year 1	Year 1
6.0 FTE Teachers (for delivery and development)	£127,100
1.0 FTE Project Lead	£34,300
0.8 Community Liaison Officer	£17,600
0.4 Marketing officer (Social Media and Copywriter)	£8,700
0.2 Marketing Lead	£5,800
Venue Hire and associated venue costs	£12,600.
Teaching resources including IT purchased Y1	£140,000
Advertising and marketing set up costs	£65,000
Learner Support (DLSF)	£20,000

Year 2	Year 2
6.0 FTE Teachers (for delivery and development)	£317,700
1.0 FTE Project Lead	£71,950
0.8 Community Liaison Officer	£36,950
0.4 Marketing officer (Social Media and Copywriter)	£18,200
0.2 Marketing Lead	£12,200
Venue Hire and associated venue costs	£30,000
Teaching resources including IT purchased Y1	£15,000
Advertising and marketing set up costs	£20,000
Learner Support (DLSF)	£52,900

Year 3	Year 3
6.0 FTE Teachers (for delivery and development)	£333,600
1.0 FTE Project Lead	£75,600
0.8 Community Liaison Officer	£38,800
0.4 Marketing officer (Social Media and Copywriter)	£19,100
0.2 Marketing Lead	£12,800
Venue Hire and associated venue costs	£30,000
Advertising and marketing set up costs	£14,000
Learner Support (DLSF)	£51,000

Describe the systems, processes and controls that you will use to ensure only costs directly related to the project will be included in grant claims?

Response:

The Project will use the Council's Financial systems – Oracle, and the governance of the project will under the same arrangements as the Service's AEB contract.

The financial structure of the project will be set-up on Oracle with the scrutiny and supervision of Corporate Finance to enable project costs to be monitored against pre-determined codes. The Council has the skills, expertise and experience to ensure accuracy of project management and reporting.

The Adult Education Service has a Senior Leader (Head of Finance and Resource Planning) and a Finance Officer who work closely with Council finance staff and Adult Education

management teams. This interface between Council and Service ensures accuracy and good communication.

Adult Education has significant experience of project management with funding from the Department of Levelling Up. In addition, we manage the income and associated costs on a number of grant funds, including the WMCA and ESFA AEB, ESFA 16 – 19, and ESFA 24+ Learner Loans.

PROCUREMENT (COMMERCIAL CASE) YEAR 1	
<p>Provide an outline of any proposed procurement for the project (what will be procured and how?)</p> <ul style="list-style-type: none"> • Describe the outputs – i.e. goods, services and works that will be procured in relation to the project and how this will be paid for e.g. payment against milestones, payment against delivery of services, performance related pay (e.g. KPIs), availability or usage, the pricing strategy objectives; • Identify and explain any associated mitigation or reduction of procurement risks planned; • Set out the approach / route to procurement (i.e. the strategy to undertake it), the source of procurement advice and how it fits with funding conditions; • How the proposed approach meets existing procurement rules and regulations and achieves value for money; • Market knowledge, e.g. demonstrate whether there has been any supplier engagement, any assessment of the viability of concept, the market risks and the number of potential bidders; 	
<p>Response: N/A</p>	
<p>Provide an overview of any legal implications associated with this project</p>	
<p>Response:</p> <p>The Council anticipate entering into a back-to-back Grant Funding Agreement with WMCA. The project will be included in the Forward Plan to provide it with the required governance and approval at Cabinet and Directorate Level. This will take place in November 2022.</p>	
<p>SUBSIDY CONTROL Projects must consider how they will deliver in line with subsidy control as per UK Government guidance: Complying with the UK's international obligations on subsidy control: guidance for public authorities - GOV.UK (www.gov.uk)</p>	
<p>Does any aspect of your project involve the provision of subsidies</p>	<p>NO</p>
<p>If yes, briefly explain how the subsidies are compliant with the UK's subsidy control regime (see .gov guidance)</p>	
<p>Response N/A</p>	

End.

Birmingham City Council

Report to Cabinet

17th January 2023



Subject: Domestic Abuse Homelessness Prevention Waiver

Report of: Janie Berry, City Solicitor & Monitoring Officer

Relevant Cabinet Member: Councillor Ian Ward, Leader of the Council

Relevant O & S Chair(s): Councillor Akhlaq Ahmed, Chair of Resources O & S

Report author: Gary Messenger, Acting Director
Telephone: 07826 873 454
Email: gary.messenger@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: 010576/2022		
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, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1** In February 2019, City Housing piloted a specialist domestic abuse housing solutions and support service in partnership with Birmingham & Solihull Women's Aid (BSWAID). It was envisaged that this pilot would be formalised by way of a contract variation to the Adult Social Care

Domestic Abuse Homelessness Prevention Waiver

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commissioned DA Wellbeing Hub. A subsequent cost appraisal of the Housing Solutions and Support activities undertaken by BSWAID identified that the costs amounted to more than 50% of the Domestic Abuse (DA) Wellbeing Hub and so the HRA element could not be added on to that existing contract.

1.2 In February 2021, it was initially considered the Single Contractor Negotiation (SCN) route could apply given the COVID 19 flexibilities afforded to the Council to issue a direct award via a single contractor negotiation. However, subsequently this approach was discounted because COVID related issues and restrictions no longer applied.

1.3 Housing Solutions and Support made a contractual commitment on 14 February 2021, this is understood to be following a verbal agreement by Officers to continue the Domestic Abuse (DA) Housing Solutions and Support Service with BSWAID until 31 March 2023. This was to maintain a vital service. The service is currently being funded through the Homelessness Prevention Grant and this spend has Cabinet approval. As such, in accordance with the Council's constitution, this report notes a breach of the Council's Procurement and Contract Governance Rules as per the constitution and seeks a waiver in relation to these and furthermore, provides recommendations on appropriate measures to be taken to resolve the issue.

2 Recommendations

That Cabinet:

2.1 Approves the waiver request for the existing implied contract arrangements with BSWAID for the period March 2021 to June 2023 at a value of up to £1,158,687.83.

2.2 Authorises that the Director of Housing in consultation with the Director of Council Management and City Solicitor ensures compliant contractual and procurement arrangements are established by way of an open tender process using a compliant procurement route for June 2023 for this contract.

2.3 Notes that since existing procurement and breach, the Council's rules have been updated and amended with the new Procurement and Contract Governance Rules (July 2022), including strengthening requirements for maintaining of records for audit and accountability purposes in how decisions are taken.

3 Background

3.1 Birmingham City Council's Homelessness Prevention Strategy 2017+ sets out the commitment of the city to prevent homelessness wherever possible. A key aspect reflecting this commitment is the commissioned

Domestic Abuse Homelessness Prevention Waiver

Prevention Hubs. These sites provide a specific location, hosted by an expert organisation at which services to build resilience for independent living are delivered. These include personal resilience, money management, advocacy, planning and support. Partnerships of multiple agencies sit around these Prevention Hubs, bringing together the resources of many public and voluntary sector agencies.

- 3.2** Alongside this prevention focus the city has diversified its specialist Housing Options provision, targeting specific groups. This is either through the commissioning of other organisations to undertake duties on behalf of the Local Authority, or through the embedding of Local Authority Housing Options Officers in the service.
- 3.3** In February 2019, having acted as partner consultees with Adults Social Care and in support of the Putting Prevention First: Commissioning and Procurement Strategies for Vulnerable Adults Housing & Wellbeing Support, the Neighbourhoods Directorate (Now City Housing) piloted a specialist domestic abuse housing solutions and support service in partnership with BSWAID. Services falling within this strategy are vital in delivering against Council priorities which include corporate parenting, improved health, and wellbeing, building resilient and independent communities and access to suitable and sustainable housing options for the most vulnerable.
- 3.4** It was envisaged that this pilot would be formalised by way of a contract variation to the Adult Social Care commissioned DA Wellbeing Hub, which was initially piloted by way of a contract variation to an existing social inclusion contract before being commissioned as a standalone service for one year by way of a single contract negotiation in September 2019. In support of Putting Prevention First, Housing Solutions agreed to fund the Homelessness Reduction Act (HRA) element.
- 3.5** A subsequent cost appraisal of the HRA activities undertaken by BSWAID identified that the costs amounted to more than 50% of the DA Wellbeing Hub and so the HRA element could not be added on to that existing contract.
- 3.6** As part of the response to the challenges presented by the COVID response BSWAID made representations to Members and Officers regarding the potential financial impacts for BSWAID if they did not receive full funding for the HRA element of the DA Hub. Subsequently, the then Deputy Chief Executive committed to looking into this and asked for consideration of the need to proceed with payment under COVID Delegated Decision Rules to be undertaken with the then Strategic Response Cell.
- 3.7** In February 2021, discussions took place on whether Housing Solutions needed to go out for a full tender process on the basis that BSWAID would be the only organisation who can deliver the HRA element. Discussions

also took place between senior officers and senior colleagues within City Housing, Procurement and Legal respectively with a view to applying the then COVID 19 flexibilities afforded to the Council to issue a direct award, through a Single Contractor Negotiation, to Women's Aid on the basis that the rates of Domestic Abuse in the City had spiked as a result of the pandemic and were likely to continue to rise for the foreseeable time. In view of consideration of the new plans for the future domestic abuse arrangements and Legal advice for a direct award on the basis of COVID was limited to the period March 2020 to March 2021, continued reliance on the direct award provisions by City Housing was not appropriate, resulting in the actions taken being deemed a breach in respect of formalising the governance arrangements for the Council.

- 3.8** In seeking to apply the Single Contractor Negotiation approach to cover this expenditure. During late 2021, through to March 2022, City Housing were advised by Legal Services / Corporate Procurement Service, that it is not appropriate under emergency measures as these can only be invoked where the circumstances used to justify extreme measures are not attributable to the contracting authority
- 3.9** Presently, the HRA element of the DA Hub is funded through the Homelessness Prevention Grant and is projected to cost up to £535,156 for the financial year 2022-2023. This is included in the Cabinet paper of March 2022 covering planned expenditure of Homelessness Prevention Grant.
- 3.10** Accordingly, this report seeks approval via Cabinet to retrospectively waive the Procurement and Contract Governance Rules by way of notifying for transparency purposes, this as formal breach of the rules for the services currently placed with BSWAID and authorisation for City Housing to undertake a new procurement to ensure compliant contractual arrangements are established by way of an open tender process using a compliant procurement route.
- 3.11** The DA Housing Solutions and Support Hub provided a valuable resource and pathway to wider specialist support services for women and children who were homeless/threatened with homelessness as a result of domestic abuse during the Covid-19 pandemic and continues to do so. In June 2020, BSWAID received a 40% increase in DA related calls to their helpline, whilst monthly refuge requests made direct to BSWAID jumped from 246 requests in June 2019 to 685 requests in June 2020. Furthermore, between April 2021 and October 2021, West Midlands Police reported a 75% increase in DA crimes.
- 3.12** For the reasons outlined above, whilst there is wider recognition of the need to formalize the working relationship between BSWAID and City Housing by way of contract for the HRA element of the DA Hub, City Housing have ensured there is no break in service provision. Through the waiver procedure, acknowledgement is made of error in process during the Covid-19 pandemic; and a Planned Procurement Activities Report will

be submitted to Cabinet outlining City Housings intentions to establish to secure a settled position going forwards.

4 Options Considered and Recommended Proposal

- 4.1** Immediately cease a dedicated DA provision as part of HRA duties, bringing provision in-house and suspend any future payments promised up until March 2023. This is not recommended as it would cause a loss of reputation and partnership working across the sector, particularly as senior officers at BCC have made assurances to BSWAID in terms of ongoing commitment. Furthermore, this option would place enormous strain on an already stretched internal Housing Solutions & Support Service. DA cases account currently for the third highest reason for presenting as homeless and 15% of all presentations. BCC provision is not established to manage the level of vulnerability of women presenting, the specialist requirements associated with DA, and the increased expectations relating to service provision arising from the Domestic Abuse Act 2021. The Act expects greater prevention, specialist provision, and priority given to people experiencing homelessness as a result of DA.
- 4.2** In line with the Council's constitution, it is recommended Cabinet agrees to a waiver of the procurement rules by way of a request for noting for transparency as a formal Breach of the Rules until 31 March 2023. In the interim, City Housing will advertise for a contract via Find a Tender, Contracts Finder and www.finditinbirmingham.com and a tender process will be commenced using the open procurement route with contracted services to commence in April 2023. This will support the delivery of Homeless Prevention Strategy 2017+, Domestic Abuse Prevention Strategy 2018+, as well as all statutory duties in relation to the prevention and relief of homelessness under Part VII of the Housing Act 1996 as amended by the Homelessness Reduction Act 2017, and the Domestic Abuse Act 2021.

5 Consultation

- 5.1** Consultation has been undertaken between senior officers of City Housing and BSWAID as well as all corporate services involved in preparing and approving this cabinet report.

6 Risk Management

- 6.1** At this stage the main risks are related to the breach of procurement rules and lack of contract, these will be mitigated by the immediate commencement of a full tender exercise via an open procurement route with contracts and services due to commence from 01 June 2023.
- 6.2** The impact of not appointing a contractor will be a failure to meet obligations of the Homelessness Reduction Act, a level of unmet need

amongst vulnerable women, and a loss of reputation and partnership working across the sector, and with government.

7 Compliance Issues:

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

- 7.1.1 The procurement of the DA Hub will support the Council in achieving its Homelessness Prevention Strategy 2017+, and Domestic Abuse Prevention Strategy 2018+ and Putting Prevention First Commissioning and Procurement Strategy.
- 7.1.2 The DA Housing Solution and Support Service contributes towards meeting the following aspects of the City Council Plan 2018-2022:

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

Priority One: We will improve protection of vulnerable children and young people (including those with Special Educational Needs and Disability). By the time they reach adulthood, more than 1 in 5 children in the city will have experienced DA at home. Furthermore, DA can have a significant impact on a child's health, education, and well-being. Locally, DA is a major factor for 77% of children needing Local Authority support, care, or protection. The Domestic Abuse Housing Solution and Support service plays a key role in safeguarding vulnerable children from life-threatening situations, and abusive perpetrators. This provision of specialist DA support can improve the outlook and aspirations of children by providing and facilitating access to safety nets when they need it most.

Outcome 4: Birmingham is a great city to live in.

Priority Three: We will work with partners to tackle rough sleeping and homelessness. Once formally commissioned, The DA Housing Solutions and Support Service will offer survivors a right's-based approach to homelessness assistance via a multi-agency pathway and coordinated community response underpinned by the principles of the Domestic Abuse Housing Alliance. Such principles include safety led case management, survivor led support, and perpetrator accountability which includes working in partnership to take legal action or seek civil remedies to support families to remain in their homes when this is a safe appropriate option.

7.2 Legal Implications

- 7.2.1 Section 179 of the Housing Act 1996 provides that a local housing authority must provide or secure the provision of a service, available free of charge to any person in the authority's district, providing information and advice on, preventing homelessness, securing accommodation when homeless, the rights of persons who are homeless or threatened with homelessness.

- 7.2.2 The Council has a statutory duty in relation to the prevention and relief of homelessness under Part VII of the Housing Act 1996 as amended.
- 7.2.3 The Homelessness Act 2002 requires local authorities to develop homelessness strategies to support the prevention of homelessness in their districts.
- 7.2.4 Under S. 111 Local Government Act 1972 the Council has power to power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions
- 7.2.5 The Council's obligations for this service under the General Data Protection Regulation (GDPR) will be met by commissioned arrangements.

7.3 Financial Implications

- 7.3.1 The service is and will continue be funded via the Homeless Prevention Grant, and this will be reflected in any tender documents with precise and unequivocal review clauses, which may include price revision clauses, or additional options relevant to the nature of funding and the contract.
- 7.3.2 Funding has already been ringfenced from the Homeless Prevention Grant for the continuation of current provision until 31 March 2023, the annual cost of this provision currently stands at £535,156.

7.4 Procurement Implications

- 7.5 This cabinet report is accompanied by a waiver request highlighting the Breach in respect of the original advice and authorisation route around a Single Contract Negotiation and PPAR as the service looks to immediately commence a full tender exercise via an open procurement route with contracts arranged and services due to start from 01 June 2023. This information is detailed in the Planned Procurement Activity Report to Cabinet.

7.6 Human Resources Implications (if required)

- 7.6.1 There are no anticipated HR implications for Birmingham City Council as a result of any future commissioning and procurement exercise, both HR and Procurement will provide advice on issues relating to TUPE.

7.7 Public Sector Equality Duty

- 7.7.1 As BSWAID offer gender specific provision, the current DA Housing Solution and Support service does not allow full access for transgender women, or males. It is anticipated that any future commissioned service will need to take account of both the support needs of male and transgender victims of domestic abuse and that all should receive the same level of service regardless of sex or gender reassignment.

8 Appendices

Appendix A- Waiver Request

Appendix A

WAIVER FORM

PROJECT / CONTRACT TITLE	The Domestic Abuse Housing Solution and Support Service
PROJECT / CONTRACT REFERENCE NUMBER	N/A
DESCRIPTION OF CONTRACT (GOODS / SERVICES PROVIDED)	Specialist HRA provision for survivors of domestic abuse in accordance with the Housing Act 1996 as amended by the Homelessness Reduction Act 2017, and Domestic Abuse Act 2021.
SUPPLIER (where relevant)	Birmingham and Solihull Women's Aid
CONTRACT PERIOD	contract from 01 December 2021 until 31 May 2023
VALUE (£/p)	Up to £1,158,687.83
FUNDING SOURCE	Homeless Prevention Grant
DIRECTORATE	City Housing
SERVICE AREA	Housing Solutions and Support
SERVICE LEAD	Debbie Parkes
DIRECTOR/ ASSISTANT DIRECTOR	Gary Messenger
HEAD OF SERVICE	Stephen Philpott
Please indicate the justification for a Waiver to the Procurement and Contract Rules	
i. Efficiency / expediency in relation to process: Following the Rules in whole or part would not add value to the intended outcomes and would significantly impact the delivery of the Council Plan and priority outcomes. A Waiver would not compromise transparency and accountability.	
ii. Increased cost / loss of income: Following the Rules in whole or part would likely result in increased costs or loss of opportunity.	
iii. Time constraints beyond the control of the Council: Following the Rules in whole or part would create unreasonable time pressures to deliver outcomes required. In such cases this must not be through poor planning or lack of action by the Council to have created the time constraint.	

iv. Avoidance of reputational damage: Failure to act promptly would have a serious, damaging and long-term impact on the reputation of the Council, that from a time perspective the Council cannot afford to be mitigated through a formal tendering process.	
v. Request for noting for transparency as a formal Breach of the Rules: Noting outcome of formal Breach investigation and seeking to note in line with Waiver Approval procedure.	X
Please provide details on reasons for applying for a Waiver	
<p>In February 2019, having acted as partner consultees with Adults Social Care and in support of the Putting Prevention First: Commissioning and Procurement Strategies for Vulnerable Adults Housing & Wellbeing Support, the Neighbourhoods Directorate (Now City Housing) piloted a specialist domestic abuse housing solutions and support service in partnership with BSWAID. Acting in good faith it was envisaged that this pilot would be formalised by way of a contract variation to the Adult Social Care commissioned DA Wellbeing Hub.</p> <p>A tender process followed for the DA Wellbeing Hub for the period of 4 years between December 2020 to November 2024 and a contract awarded to BSWAID. The advert and procurement documentation clearly stated the possibility of HRA activities being included after the award with the associated funding and contract variation. ASC and procurement were of the opinion it was not possible to line up timescales for a joint commissioning and tender exercise.</p> <p>A subsequent cost appraisal of the HRA activities undertaken by BSWAID identified that the costs amounted to more than 50% of the DA Wellbeing Hub and so the HRA element could not be added on to that existing contract.</p> <p>In February 2021, discussions took place and initial procurement advice was that Housing Solutions needed to go out for a tender process in respect of the HRA element. However it was believed by Housing Solutions that this was contrary to the intended delivery model of an inclusive well-being hub; Housing Solutions believed that BSWAID would be the only likely organisation who can deliver the HRA element. The initial legal view from the then City Solicitor was that BCC could apply the COVID 19 flexibilities afforded to the Council to issue a direct award based on an increase in domestic violence as a result of the pandemic. This decision covered payment for services provided by BSWAID between April 2020 to March 2021. Following this initial view, legal advice was requested from Legal Services but in the meantime the decision was confirmed at a meeting of the Strategic Cell on 9th March 2021 with a recommendation that further advice be sought in terms of contract arrangements going forward.</p> <p>During late 2021, through to March 2022, discussions took place with Legal Services as regards whether or not the ongoing work undertaken by BSWAID could be procured using the Single Contractor Negotiated [SCN] process.</p> <p>A draft proposal/business case was shared with Legal Services and during February 2022, advice was provided that the business case did not support the SCN process and thus did not satisfy the provisions of the Public Contract Regulations 2015 and the Procurement Procedure Rules as drafted in the Council's Constitution at that time.</p>	

In response, Housing Solutions instructed Legal Services that it had made the case for BSWAID to be the sole supplier and in effect chose not to comply with the advice provided.

Nevertheless, Housing Solutions and Support made a commitment to continue the DA Housing Solutions and Support Service until 31 March 2023 however this may need extending to June 2023 to allow for the re-procurement of the service. The service is currently being funded through the Homelessness Prevention Grant and this spend has Cabinet approval. As such, in accordance with the Councils constitution a retrospective waiver to the procurement rules is being sought as a request for noting for transparency as a formal Breach of the Rules whilst City Housing seeks to tender for the DA Housing Solutions and Support Service via a compliant open procurement route.

Which part(s) of the Procurement and Contract Governance Rules are being sought to be waived?

The requirement to secure a competitive procurement for these services during the financial year end 2022-2023.

What implications, risk(s) or consequences would apply if a Waiver is not approved?			
The main risks will be a failure to meet obligations of the Homelessness Reduction Act, a level of unmet need amongst vulnerable women and children, and a loss of reputation and partnership working across the sector, and with government. In addition, the council could be open to legal challenge for failing to pay for services already provided.			
What longer terms plans are in place to ensure compliant contractual arrangements will be established prior to the end of the contract awarded under Waiver?			
A new contract will be advertised in Find a Tender, Contracts Finder and www.finditinbirmingham.com and a tender process will be commenced using the open procurement route.			
Other Comments			
It is recommended that training is delivered via procurement and finance concerning the new spend protocols, procurement regulations, and spend authorisation limits.			
DECLARATIONS			
I (the undersigned) declare that I have no conflicts of interest which would otherwise prevent my signature to this Waiver.			
Directorate Service Lead		Date	
Corporate Procurement Comments			
Name / Title		Date	

AUTHORISATIONS			
	DIRECTORATE SIGN OFF	CORPORATE SIGN OFF	Date
Over £5,000 up to £100,000	Assistant Director or Head of Service (in line with the Scheme of Delegations)	Relevant Head of Category (Corporate Procurement Service)	
Comment (if required)			
Name / Title			
Over £100,000 to £200,000	Assistant Director	Assistant Director (Procurement)	
Comment (if required)			
Name / Title			
Over £200,000 to £500k (revenue) or to £1million (capital)**	Director	Section 151 Officer in conjunction with Cabinet Member (Finance)	
Comment (if required)			
Name / Title			

**** Above these levels and/ or Key Decision and/ or where deemed required by the Cabinet Member formal sign off is required at Cabinet.**

Birmingham City Council

Report to Cabinet

17 January 2023



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 Sir Albert Bore, Chairman of Co-ordinating Overview and Scrutiny Committee

Report author: Errol Wilson, Committee Services

Tel: 0121 675 0955

e-mail: errol.wilson@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 type="checkbox"/> Yes	<input checked="" 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 As set out in paragraph 7.1.1 above.

7.3 Financial Implications

- 7.3.1 There are no additional resource implications. Where applicable, those implications arise at the time that the relevant body, or a grant to it, is established.

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 – 17 January 2023 - Appointments to Outside Bodies

APPENDIX 1**APPENDIX TO REPORT TO CABINET 17 January 2023**
APPOINTMENTS TO OUTSIDE BODIES**1. Summary of Decisions**

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

2. Non - Annual Appointment**Yardley Great Trust**

Honorary Alderman Stewart Stacey (Lab) is to be replaced with Councillor Zafar Iqbal

Therefore, it is

RECOMMENDED:-

That Cabinet agrees the replacement of Honorary Alderman Stewart Stacey (Lab) with Councillor Zafar Iqbal (Lab) on the Yardley Great Trust for the remainder of the term i.e. 17 January 2023 until 4 March 2026.

Birmingham City Council

Report to Cabinet

Date: 17th January 2023



Subject: KEY DECISION PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2023 – APRIL 2023)

Report of: ASSISTANT DIRECTOR – PROCUREMENT

Relevant Cabinet Member: Councillor Yvonne Mosquito, Finance and Resources

Relevant O &S Chair(s): Councillor Akhlaq Ahmed, Chair of Resources O & S

Report author: Steve Sandercock, Assistant Director, Procurement
Email Address: steve.sandercock@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: 010892/2022		
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 February 2023 – April 2023 which are key decisions. 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 To approve the planned procurement activities as set out in Appendix 1 and approve Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.

3 Background

- 3.1 The report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process.
- 3.2 At the 12th July 2022 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 for key decisions 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.
- 3.3 In line with the Procurement and Contract Governance Rules 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.
- 3.4 This report sets out the planned procurement activity over the next few months where the contract value is between the procurement threshold £177,897.50 (excluding VAT) and £10m (excluding VAT) for key decisions. 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.
- 3.5 It should be noted that the procurement threshold has changed from £189,330 to £177,897.50 (excluding VAT) and applies from 1st January 2022 for a period of 2 years.
- 3.6 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.
- 3.7 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.
- 3.8 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 options considered are:

- To identify specific individual procurements as listed in appendix 1 for further consideration, along with clear reason(s) for such additional consideration, to Cabinet around the procurement strategy and contract award .
- To approve the planned procurement activities for all the projects listed in appendix 1 and approve Chief Officer delegations as set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.– this is the recommended option

5 Consultation / Engagement

5.1 This report to Cabinet is copied to Cabinet Support Officers and to Resources Overview & Scrutiny Committee and therefore 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.

6 Risk Management

6.1 Members should note that in respect of any procurement projects which are sought to be referred back to Cabinet for further considerations these may impact on timescales around the delivery of those projects.

6.2 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 Members are reminded that as a Local Authority the Council has specific duties under public sector procurement, specifically the Public Contract Regulations 2015.

7.2.2 Specific details of any implications related to public sector procurement Regulations are set out- in the individual reports appended to this report.

7.3 Financial Implications

7.3.1 Specific details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.

- 7.3.2 Any cashable savings generated as a result of the procurement exercises are detailed in Appendix 2 to the delivery of procurement related savings and be removed from Directorate where identified in addition to the existing service area savings target as set out in the Medium-Term Financial Plan (MFTP) in line with the principles to treatment of identified savings against third party contracts as agreed by CLT on 24th January 2022.

7.4 Procurement Implications (if required)

- 7.4.1 As noted under the Legal Implications the Council has a duty to ensure that public sector procurement activity is in line with public sector legislation, specifically the Public Contracts Regulations 2015.
- 7.4.2 For each of the individual projects the specific procurement implications associated to the legislation are set out and 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 which should also give consideration to application of Equality Impact Assessments in line with Council Policy

8 Background Documents

- 8.1 List of Appendices accompanying this Report (if any):
- 1. Appendix 1 - Planned Procurement Activity February 2023 – April 2023
 - 2. Appendix 2 – Background Briefing Paper
 - 3. Appendix 3 – Exempt Information

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2023 – APRIL 2023)

No.	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
1	Strategy / Award	Vehicle Hire - Mini-buses	P0998	The hire of minibuses for use in both Adult Social Care - Vulnerable Adults attending Council Day Centres and Education & Skills Children with Special Educational Needs attending school.	4 years	Adults Social Care	Health and Adult Social Care / Children Young People and Families	Yusef Shaibu	Mike White / Andrea Webster	25/01/2023
2	Strategy / Award	Cashless Parking Payments	(P0170_2 022)	A mobile phone service that allows customers to purchase parking time via their mobile phone device. The system offers customers the convenience of being able to purchase parking time via their mobile phone without the need to carry change or to physically go to a pay and display machine to purchase a parking ticket. Customers are also able to renew their parking session remotely, without the need to return to their vehicle (where there is no restriction of parking duration).	3 years	City Operations	Transport	Carl Tomlinson	Dave Wenman / Harpal Gill	13/02/2023
3	Strategy / Award	Maintenance, Servicing and Supply of Fire Extinguishers	P0417_2 022	The maintenance, servicing and supply of fire extinguishers at Council sites is required for directorates of the Council and schools on an annual basis in accordance with legislation and British Standard (BS) 5306 part 3:2009 and part 8:2012. As part of this contract, there is a requirement for the servicing and supply of fire blankets and fire equipment signage.	4 years	Council Management	Leader	Lee Bickerton	Jose Vitoria	13/02/2023
4	Strategy / Award	Eclipse Software as a Service	TBC	The Council currently contracts with OLM Systems Ltd for Eclipse & Carefirst which are the core Social Care applications in use by BCC Adults and Birmingham Children's Trust (BCT).	1 year, with an extension option for a further 1 year.	Digital and Customer Services	Digital, Culture, Heritage and Tourism	Clare Sandland / Lee Bickerton	Chris Holt / Rita Chapman	13/02/2023
5	Strategy / Award	Contact Centre Telephony & Omni Channel Platform	TBC	A new Contact Centre platform is required to maintain service to key areas such as: -Waste Management -Revenues and Benefits -Housing Rents & Repairs -Switchboard In addition to maintaining service to current areas, the platform will be scalable to support further onboarding of services in line with the wider objectives of the Customer Service Programme and associated cost saving initiatives across the council. To enable this a platform will be procured to provide richer and more efficient functionality in the areas of contact automation, omni channel management (email, chat, social media, web integration etc in addition to voice) along with supporting integrations into the councils line of business systems. This will provide a foundation platform to enable improved customer experience, wider channel shift goals and more efficient handling of customer contact to lower the cost to serve.	5 years	Digital and Customer Services	Digital, Culture, Heritage and Tourism	Lee Bickerton	Bipin Parmar / Jamie Parris	20/02/2023
6	Strategy / Award	Contract renewals in 2022/23 that are to be procured via Direct Award to support the Digital Strategy	TBC	CPS has collated a list of IT contract renewals in 22/23 that are to be procured by a Direct Award.	Various dates	Digital and Customer Services	Digital, Culture, Heritage and Tourism	Lee Bickerton	Jake Smith / Various Officers	13/02/2023

APPENDIX 2

BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES CABINET – 17TH JANUARY 2023

Title of Contract	Vehicle Hire - Mini-buses
Contact Officers	Director / Assistant Director: Graeme Betts, Strategic Director, Adults Social Care Client Officer: Mike White, Service Manager Procurement Officer: Andrea Webster, Sub Category Manager
Briefly describe the service required	The hire of minibuses for use in both Adult Social Care - Vulnerable Adults attending Council Day Centres and Education & Skills Children with Special Educational Needs attending school.
What is the proposed procurement route?	The proposed procurement route is an award through ESPO Framework 271_20 in accordance with the award procedure of that framework.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	There is an existing contract that will expire July-23. Spend through this contract has reached the original estimate. The pandemic, Clean Air Zone and Commonwealth Games have increased the demand for transportation so there is the need to procure a new arrangement.
Will any savings be generated?	No cashable savings will be generated by this project
Has the In-House Preferred Test been carried out?	Yes, and the test demonstrated this is not suitable to be carried out in-house as the Council does not have the vehicles or the capability to undertake such a service.
How will this service assist with the Council's commitments to Route to Zero?	All vehicles hired under this agreement will be compliant with the Council's Clean Air Zone Policy and criteria.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	The minibuses procured will be used primarily for the transportation of adults and children to day centres and schools. This transport will help address some of the societal inequalities of social isolation of older adults and communities and the challenges children with special needs have in getting to and from school. The vehicles will also be available out of normal working hours for potential use by prior agreement of non-for-profit individuals and organisations wishing to meet the transport needs of diverse communities.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is not a statutory duty to provide this service in Adult Social Care, however, the minibuses are used to take Vulnerable Adults to Council Day Centres. For Education & Skills the Education Act 1996 places duties on the Council to make the travel arrangements that it considers necessary to facilitate the attendance of eligible children, young people and adults at their educational establishments.
What budget is the funding from for this service?	The proposal will involve investment in new non-zero vehicles. The source and approval of this funding has not been identified. The funding is likely to be from capital budget and this needs to be confirmed.
Proposed start date and duration of the new contract	The proposed start date is February 2023 for a period of 4 Years.

Title of Contract	Cashless Parking Payments (P0170_2022)
Contact Officers	Assistant Director: Kevin Hicks, Assistant Director - Highways and Infrastructure Client Officer: Dave Wenman, Parking Services Procurement Officer: Harpal Gill, Assistant Sub-Category Manager
Briefly describe the service required	A mobile phone service that allows customers to purchase parking time via their mobile phone device. The system offers customers the convenience of being able to purchase parking time via their mobile phone without the need to carry change or to physically go to a pay and display machine to purchase a parking ticket. Customers are also able to renew their parking session remotely, without the need to return to their vehicle (where there is no restriction of parking duration).
What is the proposed procurement route?	The proposed route to market will be to use a compliant public sector framework agreement.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The current agreement was awarded on 1 st August 2017 for a period of three years with an option to extend for a further 2 years, subject to satisfactory performance. The current contract has expired on 31 st July 2022. However, the supplier has continued to provide the services on the original terms.
Will any savings be generated?	No cashable savings will be generated by this project.
Has the In-House Preferred Test been carried out?	Yes, the test has been carried out and is not suitable for an in-house service as there are not the software, hardware and expertise skills and capacity to deliver internally.
How will this service assist with the Council's commitments to Route to Zero?	As the contract will generate negligible carbon emissions there are no opportunities for this to assist with the Council's Route to Zero commitments.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	While not directly assisting in the Everybody's Battle, Everybody's Business, Parking Services is a key enabling service between the Council and the Council's Cashless Payment providers.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is no statutory duty to provide this service however the Council has operated a cashless parking payment system since July 2006 in order to provide an alternative payment method to the machine only option. Since this time the cashless parking option has increased in popularity and is now the sole method of payment available in newly introduced parking zones in the Digbeth and Irish Quarters. If the service is not re procured it will result in capital expenditure to provide new Pay & Display machines to enable the income stream to continue. Payment by phone reduces the number of tickets printed therefore providing a cost saving as fewer tickets need to be purchased from the supplier.
What budget is the funding from for this service?	This is funded within the existing service budget via charges passed on to the end user.
Proposed start date and duration of the new contract	The proposed start date is 1 st March 2023 for a period of 3 years.

Title of Contract	P0417_2022 - Maintenance, Servicing and Supply of Fire Extinguishers
Contact Officers	Director / Assistant Director: Steve Sandercock Client Officer: Various Procurement Officer: Jose Vitoria, Assistant Category Manager
Briefly describe the service required	The maintenance, servicing and supply of fire extinguishers at Council sites is required for directorates of the Council and schools on an annual basis in accordance with legislation and British Standard (BS) 5306 part 3:2009 and part 8:2012. As part of this contract, there is a requirement for the servicing and supply of fire blankets and fire equipment signage.
What is the proposed procurement route?	To award a Call off contract by direct award using the NHS SBS Hard Facilities Management Framework – Lot 8.2 Fire Safety Equipment and Maintenance. In line with the direct award criteria set out in the framework agreement the Supplier with the most economically advantageous solution will be recommended for award.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The current contract using the NHS Shared Business Services Fire Equipment framework agreement is due to expire on 30 th March 2023. This agreement was awarded for a period of 12 months from 1 st April 2022.
Will any savings be generated?	No cashable savings will be generated by this project.
Has the In-House Preferred Test been carried out?	The council does not have the resources/skills to carry out this work so would not be able to fulfil its Health and Safety statutory duty.
How will this service assist with the Council's commitments to Route to Zero?	The Supplier shall, when delivering Goods/Services on behalf of the Council, perform its obligations under the Contract in accordance with the Council's environmental policy. The Supplier shall be required to provide information on new or improved environmentally preferable products and demonstrate their measured progress against the Council's commitments to Route to Zero. This will be monitored through Contract management activities.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	There is no direct impact in the Everybody's Battle, Everybody's Business from the award of this contract. This contract will ensure that all employees and visitors, to any buildings owned by the Council or where the Council delivers its services from, do so confident that fire equipment is tested, maintained, and safe for use and in compliance to necessary guidance and legislation, to maintain the Health and Safety of employees and visitors.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	By having a contract in place, this will ensure the Council is meeting its duties and responsibilities under: <ul style="list-style-type: none"> • Regulatory Reform (Fire Safety) Order 2005 (this applies to non-domestic buildings) • Health and Safety at Work etc Act 1974 • Health and Safety (Safety Signs and Signals) Regulations 1996 • Controlled Waste (England and Wales) Regulations 2012 • Environmental Protection 1990 • Hazardous Waste (England and Wales) Regulations 2005 • Control of Substances Hazardous to Health Regulations 2002 • Chemicals (Hazard Information and Packaging) Regulations 2009
What budget is the funding from for this service?	Spend on any fire equipment or services will be met from individual Directorate approved budgets.
Proposed start date and duration of the new contract	The proposed start date is 1 st April 2023 for a period of 4 years.

Title of Contract	Eclipse Software as a Service
Contact Officers	Director: Peter Bishop, Digital and Customer Services Client Officer: Chris Holt / Rita Chapman Procurement Officer: Jake Smith – IT Category Manager
Briefly describe the service required	<p>The Council currently contracts with OLM Systems Ltd for Eclipse & CareFirst which are the core Social Care applications in use by BCC Adult Social Care and Birmingham Children's Trust (BCT).</p> <p>CareFirst (on premise) is the legacy solution with both Adults and BCT now using Eclipse (hosted) as their primary Social Care system, with the exception of the finance functionality which still resides on CareFirst because of the delayed implementation of equivalent functionality within Eclipse. This system records details of all involvement with service users, generates payments to service providers and where appropriate invoices clients for services.</p> <p>CareFirst should have fully migrated to Eclipse in 2021. OLM have not been able to implement the new finance module within Eclipse, resulting in the separate contracts still being in force. BCC will review the migration plan between CareFirst and Eclipse with the necessary stakeholders with FY 22/23 Q4.</p> <p>This PPAR is specifically for the Eclipse SaaS. This is a tactical short-term contract for a period commencing 1st February 2023 for a 12-month duration, including a 12-month extension option. This will provide the Council with the sufficient time to procure a longer-term arrangement to support the business objectives and delivering value for money.</p>
What is the proposed procurement route?	The proposed route to market is via the Crown Commercial Services Data and Application Solutions Framework Agreement (RM3821).
What are the existing arrangements? Is there an existing contract? If so when does that expire?	<p>There is an existing contract with OLM Systems for Eclipse. This contract commenced on 25th October 2017, with an expiry of 31st October 2022. OLM have confirmed in writing that they will continue to support Eclipse until a new contract is in place.</p> <p>The delay is as a result of re-profiling the CareFirst and Eclipse contract, which required multiple iterations, and subsequent escalation to the Head of Technology Practice – Commercial & Investment, before receiving a satisfactory proposal. This process caused the delay, contributing to the approx. 3-month gap from contract expiry to the proposed contract commencement with OLM.</p> <p>The new contract will re-profile the costs to reflect more accurately the anticipated use of each system i.e., Eclipse will show an increase with a decrease in cost being applied to the CareFirst contract.</p>
Will any savings be generated?	Any savings opportunities are still to be confirmed.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	The required activities support tackling inequalities as per the Council's Equality Strategy and Action Plan documented here. The activities i.e. providing services to children and adults in care are critical in underpinning 'Equality', 'Diversity', 'Equity', 'Inclusion' and 'Belonging'.
Has the In-House Preferred Test been carried out?	Not applicable – based on the digital strategy and criticality of this strategic solution.
How will this service assist with the Council's commitments to Route to Zero?	This is a complete digital solution, removing paperwork, etc.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	The required service is business critical and supports statutory responsibilities for children and adults in care.
What budget is the funding from for this service?	This will be funded from the appropriate budgets within the BCC Adult Social Care Directorate and Birmingham Children's Trust.
Proposed start date and duration of the new contract	The proposed start date is February 2023 for an initial period of 1 year, with an extension option for a further 1 year.

Title of Contract	Contact Centre Telephony & Omni Channel Platform
Contact Officers	Director / Assistant Director: Cheryl Doran, Assistant Director & CIO, Digital and Customer Services Client Officers: Bipin Palmer Procurement Officer: Jamie Parris, IT Lead Commissioning Manager
Briefly describe the service required	<p>The current contact centre telephony platform contract. which handles inbound customer calls in addition to elements of customer email, social media and online chat interactions for the majority of our inbound customer contacts expires in June 2024.</p> <p>A new Contact Centre platform is required to maintain service to key areas such as:</p> <ul style="list-style-type: none"> - Waste Management - Revenues and Benefits - Housing Rents & Repairs - Switchboard <p>In addition to maintaining service to current areas, the platform will be scalable to support further onboarding of services in line with the wider objectives of the Customer Service Programme and associated cost saving initiatives across the council. To enable this a platform will be procured to provide richer and more efficient functionality in the areas of contact automation, omni channel management (email, chat, social media, web integration etc in addition to voice) along with supporting integrations into the councils line of business systems. This will provide a foundation platform to enable improved customer experience, wider channel shift goals and more efficient handling of customer contact to lower the cost to serve.</p>
What is the proposed procurement route?	The route to market will be via a compliant national or regional framework.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	The current contact centre telephony platform contract expires in June 2024.
Will any savings be generated?	No cashable savings will be generated by this project (initial implementation). Any additional cashable savings in excess of the target will be removed from client Directorate budget. (further automation subject to business case).
Has the In-House Preferred Test been carried out?	Yes – this service cannot be delivered in house
How will this service assist with the Council's commitments to Route to Zero?	The new contact centre solution will be predominantly cloud hosted and so reduce carbon emissions compared to an on premise solutions.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	The contact centre solution provides access for customer to contact the council.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is not a statutory duty to provide this service. However, the service is required to support the ability for our customers to contact the council and enable statutory services to be provided.
What budget is the funding from for this service?	<p>The initial implementation will be funded from the IT&D BEP Capital budget.</p> <p>Ongoing operating costs will be funded from the existing IT&D 3rd Party Budget. Additional automation functionality and spend beyond the IT&D base budget will be driven from service savings through automation and investment will be subject to business case sign off and approval</p>
Proposed start date and duration of the new contract	The proposed start date is 1 st March 2025 for a period of 5 years.

Title of Contract	Contract renewals in 2022/23 that are to be procured via Direct Award to support the Digital Strategy
Contact Officers	Director: Peter Bishop, Director, Digital and Customer Services Client Officer: Jake Smith IT Category Manager Procurement Officer: As allocated by CPS
Briefly describe the service required	CPS has collated a list of IT contract renewals in 22/23 that are to be procured by a Direct Award. Please refer to the full list in the table below. There is a need for these services to support the Digital Strategy .
What is the proposed procurement route?	It is proposed that a number of call off contracts be let under national Framework Agreements, in accordance with their ordering procedures, as and when required to provide contract continuation. There are numerous owners of national Framework Agreements including Crown Commercial Services, Health Trust Europe, NHS Shared Business Services. The most suitable Framework Agreement will be identified for each requirement. The planned renewals are direct award as they relate to strategic software / licenses, where the Council has made a long-term commitment to utilising these services. Most of the renewals are proprietary licenses, which are intrinsically linked to other systems. A change in provider would be costly and cause a significant disruption to the delivery of the Council's Digital Strategy. There is specific rationale to place a direct award for each contract renewal listed in the table below.
What are the existing arrangements? Is there an existing contract? If so when does that expire?	Yes, all contracts collated are contract renewals. Details included in the table below.
Will any savings be generated?	Any savings opportunities are still to be confirmed.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	The required activities support tackling inequalities as per BCCs Equality Strategy and Action Plan documented here . The activities i.e. providing services / licenses through the NEC MSA for Housing, Revenue & Benefits and Environment & Planning are critical in underpinning 'Equality', 'Diversity', 'Equity', 'Inclusion' and 'Belonging'.
Has the In-House Preferred Test been carried out?	The required services are not available in-house.
How will this service assist with the Council's commitments to Route to Zero?	The contract renewals will be actioned in accordance with BCCs commitments to Route to Zero.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is a statutory duty to provide some of the contracts collated.
What budget is the funding from for this service?	This is funded from various budgets depending on the individual contract.
Proposed start date and duration of the new contract	Various start dates and durations as stated in the table below.

Title of Role	Description	Client Officer	Incumbent Supplier	Current contract expiry	Proposed contract length	Rationale
Redwood Run My Jobs	Redwood Run My Jobs (Historically licensed through SAP but now direct with Redwood)	Chris Holt / Fahad Zaman	Softcat	31/12/2023	5 Years (3+1+1)	Proprietary license. Intrinsically linked to other systems. High cost and risk of change. Any transition / migration would be time consuming.
ESRI (ArcGIS)	ArcGIS IPMS replacement system - ESRI (UK) Ltd provides Birmingham City Council (BCC) with software and applications for use across the council to carry out functions relating to mapping and geographic and spatial analysis covering tasks such as planning.	Nigel Sharratt	ESRI (UK)	09/08/2023	3 Years (2+1)	Proprietary license. Intrinsically linked to other systems. High cost and risk of change. Any transition / migration would be time consuming.
Tascomi (IDOX)	IDOX Planning - IDOX Hosted EDMS with Managed service comprises the existing IDOX Software, Services and Licences already in place at BCC.	Chris Holt / Rita Chapman	IDOX Software	31/03/2023	3 Years (2+1)	Proprietary license. Intrinsically linked to other systems. High cost and risk of change. Any transition / migration would be time consuming.
NEC MSA	NEC MSA - BCC have 29 contract lines with NEC across Housing, Revenue & Benefits and Environment & Planning. The 29 contract lines are aligned and sit under a single master service agreement.	Chris Holt	NEC Software Solutions (formerly Northgate Public Services)	30/06/2023	3 Years (2+1)	Proprietary license. Intrinsically linked to other systems. High cost and risk of change. Any transition / migration would be time consuming.
Civica	DM360 - DM360 is a document management system from Civica	Sue Causer / Chris Holt	Civica	31/03/2023	5 Years (3+1+1)	Proprietary license. Intrinsically linked to other systems. High cost and risk of change. Any transition / migration would be time consuming.
Virgin Media - Telephony Support	Virgin Media - Telephony Support	Bipin Parmar	Virgin Media	31/03/2023	3 Years (2+1)	Dedicated Virgin support for Virgin Lines. Alternative suppliers not available, as Virgin own the access.
Virgin Media - Telephony Data	Virgin Media - Telephony Data	Bipin Parmar	Virgin Media	31/07/2023	3 Years (2+1)	Dedicated Virgin lines. The alternative is Openreach which would result in a high cost and risk of change. Any transition would also be time consuming.

Blue Badge Software	Blue Badge Software	Mark Sirell	Northgate	29/07/2023	3 Years (2+1)	Proprietary license. Intrinsicly linked to other systems. High cost and risk of change. Any transition / migration would be time consuming.
Silverine F5	DDOS Prevention and IP Support	Bipin Parmar	F5	31/03/2023	3 Years (2+1)	Proprietary license. Intrinsicly linked to other systems. High cost and risk of change. Any transition / migration would be time consuming.
Smoothwall	Open-Source Firewall Support	Bipin Parmar	Smoothwall	31/03/2023	3 Years (2+1)	Proprietary license. Intrinsicly linked to other systems. High cost and risk of change. Any transition / migration would be time consuming.
Netmotion Licenses	Netmotion Licenses for BAES and BCC	Bipin Parmar	Bridgeway Security Solutions	19/05/2023	3 Years (2+1)	Proprietary license.

Birmingham City Council

Report to Cabinet

Date: 17th January 2023



Subject: NON-KEY DECISION PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2023 – APRIL 2023)

Report of: ASSISTANT DIRECTOR – PROCUREMENT

Relevant Cabinet Member: Councillor Yvonne Mosquito, Finance and Resources

Relevant O &S Chair(s): Councillor Akhlaq Ahmed, Chair of Resources O & S

Report author: Steve Sandercock, Assistant Director, Procurement
Email Address: steve.sandercock@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 February 2023 – April 2023 which are not key decisions. 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 £500,000, unless TUPE applies to current Council staff.

2 Recommendations

- 2.1 To note the planned procurement activities as set out in Appendix 1 and Chief Officer delegations, set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.

3 Background

- 3.1 The report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process.
- 3.2 At the 12th July 2022 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 £500,000 for non-key decisions 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.
- 3.3 In line with the Procurement and Contract Governance Rules 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.
- 3.4 This report sets out the planned procurement activity over the next few months where the contract value is between the procurement threshold £177,897.50 (excluding VAT) and £500,000 (excluding VAT) for non-key decisions. 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.
- 3.5 It should be noted that the procurement threshold has changed from £189,330 to £177,897.50 (excluding VAT) and applies from 1st January 2022 for a period of 2 years.
- 3.6 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.
- 3.7 Procurements below £500,000 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.
- 3.8 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 options considered are:

- To identify specific individual procurements as listed in appendix 1 for further consideration, along with clear reason(s) for such additional consideration, to Cabinet around the procurement strategy and contract award.
- To note the planned procurement activities for all the projects listed in appendix 1 and the Chief Officer delegations as set out in the Constitution, for the subsequent decisions around procurement strategy and contract awards.– this is the recommended option.

5 Consultation / Engagement

- 5.1 This report to Cabinet is copied to Cabinet Support Officers and to Resources Overview & Scrutiny Committee and therefore 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.

6 Risk Management

- 6.1 Members should note that in respect of any procurement projects which are sought to be referred back to Cabinet for further considerations these may impact on timescales around the delivery of those projects.
- 6.2 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 Members are reminded that as a Local Authority the Council has specific duties under public sector procurement, specifically the Public Contract Regulations 2015.
- 7.2.2 Specific details of any implications related to public sector procurement Regulations are set out- in the individual reports appended to this report.

7.3 Financial Implications

- 7.3.1 Specific details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.
- 7.3.2 Any cashable savings generated as a result of the procurement exercises are detailed in Appendix 2 to the delivery of procurement related savings and be removed from Directorate where identified in addition to the existing service area savings target as set out in the Medium Term Financial Plan (MTFP) in line with the principles to treatment of identified savings against third party contracts as agreed by CLT on 24th January 2022.

7.4 Procurement Implications (if required)

- 7.4.1 As noted under the Legal Implications the Council has a duty to ensure that public sector procurement activity is in line with public sector legislation, specifically the Public Contracts Regulations 2015.
- 7.4.2 For each of the individual projects the specific procurement implications associated to the legislation are set out and 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 which should also give consideration to application of Equality Impact Assessments in line with Council Policy

8 Background Documents

- 8.1 List of Appendices accompanying this Report (if any):
- 1. Appendix 1 - Planned Procurement Activity February 2023 – April 2023
 - 2. Appendix 2 – Background Briefing Paper
 - 3. Appendix 3 – Exempt Information

APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (FEBRUARY 2023 – APRIL 2023)

No.	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
1	Approval to Tender Strategy	Community Research Hub	TBC	<p>Community research plays a crucial role in achieving public health outcomes. It is a means by which knowledge of the experiences and solutions of seldom heard communities can be captured and used to shape public health interventions.</p> <p>The Community Research Hub aims to consolidate and grow community research for the Public Health Division and for Birmingham. It will recruit, train and coordinate diverse and representative community researchers.</p>	3 years	Public Health	Health and Social Care	Lee Bickerton	Alexander Quarrie-Jones / Jo Tonkin / Manjit Samrai	01/03/2023

APPENDIX 2

BRIEFING NOTE ON PLANNED PROCUREMENT ACTIVITIES **CABINET – 17th JANUARY 2023**

Title of Contract	Community Research Hub
Contact Officers	Director: Dr Justin Varney, Director, Public Health Client Officer: Jo Tonkin, Interim Public Health Assistant Director Procurement Officer: Manjit Samrai, Sub Category Officer
Briefly describe the service required	Community research plays a crucial role in achieving public health outcomes. It is a means by which knowledge of the experiences and solutions of seldom heard communities can be captured and used to shape public health interventions. The Community Research Hub aims to consolidate and grow community research for the Public Health Division and for Birmingham. It will recruit, train and coordinate diverse and representative community researchers. The Community Research Hub will deliver community research projects for the Public Health Division.
What is the proposed procurement route?	An open procurement exercise will be undertaken advertised on In-tend, Find a Tender Service, Contracts Finder and www.finditinbirmingham.com
What are the existing arrangements? Is there an existing contract? If so when does that expire?	This is a new requirement.
Will any savings be generated?	No cashable savings will be generated by this project during the life of the contract.
Has the In-House Preferred Test been carried out?	No, initial screening suggests that this specialist service is best delivered by providers external to Birmingham City Council.
How will this service assist with the Council's commitments to Route to Zero?	Public Health Division includes programmes which contribute directly to Route to Zero, including engagement in physical activity and access to green spaces. Community Research can be used to understand and engage seldom heard communities in their access and use. The tendering process will assess the providers contributions to Route to Net Zero.
How do these activities assist the Council with Everybody's Battle; Everybody's Business?	These activities have a direct positive impact on the strategy. Community Research <ul style="list-style-type: none"> • helps us to understand our diverse communities and embed that understanding in how we shape policy and practice across the Council • involves and enables our diverse communities to play an active role in civic society and put the citizens' voice at the heart of decision-making • helps us to deliver effective and responsive public health services that are accessible, inclusive to individual's needs and respects faith, beliefs, and cultural differences.
Is the Council under a statutory duty to provide this service? If not, what is the justification for providing it?	There is not a statutory duty to provide this service. However, the service contributes to the delivery of statutory public health functions including the production of the Joint Strategic Needs Assessment.
What budget is the funding from for this service?	This is funded from Public Health Grant allocated to the Knowledge, Evidence and Governance team.
Proposed start date and duration of the new contract	The proposed start date is 1 st May 2023 for a period of 3 years .

Reports not on the Forward Plan / Late Report / Confidential or
Exempt Information not Notified

Birmingham City Council

17 January 2023 – Cabinet

16 January 2023 – Notice Published



Subject: ADULT SOCIAL CARE DISCHARGE FUND

Report of: Professor Graeme Betts, CBE
Strategic Director for Adult Social Care

Report author: Alison Malik,
Head of Commissioning, Adult Social Care
Alison.Malik@birmingham.gov.uk

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

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

<p><i>Reasons for Urgency / why not included on the notification</i></p>	<ul style="list-style-type: none"> • The Council only received confirmation of funding on 21 December 2022 and further grant condition/reporting updates on 23 December and 5 January 2023. This decision is therefore being made at the earliest opportunity to ensure funds reach care providers in line with the Grant Conditions and expectations of Government and the provider market. • The conditions of the grant expect local authorities to transfer funds promptly to support current hospital pressures and there was therefore not sufficient time to progress the report under the usual Cabinet process. • To mitigate the financial risks and to ensure funding only reaches those providers that are eligible but also will be able to support the conditions of the grant, funds will only be distributed to those that actively apply for it (albeit this will be widely publicised to the sector) and there needs to be sufficient time for providers to apply, for funds to be transferred and for care providers to consider and pass on to their workforce in line with Grant conditions. • The reporting requirements of the Grant mean that we will need to make returns to NHS England regularly throughout Jan – March
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	<p>2023. Unless this element of the Grant has been distributed during this period, we will be unable to make the necessary returns to confirm the amounts spent and the benefits of that spend. As this element of funding is over 60% of the total allocation, unless we can demonstrate the funding is being used before the end of January 2023, there is a risk it may be withdrawn.</p> <ul style="list-style-type: none"> • A decision has already been made by the BCF Commissioning Executive and confirmed by NHS England about how the Grant will be used overall. This report will then allow the element allocated to care provider support, to be distributed in a fair and transparent manner. • Whilst there are discretionary elements of the Fund, these remain restricted to the purpose set out in the Grant Conditions, including that funds must be spent by 31 March 2023. There are therefore limited alternative options that can be supported at such short notice. • As the ongoing impact of the pandemic and winter pressures for the NHS, care providers and their staff continues, these funds will provide essential financial support to care providers in supporting recruitment and retention measures. This is also £6m that will largely end up back in the local economy. • The Grant has been widely publicised by Government and a number of providers have already requested funding. Any delays in distribution may have a negative reputational impact on Birmingham City Council and our NHS partners.
<i>Reasons for Immediate Implementation (if applicable)</i>	As set out above.
<i>Date Chief Executive Agreement obtained:</i>	13 th January 2023
<i>Name, Date and any comments of O&S Chair agreement obtained:</i>	<p>Cllr Akhlaq Ahmed – 13th January 2023</p> <p>Cllr Mick Brown – 16th January 2023</p>

2) Key Decisions not notified on the Notification of Intention to Consider Matters in Private

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

<i>Reasons for Urgency / why not included on the notification</i>	N/A
<i>Name, Date and any comments of O&S Chair agreement obtained:</i>	N/A

3) Late Reports

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

<i>Reasons for Urgency / why late</i>	As set out above.
<i>Date agreement obtained (Executive e.g. Leader and CEX):</i>	CEX – 13 th January 2023 Leader – 13 th January 2023

Birmingham City Council

Report to Cabinet

17 January 2023



Subject: ADULT SOCIAL CARE DISCHARGE FUND

Report of: Professor Graeme Betts, CBE
Strategic Director, Adult Social Care

Relevant Cabinet Member: Cllr Mariam Khan, Health & Social Care
Cllr Yvonne Mosquito, Finance and Resources

Relevant O &S Chair(s): Cllr Mick Brown, Health & Social Care
Cllr Akhlaq Ahmed, Resources

Report author: Alison Malik,
Head of Commissioning, Adult Social Care
Alison.Malik@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 type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

1 Executive Summary

- 1.1 To confirm the allocations of elements of the Adult Social Care Discharge Fund grant in accordance with the Grant Determination Notice 31/6357 issued by the Minister of State for Care on 18 November 2022.
- 1.2 In addition to the urgent Cabinet decision, due consideration is being requested to approve immediate implementation, to enable the Council to allow for Funds to be spent before 31 March 2023 as required by the Grant Conditions. An outline timetable is included in 7.2.3.3 which sets out how this will be achieved and that any delays may risk continuation of the Grant.

2 Recommendations

That the Cabinet; -

- 2.1 Accepts the grant funding in the amount of £6,040,793.00.
- 2.2 Approves the allocation of £6,040,793.00 Adult Social Care Discharge Fund monies to Birmingham adult social care providers. The details of these allocations are in accordance with the Grant Determination Notice and are set out in 7.3.1 and **Appendix 1**.

3 Background

- 3.1 The Adult Social Care Discharge Fund was confirmed on 18 November 2022 as part of national budget announcements.
- 3.2 Birmingham City Council has been allocated a total of £4,666,913.00 and Birmingham and Solihull Integrated Care Board have been allocated a total of £5,063,000.00. These funds will be used to fund a number of projects and activities to support the purpose of the Grant as approved by NHS England, the Better Care Fund Commissioning Executive and the Chair of the Health and Wellbeing Board (including the £6.04m included within this report).
- 3.3 It is a Section 31 (Local Government Act 2003) grant ringfenced to support timely and safe discharge from hospital into the community by reducing the number of people delayed in hospital awaiting social care and reducing the number of bed days lost to delayed discharges.
- 3.4 More specifically the purpose of the Grant is to:
 - 3.4.1 enable more people to be discharged to an appropriate setting, with adequate and timely social care support as required
 - 3.4.2 prioritise those approaches that are most effective in freeing up the maximum number of hospital beds and reducing bed days lost within the funding available.
 - 3.4.3 boost general adult social care workforce capacity through recruitment and retention activity, where that will help to reduce delayed discharges from hospital.
- 3.5 The Grant Conditions are set out in Annexe B of the Adult Social Care Discharge Fund which confirms that Local Authorities must only use this funding, up to 31 March 2023 as follows:
 - 3.5.1 Pools this funding into the local Better Care Fund (BCF) with plans for health and social care spend (including mental health) agreed by the local authorities and Integrated Care Board (ICB).
 - 3.5.2 Works with their ICB to provide a planned spending report by 4 weeks after details of the fund are published (by 16 December 2022), confirming planned use of this grant against their BCF plan, and that the use of the funding has been agreed by the local authority and the ICB.
 - 3.5.3 Demonstrates how they have used the funding provided in this grant via fortnightly activity reports and a final spending report provided to the Department for Health and Social Care (DHSC).
 - 3.5.4 Works with their ICB and hospital trusts in their local area to improve all existing NHSE discharge data collections.

- 3.5.5 Ensures that as a minimum, social care providers keep the required Capacity Tracker data updated in line with the Adult Social Care Provider Provisions statutory guidance.
- 3.5.6 Does not use this funding to compensate for expenditure already incurred, activities for which the local authority has already earmarked or allocated expenditure, or to fund inflationary pressures.
- 3.5.7 Does not use this funding for activities which do not support the primary purpose of this grant.
- 3.5.8 Engages with a progress review in January 2023.
- 3.6 In accordance with the requirements set out under 3.5, the Council and ICB's plans were submitted to NHS England on 21 December 2022.
- 3.7 The Adult Social Care Discharge Fund plans for Birmingham, included (but were wider than) an allocation of £6,040,793.00 to be distributed to the Birmingham adult social care provider market to support with recruitment and retention, therefore ensuring sufficient market capacity is available to support hospital discharge.
- 3.8 The Council is now required to make arrangements to distribute these funds to care providers in line with our agreed plan and with sufficient time to allow care providers to spend the funds prior to 31 March 2023.
- 3.9 The proposal is therefore to distribute this funding as set out in 7.3 below, having considered the information in section 4.

4 Options considered and Recommended Proposal

- 4.1 The Council and ICB's submission to NHS England set out the proposed measures to be deployed to utilise the funding in accordance with the Grant Conditions. This submission was approved by:
 - 4.1.1 the Better Care Fund Commissioning Executive on 6 December 2022
 - 4.1.2 the Chair of Health and Wellbeing Board on 15 December 2022
 - 4.1.3 NHS England in December 2022 and have now made the first 40% payment of the Grant to the Council and ICB as a result.
- 4.2 Officers have carefully considered the evidence and options available to distribute this funding to meet the requirements of the Grant. The following were key considerations:
 - 4.2.1 Funding needs to reach the adult social care provider market in a timely way and to allow care providers sufficient time to spend the funds before 31 March 2023.
 - 4.2.2 Ensuring we took the learning from previous grant allocations during the Pandemic, which in some cases left providers needing to return unspent funds or failing to complete the necessary returns and therefore needing to return funds received.
 - 4.2.3 The Council and ICB currently commission the vast majority of adult social care providers in Birmingham – with the Council alone commissioning over 90% of care homes and the ICB commissioning over 60% of home care providers. However, even those adult social care providers not contracted to either party, will inevitably be supporting citizens being admitted to/discharged from hospital, including citizens who commission their care themselves under a Direct Payment and/or Personal Health Budget.

- 4.2.4 The Council can only distribute funding to those providers who have regularly completed the Capacity Tracker as set out in 3.5.5 above.
 - 4.2.5 We currently hold data (via the Capacity Tracker) about the number of employees for each care provider. As this element of the fund is to support workforce recruitment and retention (in turn to support hospital discharge), then any allocations to providers should be on a 'per employee' basis. This will provide a reasonable and objective mechanism to calculate a proportionate amount of the Grant to each care provider.
 - 4.2.6 We can build upon the requirements from the previous national Workforce Recruitment and Retention Funds and have a clear set of grant conditions and reporting requirements we can utilise to guide our approach and avoid protracted discussions about the conditions we place upon care providers who access the funding.
 - 4.2.7 Evidence from the most recent Workforce Recruitment and Retention Fund (October 2021 – March 2022) showed that the £10.3m grant resulted in an additional 1,327,192 staff hours being available and 2,917 new recruits to the sector.
 - 4.2.8 Market analysis, as set out in the Council's Draft Market Sustainability Plan, shows the single biggest risk to the sector is availability of sufficient high-quality staff.
- 4.3 The proposed approach is therefore to distribute funds to care providers in accordance with section 7.3 and **Appendix 1**.

5 Consultation

- 5.1 The Chair of Health and Social Care Overview and Scrutiny Committee and the Chair of the Resources Overview and Scrutiny Committee have been consulted on this and have not raised any concerns with the proposed recommendations.
- 5.2 The Chief Executive and City Solicitor have also been consulted on the content of this report.

6 Risk Management

- 6.1 The following risks have been identified in relation to this decision and have been mitigated as follows:
 - 6.1.1 Financial risks – the Council is required by Government to operate this Grant in accordance with the Grant Conditions. The risks of administration, debt recovery and potential fraud sit with the Council. These risks will be mitigated through operating an application process, regular reporting from care providers, issuing of Grant Conditions to care providers and regular communication and reminders to care providers.
 - 6.1.2 Reputational risks – as set out in 7.2, the Council is making this decision at the earliest opportunity to ensure essential funds can reach the sector in a timely and effective manner and to allow these funds to be passed to the adult social care workforce.
 - 6.1.3 Legal risks –there may be legal risks associated with taking this late decision, however the reasons for this are set out in 7.2 below. Furthermore, this approach has been agreed as set out in section 5 above.

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 approach will support the national response to reduce NHS delays and improve people's overall health and wellbeing.
- 7.1.2 The proposed approach is aligned to the Adult Social Care Vision and Priorities.
- 7.1.3 The proposed approach will support the wider social care and health system and ease pressures on hospitals.

7.2 Legal Implications

- 7.2.1 The Adult Social Care Discharge Fund is a grant made under Section 31 of the Local Government Act 2003 that is ring-fenced exclusively for actions which support hospital discharge.
- 7.2.2 Part B, B6.9, of the Council's Constitution states that "If the interests of the Council are jeopardised unless an executive decision is implemented immediately then the Chief Executive in consultation with the Leader (or Deputy Leader in his/her absence) may designate such executive decision as so urgent that its implementation cannot wait until the expiry of the call-in period." This decision is therefore being taken as a late decision and approval sought for an immediate implementation for the following reasons:
 - 7.2.2.1. The Council only received confirmation of funding on 21 December 2022 and further grant condition/reporting updates on 23 December and 5 January 2023. This decision is therefore being made at the earliest opportunity to ensure funds reach care providers in line with the Grant Conditions and expectations of Government and the provider market.
 - 7.2.2.2. The conditions of the grant expect local authorities to transfer funds promptly to support current hospital pressures and there was therefore not sufficient time to progress the report via the usual Cabinet timelines.
 - 7.2.2.3. To mitigate the financial risks and to ensure funding only reaches those providers that are eligible but also will be able to support the conditions of the grant, funds will only be distributed to those that actively apply for it (albeit this will be widely publicised to the sector) and there needs to be sufficient time for providers to apply, for funds to be transferred and for care providers to consider and pass on to their workforce in line with Grant conditions. An indicative timeframe for each stage of the process is set out below:

17 January – 31 January	2 weeks needed for providers to review documents and submit applications. There are approx. 500 care providers potentially eligible.
1 February – 8 February	1 week needed for BCC to review and approve applications and to process funds. This should be 2 weeks, however there is not enough time in the timetable so we are having to prioritise resources.
31 January 2023	Must be able to demonstrate to DHSC funds have been issued to care providers to avoid risking the

	funds being withdrawn. We will be unable to demonstrate that funds have been distributed but we will be able to confirm that the decision has been made and is being progressed.
9 February – 16 February	Review and distribution of any remaining funding after application process and distribution of the first wave of funding.
1 February – 31 March	Providers to distribute funds to employees via payroll and other methods to increase workforce capacity immediately and prior to 31 March 2023.
31 March 2023.	All monies to be distributed and returns completed to NHS England.

- 7.2.2.4. The reporting requirements of the Grant mean that we will need to make returns to NHS England regularly throughout Jan – March 2023. Unless this element of the Grant has been distributed during this period, we will be unable to make the necessary returns to confirm the amounts spent and the benefits of that spend. As this element of funding is over 60% of the total allocation, unless we can demonstrate the funding is being used before the end of January 2023, there is a risk it may be withdrawn.
- 7.2.2.5. A decision has already been made by the BCF Commissioning Executive and confirmed by NHS England about how the Grant will be used overall. This report will then allow the element allocated to care provider support, to be distributed in a fair and transparent manner.
- 7.2.2.6. Whilst there are discretionary elements of the Fund, these remain restricted to the purpose set out in the Grant Conditions, including that funds must be spent by 31 March 2023. There are therefore limited alternative options that can be supported at such short notice.
- 7.2.2.7. As the ongoing impact of the pandemic and winter pressures for the NHS, care providers and their staff continue, these funds will provide essential financial support to care providers in supporting recruitment and retention measures. This is also £6m that will largely end up back in the local economy.
- 7.2.2.8. The Grant has been widely publicised by Government and a number of providers have already requested funding. Any delays in distribution may have a negative reputational impact on Birmingham City Council and our NHS partners.

7.3 Financial Implications

- 7.3.1 The Grant funding will be provided to the Council and ICB in two tranches. The first 40% of the Grant was paid to Local Authorities in December 2022. The remaining 60% of the Grant will be paid on or before 31 January 2023, subject to; receipt of a completed planned spending report; fortnightly activity data; and engagement with the department in a review process in January 2023.

- 7.3.2 Having taken account of the key considerations set out in section 4 above, the Council will distribute funding to care providers in accordance with this section 7 and **Appendix 1**.
- 7.3.3 To be eligible to apply for this funding, care providers must:
- 7.3.3.1. Have an active CQC registered location within the Birmingham Council Tax area (inactive or dormant locations will not be eligible)
 - 7.3.3.2. Must apply for each individual CQC registered location separately
 - 7.3.3.3. Must have completed the Capacity Tracker in at least 4 out of the last 5 months
 - 7.3.3.4. Have employees listed on the Capacity Tracker at the time the allocations are made
 - 7.3.3.5. Confirm they are able to spend the money in accordance with the care provider grant conditions contained in **Appendix 2**, including associated reporting requirements.
- 7.3.4 Grant funding will be allocated to eligible care providers upon approval of their grant application and is conditional upon compliance with the grant conditions set out in **Appendix 2**.
- 7.3.5 Funding will be distributed to care providers in two payments:
- 7.3.6 Individual grant allocations will be based on an allocation amount per employee/ per eligible CQC registered location as set out in **Appendix 1** and **Appendix 2**.
- 7.3.7 The number of workers will be identified from data recorded in the Capacity Tracker in December 2022.
- 7.3.8 Initial grant allocations will be calculated on a per employee basis as set out in **Appendix 1**.
- 7.3.9 Allocations will be publicised by the Council as part of the application process. Eligible care providers will then be invited to apply for funding.
- 7.3.10 Applicant locations will be asked to confirm that they are able to spend the amount allocated or request a lower amount.
- 7.3.11 Locations will also be requested to indicate whether they wish to receive any further allocations of funding (which has not been applied for by or distributed to other locations) and confirmation of the amount they are able to spend.

7.4 Procurement Implications (if required)

- 7.4.1 There are no direct procurement implications associated with this decision as this is being issued as a Grant.

7.5 Human Resources Implications (if required)

- 7.5.1 There are no BCC Human Resources implications associated with this decision.

7.6 Public Sector Equality Duty

- 7.6.1 An Equality Impact Assessment has not been carried out as duties contained in the Equality Act 2010 do not apply to care providers as registered companies.

7.7 Environmental and Sustainability Implications

7.7.1 There are no Environmental and Sustainability implications associated with this decision.

8 Appendices

8.1 **Appendix 1** – Detailed breakdown of funding allocation calculations on a per employee basis

8.2 **Appendix 2** – Draft Care Provider Grant Conditions

9 Background Documents

9.1 The following background documents were used to compile this report:

- Letter to the health and social care sector from the Minister for Care
- Addendum to the 2022 to 2023 Better Care Fund policy framework and planning requirements
- Annex A: grant determination - No. 31/6357
- Annex B: grant conditions
- Annex C: grant allocations to local authorities
- Annex D: integrated care board (ICB) allocations

Appendix 1 – Detailed breakdown of funding allocation calculations on a per employee basis

Total Grant Allocation	
BCC Grant Amount	£3,016,193.00
ICB Grant Amount	£3,024,600.00
Total Grant	£6,040,793.00

Breakdown of allocation by sector	
Total allocation care homes	£3,141,212.36
Total allocation community care	£2,899,580.64
Total	£6,040,793.00

Per Employee Allocations	
Care home care workers	6344
Community care workers	5834
Total workers	12178
Allocation per care worker	£496.04

Eligible Providers	
Care Homes eligible	232
Care Homes excluded	45
Community care locations eligible	153
Community care locations excluded	151

Appendix 2 – Draft Care Provider Grant Conditions

[Insert date]

Adult Social Care Discharge Fund – Grant Conditions

Section 1 – Background

On 18 November 2022 the DHSC shared details of the £500 million Adult Social Care Discharge Fund which was announced as part of [Our plan for patients](#) on 22 September.

Delays to discharging people from hospital when they are fit to leave continue to be a significant issue and have been highlighted in the conversations I have had in recent weeks with local authorities and social care and NHS providers. Not only does this mean fewer hospital beds available for those who need them; it also means people who would be better off recovering at home or in residential care are instead spending too long in hospital.

The funding will be allocated to achieve the maximum reduction in delayed discharge:

- £200 million will be distributed to local authorities, based on the adult social care relative needs formula (RNF)
- £300 million will be distributed to integrated care boards (ICBs), targeted at those areas experiencing the greatest discharge delays. This is based on a combination of both:
 - a fair-shares distribution based on [2022 to 2023 ICB weighted populations](#) (25% of ICB funding)
 - a discharge metric flexed to reflect the size of the ICB weighted population (75% of ICB funding)

It is expected that the funding is pooled into the Better Care Fund (BCF). The funding will be provided in 2 tranches – the first (40%) in December 2022, and the second (60%) by the end of January 2023 for areas that have provided a planned spending report and fortnightly activity data and have met the other conditions.

The fund can be used flexibly on the interventions that best enable the discharge of patients from hospital to the most appropriate location for their ongoing care.

Funding should prioritise those approaches that are most effective in freeing up the maximum number of hospital beds and reducing bed days lost within the funding available, including from mental health inpatient settings. Discharge to Assess (D2A) and provision of homecare is recognised as an effective option for discharging more people in a safe and timely manner.

Funding can also be used to boost general adult social care workforce capacity, through staff recruitment and retention, where that will contribute to reducing delayed discharges.

In some areas where there are particular delays to discharge of patients with long hospital stays – for instance those with particularly complex care needs – a concerted focus on supporting discharge of these patients may be important to free up hospital capacity.

Further details about the fund can be found on the government website - [Adult Social Care Discharge Fund - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/adult-social-care-discharge-fund)

Section 2 – The Grant

Birmingham has been allocated £9,729,913 of funding (Local Authority £4,666,913 and Integrated Care Board £5,063,000).

Of this amount Birmingham City Council has been allocated £6,040,793 to be distributed to CQC regulated Birmingham located care homes, home support, supported living and extra care schemes on a discretionary basis in order to enable them to implement measures to enhance workforce capacity.

Grant funding will be distributed on the basis that recipient locations spend the funding on measures between 15 December 2022 and 31 March 2023 to increase workforce capacity through recruitment and retention activity which will have the overall effect of reducing delayed discharges from hospital. The role of the social care sector and its capacity to deliver services is acknowledged as critical to the operation of the NHS and hospital services. The aim of the grant is therefore to allow care providers to increase workforce capacity which will directly or indirectly support the NHS and discharges from hospital.

Grant funding will be allocated to organisations upon approval of their grant application and is conditional upon compliance with the grant conditions set out in Section 4. The decision of the Council to approve or reject applications is final. Funding will be distributed in two payments:

1. January 2023
2. February 2023

Individual grant allocations will be based on an allocation amount per care worker employed per registered location. The number of workers will be identified from data recorded in the Capacity Tracker in December 2022. Initial grant allocations will be calculated on a per care worker basis:

$\text{£6,040,793 (Total grant) / 12,178 (Total care workers employed by eligible locations) = £496.04 (per care worker)}$

Each location's allocation is then calculated by multiplying the number of care workers they employ by £496.04

These allocations will be publicised on the Council's website and via the Commissioning Team's weekly Comms bulletin. Registered locations will then be invited to apply for funding by completing the application form – Appendix 1 ASC Discharge Fund application form. Applicant locations will be asked to confirm that they are able to spend the amount

allocated or request a lower amount. Locations will also be requested to indicate whether they wish to receive any further allocations of funding (which has not been applied for by or distributed to other locations) and confirmation of the amount they are able to spend.

Applications must be sent to [insert email]

The deadline for receipt applications is midnight on [insert date]

Section 3 – Grant Purpose

The purpose of the grant is to boost the general adult social care workforce capacity through recruitment and retention activity, where that will help to reduce delayed discharges from hospital either directly or indirectly. Any allocation of grant money can therefore only be spent on measures which deliver against or will support this purpose.

This could include, but is not limited to, measures which: increase hours worked by existing workforce; improve retention of existing workforce; provide additional or redeployed capacity from current care workers; or to support local recruitment initiatives.

Any grant money distributed must be spent by 31 March 2023.

Example measures on which the funding may be spent include but are not limited to:

- activities to support hospital discharge or to prevent or address delays as a result of workforce capacity shortages
- supporting payments to boost the hours provided by the existing workforce – including childcare costs and overtime payments
- the creation and maintenance of measures to secure additional or redeployed capacity from current care workers. For example, staff banks and redeploying staff
- local recruitment initiatives
- bringing forward planned pay increases

Section 4 – Specific Conditions

Pursuant to section 31(4) of the Local Government Act 2003 the Secretary of State has attached conditions to the payment of the grant, and no payments shall be made unless certain conditions are met, including the local authority being satisfied that the funding is being used for workforce recruitment and retention purposes. Clawback provisions apply, including that the grant recipient organisation must repay any amounts not used for measures which support the increase of workforce capacity.

The grant funding is allocated on condition that the recipient organisation's CQC registered location:

1. Is a CQC registered care home, home support, supported living or extra care location and that location's registered address is within the Birmingham City Council boundary;
2. Is not registered as 'Dormant' with the CQC in the CQC Care Directory 1 Dec 2022 dataset;

3. Has updated the Capacity Tracker in line with the [Adult Social Care Provider Provisions statutory guidance](#) in at least 4 of the 5 months between August and December 2022 (or similar frequency for providers which have registered with the CQC after August 2022);
4. Commits to updating the Capacity Tracker in line with the Adult Social Care Provider statutory guidance - however, it's acknowledged that more frequent updates to bed vacancy data is essential for operational purposes. We recommend updating bed vacancy data daily, where possible. Recipient organisations which fail to update the Capacity Tracker in line with the statutory guidance during the life of the grant must return 100% of the grant funding upon request from the Local Authority;
5. Has updated the Capacity Tracker with accurate workforce data about the numbers of care workers employed;
6. Identifies the Owner or Director with appropriate level of authority and that they make a successful application to the Local Authority for the grant funding and supply full contact details as requested;
7. Confirms in their application that the funding allocated will be spent by the recipient Birmingham located CQC registered service on workforce recruitment and retention measures aligned to the grant purpose;
8. Applications containing incorrect information or which are incomplete will be rejected;
9. uses it for measures employed between 15 December 2022 and 31 March 2023 in order to support the primary purpose and deliver the outcomes outlined in the grant purpose only;
10. uses it for new expenditure that delivers additional staff capacity or retains existing staff capacity that has not already been funded by other sources of public funding;
11. or uses it to increase the scale of initiatives which the provider is already undertaking;
12. is deemed to have accepted the conditions specified here if they spend the funding;
13. commits to reporting spend of the funding to the Council by 07 April 2023 when requested. The Council will require care providers to complete and submit a spend report form detailing how much of the grant has been spent, which measures and activities the grant has been used for, and details of the resulting increases in workforce capacity which have been achieved. A copy of the form can be found in Appendix 2 of these conditions. The recipient organisation representative applying for the grant is responsible for the submission of the spend report form;
14. if requested to do so will provide the local authority or DHSC with receipts or such other information as they request to evidence that the funding has been spent;
15. provide DHSC or the local authority with an explanation of any matter relating to funding and its use by the recipient as they think necessary or expedient for the purposes of being assured that the money has been used in an appropriate way in respect of those measures;
16. will return any amounts which are not spent on those measures outlined;

17. must not use the funding for fee uplifts, expenditure already incurred or activities for which the local authority has earmarked or allocated expenditure or for activities which do not support the primary purpose of the Adult Social Care Discharge Fund which is to deliver additional workforce capacity in adult social care through recruitment and retention activity during the period 15 December 2021 to 31 March 2022 period. This means the grant cannot be used on non-staffing capacity expenditure – for example, isolation sick pay;
18. must return to the Local Authority any unused funding, if the provider has not used all or any part of their allocation for the measures outlined;
19. must ensure that (a) there is no increase in any relevant rates from the existing rates, (b) third party charges are paid at the normal market rates, and (c) in no circumstances is any element of profit or mark-up applied to any costs or charges incurred;
20. must account for all payments funded by this grant and keep appropriate records, such as receipts and invoices. In so far as a provider does not use the entirety of the allocation in pursuit of the measures outlined, any remaining funds must be returned to the local authority;

Section 5 – Reporting requirements and arrangements

As set out above, grant recipients will be required to submit a spend report by [insert] using the spend report form Appendix 2 – ASC Discharge Fund spend return. Returns must be sent to [insert email address]

