

Birmingham City Council Report to Cabinet

16th January 2024



Subject: Building Birmingham: Development Strategy for Various Housing Sites

Report of: Strategic Director, Place, Prosperity & Sustainability Directorate

Relevant Cabinet Member: Cllr Jayne Francis, Housing and Homelessness

Relevant O &S Chair(s): Cllr Mohammed Idrees, Homes

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Are specific wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s): Frankley Great Park, Longbridge and West Heath, Garretts Green, South Yardley, Pype Hayes, Allens Cross, Druids Heath and Monyhull, Sparkbrook and Balsall Heath East, North Edgbaston, Weoley and Selly Oak, Bordesley Green, Harborne, Bartley Green, Garretts Green, Brandwood and Kings Heath, Kingstanding, Kings Norton South, Perry Barr, Bromford and Hodge Hill.		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference – 011496/2023		
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:		

1.0 Executive Summary

- 1.1 This report sets out the approach of BCC to progress development of affordable housing on sites it currently owns that are identified for affordable housing. The approach reflects the parameters and constraints of the HRA Business Plan (2024) and Asset Management Strategy 2024 - 2029, whilst also taking into account the high demand for good quality affordable housing in the City.
- 1.2 This report follows the report to Cabinet in May 2023 which sought to approve the disposal of eight sites for affordable housing and establish the principle for the sale of the Council's freehold interest in identified surplus land to Registered Housing Providers and / or Developer Partners.
- 1.3 The report builds on that approval and identifies the next sites for disposal and delivery. It identifies routes for delivery of affordable housing on Council owned land supported through partnership and investment from other parties. Land for housing development has already been identified below and shown on the plans at Appendix 1, comprising land that can accommodate over 1,000 new homes.
- 1.4 The recommendations contained in this report are fully in line with the Council's Housing Strategy 2023-2028 presented to Cabinet on 13th December 2022, that provides the strategic platform and direction for the Council to increase the number of affordable homes delivered through partnership routes such as Registered Providers and / or Development Partners through direct disposal and also through delivery via a compliant procurement process including but not limited to approved frameworks and partnership working. This strategy will provide much needed quality, energy efficient accommodation for the citizens of Birmingham.
- 1.5 Individual decisions regarding any disposal will be taken through Cabinet Committee - Property. The Cabinet Committee - Property will consider firstly the options appraisal and agree the delivery route and then the subsequent proposal.

2.0 Recommendations

- 2.1 Declare surplus to the Council's requirements the land as detailed in Appendix 1, with the capacity to deliver in the region of 1,176 homes.
- 2.2 Approve the principle for the sale of the Council's interest in identified surplus land identified in Appendix 1 to Registered Housing Providers, Developer Partners or other public sector bodies to deliver housing, with the best route to disposal to be agreed at Cabinet Committee – Property.
- 2.3 Note the proposed approach for each site will be for an options appraisal assessing the financial and non-financial implications and the final transaction details for disposal arrangement to be decided by Cabinet Committee- Property and taking into account the constraints of funding within the HRA Business Plan.

- 2.4 Note the land assets have been identified for sale from both the Council's General Fund and Housing Revenue Account (HRA) to provide primarily affordable housing across the city with the Council retaining Nomination Rights for those on its housing register.
- 2.5 Approve a budget of £350,000 capital funds from the Housing Revenue Account for the disposal of sites to cover legal, valuation and agent fees and any site due diligence and surveys required for marketing. This will be repaid by the capital receipts obtained. General Fund receipts will be paid into the General Fund (minus disposal costs) and HRA receipts will be paid into the HRA.
- 2.6 Delegate authority to the Strategic Director for Place, Prosperity, and Sustainability (or their delegate), in consultation with the Assistant Director Corporate Procurement (or their delegate), the Interim Finance Director (s151 Officer), (or their delegate), and the City Solicitor & Monitoring Officer (or their delegate) to approve the procurement strategy and the award of contract(s), for professional services (including legal, market and valuation advice) to support the sale process.
- 2.7 Delegate authority to the Strategic Director for Place, Prosperity, and Sustainability, in consultation with the Assistant Director Corporate Procurement (or their delegate), the Interim Finance Director (s151 Officer), (or their delegate) and the City Solicitor & Monitoring Officer (or their delegate) to approve the procurement strategy and the award of contract(s) for any developments requiring compliance to the Procurement Contract Regulations 2015 (or 2024 update).
- 2.8 Delegate authority to the Strategic Director for Place, Prosperity, and Sustainability to submit further applications to Homes England (HE) and West Midlands Combined Authority (WMCA) and the Department of Levelling Up, Housing and Communities (DLUHC) or other government departments where opportunities arise for grant funding to support future phases of new housing development and to negotiate and accept such funding in the event of such applications being successful by entering into funding agreements.
- 2.9 Note that there is an existing two-year corporate Affordable Housing Delivery Programme, (started in April 2023) to support increasing affordable housing output covering themes of partnership working, governance and direct delivery.
- 2.10 Note it is proposed as part of this programme to complete an independent review of the Council's direct delivery to ensure there is a clear reflection on the approach and the options available to the City Council along with their implications. The review will cover value for money, resource capacity, risks and opportunities and set out recommendations for consideration as part of a review of delivery models. Results of this review are expected to be reported back to Cabinet.
- 2.11 Agree that the Dawberry Fields scheme presented to Cabinet on 25 April 2023 and subsequently called in on 17 May 2023 will not progress as planned. The planning application has been withdrawn and alternative delivery routes for the site within the wider context of the approaches outlined within this report will be brought to Cabinet

Committee - Property in due course, with a commitment to engage with the local community and Ward members.

- 2.12 Authorise the City Solicitor and Monitoring Officer to prepare, execute, and complete all relevant legal documentation to give effect to the above.
- 2.13 Note that an update on disposals will be reported to the Cabinet Committee - Property as part of routine monitoring.

3.0 Background

- 3.1 The demand for affordable housing across the city and surrounding areas is extremely high with over 20,000 households on the housing register and over 6,000 in temporary accommodation. With a higher than national average waiting list and increased numbers of families in temporary accommodation, it is a key priority and objective of the City Council over the coming years to accelerate affordable housing delivery.
- 3.2 The Housing Strategy 2023-2028 approved by Cabinet on 13th December 2022, provides the strategic platform, and clear direction for the Council to increase the number of affordable homes. Affordable housing is delivered through a variety of routes including planning gain, direct delivery by the City Council and through Registered providers. Whilst the Council has an established programme of direct delivery by the HRA, the delivery through this route alone cannot meet the city's need. This report is set in this context as well as the financial position of the City Council/resource available in the HRA.
- 3.3 The recommendations above will enable the Council to accelerate the delivery of affordable homes on the identified sites and assist the city in meeting its housing target (as detailed in the Birmingham Development Plan (BDP) Policy PG1) of 19,400 affordable dwellings over the BDP period (2011 to 2031). Previously around 300 affordable homes were built a year by BCC which is not enough to accommodate those homes lost through Right to Buy (circa 600 per year). This impacts on costs of other housing services such as Temporary Accommodation. Therefore, it is a strategic aim to speed up delivery of affordable homes. As finances are constrained, as detailed in the HRA Business Plan, this route allows for delivery without immediate impact on the HRA finances.
- 3.4 The delivery routes for new housing development will be through the following routes (further details will be provided in either Delegated Authority Reports or to the Cabinet Committee - Property)
- to dispose of sites/land for affordable housing/work in partnership to Registered Providers of Social Housing (RPs) with nominations agreement back to the Council. On larger sites, this is likely to generate land receipts.
 - Identify opportunities for other routes (private finance) to fund affordable housing which may include new innovative ways of working.

- Enter into Development Agreements (following a compliant procurement process) with developer/ contractor partner.
 - Dispose of sites where suitable to other public sector bodies such as Homes England or West Midlands Combined Authority particularly where additional benefits can be gained (such as grant funding, enhanced standards, wider master-planned area etc) on the basis of affordable housing delivery.
- 3.5 The route for each site will be detailed in a report to Cabinet Committee – Property in accordance with recommendation 2.3 and aligned to both the HRA Business Plan and the Asset Management Strategy 2024 – 2029 which focus HRA budgets on the need to bring existing stock up to Decent Homes Standards and ensure all homes must be warm, safe, and sustainable.
- 3.6 The Dawberry Fields site was identified for housing development in the *Birmingham Municipal Housing Trust Delivery Plan 2019-2029* report to Cabinet on 14 May 2019 with a scheme on two cleared sites that were appropriated into the HRA in March 2021 and March 2017 via a report to Cabinet. A scheme to develop the site for homes to be built to Passivhaus standard was taken to Cabinet on 25 April 2023. The Development of Housing at Dawberry Fields Road Cabinet Report was subject to a request for call-in on 17 May 2023 to the Homes and Neighbourhoods Overview and Scrutiny Committee who subsequently referred the decision back to Cabinet for reconsideration. The reasons for call-in focused, in the main, on the engagement and consultation with the local community on the development proposals including the design to a Passivhaus standard and the consideration of broader development opportunities within the wider neighbourhood. The reason why this scheme will not proceed as planned is due to the high cost of developing the scheme to Passivhaus standards.
- 3.7 It is proposed the Council will benefit from being able to nominate new tenants into all new homes developed on these sites (called nomination rights) for a minimum of ten years, subject to an options appraisal ensuring best value.
- 3.8 Some sites are being disposed of without planning consent and therefore without final known development proposals at present, so an Environment and Sustainability Impact Assessment cannot be completed at this stage. Any development outputs arising from the recommendations of this report will be the subject of future reports and subsequent planning applications and consents, where Environment and Sustainability impact will be fully considered. Sites being sold with the benefit of planning consent have had Environment and Sustainability Impact Assessments Completed.
- 3.9 The list of sites incorporates those sites identified for disposal to RPs for affordable housing as the second tranche of sites (following the first tranche of eight sites which were approved in May 2023 as detailed above), along with sites that were due to be directly developed by the Council but which now will be delivered by other parties due to the revised development budgets within the HRA Business Plan. The sites historically would have all been appropriated into the HRA, but it was agreed in the

May 2023 report that sites will be disposed without appropriation and their respective funds receive the land receipts. The sites have been planned as housing sites and those without detailed planning consent will have a planning pre-application report to be included in the sales pack. Some still require Secretary of State approval (for example allotments), but this will be detailed in the Cabinet Committee - Property reports.

3.10 The sites to be developed or disposed:

Site name	Ward	Approx site capacity	HRA or General Fund
Meadway Phase 2	Garretts Green	206	HRA
Beach and Alfred Road, B11 4PG	Sparkbrook and Balsall Heath East	31	HRA
Boleyn Road, B45 0NE	Frankley Great Park	67	HRA
Burcote Road	Pype Hayes	10	HRA
Lea Hall	Garretts Green	8	HRA
Reabrook Road	Longbridge	8	HRA
Stockfield Road	South Yardley	8	HRA
Trescott Road	Allens Cross	10	HRA
Druids Heath: Brockworth Road, Sherston Covert and Bells Lane	Druids Heath & Monyhull	51	HRA
Brinklow Road (Stonebrook Depot), B29 5UY	Weoley and Selly Oak	45	HRA
Land adjacent to 9 Leabon Grove, Harborne, B17 0LE	Harborne	3	HRA
Land rear of 127 Mill Lane, Bartley Green, B32 3BB	Bartley Green	3	HRA
Dawberry Fields, B14 6PG (revisions required)	Brandwood and Kings Heath	55	HRA
Bromford - various sites	Bromford and Hodge Hill	178	HRA
Pool Farm & Shannon Road – various sites	Kings Norton South	267	HRA
College Road Depot, B44 0AY	Kingstanding	27	HRA
Bellefield Park, (Moilliett Street park) B18 4JS	North Edgbaston	92	General Fund

Site of former West Heath Library, The Fordrough, West Heath, B31 3LX	Longbridge and West Heath	4	General Fund
Jenkins Street	Bordesley Green	10	General Fund
Former Beaufort School, Coleshill Road	Bromford and Hodge Hill	20	General Fund
Wyrley Birch Allotments, B44 0ET	Kingstanding	73	General Fund

4. Options considered and Recommended Proposal

4.1 Option 1 - Do Nothing. The Council is not meeting the current demand for affordable housing through its existing delivery and needs to bring in additional providers to help meet the demand (90% of all new housing units would need to be affordable to meet current demand). The Council has a General Fund disposal target of £0.500 billion and the sale of General Fund sites is necessary and will contribute to meeting this target. Constraints on the HRA finances have resulted in the need to identify other routes to deliver new affordable homes. Doing nothing would not address this issue as the demand is not being met and the Council's finances are not sufficient to develop the homes itself. If nothing is done this vacant land will remain in its current state and the opportunity to bring investment into the City and affordable housing delivered will be lost, whilst still incurring holding costs and liabilities. The temporary accommodation bill is placing a significant pressure on the General Fund (at £1m a week) and not providing additional affordable housing is exacerbating the issue. The financial impact of not doing anything therefore is not being able to reduce the temporary accommodation liabilities which are a direct cost of not having enough affordable housing.

4.2 Option 2 - Development sites through a sale to partners to accelerate affordable housing delivery. The Housing Strategy 2023 – 28 highlights the need to accelerate affordable housing delivery. The route of disposing of some of the Council's surplus land to Registered Providers / Developer Partners / other public sector bodies is just one of the key ways the Council can accelerate the delivery of affordable housing.

This route will enable stakeholders to secure additional inward private investment and Homes England grant into the city. It also speeds up development because the developer partner will be responsible for design and planning of schemes which puts less pressure on our planning resources when schemes have to be amended after a contractor is engaged. The contractor / developer developing the scheme helps with value engineering as it is usually more cost efficient. It will also facilitate the ability to offer different tenure types such as Shared Ownership and Rent to Buy. Registered Providers and their contractor partners have large development portfolios and a variety of different specialisms from sheltered housing to supported

accommodation; their stock makes up just over 40,000 units in the city. The Council is already committed to be 'Open for Business' and has welcomed several partners and investors into the city. There are also private RPs/ pension fund investment models that can be explored within this option, again bringing investment into the city.

This option includes both land sales and land disposal via the ability to draw partners to deliver new affordable housing at BCC's specification / timescales.

4.3 Option 3 – Accelerate Direct Development of sites. BCC is directly delivering some sites. However, due to the current financial constraints and pressures on the HRA budget, this is not a viable option to continue with direct delivery in its existing form.

4.4 Option 4 – Sale of sites for a policy compliant mix of tenures. The sites can be sold on the open market for a planning policy compliant mix where 35% of the homes are affordable on sites of 15 dwellings or more. The Council is seeking to dispose of surplus sites and these sites could contribute to that. However, many of these sites are below the threshold of 15 units, and being brownfield may not achieve 35% affordable housing due to site constraints and viability challenges without housing grant. For these reasons this option is likely to be discounted for the HRA sites but recommended for General Fund sites.

4.5 Recommended Options: The recommended options will broadly be Option 2 for HRA sites and Option 4 for General Fund sites. However, the recommended disposal route for each site will be subject to individual options appraisals and subject to approval by Cabinet Committee – Property. Options 2 and 4 are both able to accelerate housing delivery of over 1000 new homes whilst reducing build cost and risk to the Council and generating a land receipt to the Council. Options for the identified land assets will be fully considered and the recommended sale to Registered Providers / Developer Partners is likely to provide the best outcomes for the Council to deliver predominantly affordable homes at an accelerated rate.

5.0 Consultation

5.1 Engagement with Councillors has been thorough where sites have been brought through Planning and will be ongoing as sites come forward. Many of these sites have been vacant and identified for housing for some time. As part of the disposal and development process there will be a requirement on the lead party for each site to undertake appropriate local engagement at key stages, which will include Ward Councillors.

6.0 Risk Management

6.1 The approach recommended in this report seeks to mitigate a number of risks, including financial, that the Council is experiencing.

6.2 Risk and Issues Register:

Risk No	Risk description	Risk mitigation	Residual / current risk			Additional steps to be taken
			Likelihood	Impact	Prioritisation	
1.	Lack of funds in the HRA – the HRA Business Plan prioritises investment in existing stock, therefore there is a lack of funds for new development.	This approach in this paper minimises costs to the Council. The HRA Business Plan sets out the prioritisation of funding. There will be a need for some survey/ fees work to be completed on sites but this cost should be recoverable from land sales. The approach outlined in this paper reduces need for funding from the HRA whilst still delivering of affordable housing. The focus is to make the best use of BCC assets.	Medium	Significant	Material	Regularly review the capacity in the HRA. Work with partners such as Homes England and WMCA to explore opportunities for approaching supporting delivery of affordable housing without a cost to the HRA.
2	Inability to deliver enough affordable housing has adverse impact on General Fund	The inability to deliver the Local Plan and Housing Strategy requirement of just over 1,000 affordable homes a year leads to a direct cost impact on the council of increasing costs in Temporary Accommodation and in other Council Services such as education and social care.	High	Medium	Material	Create enough affordable homes to be able to reduce the number of households in temporary accommodation
3	Lack of demand from RP/ developers	This approach is reliant on bringing in investment from private sector developers, registered providers and others. The approach follows work on engagement with these parties and there is currently appetite linked to the availability of funding from Homes England and WMCA. At the moment, feedback from Tranche 1 sales of land to RPs has shown significant interest.	Medium	Medium	Material	Continue to engage with RPs. Work with Homes England on routes to engage with partners early. Seek feedback on how process is working to allow for continued improvement.
4	Capacity within the Council to manage process.	This approach is a step change for the City Council officers in its approach to delivery and relies on resources to dispose of land. With the target to dispose of £500m of General Fund land assets within 12 months, internal resources will be tight. There is an opportunity to work across the Directorate with officers in property services. There may be a need for additional resource to meet pace required for disposals.	Low	Medium	Tolerable	Review capacity and skills within existing team and consider how efficiency can be made in process with colleagues in property. Include a % allowance to fund resourcing

		There is currently interim resource managing this process which has been key in moving forward sites for disposal.				on each transaction.
6	<p>Non delivery of affordable housing on sites.</p> <p>By transferring sites to partners there is a risk that they do not move forward to delivery.</p>	<p>There is an opportunity to set out contractual requirements for delivery as part of a sale, however this approach is about partnership with those invested in supporting housing in the City the approach therefore will be centred around clear communication and collaboration to unlock any issues identified by developer.</p> <p>There are risks in the wider development industry around inflationary build costs, contractor administration as well as technical issues that will be site specific.</p>	Low	Medium	Tolerable	Financial checks on the partners we select to work with and speed up process to reduce chance for cost price inflation
7	Outcome of poor-quality schemes which don't meet the needs of City.	The affordable housing sector has a greater focus on quality following a number of enquiries including the Grenfell fire. Each provider/ developer will have their own requirements for specification to suit their organisation. The Council will request as part any agreement that schemes mix and tenure have approval of the housing enabling team. Any new schemes will need to meet requirements set by the local planning authority and be considered against these.	Low	Medium	Tolerable	Work with providers who build high quality stock and consider this as part of selection process.
8	Community not engaged in what is going on and local concerns/ opposition to new housing.	Requirement as part of any agreement with partner developer for a community engagement plan to include ward Cllrs and existing groups within local area.	Low	Low	Tolerable	Include within process review of what is done on each site to bring in sharing of good practice and seek feedback from communities/ Cllrs as part of this.
9	Ring fenced right to buy receipts not spent due to inability for Council to fund new housing.	The Council monitors the time frames for spend against right to buy receipts. If the HRA capacity for borrowing is maintained there is the opportunity to use right to buy receipts as a grant to partners. This will need to be considered alongside any other public funding available.	Low	Low	Tolerable	Explore flexibility on right to buy receipts.

7.0 Compliance Issues

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

7.1.1 These Schemes support the Council's Route to Zero Strategy approved by Cabinet in January 2021. The strategy commits to reducing the city's carbon emissions and limit the climate crisis.

7.1.2 The site disposals are fully aligned to the Housing Strategy 2023- 28 which aims to increase the supply of affordable housing up to a Local Plan policy requirement of over 1,000 new homes per annum. These sites for development help meet that requirement.

7.1.3 These Schemes are in accordance with the objectives of the housing revenue account (HRA) Business Plan 2023+. These Schemes will make a direct contribution and are consistent with The Council's Corporate Plan 2022 to 2026 main priorities (as updated in December 2022) priorities and outcomes as outlined below:

- A Bold Prosperous Birmingham: Making sites available for development to Registered Providers and their Partners will allow the Council to capitalise on inward investment, increase the supply of affordable housing and enable successful development to help regenerate communities.
- A Bold Healthy Birmingham: the provision of new affordable housing types will improve the health of citizens by ensuring safe, sustainable, and suitable homes are delivered. This includes homes for those who have both physical and mental health issues. This also includes those experiencing homelessness.
- A Bold Green Birmingham: the provision of new homes will go some way to meet the City's commitment to route to zero will be delivered. The new homes will be built to modern standards to the Council's specification.
- A Bold Inclusive Birmingham: the new affordable homes will be allocated under the council's policy and help families affected by the cost-of-living crisis as the homes will be built to new higher quality and EPC standards saving money on energy bills.
- A Bold Safe Birmingham: the provision of new affordable homes will ensure they are "secure by design" and will contribute to safer neighbourhoods.

7.1.4 Birmingham Business Charter for Social Responsibility (BBC4SR)

The requirements of the BBC4SR are mandatory and form part of the terms and conditions for any contract awarded in accordance with the Council's policy and

will include the payment of the Real Living Wage. This will provide opportunities to support the various wards and their surrounding areas where the schemes will be developed through:

- The creation of jobs, apprenticeships, work experience graduate placements.
- Training opportunities.
- Building Birmingham Scholarships.
- Supply chain opportunities for local businesses, small and medium enterprises and social enterprises.
- Buying local with spend as practically as possible being with local, small and medium enterprises as well as social enterprises within a 30mile radius of the scheme.
- Support for local community projects advertised on matchmyproject.org.

7.2 Legal Implications

7.2.1 Sections 120 - 123 of the Local Government Act 1972 authorise the Council to hold, appropriate and dispose of land. The disposal power in Section 123 of the Local Government Act 1972 is subject to the best consideration test. The Assistant Director of Investment and Valuation will monitor the sales process to ensure it complies with legislation and in the event an under value transaction is recommended under 2.6 above, will seek to comply with Circular 06/03: Local Government Act 1972 general disposal consent (England) 2003 disposal of land for less than the best consideration that can reasonably be obtained or seek specific consent from the Secretary of State to proceed, if required.

7.2.2 Section 1 of the Localism Act 2011 contains the Council's general power of competence, which is circumscribed only to the extent of any applicable pre-commencement restrictions and any specific post-commencement statutory restriction of the power, 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 including the disposal and acquisition of property.

7.2.3 Sections 32 to 34 of the Housing Act 1985 contain the Council's powers to dispose with the consent of the Secretary of State of land held for the purposes of the provision of housing accommodation under that Act. The General Housing Consents 2013 (issued March 2013 and corrected July 2013) set out the circumstances where such disposals can take place without the need for specific consent.

7.3 Financial Implications

7.3.1 The recommendations in this paper allow the authority to generate land receipts to reduce general fund and HRA borrowing, while increasing the potential for supply of affordable housing across the City, to the benefit of the Social Housing function and the City as a whole.

- 7.3.2 Disposal of General Fund sites will progress the Council towards its strategy of capital receipts generation, while encouraging development from external sources, which will benefit residents through greater supply of affordable housing in the future. It should be noted that there is currently a General Fund asset disposal target to raise £500m of capital receipts by the end of 2024. It is acknowledged that any General Fund sites referenced in this paper which are sold will have a direct contribution to this objective.
- 7.3.3 Receipts generated from sale of HRA assets are ringfenced to the HRA and will fall in line with the HRA Business Plan priority of investing in existing Housing stock to meet Decency Standards. Partnership working will ensure the ongoing development of certain sites is in recognition of that Business Plan's secondary priority of replacement of stock lost through Right to Buy.
- 7.3.4 There is a potential conflict where there are General Fund sites for sale where an early capital receipt is required and where affordable housing may not generate the highest land value, therefore for General Fund sites, affordable housing beyond the policy requirement of 35% may not be required, in order to maximise receipt. The General Fund sites will also be sold on an unconditional basis in order to support delivery of capital receipts within the timescale required. Any potential reduced capital receipt for the development of affordable housing will need to be balanced against the benefits of developing for 100% affordable housing and the level of reduced receipt will only be fully known once the sites have received offers.
- 7.3.5 It is Government policy that local authorities should dispose of surplus land wherever possible. Generally, it is expected that land will be sold for the best consideration reasonably obtainable. However, there is recognition that there may be circumstances where an authority considers it appropriate to dispose of land at less than the best consideration that may be available under the circumstances. The consequential costs to the Council of non-delivery of sufficient affordable homes needs to be considered and therefore there needs to be a balance between generating capital receipts and ensuring sufficient delivery of affordable homes. The temporary accommodation budget is significant and the need to reduce the expenditure on the General Fund, along with any other factors that impact the Council's financial consequences needs to be factored in when considering the s123 Best Consideration confirmation. These factors will be considered in the Options Appraisal presented to Cabinet Committee Property for each site.
- 7.3.6 The request for £350,000 capital spend in section 2.5 is directly linked to the generation of capital receipts and is factored into the HRA Business Plan 2024-2054, With the spend being reimbursed from capital receipts before any other allocation of the funds.
- 7.3.7 VAT advice will be sought for each disposal to ensure the most tax efficient method is being used for each disposal transaction.
- 7.3.8 The purchaser will pay a contribution towards the Council's professional costs.

7.3.9 Spend Control

It is anticipated the £300k spend will be in 2024/25. In advance of spending funds allocated as per this report in 2024/25, the S151 spend approval in place at the time will be sought. £50k of spend for 2023/24 has been sought for approval via Spend Control 7th December 2023.

7.4 Procurement Implications

- 7.4.1 Where there are procurement implications for the development of a site(s), or procurement to support the sale process for this project, this will be conducted compliantly with the Public Contracts Regulations 2015 (PCR2015) or as replaced by the Procurement Act 2023 from October 2024 and the Council's Procurement and Contract Governance Rules.

7.5 Human Resources Implications (if required)

- 7.5.1 None have been identified, internal staff resource is being used to deliver this workstream.

7.6 Public Sector Equality Duty

- 7.6.1 An Equality Assessment was carried out EQUA 1016 dated 17th January 2023 and identifies no adverse impacts on any groups protected under the Equality Act 2010. It is included in Appendix B.

8 Appendices

- 8.1 Appendix A – Site Plans
8.2 Appendix B - EIA

9. Background Documents

- 9.1 Affordable Housing – Sites for Disposal Report to Cabinet May 2023
9.2 HRA Business Plan – Cabinet report 16 January 2024 report ref 010770/2023

Please note that these plans show the extent of Council ownership. Where a site does not have detailed planning consent, the developable area may be anywhere within the boundary.

The figure is a detailed site layout plan for a proposed development. The central site is outlined in red and is situated at the intersection of Alfred Road (to the north) and Thornville Avenue (to the west). The plan shows a complex arrangement of building footprints, some labeled with codes like 'SA', 'HA', 'HAB', and 'HAR'. There are also parking areas, green spaces, and landscaping elements indicated by green circles and lines. The surrounding area includes existing residential developments, such as 'The Commons' to the west and 'Piney Lane' to the south. The plan is labeled with street names and dimensions, providing a clear context for the proposed development.

[illegible]

Burcote Road, Pye Hayes



Lea Hall, Garretts Green



Reabrook Road, Longbridge



ACCOMMODATION SCHEDULE

DWELLING TYPE	GIFA	HEIGHT (STOREYS)	AMOUNT
WAL 2H-WAL-001 2B4P HOUSE	80.8m ²	2	03
WAL+ 2H-WAL-001 2B4P HOUSE	84.9m ²	2	01
HAR 3H-HAR-001 3B5P HOUSE	93.8m ²	2	04
TOTAL			08

- V

 Visitor Parking
- Front Garden
- Air Source Heat Pump Location
- Vehicle Tracking 4.8m length
- Visibility Splays
- Acoustic Fence
- POS
- Existing Underground Electrical Cable, Feeding Network Rail + 5m Easement
- Existing Tree to be removed
- Proposed Tree
- Network Rail Boundary
- Note:
Parking's across this scheme are to adopt Electrical Charging Point, plus Positions to be agreed.



PLANNING

Notes	Revision	Date	By	Other	Project	Drawing	Client	Scale	Author	Drawn	Checked	Issue	Revision
1. Copyright in this drawing remains the property of Bmht Birmingham Limited.	1. UPDATED TO REMOVE CERTAIN ITEMS. REFER TO FOLLOWING CLAUSE FOR REVISIONS.	17.03.22	BM		BmHT PHASE 2	SITE LAYOUT	Bmht	1:500	22.05.2022	78981	J.J	2000	
2. Do not alter this drawing without the written consent of Bmht Birmingham Limited.	2. UPDATED TO REMOVE EXISTING TREE ADJACENT PLOT 4.	20.04.22	BM		LAND OFF REABROOK ROAD		Bmht						
3. Construction and completion are to be in accordance with the current plans and specifications.	3. UPDATED TO INCLUDE THE EXISTING TREE ADJACENT PLOT 4.	20.04.22	BM		LONGBRIDGE, BIRMINGHAM		Bmht						
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Stockfield Road, South Yardley



Fig. 3.5 Proposed site layout

Trescott Road, Allens Cross

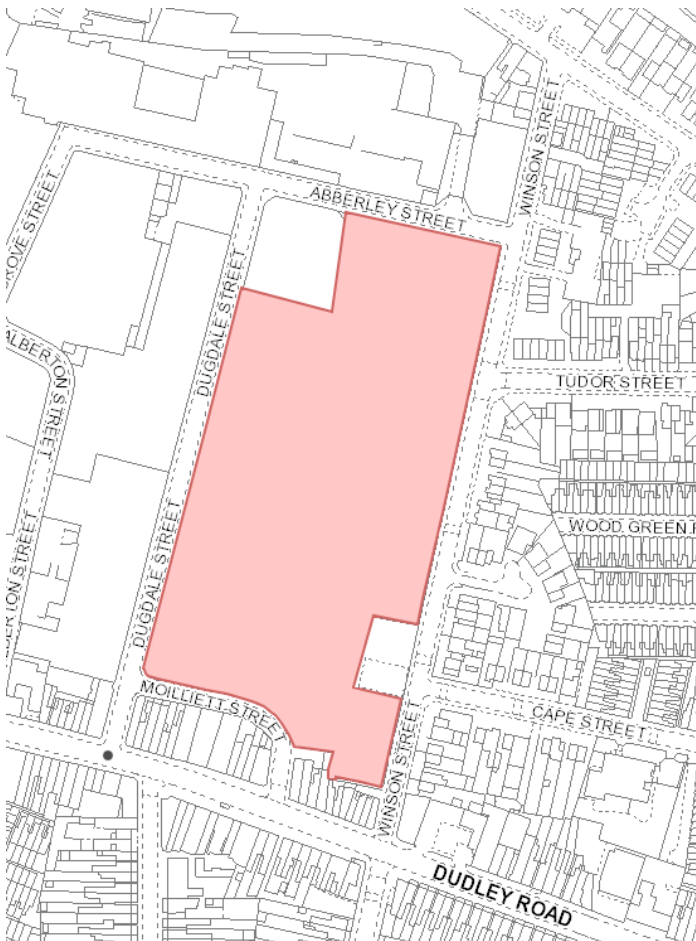


Druids Heath Sites, Druids Heath and Monyhull
Brockworth Road

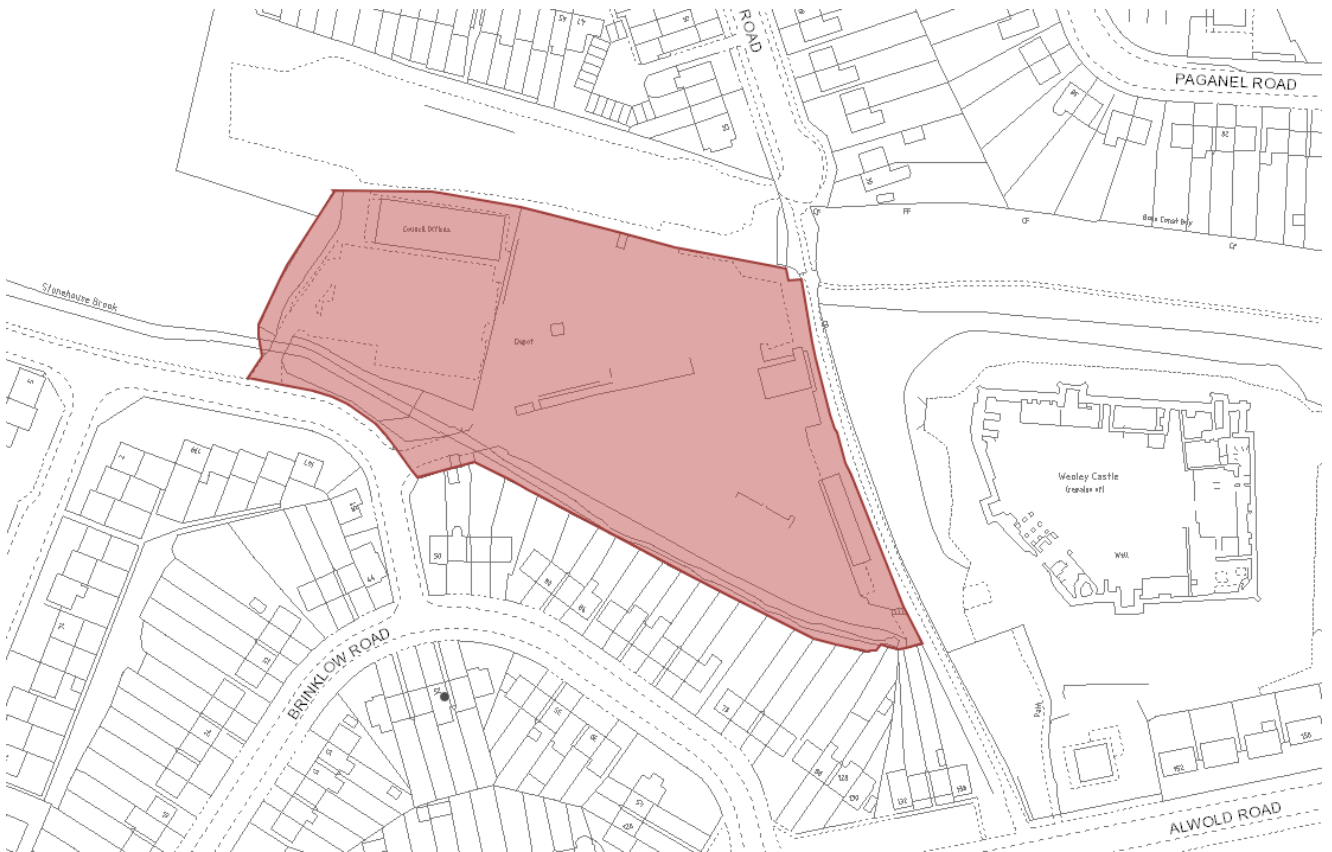




Former Royal British Legion Bells Lane



Brinklow Road (Stonebrook Depot), B29 5UY



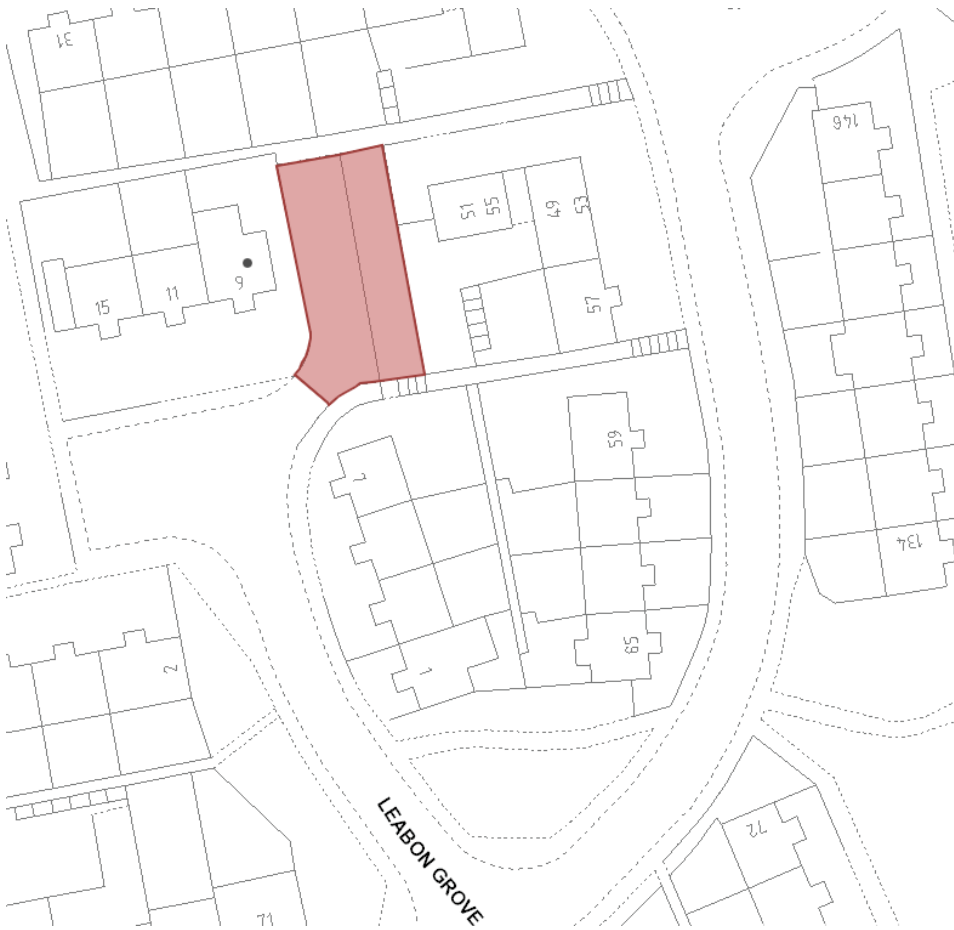
Land at Jenkins Street



Site of former West Heath Library, The Fordrough, West Heath, B31 3LX



Land adjacent to 9 Leabon Grove, Harborne, B17 0LE



Land rear of 127 Mill Lane, Bartley Green, B32 3BB



Former Beaufort School, Coleshill Road



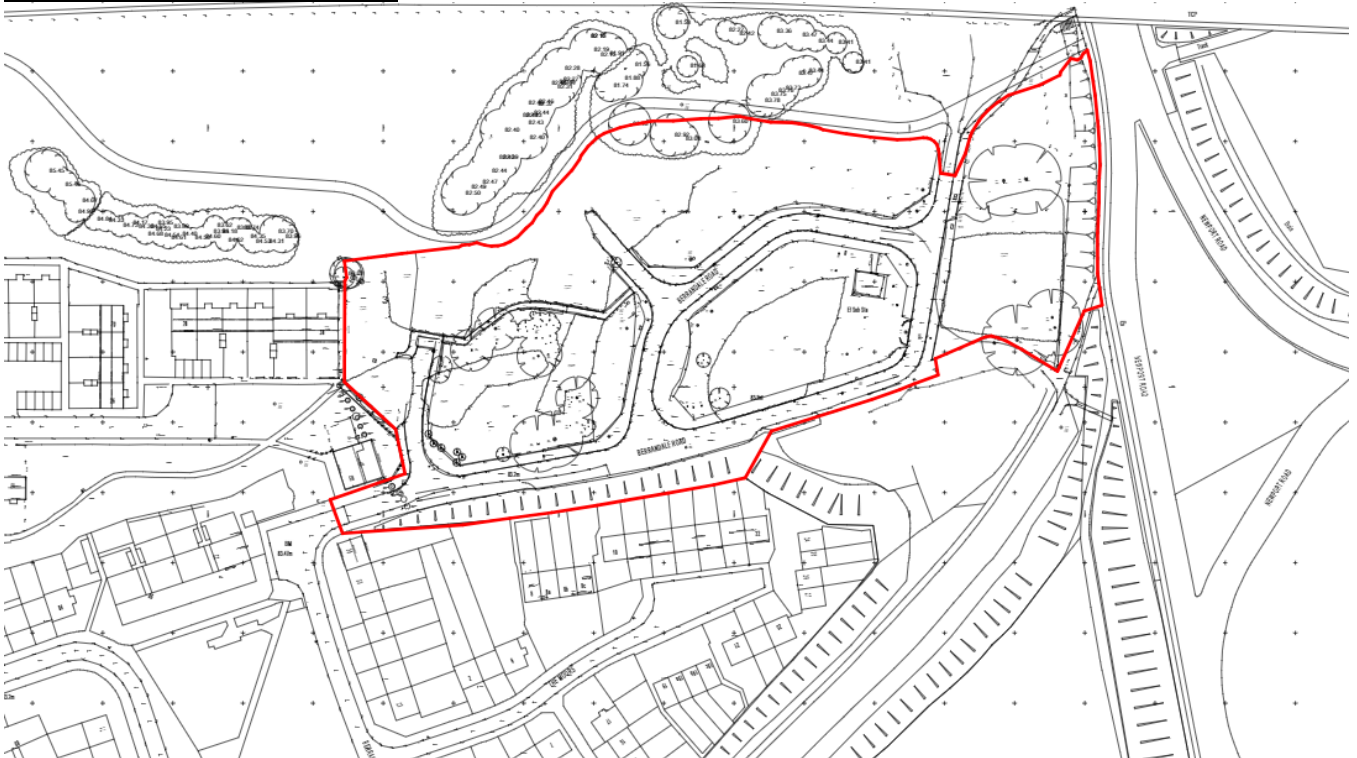
Dawberry Fields, B14 6PG



Bromford Next phases:
Comet Park



Berrendale Road- Bromford



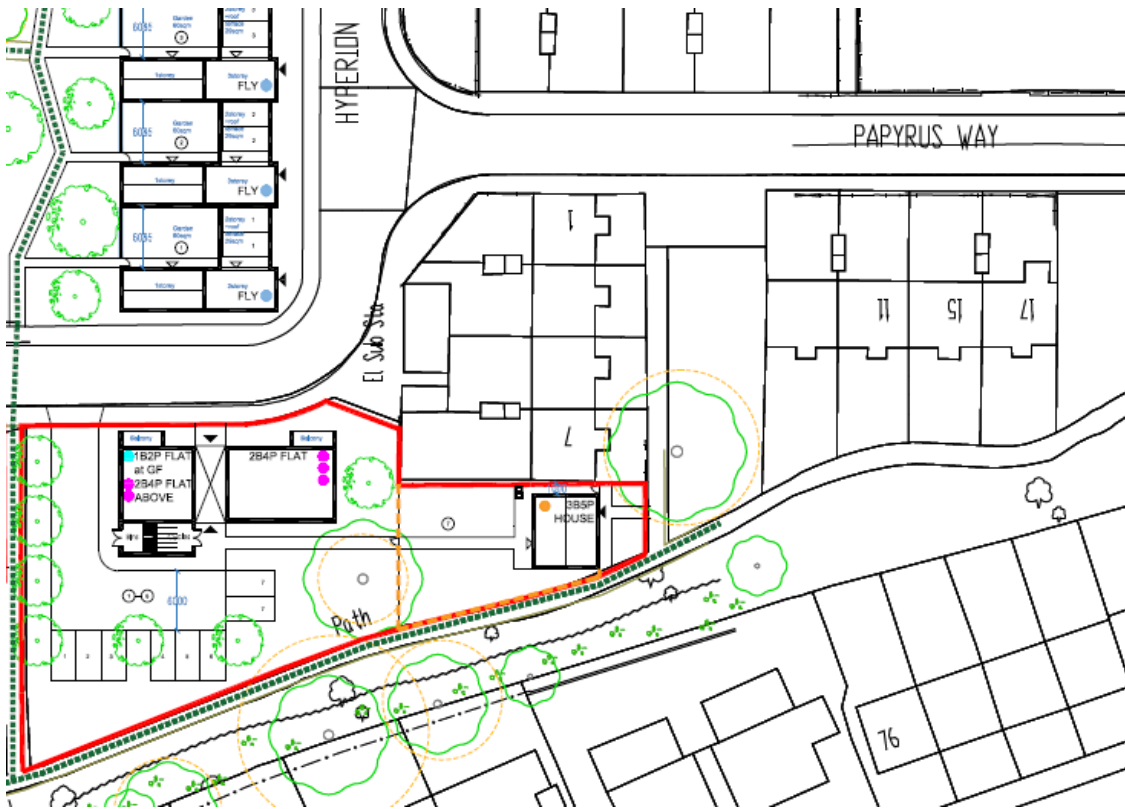
Hyperion Way- Bromford



Papyrus Road- Bromford



Riddfield Road



Hexham Croft (Holbrook Twr)



Dreghorn Road



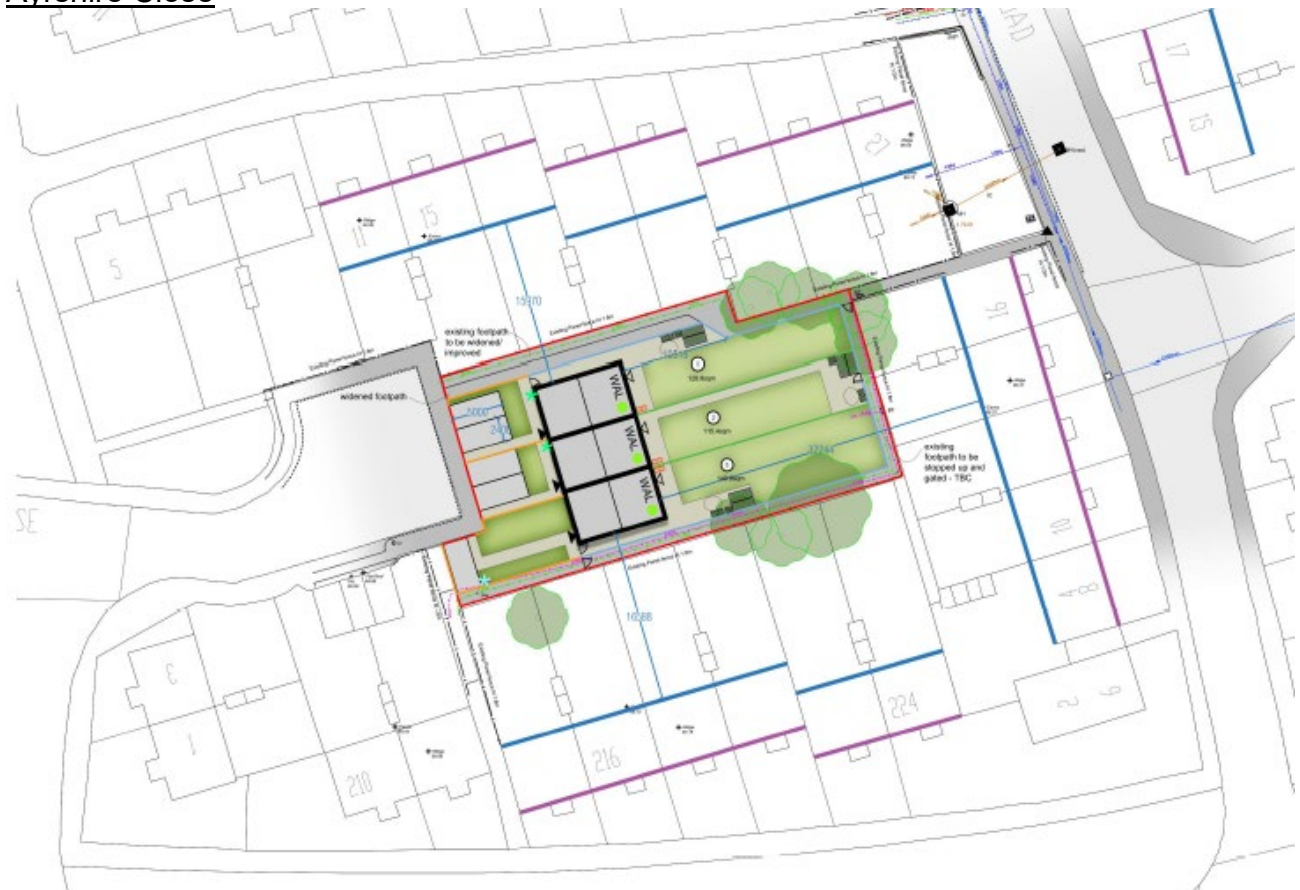
Cheltenham Drive



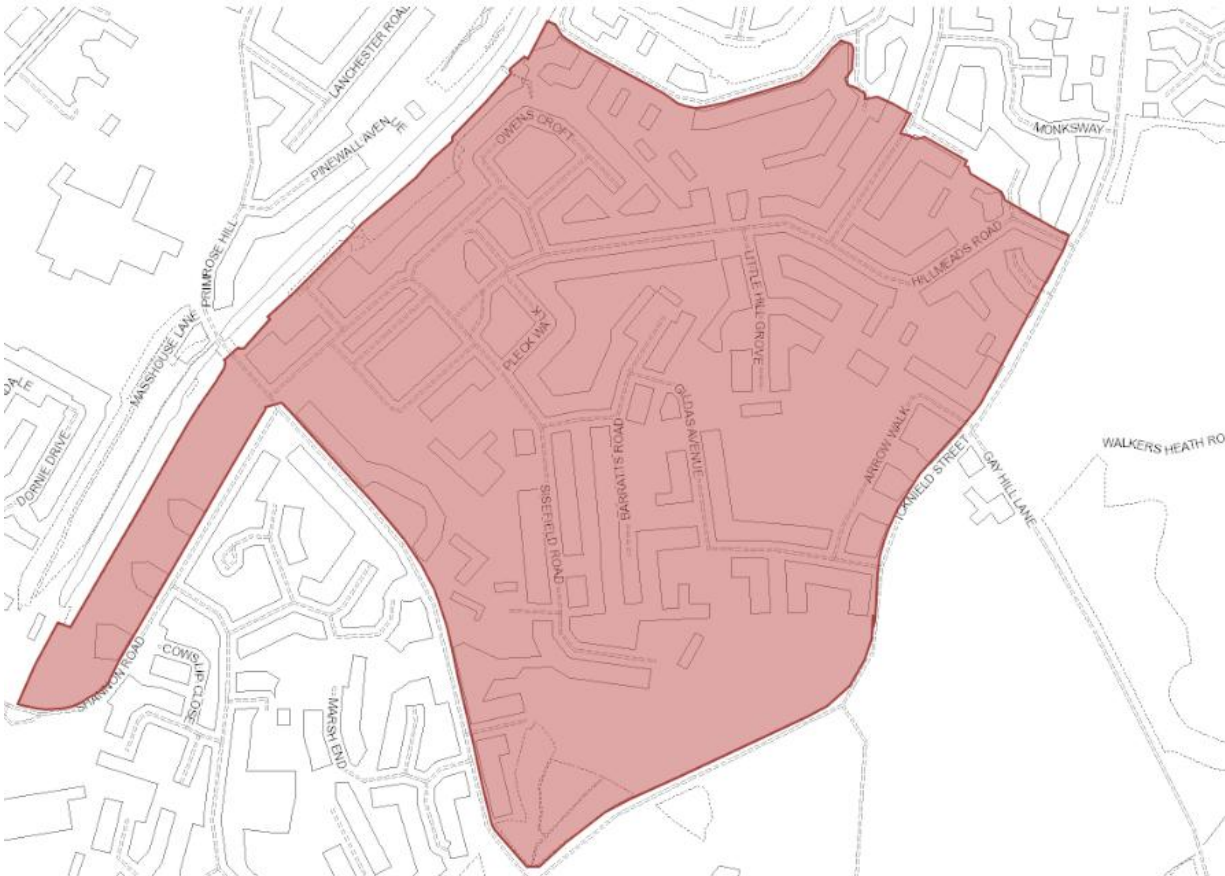
Reynoldstown



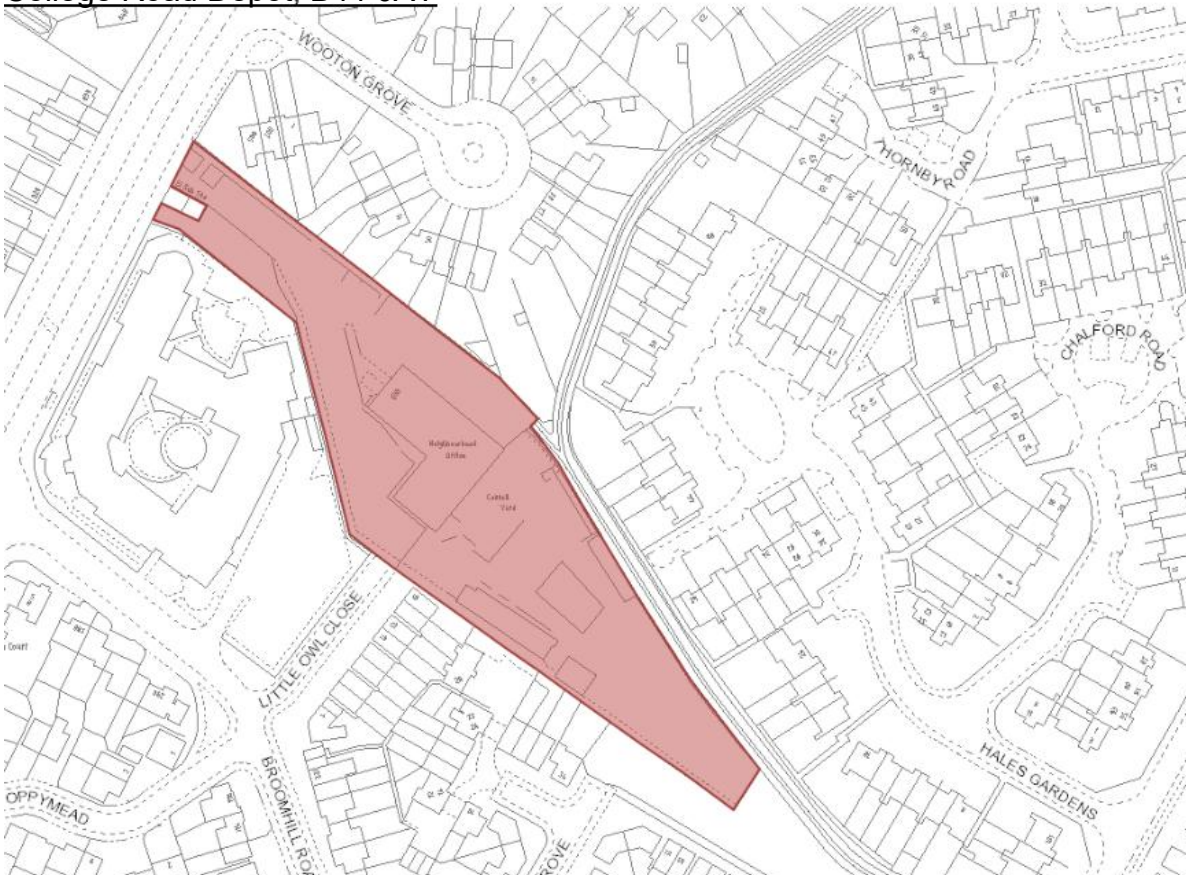
Ayrshire Close



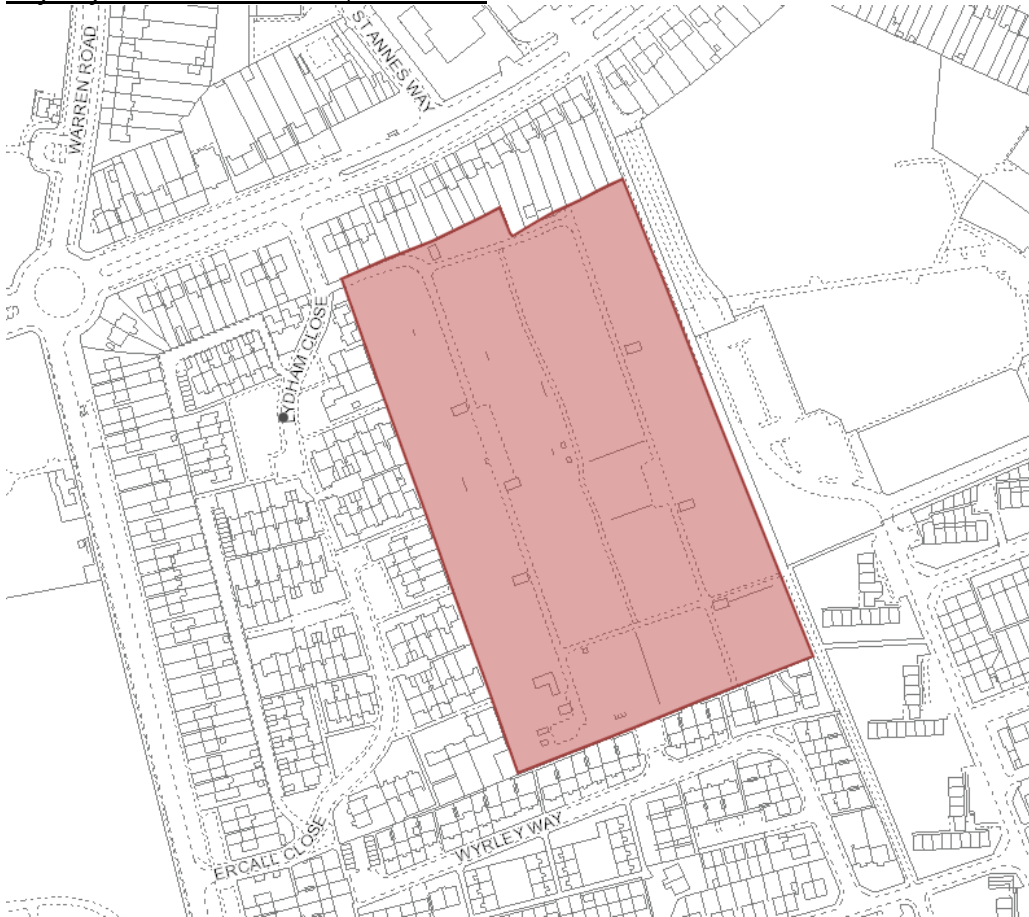
Pool Farm & Shannon Road



College Road Depot, B44 0AY



Wyrley Birch Allotments, B44 0ET



Appendix B - EIA

Title of proposed EIA	Affordable Housing - Sites for Disposal
Reference No	EQUA1016
EA is in support of	New Function
Review Frequency	Annually
Date of first review	16/11/2023
Directorate	Inclusive Growth
Division	Property Services
Service Area	Property Valuation & Sales
Responsible Officer(s)	Felicia Saunders
Quality Control Officer(s)	Eden Ottley
Accountable Officer(s)	Eden Ottley

Purpose of proposal	To seek to establish the principle for the sale of the Council's freehold or long leasehold (250 years) interest in identified surplus land to Registered Housing Providers and/or Developer Partners
Data sources	Consultation Results; 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; Employees; Wider Community
Age details:	<p>The sales will not have a negative impact on the grounds of age due to the fact any sale will have to be to an individual of an adult age.</p> <p>With regard to the sale of assets the officers engaged will be qualified chartered surveyors and of an age where there are no negative impacts.</p>
Protected characteristic: Disability	Service Users / Stakeholders; Employees; Wider Community
Disability details:	<p>The sales will not have a negative impact on the grounds of disability. However, subject to future use the purchaser/new owner would be responsible for any access to work obligations.</p> <p>With regard to the sale of assets any officers with a known disability will be supported to ensure all appropriate actions are taken to enable them to undertake their duties safely and securely.</p>
Protected characteristic: Sex	Service Users / Stakeholders; Employees; Wider Community
Gender details:	<p>The sales will not be conducted on the basis of gender and will be via the open market tender. Therefore, there are no negative impacts in relation to this protected characteristic.</p> <p>The sale of assets will be undertaken by the most appropriate officers based on experience,</p>

capacity and time, not the gender of available officers.

Protected characteristics: Gender Reassignment

Service Users / Stakeholders; Employees; Wider Community

Gender reassignment details:

The sales will not be conducted on the basis of gender reassignment and will be via open market tender. Therefore, there are no negative impacts in relation to this protected characteristic

The sale of assets will be undertaken by the most appropriate officers based on experience, capacity and time, not the gender reassignment of available officers.

Protected characteristics: Marriage and Civil Partnership

Service Users/ Stakeholders; Employees; Wider Community

Marriage and civil partnership details:

There are no known conditions for which these assets will be disposed of in the context of marital status. The sales will be by open market tender. Therefore there are no negative impacts or implications for this characteristic.

The marital status of officers involved in the sale of assets will not be a criteria consideration. Sales will be undertaken by the most appropriate officers based on experience, capacity and time.

Protected characteristics: Pregnancy and Maternity

Service Users / Stakeholders; Employees; Wider Community

Pregnancy and maternity details:

There are no criteria which exclude pregnant individuals. The sales will be by open market tender. By implication there will be no negative impact on the grounds pregnancy or purchasers and/ or officers involved in the sale of assets.

Protected characteristics: Race

Service Users / Stakeholders; Employees; Wider Community

Race details:

The sales will be by open market tender and will not be conducted on the basis of race. Therefore,

there are no negative impacts in relation to this protected characteristic.

The sale of assets will be undertaken by the most appropriate officers based on experience, capacity and time, not the race of available officers.

All assets will be available to members of the community based on the criteria associated to respective assets.

Protected characteristics: Religion or Beliefs

Service Users / Stakeholders; Employees; Wider Community

Religion or beliefs details:

The sales will be by open market tender and will not be conducted on the basis of religion. Therefore, there are no negative impacts in relation to this protected characteristic.

The sale of assets will be undertaken by the most appropriate officers based on experience, capacity and time, not their religion of available officers.

All assets will be available to members of the community based on the criteria associated to respective assets.

Protected characteristics: Sexual Orientation

Service Users / Stakeholders; Employees; Wider Community

Sexual orientation details:

The sales will be by open market tender and will not be conducted on the basis of sexual orientation.

Therefore, there are no negative impacts in relation to this protected characteristic.

The sexual orientation status of officers involved in the sale of assets will not be a criteria consideration. Sales will be undertaken by the most appropriate officers based on experience, capacity and time.

Socio-economic impacts

Please indicate any actions arising from completing this screening exercise.

Please indicate whether a full impact assessment is recommended	NO
What data has been collected to facilitate the assessment of this policy/proposal?	
Consultation analysis	
Adverse impact on any people with protected characteristics.	
Could the policy/proposal be modified to reduce or eliminate any adverse impact?	
How will the effect(s) of this policy/proposal on equality be monitored?	
What data is required in the future?	
Are there any adverse impacts on any particular group(s)	No
If yes, please explain your reasons for going ahead.	
Initial equality impact assessment of your proposal	<p>The delivery of affordable homes on the identified sites, will assist the city in meeting its housing target (as detailed in BDP Policy PG1) of 51,100 additional homes, including approximately 19,400 affordable dwellings over the BDP period (2011 to 2031).</p> <p>To seek to establish the principle for the sale of the Council's freehold or long leasehold (250 years) interest in identified surplus land, Registered Housing Providers and / or Developer Partners to deliver affordable housing.</p> <p>To facilitate the sale of the identified assets officers have undertaken their due diligence in addressing the 9 protected characteristics, in the context of selling the known sites and found at this stage of the sale process there are no negative impacts which will adversely affect a sale.</p>
Consulted People or Groups	
Informed People or Groups	
Summary and evidence of findings from your EIA	<p>The Leader of the Council and the Cabinet Member for Housing and Homelessness have been consulted and are supportive of the recommendations of this report.</p> <p>Relevant officers from Investment & Valuations, Housing Delivery, Finance and Legal Services have been consulted in respect of the</p>

preparation and are supportive of the recommendations of this report.

All relevant Ward Members have been consulted and their comments recorded. The Property Investment Board comprising officers from Property Services, Finance and Legal recommends proceeding with the transaction.

The proposed land sales programme will generate capital receipts to support the Financial Plan 2021-2025 by generating resources and thus helping to achieve a balanced budget.

The sites listed have been identified as assets the City Council should consider disposing to promote investment and growth.

To facilitate the sale of the identified assets officers have undertaken their due diligence in addressing the 9 protected characteristics, in the context of selling the known sites and found at this stage of the sale process there are no negative impacts which will adversely affect a sale.

Having reviewed all protected characteristics, it has been determined there are no issues which impact negatively on any members of the community and therefore a full equality assessment is not required.

QUALITY CONTROL 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
Decision by Accountable Officer	Approve
Date approved / rejected by the Accountable Officer	17/01/2023