



29 October 2020

CABINET – 9 NOVEMBER 2020

A meeting of Cabinet will be held at 5.30pm on Monday 9 November 2020 via Microsoft Teams.

Members of the public may view the meeting via the livestream available on the Council's website.

Mannie Ketley
Executive Director

A G E N D A PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 7 September 2020.

2. Apologies.

To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

Note: Members are reminded that they should declare the existence and nature of their interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a prejudicial interest, the Member must withdraw from the room unless one of the exceptions applies.

Membership of Warwickshire County Council or any Parish Council is classed as a non-pecuniary interest under the Code of Conduct. A Member does not need to declare this interest unless the Member chooses to speak on a matter relating to their membership. If the Member does not wish to speak on the matter, the Member may still vote on the matter without making a declaration.

4. Question Time.

Notice of questions from the public should be delivered in writing, by fax or e-mail to the Executive Director at least three clear working days prior to the meeting (no later than Tuesday 3 November 2020).

Growth and Investment Portfolio

- 5. Draft Housing Needs Supplementary Planning Document (SPD) 2020 - Public Consultation.
- 6. Rugby Borough Council response to the 'Planning for the Future (PFTF)' White Paper consultation.

Corporate Resources Portfolio

- 7. Finance and Performance Monitoring 2020/21 – Quarter 2.

Communities and Homes Portfolio

Nothing to report to this meeting.

Environment and Public Realm Portfolio

Nothing to report to this meeting.

The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report

- 8. Civic Honours – amendment to criteria.
- 9. Appointments to Outside Bodies – Miscellaneous Appointments.
- 10. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972.

To consider the following resolution:

“under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of information defined in paragraphs 1 and 3 of Schedule 12A of the Act.”

PART 2 – EXEMPT INFORMATION

Growth and Investment Portfolio

Nothing to report to this meeting.

Corporate Resources Portfolio

- 1. Rounds Gardens: Acquisition of Land interests by Compulsory Purchase Order.

Communities and Homes Portfolio

- 2. Future Plans for the Trailblazing Project.

Environment and Public Realm Portfolio

Nothing to report to this meeting.

The following item contains reports which are to be considered en bloc subject to any Portfolio Holder requesting discussion of an individual report

3. Write Offs.

Any additional papers for this meeting can be accessed via the website.

The Reports of Officers are attached.

Membership of Cabinet:

Councillors Lowe (Chairman), Mrs Crane, Poole, Roberts, Ms Robbins and Mrs Simpson-Vince.

CALL- IN PROCEDURES

Publication of the decisions made at this meeting will normally be within three working days of the decision. Each decision will come into force at the expiry of five working days after its publication. This does not apply to decisions made to take immediate effect. Call-in procedures are set out in detail in Standing Order 15 of Part 3c of the Constitution.

If you have any general queries with regard to this agenda please contact Claire Waleczek, Democratic Services Team Leader (01788 533524 or e-mail claire.waleczek@rugby.gov.uk). Any specific queries concerning reports should be directed to the listed contact officer.

AGENDA MANAGEMENT SHEET

Report Title: Draft Housing Needs SPD 2020- Public Consultation

Name of Committee: Cabinet

Date of Meeting: 9 November 2020

Report Director: Head of Growth and Investment

Portfolio: Growth and Investment

Ward Relevance: All

Prior Consultation: None

Contact Officer: Ruari Mckee

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

Protect the public (EPR)

- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background: SPDs are planning documents which, once adopted, do not form part of the Development Plan but sit beneath the Local Plan. Their purpose is to provide additional detail and information to help guide comprehensive development. They are material considerations in the assessment of planning applications. This SPD will primarily support Local Plan policies H1- H6.

Summary: This draft version of the Housing Needs SPD requires a six-week public consultation after which representations will be considered and a final version of the document will be produced.

Financial Implications: There are no financial implications arising from this report.

Risk Management Implications: If the SPD is delayed or not produced at all, then it cannot be used to inform development. Furthermore, following adoption there is a risk of officers approving decisions which are inconsistent with the SPD. These risks will be actively managed through the Council's established processes.

Environmental Implications: None arising directly from this report.

Legal Implications: Set out within the body of this report.

Equality and Diversity: An Equality Impact Assessment on this document was undertaken on 9th September 2020 and will be reviewed prior to adoption. This is appended to the draft SPD.

Options: 1.The Draft Housing Needs Supplementary Planning Document (SPD) 2020 be approved for a six-week public consultation .

Risks: None

Benefits: The consultation is required by the regulations and is the next step toward adoption of the document.

2. The Draft Housing Needs SPD is not approved for consultation.

Risks: The document is delayed or not produced at all and cannot be used to inform development.

Benefits: None

Recommendation:

(1) The Draft Housing Needs Supplementary Planning Document (SPD) be approved for a six-week public consultation; and

(2) delegated authority be given to the Head of Growth and Investment to make any non-material amendments necessary.

Reasons for Recommendation:

This will allow the document to progress toward adoption stage. Once adopted the document will be meeting the Local Plan objective to have a Housing Needs SPD and assist in delivering housing, in particular affordable housing.

Cabinet - 9 November 2020

Draft Housing Needs SPD 2020- Public Consultation

Public Report of the Head of Growth and Investment

Recommendation

(1) The Draft Housing Needs Supplementary Planning Document (SPD) be approved for a six-week public consultation; and

(2) delegated authority be given to the Head of Growth and Investment to make any non-material amendments necessary.

1. INTRODUCTION

1.1 Supplementary Planning Documents (SPD) are produced by Local Planning Authorities (LPAs) to provide additional guidance to support the implementation of Local Plan policies. SPDs can provide details regarding environmental, social, design and economic objectives which are relevant to the development and use of land as indicated in a Local Plan. SPDs are material considerations in planning decisions but are not part of the development plan.

1.2 There have been further updates to national Planning Practice Guidance in terms of the scope of what can be included within SPDs. This confirms that SPDs cannot introduce new policy. Specifically, there has been further guidance which states that “It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination.” The Council has considered the amendments made to the national Planning Practice Guidance. The Council have sought legal advice to consider the implications of these changes. The scope of this Housing Needs SPD has been carefully considered to reflect that guidance.

1.3 SPDs must be prepared in accordance with the Council’s Local Development Scheme (LDS) (section 19(1) of the Planning and Compulsory Purchase Act 2004) and the Council’s Statement of Community Involvement (SCI) (section 19(3) of the Planning and Compulsory Purchase Act 2004).

1.4 Before the Council can adopt an SPD, the SPD must be subject to a period of public consultation, the requirements of which are governed by a combination of statutory requirements and documents which have already been prepared and adopted by the Council.

1.5 The requirements for consultation on SPDs are set out in Regulations 11 to 16 of the Town and Country Planning Regulations 2012 and the National Planning Policy Framework 2019. Regulation 12b of the Town and Country Planning Regulations 2012

requires a minimum period of 4 weeks for representations to be made. Subject to Cabinet approval, the consultation is currently anticipated to run for a six-week period between 10th November to 22nd December. This SPD has been prepared in accordance with relevant regulations and the Council's Statement of Community Involvement 2019. The SCI is a document which sets out the Council's policy for consulting and engaging with individuals, communities and other stakeholders for a range of planning.

1.6 The proposed public consultation will involve members, statutory consultees and stakeholders who have 'opted in' to the Development Strategy consultation database. Consultation responses will be considered and changes made to the SPD as necessary. All responses will be summarised and a summary document produced for Cabinet to consider, prior to Cabinet being asked to adopt the updated SPD. When finalised and endorsed by Cabinet the document will replace the current Housing Needs SPD 2012.

2. Background

2.1 The Rugby Borough Council Local Plan 2011-2031 (adopted June 2019) (the "Local Plan") in Policy DS1 commits the Council to providing 12,400 dwellings and 208 hectares of employment land over the plan period - 2011-2031. The Council is updating all of its Supplementary Planning Documents (SPDs) to reflect the adoption of the Rugby Borough Local Plan. This SPD replaces the Rugby Borough Council Housing Needs SPD 2012.

2.2 There are two significant changes between the Housing Needs SPD 2012 and this 2020 version. Firstly, the Rugby Borough Local Plan has abolished the requirement for 'local needs surveys' introduced in the 2011 Core Strategy. Please note, however, that local housing needs surveys may be needed under certain circumstances such as demonstrating housing need for rural exception sites. Secondly, key elements of the 2012 Housing Needs SPD relating to affordable housing negotiations have now been incorporated into the Rugby Borough Local Plan.

2.3 The Draft Housing Needs SPD 2020 is therefore significantly different to the 2012 Housing Needs SPD it replaces. The purpose of the Draft Housing Needs SPD 2020 is to provide details not included in the Rugby Borough Local Plan to assist the implementation of Rugby Local Plan Policies H1-H6. Five key areas of detail this SPD covers are mechanisms for delivering affordable housing, identifying design best practice in the delivery of affordable housing, elaborating on criteria for rural exception sites, providing details such as design guidance on specialist housing and outlining the Councils approach to self-build and custom housebuilding.

3. Conclusion

3.1 The Council is updating all of its Supplementary Planning Documents (SPDs) to reflect the adoption of the Rugby Borough Local Plan. This SPD replaces the Rugby Borough Council Housing Needs SPD 2012. Approval of the Draft Housing Needs SPD for public consultation will enable formal engagement with all relevant stakeholders. The responses to the consultation will be collated and summarised into a formal document for Council to consider prior to adopting the Draft Housing Needs SPD 2020. It is anticipated this will be towards the end of 2020.

Name of Meeting: Cabinet

Date of Meeting: 9 November 2020

Subject Matter: Draft Housing Needs SPD 2020- Public Consultation

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY **YES** **NO**

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink
1	Housing Needs SPD 2012 https://www.rugby.gov.uk/downloads/download/93/housing_needs_-_supplementary_planning_document?oldUrl=/downloads/download/2398/housing_needs_spd

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A



Rugby Borough Council
Draft Housing Needs
Supplementary Planning Document
Consultation Version

November 2020

Contents

1. What is an SPD?.....	P03
2. Introduction.....	P05
3. Delivery.....	P08
4. Design.....	P10
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7. Self-build and custom housebuilding.....	P22

Chapter 1. What is an SPD?

Purpose of this SPD

1.1 Supplementary Planning Documents (SPD) are produced by Local Planning Authorities (LPAs) to provide additional guidance to support the implementation of Local Plan policies. SPDs can provide details regarding environmental, social, design and economic objectives which are relevant to the development and use of land as indicated in a Local Plan. SPDs are material considerations in planning decisions but are not part of the development plan.

1.2 The requirements for producing SPDs are set out in Regulations 11 to 16 of the Town and Country Planning Regulations 2012 and the National Planning Policy Framework 2019. This SPD has been prepared in accordance with these regulations and the Council's Statement of Community Involvement 2019.

1.3 There have been further updates to national Planning Practice Guidance in terms of the scope of what can be included within SPDs. This confirms that SPDs cannot introduce new policy. Specifically, there has been further guidance which states that "It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination." The Council has considered the amendments made to the national Planning Practice Guidance. The Council have sought legal advice to consider the implications of these changes. The scope of this document has been carefully considered to reflect that guidance.

Objectives of this SPD

1.4 This SPD seeks to:

- Assist the implementation of Rugby Borough Local Plan Policies H1-H6
- Provide detail to assist planning decisions to ensure the housing delivery targets in the Local Plan are met
- Complement other SPDs such as the Sustainable Design and Construction SPD and Planning Obligations SPD
- Provide further details on affordable housing delivery mechanisms such as off-site contributions
- Identify principles of best practice in the design of affordable housing
- Detail the circumstances under which rural exception sites may be acceptable
- Provide further details on specialist housing and matters such as affordable housing contributions
- Provide clarity on the emerging area of self-build and custom housebuilding

Public consultation

1.5 In accordance with the 2012 Town and Country Planning Act and the Council's 2019 Statement of Community Involvement, this SPD will be subject to a 6 week public consultation. The consultation will run between November 2020 and December 2020.

1.6 The SCI was updated and adopted in 2019. It sets out who the Council will engage with on the preparation of planning documents, how and when they will be engaged. This includes a minimum consultation period of four weeks and sets out the process for adoption of the document. In light of the coronavirus pandemic the Government has introduced new temporary Planning Practice Guidance

to ensure planning consultations are still able to run effectively and are safe and adhere to current Government guidance on social distancing and other measures. On 25th August 2020, in response to the Government's revised guidelines, the Council adopted Supplementary Guidance to the SCI. This consultation will be undertaken in accordance with the adopted SCI and the Supplementary Guidance to the SCI.

1.7 This consultation will be undertaken in compliance with the Council's privacy statement, which is available to view here:

https://www.rugby.gov.uk/downloads/download/189/statement_of_community_involvement

Consultation responses can be sent to:

localplan@rugby.gov.uk or by post to:

Development Strategy

Rugby Borough Council

Town Hall

Evreux Way

CV21 2RR

Consultation responses must be received by 5pm on TBC. If you have any questions about the SPD or the consultation, please contact: localplan@rugby.gov.uk

1.8 Following the close of the consultation, a summary of responses document will be produced and made available online, in line with the Statement of Community Involvement.

Sustainability Appraisal and Habitats Regulations

1.9 A Sustainability Appraisal (SA) was undertaken for the Rugby Borough Local Plan 2019 and is available to view here:

https://www.rugby.gov.uk/downloads/download/227/sustainability_appraisal

1.10 A Strategic Environmental Assessment (SEA) Screening Opinion and Habitats Regulation Screening will be undertaken for this SPD. The consultation bodies will be consulted during the main SPD consultation.

Equalities Impact Assessment

1.11 An Equalities Impact Assessment was undertaken for this SPD. Copies are available to view online here: TBC (link to be confirmed after agreement to consult on SPD).

Chapter 2: Introduction

National Planning Policy Framework (NPPF)

2.1 National planning policy is set by the National Planning Policy Framework (NPPF). The NPPF places a general presumption in favour of sustainable development, stressing the importance of local development plans. The NPPF is supported by the Planning Practice Guidance (PPG). The NPPF (2012) was revised in February 2019. The current NPPF defines affordable housing as:

2.2 “Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

a) Affordable housing for rent: meets all of the following conditions: **(a)** the rent is set in accordance with the Government’s rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); **(b)** the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and **(c)** it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).

b) Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan preparation or decision-making. Where secondary legislation has the effect of limiting a household’s eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.

c) Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.

d) Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low-cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision or refunded to Government or the relevant authority specified in the funding agreement.” (NPPF, 2019).

Interpretation of affordable housing definitions

2.3 ‘Affordable housing’ consists of specific housing products separate from market housing. ‘Affordability’ means how affordable housing is in relation to incomes. This is a key distinction.

Rugby Borough Local Plan 2011-2031

2.4 The Rugby Borough Local Plan 2011-2031 was adopted in June 2019. The Planning Inspector’s report into the Rugby Borough Local Plan can be viewed below:

https://www.rugby.gov.uk/downloads/file/2260/planning_inspectors_report_on_the_rugby_borough_local_plan_2011-2031

Contextual overview of Rugby Borough

2.5 Rugby Borough's overall population remained steady between 1980-2001 but between 2001-2011 the population increased significantly by 14.8% to around 100,496 (Nomis, 2015). The projected population increase between 2011 and 2031 is expected to be 15.5%, which would bring the population to around 115,236 (Nomis 2015).

2.6 The average household size within the Borough of Rugby is 2.4 persons. Proportionally the number of households has risen faster than the population, which is partly due to over a quarter (28.1%) of Rugby's households being occupied by a single person

2.7 Across Warwickshire as a whole, the highest rates of projected population growth are in the groups aged 65 and over. The eldest age group (those aged 85 and over) is projected to increase by over 190% by 2035. Housing provision within Rugby Borough will need to take account of the effects of an ageing population, with a need to focus on the provision of the type of housing to respond to this changing demographic. The NPPF acknowledges this trend, which is a national issue and makes specific requirements on Local Plans to address this problem through the provision of different forms of supported housing.

Strategic Housing Market Assessment (SHMA)

2.8 The Coventry and Warwickshire Joint Strategic Housing Needs Assessment (SHMA) September 2015 identifies that affordability is a challenge within Rugby Borough, as well as the wider Housing Market Area (HMA).

https://www.rugby.gov.uk/downloads/download/189/statement_of_community_involvement

2.9 The SHMA analysed the existing housing stock, supply trends and the housing market in Rugby Borough. This determined that Rugby Borough's housing offer is fairly balanced in term of housing types and sizes. When considered against Objectively Assessed Need, the SHMA identifies that there should be a focus on two and three bedroom properties.

Local Plan Allocations

2.10 The Rugby Borough Local Plan 2019 makes provision for 12,400 additional homes, including 2,800 dwellings to contribute to meeting Coventry's unmet needs. The RBLP expects an annualised delivery rate of 663 dwellings per annum. The RBLP has 12 allocations across the Rugby Urban Area and Main Rural Settlements, including 2 allocations previously allocated under the 2011 Core Strategy.

Housing Needs SPD 2012

2.11 The Council is updating all of its Supplementary Planning Documents (SPDs) to reflect the adoption of the Rugby Borough Local Plan. This SPD replaces the Rugby Borough Council Housing Needs SPD 2012.

2.12 There are two significant changes between the Housing Needs SPD 2012 and this 2020 version.

Firstly, the Rugby Borough Local Plan has abolished the requirement for 'local needs surveys' introduced in the 2011 Core Strategy. Please note, however, that local housing needs surveys may be needed under certain circumstances such as demonstrating housing need for rural exception sites.

Secondly, key elements of the Housing Needs SPD 2012 relating to affordable housing negotiations have now been incorporated into the Rugby Borough Local Plan. The purpose of this SPD is, therefore, to provide details not included in the Rugby Borough Local Plan to assist the implementation of policy and provide additional guidance on specialist housing and self and custom housebuilding.

Local Plan Policy Summaries

2.13

Policy H1 (informing housing mix) guides the housing mix for market housing proposals and is informed by the Strategic Housing Market Assessment (SHMA). Policy H1 outlines the circumstance whereby the Council will consider an alternative mix. Sustainable Urban Extensions will be expected to provide opportunities for self-build and custom build as part of the mix and type of development.

Policy H2 (affordable housing provision) provides details on the mix and type of homes expected for affordable housing delivery, including on different types of sites. Policy H2 outlines viability evidence that would be required to attempt to justify reduced levels of affordable housing. The policy requires appropriate integration of affordable and market housing to create mixed communities.

Policy H3 (housing for rural businesses) outlines criteria for identifying need for agricultural workers' dwellings, appropriate sizes for proposed dwellings and conditions attached to any planning approval.

Policy H4 (rural exception sites) defines the circumstances surrounding need, location and management where planning applications for rural exception sites may be considered.

Policy H5 (replacement dwellings) will not be considered by this SPD as this is considered a matter relating to Development Management practice.

Policy H6 (specialist housing) provides detail on the definitions, appropriate location and delivery of specialist housing, including affordable housing provision.

Chapter 3. Mechanisms for affordable housing delivery

Phasing the delivery of affordable homes

3.1 Local Plan Para 5.21 states: “...The methodology of the SHMA will be repeated at regular intervals in order to test the continuing appropriateness of Policy H2 and the Housing Needs SPD. Where variance of the detail included within that SPD is found to be necessary, an updated Housing Needs SPD will be produced in order to ensure that the Council’s approach to delivering affordable housing remains appropriate throughout the plan period.”

3.2 Section 106 agreements may include reference to the delivery of affordable housing in phases to ensure mixed, socially cohesive communities from the start of a larger development. The layout of such schemes should enable this phasing so that affordable and market dwellings can be delivered at the same time. As an example, the Council may expect:

- No more than 50% of open market dwellings should be occupied prior to completion of 50% of the affordable homes
- No more than 75% of open market dwellings should be occupied prior to completion of 100% of the affordable homes

3.3 It is recommended that developers engage with Registered Providers to secure agreement on the delivery of suitable infrastructure provision prior to the occupation of dwellings.

3.4 The financial viability of development proposals may change over time due to the prevailing economic climate, including changing property values and construction costs. In all cases, therefore, where the Council have agreed to any reduction below the levels of affordable housing required to comply with the relevant Local Plan policies, the Council may require a viability review of the relevant development with an updated viability assessment to be provided at appropriate intervals to determine whether greater or full compliance with the Local Plan policy requirements can be achieved throughout the carrying out of the relevant development.

Rounding up affordable housing provision

3.5 Affordable housing provision can result in a fraction of a unit remaining. In respect of that fraction of a unit, the Council may seek to round the affordable housing provision up to the provision of the next whole unit. Alternatively, the Council could seek an off-site contribution in relation to that fraction of a unit. Where sought, this would be calculated as a percentage. As an example, 0.6 of a unit would be eligible to pay 60% of the off-site tariff for a single unit

Calculating off-site affordable housing contributions

3.6 Policy H2 identifies that: “Affordable housing should be provided on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified, and the agreed approach contributes to the objective of creating mixed and balanced communities.”

3.7 The Local Plan defines the formula for calculating off site provision. The process for calculating the figures within the formula is as follows:

Total number of affordable dwellings
(Calculated with reference to the requirements of Policy H2)

Build cost of the required dwellings

(Build costs will be determined in line with the contents of the Rugby Borough Council Local Plan Viability Assessment. The build costs include proposed dwellings and the wider site e.g. landscaping costs)

Land cost

(The amount an applicant would have to pay a landowner/developer to develop their affordable dwellings on another site i.e. off site. This will be based on the most up-to-date market information)

The amount equivalent to that which would be payable by a registered provider

(This information can be sought directly through discussions with registered providers. Where this is not possible, an estimated cost based on available evidence may be provided.)

Planning Obligations SPD

3.8 This chapter should be read in conjunction with the Planning Obligations SPD.

Chapter 4. Design

Purpose

4.1 The primary source of design guidance is the Rugby Borough Council Sustainable Design and Construction SPD. The purpose of this chapter is to complement that SPD with a specific focus on providing detail on best practice in the design of affordable housing. This is to help improve design standards.

National Policy

4.2 National Planning Policy Framework Chapter 12- Achieving well-designed places- concerns design. Paragraph 124 states that:

“The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this...” (NPPF, 2019).

4.3 ‘Building for Life 12’, as referenced in the NPPF, will be used in the assessment of planning applications and it is advised that applicants use this to help inform layout and design.

Rugby Borough Local Plan Policy H2

4.7 Local Plan Policy H2 states “Development should provide for the appropriate integration of affordable and market housing in order to achieve an inclusive and mixed community. Affordable housing should be provided on-site unless off-site provision or an appropriate financial contribution in lieu can be robustly justified, and the agreed approach contributes to the objective of creating mixed and balanced communities.”

4.8 Policy H2 should be read alongside Local Plan design Policy SDC1.

4.9 Consultation with Registered Providers (RP’s) on their design requirements is recommended at the earliest possible opportunity.

Integrating affordable and market housing

4.10 Residents’ of affordable homes should not be disadvantaged by poor design. Poorly designed dwellings that are too small risk overcrowding, which could be damaging to residents health and quality of life. Inclusive, mixed communities can be achieved by following principles of ‘tenure blind’ development:

Clustering

4.11 Affordable housing should not be clustered together within one location within a site, unless the site is only looking to provide affordable housing. Affordable housing should be appropriately distributed throughout a site. Access arrangements should be shared between affordable and market homes- affordable homes should not have segregated entrances.

4.12 The clustering together of affordable homes should be proportionate to the size of a development. National best practice suggests that no more than around 10 affordable dwellings should be grouped together, although this is informed by a development's size, densities and site constraints/opportunities. The exception to this would be when a site comes forward providing only affordable homes. Engaging Development Management through the pre-application process will inform the layout for individual sites. Engagement with Strategic Housing to inform the design process is also recommended.

Scale

4.13 Individual block sizes will be determined by a development's site characteristics and the prevailing design character. Affordable homes that are at a significantly higher density than the equivalent market housing would not be acceptable. Equally, affordable housing that is significantly smaller than the equivalent market housing would be considered to be out of scale with a wider development.

4.14 Private amenity space for affordable housing should provide reasonable outdoor space in proportion with comparable market dwellings on site. Access arrangements should be shared between affordable and market homes- affordable homes should not have segregated entrances. Engagement with Development Management can assist in guiding appropriate amenity space size.

Materials

4.15 The bricks, tiles and windows/doors of affordable and market housing should be indistinguishable.

Landscape

4.16 Landscaping for affordable dwellings should be appropriate for the context of a site. Landscaping- hard and soft- should be broadly consistent between market and affordable housing. Communal areas should be designed to the highest standard.

4.17 Maintenance considerations of communal space fall outside of the scope of Planning, although discussion with the Strategic Housing Team and Registered Providers on maintenance requirements is advised to achieve the best scheme possible.

Further Design Guidance

4.18 Design guidance evolves over time. There are a number of detailed documents that go beyond the requirements of the Rugby Borough Local Plan and Sustainable Design and Construction SPD. It is the Council's expectation that all development in Rugby Borough is of the highest quality.

4.19 Whilst the Council does not require reference to any further guidance, the Council would expect development proposals to be in broad conformity with national best practice as, even where the Council has not adopted a particular standard, there is no justification for developments' proposals that fall below national best practice in Rugby Borough.

4.20 Below is the current list of design guidance at the time of writing. Please note that this is not exhaustive and will be subject to change over time.

National Design Guidance

4.21 National Design Guidance was published in October 2019. The guidance states that:

“The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This design guide, the National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government’s collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.”

4.22 The guide is available to view below.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843468/National_Design_Guide.pdf

4.23 Please note these guidelines may be subject to change over time. The Council expects planning applications to adhere to any national statutory design guidance and would advise that proposed developments meet or exceed non-statutory design guidance.

National Space Standards

4.24 Poorly designed dwellings that are too small risk overcrowding, which could be damaging to occupants’ health and quality of life. Rugby Borough Council has not currently adopted National Space Standards. To adopt the standards in the future, the Council would need to develop the appropriate supporting evidence base, including Local Plan viability testing. The size of recently completed dwellings would need to be assessed to determine how many completed dwellings fall below the standards. This is currently being kept under review and could be adopted in the next Local Plan.

4.25 Even without adopted space standards, small room sizes may be considered to constitute poor quality design by Development Management under Policy SDC1. Developers should note that registered providers and organisations such as Homes England may have requirements for new affordable homes to meet National Space Standards. It is advisable for developers to engage with RPs and the Council’s Strategic Housing Team prior to submitting a planning application to discuss this.

Climate change

4.26 Rugby Borough Council declared a climate change emergency on 18th July 2019. A cross party working group is to establish a series of recommendations to make the Council’s activities carbon neutral by 2030. Where possible, affordable housing would be expected to include measures to create sustainable, carbon neutral dwellings and affordable housing will be expected to be in conformity with Local Plan policies concerning climate change, as detailed below:

Policy SDC4: All new dwellings shall meet the Building Regulations requirement of 110 litres of water/person/day unless it can be demonstrated that it is financially unviable. In meeting the carbon reduction targets set out in the Building Regulations and BREEAM standards the Council will expect development to be designed in accordance with the following energy hierarchy:

- Reduce energy demand through energy efficiency measures; then
- Supply energy through efficient means (i.e. low carbon technologies); then
- Utilise renewable energy generation

Policy SDC6: Sustainable Drainage Systems (SuDS) are required in all major developments and all development in flood zones 2 and 3.

Chapter 5: Rural Housing

5.1 Policy GP2 (Settlement Hierarchy) of the Rugby Borough Local Plan enables the development of dwelling within the boundary of Main Rural Settlements and Rural Villages. Therefore, the primary focus of this chapter will be supporting the implementation of rural exception sites as this route would be expected to provide the majority of additional rural housing.

Defining Rural Exception Sites

5.2 A Rural Exception Site provides small scale affordable housing on sites outside of a defined settlement boundary. Rural exception sites are not a mechanism to promote sites which would not otherwise be developed. A Rural Exception Site is subject to strict criteria about how it can come forward and how it can be managed. Parish Council and community support is important for a Rural Exception Site to come forward.

5.3 A clause in the Section 106 agreement may be sought to seek to retain the affordable housing in perpetuity and require owners and/or occupiers to have a local connection to the community. Exceptions to this requirement may include where a proposed dwelling is being offered on a shared ownership basis, subject to any other statutory or policy considerations for example Designated Protected Areas.

NPPF

5.4 NPPF Paragraph 77 states:

“In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.” (NPPF, 2019).

Policy H4

5.5 The development of affordable housing that meets the needs of local people will be permitted as a Rural Exception Site adjacent to defined rural settlement boundaries, where development is normally resisted, if all of the following criteria are met:

- It is clearly demonstrated that there is a local need for affordable housing which outweighs other policy considerations;
- It is demonstrated no suitable alternative sites exist within the defined settlement boundary; and
- Developments do not have an adverse impact on the character and/or appearance of settlements, their setting or the surrounding countryside.

5.6 In all cases arrangements for the management and occupation of dwellings must be made to ensure that all dwellings provided will, and will remain available for, occupancy by eligible local people at an affordable cost and at a range of tenures, both initially and in perpetuity.

5.7 In some circumstances a small proportion of open market housing may be allowed where it can be shown that the scheme will deliver significant affordable housing and viability is a key constraint.

Local Need

5.8 The starting point for a Rural Exception Site is understanding local need. Where evidence of potential unmet needs emerges from the Neighbourhood Plan process, the Parish Council should engage the Borough Councils Strategic Housing Team who have the latest information on the number of local people on the housing waiting list. If the Strategic Housing Team confirms potential need, the Parish may choose to commission a Local Housing Needs Survey. This will identify the number, tenure and type of affordable housing required. A Registered Provider can also commission a Local Housing Needs Survey.

5.9 It is expected that such surveys would be complete with a time horizon of 5 years. In order to ensure a survey remains up to date, it should be reviewed regularly and at least once in the five year time horizon. A Local Housing Needs questionnaire should be issued to each household in the Parish for completion and return. The analysis of the needs survey should be carried out in confidence by an independent organisation.

5.10 If a need is identified, the Parish Council's role is to take responsibility for exploring options to meet that need. The Parish Council should engage with landowners to identify potential development sites. The Parish Council- together with other key stakeholders such as the Borough Council and local Housing Associations- should organise public engagement on the assessment and selection of sites.

5.11 The Parish Council, Borough Council and Housing Association should play an active role in the design and delivery of the proposed development.

Alternative Sites

5.12 Rural exception sites concern sites which are not allocated in a Local Plan and would not normally gain planning permission. The site selection process for a rural exception site must be clear, use robust methodology and be thorough.

5.13 All reasonable alternative sites will have had to have been considered. If this cannot be robustly proven, then a rural exception site application may fail. A site selection using a comparably robust methodology to the Rugby Borough Local Plan SHLAA would be expected. The SHLAA can be viewed below:

https://www.rugby.gov.uk/downloads/download/30/strategic_housing_land_availability_assessment

Spatial relationship to existing settlements

5.14 A rural exception site should be compliant with all the policies in the Rugby Borough Local Plan. The potential landscape impact of proposals is of critical importance given that Rural Exception Sites would be located on the edge of a settlement.

5.15 Policy NE3 seeks to ensure that significant landscape features are protected and enhanced and that landscape design is a key component in the design of new development. Planning applications will be required to submit a landscape analysis and management plan in appropriate cases

Delivery and Management

5.16 Rural Exception Sites would be owned and managed by a Registered Provider (RP). Any Planning Application submitted should be in partnership with the RP.

5.17 Where alternative responsible bodies such as a Community Land Trust (CLT) are proposed, details of management arrangements and contingencies should be provided to ensure that the housing remains affordable in perpetuity. This should be similar to where the site is being brought forward by an RP.

5.18 The mechanism for allocating the dwellings will be specified in the S106 Agreement. This will prioritise housing applicants with a local connection in the first instance and will be agreed between the Local Authority and the Parish Council. Conditions will be attached to any planning permission granted, stipulating that the housing units remain affordable in perpetuity.

Cross -subsidy

5.19 The inclusion of market dwellings would not be supported unless it can be proven that an element of market housing is needed to make delivering affordable housing financially viable. Cross-subsidy can only be to support the delivery of affordable housing, not allow sites which otherwise would not be developed to come forward. A detailed and transparent viability assessment would be submitted in support of any such planning application. Any mixed applications would still require affordable housing units to comprise the vast majority of units to be considered a rural exception site.

5.20 Robust evidence demonstrating that a number of alternative site options that do not contain any cross-subsidy were considered would need to be submitted for assessment. If the Council is not convinced that the alternative sites are not suitable, the site cannot come forward for cross-subsidy. The need for the market housing in terms of number and type would need to be carefully evidenced through the Local Needs Survey. Any evidence provided may be subject to independent assessment (e.g. by the District Valuer Service or equivalent).

Entry Level Sites

5. 21 NPPF Paragraph 71:

“Local planning authorities should support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the authority’s area. These sites should be on land which is not already allocated for housing and should:

- a) comprise entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of this Framework; and
- b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in this Framework, and comply with any local design policies and standards.”

Chapter 6: Specialist Housing

Defining specialist housing

6.1 Specialist housing is purpose-built housing catering to the needs of a group with specific housing needs, such as older people and people with disabilities. Housing requirements for older people may share similar characteristics as housing for people with disabilities. The same guidance may also be applicable to groups with a range of other needs, such as younger people.

National Policy

6.2 Chapter 5 of the NPPF- 'delivering a sufficient supply of homes'- outlines the Government objective of boosting the supply of homes, this includes ensuring the needs of groups with specific housing requirements are addressed.

NPPF Paragraph 59: "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."

NPPF Paragraph 61: "...the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)."

NPPF Paragraph 64: "Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development: a) provides solely for Build to Rent homes; b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students); c) is proposed to be developed by people who wish to build or commission their own homes; or d) is exclusively for affordable housing, an entry-level exception site or a rural exception site."

6.3 With respect to older people and people with disabilities, these groups are defined in the NPPF in the following way:

Older People: People over or approaching retirement age, including the active, newly retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

People with disabilities: People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Local Policy

6.4 Policy H6: Specialist Housing

“The Council will encourage the provision of housing to maximise the independence and choice of older people and those members of the community with specific housing needs.

When assessing the suitability of sites and/or proposals for the development of specialist housing such as, but not restricted to, residential care homes, extra care housing and continuing care retirement communities, the Council will have regard to the following:

- The need for the accommodation proposed, whereby the development contributes towards specialist housing need as identified within the Strategic Housing Market Assessment (SHMA); and
- The ability of future residents to access essential services, including public transport, shops and appropriate health care facilities.”

Specialist Housing is to be delivered through the development strategy and windfall sites.

Types of Specialist Housing

6.5 The Planning Practice Guidance identifies the different types of specialist housing for older people:

Age-restricted general market housing: This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens, but does not include support or care services.

Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager.

Extra care housing or housing-with-care: This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.

Residential care homes and nursing homes: These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living. This type of housing can also include dementia care homes.

Strategic Housing Market Assessment

6.6 “The data shows that the HMA is expected to see a substantial increase in the older person population with the total number of people aged 55 and over expected to increase by 35% over just 20 years. A particularly high increase is expected in Rugby with a lower figure being seen in Coventry. For Coventry, this is mainly linked to the younger population age profile in the City and the fact that migration patterns tend to focus on younger people. In the case of Rugby the findings are, to some degree, related to the higher overall population growth projected for the area. For all areas we are also expected to see significant population growth in the oldest age groups with the population aged 85 and over expected to increase by 111% over the next 20-years.” (SHMA, 2014, P.163).

6.7 “Given the ageing population and higher levels of disability and health problems amongst older people there is likely to be an increased requirement for specialist housing options moving forward. Such housing can broadly be split into three categories; sheltered, extra-care and residential care. Over the past few years there has been a move away from providing sheltered and residential care housing towards extra-care housing (ECH) and we would consider that the majority of additional specialist housing moving forward is likely to be of ECH.” (SHMA, p168)

Location

6.8 Accessibility is a key issue when considering schemes for specialised housing. Residents of specialised housing are more likely to have health problems that limit their mobility. Access to public transport should be considered in terms of both proximity and accessibility.

6.9 Town Centres and other accessible areas with good public transport may provide good locations for specialist housing to help avoid social isolation and maintain contact with family and friends.

Specialist Housing and Affordable housing

6.10 Reading the Local Plan as a whole (as per section 38, para 3(b) of the 2004 Planning and Compulsory Purchase Act), policies H2 (Affordable housing provision) and Policy H6 (Specialist housing) specialist housing developments can be required to provide affordable housing.

6.11 Policy H2 states that “Affordable housing should be provided on all sites of at least 0.36 hectares in size or capable of accommodating 11 (net) dwelling units or more (including conversions and subdivisions).

6.12 It is recognised that residential care/nursing homes aren’t usually considered to be dwellings. However, other types of specialist housing may contain units that are sufficiently self-contained as to be considered dwellings. Planning officers will determine whether the residential units being provided are capable of being considered as dwellings on a case by case basis

6.13 Where a proposed development would be considered to contribute to the housing target contained within the Local Plan through the provision of dwellings then that development would be expected to comply with affordable housing policies.

6.14 Where compliance with affordable housing policies is required, it may be appropriate for this to be secured by way of an affordable housing contribution, owing to the challenges in enabling a registered provider (RP) to operate affordable housing within such a wider specialist housing scheme. Consultation with the Strategic Housing team is recommended to understand demand and RP requirements.

6.15 Specialist Housing is to be maintained as such in perpetuity through the use of planning conditions and Section 106 agreements.

Design considerations for specialist housing

6.16 RTPI Practice Advice includes key principles planners should consider when assessing proposals for specialist housing for residents who may have dementia. This guidance contains general principles which help inform good design for other groups with specialist housing needs.

<https://www.rtpi.org.uk/practice/2017/august/dementia-and-town-planning/>

1. Urban Design

6.17 Good urban design is essential for improving the ability of people living with dementia to live well:

- Familiar environment - functions of places and buildings are obvious, any changes are small scale and incremental;
- Legible environment - a hierarchy of street types, which are short and fairly narrow. Clear signs at decision points;
- Distinctive environment - a variety of landmarks, with architectural features in a variety of styles and materials. There is a variety of practical features, e.g. trees and street furniture;
- Accessible environment - land uses are mixed with shops and services within a 5-10 minute walk from housing. Entrances to places are obvious and easy to use and conform to disabled access regulations;
- Comfortable environment - open space is well defined with toilets, seating, shelter and good lighting. Background and traffic noise should be minimised through planting and fencing. Street clutter is minimal to not impede walking or distract attention;
- Safe environment - footpaths are wide, flat and non-slip, development is orientated to avoid creating dark shadows or bright glare.

2. Housing Design

6.18 Whilst the internal layout of buildings is usually beyond the scope of the role of planners, it is still valuable to be aware of the key principles of good design, which include:

- Safe environment – avoid trip hazards, provide handrails and good lighting;
- Visual clues – clear signage, sightlines and routes around the building; clearly defined rooms – so the activities that take place there can be easily understood;
- Interior design – avoid reflective surfaces and confusing patterns. Use age and culturally appropriate designs;
- Noise – reduce noise through location of activities and soundproofing. Provide quiet areas as people with dementia can be hyper-sensitive to noise;
- Natural light or stronger artificial light – many people with dementia have visual impairment or problems interpreting what they see;

- Outside space – access to safe outside space, with good views from inside the building as daily exposure to daylight improves health.

Other Guidance

6.19 Building regulations are not a material consideration in a planning application. It is however advised to be aware of the below building regulations relevant to specialist housing:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/540330/BR_PDF_AD_M1_2015_with_2016_amendments_V3.pdf

Chapter 7: Self-build and custom housebuilding

7.1 The purpose of this guidance is to help support planning decisions for self-build and custom housebuilding proposals. The Council recognises the challenge in finding land suitable for self-build and custom housebuilding and will work with interested parties to help overcome this challenge.

Defining self-build and custom housebuilding

7.2 Section 19 of the Housing and Planning Act 2015 defines Self-Build and Custom Housebuilding as “the building or completion by individuals, association of individuals, or persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals. It does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person.”

7.3 Self-build involves direct involvement in organising and constructing a home. Custom build involves the commissioning of a specialist developer to deliver a home.

National Policy

7.4 The primary legislation concerning self-build and custom housebuilding is the Self-Build and Custom housebuilding Act 2015, available to view below:

<http://www.legislation.gov.uk/ukpga/2015/17/contents/enacted>

Rugby Borough Local Plan

7.5 The Council’s approach to delivering self-build and custom housebuilding is identified in the Local Plan. Self-build and custom housebuilding proposals should be compliant with all the policies in the Local Plan.

Policy H1:

7.6 “Sustainable Urban Extensions will be expected to provide opportunities for self-build and custom build as part of the mix and type of development.”

7.7 A threshold approach to delivering self-build and custom housebuilding was rejected by the Planning Inspector examining the Rugby Borough Local Plan due to insufficient evidence of demand.

7.8 The Council’s Development Strategy Team has engaged with the Council’s Corporate Property Team as to the availability of suitable Council owned land. No suitable sites have been identified so far. Engagement will continue as land availability is not static, so an annual review will take place to identify any suitable sites that may become available.

7.9 Demand is measured through the Self-build and custom housebuilding register. Since 2016, demand for self-build and custom housebuilding has been met through the granting of suitable permissions or windfall sites. Should demand in the urban area rise above levels of supply, developers would enter into discussions with the Council on how to meet this demand. This would involve identifying potential suitable plots, defining phasing plans and separate access works to the non-self-build housing elements of Sustainable Urban Extensions (SUEs). Self-build and custom housebuilding

plots within SUEs should be concentrated together to safeguard the coherence of a development. The housing mix should conform with the SHMA

7.10 Planning conditions would stipulate that a marketing strategy would be required. Self-build and custom housebuilding plots will be expected to be marketed for a minimum period of 12 months. Once plots have been marketed for the minimum period, they may then remain on the market as self-build and custom housebuilding plots, be offered for purchase to RPs, or be built out by the landowner as appropriate.

Serviced plot

7.11 The definition of a serviced plot of land as set out in the Housing and Planning Act 2016 (9) (4), means a plot of land that:

- (a) has access to a public highway and has connections for electricity, water and waste water, or
- (b) can be provided with those things in specified circumstances or within a specified period.

Developers are advised to work with the Borough Council and County Council on this.

Types of Self Build and Custom Housebuilding

7.12 Individual self or custom build: An individual who buys a plot of land to develop and leads on building a home, although may employ the assistance of builders, architects etc.

7.13 Group self or custom build: A group of individuals design and develop a scheme they live in. Again, they may employ the assistance of builders, architects etc.

7.14 Developer-led custom build: A developer who provides plots to individuals within a larger scheme. The individual has significant input into the design and finish of the home in terms of internal layout and dimensions, window design and external materials.

Community-led custom build: Community led development, usually in collaboration with a developer. Delivery and management vehicles such as Community Land Trusts or housing co-operatives may be used. Neighbourhood Plans and Parish Councils may lead on this.

Delivering self-build and custom housebuilding

Self-Build and Custom Housebuilding Register

7.15 The Self and Custom Housebuilding Act 2015 requires the Council to keep and maintain a register of individuals, and associations of individuals, who are seeking to acquire self-build serviced plots of land in the Borough for their own self build and custom housebuilding.

7.16 The register provides information on the number of individuals and associations on the register; the number of serviced plots of land sought; the preferences people on the register have indicated, such as general location within the Borough, plot sizes and type of housing intended to be built.

7.17 Details of the data held on the self-build and custom housebuilding register can be found within the Self-Build and Custom Housebuilding Report below:

<https://www.rugby.gov.uk/downloads/download/390/self-build-and-custom-housebuilding-report-2019>

7.18 Self-build and custom housebuilding projects are led by individuals and community associations. The Council's role is to provide enough suitable permissions. A 'suitable permission' is where planning approvals are granted for dwellings that could become self-build plots, should interested parties engage with landowners. This may apply to approvals ranging from individual dwellings to up to 10 dwellings.

Design Codes

7.19 A developer and the Council may work together to develop a design code for larger schemes. This would provide certainty by establishing what form any development could take. This can be supplemented by 'plot passports', which concisely identify site parameters for prospective plot purchasers.

Neighbourhood Plans

7.20 The Council is promoting the inclusion of self-build and custom housebuilding plots to Parish Councils preparing a Neighbourhood Plan. Neighbourhood Plans can facilitate self-build and custom housebuilding through creating new policies and allocating suitable community development sites.

Individuals and community associations

7.21 The Council will work with and support individuals and community groups such as Community Land Trusts to bring forward self-build and custom housebuilding plots. There are a number of online guides to assist with individuals who want to come together to form a community group.

Self Build and Custom Housebuilding and affordable housing

7.22 Self-build and custom housebuilding units are unlikely to be eligible for affordable housing owing to the relative small scale of such developments. Plot providers should, however, seek to provide a mix of serviced plot sizes to meet the range of demand and affordability. This may include plots suitable for specialist housing such as bungalows for people with mobility issues, smaller plots etc.

7.23 There are four main potential mechanisms for delivering affordable housing through self-build and custom housebuilding:

- Landowners working in partnership with a local community group, Community Land Trust or similar
- Developments where more than 11 self-build and custom housebuilding units are proposed for a single site
- Self-build and custom housebuilding proposed as part of wider developments of 11 or more units
- Self-build and custom housebuilding proposed for a rural exception site. Where affordable self-build plots are to be delivered on rural exception sites, there will also be a need to establish that a household has a local connection to the Parish where the plot is proposed

7.24 The Council will continue to engage with stakeholders to meet demand for self-build and custom housebuilding.

END.

APPENDICES

Appendix 1- Local Connection Test

A local connection to a parish is established if the applicant has, at the time of registration on the Housing Waiting List:

- *Been continuously resident within the parish, or adjoining parish, for the last 5-years*
- *Been a person, or persons residing permanently in the parish, or an adjoining parish for 5 years, or more, within the previous 20-years*
- *Has a contract of employment at a workplace within the parish, or adjoining parish, and this work is not of a casual or temporary nature*
- *Current family associations within the parish, i.e. parents, sons, daughters, brothers or sisters who have lived within the parish, adjoining parish, for the last 5-years*
- *Someone needing care from a person in the Parish*
- *If there is not an applicant that meets the above local connection criteria, we will adopt the following approaches, listed in order of how we will use them:*
 - *Firstly, we will consider applicants resident in the parish, or adjoining parishes that have lived there from 4-years down to 12-months; those having been resident longest receiving highest priority*
 - *Secondly, if there are still no qualifying applicants we will then consider those resident in the surrounding parishes, initially resident for 5 years, then if there is no suitable applicant, those that have lived there from 4-years down to 12-months; those having been resident longest receiving highest priority*
 - *Finally, if there is still no qualifying applicant in the adjoining or surrounding parishes we will consider other applicants resident within the borough initially resident for 5-years, then if there is no suitable applicant, those that have lived there from 4-years down to 12-months; those having been resident longest receiving highest priority.*

Appendix 2- Strategic Environmental Assessment Screening Report

TBC after consulting the consultation bodies.

EQUALITY IMPACT ASSESSMENT (EqIA)

Context

1. The Public Sector Equality Duty as set out under section 149 of the Equality Act 2010 requires Rugby Borough Council when making decisions to have due regard to the following:
 - eliminating unlawful discrimination, harassment and victimisation, and other conduct prohibited by the Act,
 - advancing equality of opportunity between people who share a protected characteristic and those who do not,
 - fostering good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.
2. The characteristics protected by the Equality Act are:
 - age
 - disability
 - gender reassignment
 - marriage/civil partnership
 - pregnancy/maternity
 - race
 - religion/belief
 - sex/gender
 - sexual orientation
3. In addition to the above-protected characteristics, you should consider the crosscutting elements of the proposed policy, such as impact on social inequalities and impact on carers who look after older people or people with disabilities as part of this assessment.
4. The Equality Impact Assessment (EqIA) document is a tool that enables RBC to test and analyse the nature and impact of what it is currently doing or is planning to do in the future. It can be used flexibly for reviewing existing arrangements but in particular should enable identification where further consultation, engagement and data is required.
5. The questions will enable you to record your findings.
6. Where the EqIA relates to a continuing project, it must be reviewed and updated at each stage of the decision.
7. Once completed and signed off the EqIA will be published online.
8. An EqIA must accompany all **Key Decisions** and **Cabinet Reports**.
9. For further information, refer to the EqIA guidance for staff. For advice and support, contact:
Minakshee Patel
Corporate Equality & Diversity Advisor
minakshee.patel@rugby.gov.uk
Tel: 01788 533509

Equality Impact Assessment

Service Area	Development Strategy
Policy/Service being assessed	Draft Housing Needs Supplementary Planning Document 2020
Is this is a new or existing policy/service? If existing policy/service please state date of last assessment	This is a subsidiary document of the Rugby Borough Local Plan 2011-2031 that had its own EqlA as part of its statutory adoption process.
EqlA Review team – List of members	Ruari McKee – Development Strategy
Date of this assessment	09th September 2020
Signature of responsible officer (to be signed after the EqlA has been completed)	

A copy of this Equality Impact Assessment report, including relevant data and information to be forwarded to the Corporate Equality & Diversity Advisor.

If you require help, advice and support to complete the forms, please contact Minakshee Patel, Corporate Equality & Diversity Advisor via email: minakshee.patel@rugby.gov.uk or 01788 533509

Details of Strategy/ Service/ Policy to be analysed

<u>Stage 1 – Scoping and Defining</u>	
(1) Describe the main aims, objectives and purpose of the Strategy/Service/Policy (or decision)?	SPDs are planning documents which, once adopted, do not form part of the Development Plan but sit beneath the Local Plan. Their purpose is to provide additional detail and information to help guide comprehensive development. They are material considerations in the assessment of planning applications. This SPD will primarily support Local Plan policies H1-H6.
(2) How does it fit with Rugby Borough Council's Corporate priorities and your service area priorities?	The Local Plan is considered to benefit all groups with protected characteristics through increased provision of housing, employment and supporting infrastructure, including social and community facilities.
(3) What are the expected outcomes you are hoping to achieve?	<p>a) Cabinet is being asked to approve the SPD for public consultation, which will be for six weeks and can make use of the extensive consultation database developed for the Local Plan.</p> <p>b) Consultation is likely to take place November-December 2020.</p>
(4) Does or will the policy or decision affect: <ul style="list-style-type: none"> • Customers • Employees • Wider community or groups 	The Borough Local Plan is considered to benefit all groups with protected characteristics through increased provision of housing, employment and supporting infrastructure. The SPD will assist affordable housing negotiations and the delivery of affordable housing is considered to be beneficial for all groups.
<u>Stage 2 - Information Gathering</u>	
(1) What does the information tell you about those groups identified?	The SPD is subsidiary to the Local Plan, so relies upon the extensive documentation already gathered for the Local Plan, which is available on the Council's web-site.

<p>(2) Have you consulted or involved those groups that are likely to be affected by the strategy/ service/policy you want to implement? If yes, what were their views and how have their views influenced your decision?</p>	<p>The Draft Housing Needs SPD is going to Cabinet on 12th October to approve a public consultation on the document. This will be in line with the Council's Statement of Community Involvement.</p>
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<p>(3) If you have not consulted or engaged with communities that are likely to be affected by the policy or decision, give details about when you intend to carry out consultation or provide reasons for why you feel this is not necessary.</p>	<p>Consultation likely to take place November-December 2020.</p>
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<p><u>Stage 3 – Analysis of impact</u></p>			
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<p><u>(1)Protected Characteristics</u> From your data and consultations is there any positive, adverse or negative impact identified for any particular group, which could amount to discrimination? If yes, identify the groups and how they are affected.</p>	<p>RACE No adverse or negative impacts identified</p>	<p>DISABILITY No adverse or negative impacts identified</p>	<p>GENDER No adverse or negative impacts identified</p>
	<p>MARRIAGE/CIVIL PARTNERSHIP No adverse or negative impacts identified</p>	<p>AGE No adverse or negative impacts identified</p>	<p>GENDER REASSIGNMENT No adverse or negative impacts identified</p>
	<p>RELIGION/BELIEF No adverse or negative impacts identified</p>	<p>PREGNANCY MATERNITY No adverse or negative impacts identified</p>	<p>SEXUAL ORIENTATION No adverse or negative impacts identified</p>

<p><u>(2) Cross cutting themes</u></p> <p>(a) Are your proposals likely to impact on social inequalities e.g. child poverty, geographically disadvantaged communities? If yes, please explain how?</p> <p>(b) Are your proposals likely to impact on a carer who looks after older people or people with disabilities? If yes, please explain how?</p>	<p>Assisting the delivery of affordable housing is likely to reduce social inequalities.</p> <p>No.</p>
<p>(3) If there is an adverse impact, can this be justified?</p>	<p>Not applicable</p>
<p>(4) What actions are going to be taken to reduce or eliminate negative or adverse impact? (this should form part of your action plan under Stage 4.)</p>	<p>Not applicable</p>
<p>(5) How does the strategy/service/policy contribute to the promotion of equality? If not what can be done?</p>	<p>See 2(a) above.</p>
<p>(6) How does the strategy/service/policy promote good relations between groups? If not what can be done?</p>	<p>Planning for the increased provision of housing and associated services is considered to offer the potential for improved relations between groups through less competition for services reducing the potential for negative perceptions of service allocation.</p>
<p>(7) Are there any obvious barriers to accessing the service? If yes how can they be overcome?</p>	<p>None identified.</p>

Stage 4 – Action Planning, Review & Monitoring

If No Further Action is required then go to – Review & Monitoring

(1) Action Planning – Specify any changes or improvements that can be made to the service or policy to mitigate or eradicate negative or adverse impact on specific groups, including resource implications.

EqlA Action Plan

Action	Lead Officer	Date for completion	Resource requirements	Comments

(2) Review and Monitoring
State how and when you will monitor policy and Action Plan

In addition, the SPD will be subject to annual review and updating. If required, the SPD can be amended following feedback from Cabinet or as a result of any future consultation exercise.

Please annotate your policy with the following statement:

‘An Equality Impact Assessment on this policy was undertaken on 9th September 2020 and will be reviewed on 9th September 2021.’

Draft Housing Needs SPD 2020 Consultation Strategy

This consultation statement has been produced in line with the requirements of the Rugby Borough Statement of Community Involvement (SCI). At this present time an additional SCI document has been produced which ensures that the SCI is compliant with the amended government guidance on consultation during the coronavirus pandemic. This document also meets the requirements of this additional document. Both the SCI and the additional SCI document can be found on the RBC website.

Document Title: Draft Housing Needs SPD 2020	
Nature of Plan being Prepared	The document is a supplementary planning document (SPD). Once adopted it will not form part of the Development Plan but will sit beneath the Local Plan. The Rugby Borough Council Local Plan 2011-2031 (adopted June 2019) (the “Local Plan”) in Policy DS1 commits the Council to providing 12,400 dwellings and 208 hectares of employment land over the plan period - 2011-2031. The Council is updating all of its Supplementary Planning Documents (SPDs) to reflect the adoption of the Rugby Borough Local Plan. This SPD replaces the Rugby Borough Council Housing Needs SPD 2012.
Purpose of Consultation	Regulation 12b of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires SPDs to be consulted on for a minimum of 4 weeks. This consultation will be for 6 weeks to ensure participation is optimised. The aim of this consultation is to ensure the wider public are aware of the content of the document and give the public and other stakeholders an opportunity to submit representations on the draft document.
Nature of issues that need to be consulted upon	The Draft Housing Needs SPD 2020 is significantly different to the Housing Needs SPD it replaces. The purpose of the Draft Housing Needs SPD 2020 is to provide details not included in the Rugby Borough Local Plan to assist the implementation of Rugby Local Plan Policies H1-H6. Five key areas of detail this SPD covers are mechanisms for delivering affordable housing, identifying design best practice in the delivery of affordable housing, elaborating on criteria for rural exception sites, providing details such as design guidance on specialist housing and outlining the Councils approach to self-build and custom housebuilding.
Who should be consulted	In line with the Councils Statement of Community Involvement the following groups will be notified directly of the consultation.

	<p>This will be done by email where possible with letters sent to those for whom an email address is not available:</p> <ul style="list-style-type: none"> • All statutory bodies; • All Parish Councils; and • All groups and individuals who have opted to be on the Consultation Database. <p>In addition to direct emails and letters, in order to raise wider public awareness of the consultation it will be promoted in the following ways, in line with the Council’s Statement of Community Involvement:</p> <ul style="list-style-type: none"> • Information and documents will be published on the Council’s website; • The consultation will be publicised via the Council’s social media platforms; • The consultation will be advertised in the local paper. <p>Due to restrictions with Covid-19 hard copies will not be made available at the Town Hall and libraries at this time. However, in cases where people are unable to view the document online they can request a hard copy to be posted out to them directly.</p>
Why we are consulting them	We are carrying out this consultation to ensure all individuals and groups who may be affected by the Draft Housing Needs SPD 2020 have the opportunity to voice their opinions on the content of the document.
When consultation will take place	November- December 2020
Accessible and Inclusive Consultation	<p>As outlined above the consultation will be promoted both online and in the local newspaper and the document will be available to read both online or can be requested in hard copy form. In addition to this, to ensure the consultation is accessible and inclusive, the following measures will be put in place:</p> <ul style="list-style-type: none"> • Individuals can call or email to discuss the document with a planning officer; • Representations can be submitted by email or post;

	<ul style="list-style-type: none"> • Representations can be sent in via email on behalf of someone who does not have internet access; and • Representations can be made by an individual representing an organisation or group.
<p>How comments will be taken into account</p>	<p>Each representation will be read and carefully considered. If it is felt that as a result of the representation changes should be made to the SPD then these will be incorporated into the final document. It is important to note that not all representations received will lead to changes in the SPD.</p> <p>A comment will be provided by the Council on each representation received and this will be published as part of the Consultation Statement.</p>
<p>How comments will be reported</p>	<p>A Consultation Statement will be published following the close of the consultation. This will include:</p> <ul style="list-style-type: none"> · A list of the persons consulted; · A summary of each representation; and · A comment on how each representation has been considered.

RUGBY BOROUGH COUNCIL PROJECT RISK REGISTER

<p>Project: Housing Needs Supplementary Planning Document</p> <p>Objective: Adoption of the Draft Housing Needs SPD 2020</p>	
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Risk	Opportunities	Consequences	Controls	Responsibility	Assessment of Risk		
					Likelihood	Impact	Risk Score

<p>-If the Council does not adopt the Housing Needs SPD the information contained within it will not be available to use to assist the determination of Planning Applications.</p>	<p>-Further work can be carried out to progress towards completion</p>	<p>-Non-compliance with Local Plan requirements.</p> <p>-Loss of opportunity to guide and enhance development.</p> <p>-Reputational damage.</p> <p>-Potential legal challenges.</p> <p>-Complaints</p>	<p>-Further work by members of the Development Strategy team to address areas for improvement.</p> <p>-Further consultation can be carried out if necessary.</p> <p>-Council meetings anticipated to return in the near future to enable decision making.</p> <p>-Ability to schedule document for adoption on the Forward Plan.</p>	<p>Development Strategy team members</p>	<p>2</p>	<p>3</p>	<p>6</p>
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Date of Review9th September 2020.....

AGENDA MANAGEMENT SHEET

Report Title: Rugby Borough Council response to the 'Planning for the Future (PFTF)' White Paper consultation

Name of Committee: Cabinet

Date of Meeting: 9 November 2020

Report Director: Head of Growth and Investment

Portfolio: Growth and Investment

Ward Relevance: Rugby Borough.

Prior Consultation: None

Contact Officer: Victoria Chapman

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background:

Summary:

The purpose of this report is to inform Cabinet of the publication of the Planning for the Future White Paper consultation and the key components within.

Retrospective endorsement is sought for the consultation response set out in Appendix 1.

Financial Implications:

Risk Management Implications: There are no direct risk management implications.

Environmental Implications: There are no environmental implications.

Legal Implications: There are no legal implications.

Equality and Diversity: There are no implications for equality and diversity.

Options: **Option 1:** Endorse the consultation response and submission to the Ministry of Housing, Communities and Local Government.

- **Risks**
None

- **Benefits**
The consultation gives the Council the opportunity to comment on proposed revisions of planning policy guidance that will guide all forms of development in the Borough

Option 2: Do not endorse the consultation responses set out in the report and withdraw the comments from the consultation.

Risks: By not submitting comments on the Planning for the Future White Paper, the Council would miss an opportunity to inform future national planning policy.

Benefits: None

Recommendation: The response to the consultation on the PFTF White Paper set out in Appendix 1 is endorsed.

Reasons for Recommendation: Option 1 is being recommended since this would ensure that the Council engages fully in this important consultation. If retained in their current form the principles contained within the PFTF White Paper will be the basis for an updated National Planning Policy Framework which will continue to be the principal reference point for the Council in the production of future development plan documents.

Cabinet - 9 November 2020

Rugby Borough Council response to the 'Planning for the Future (PFTF)' White Paper consultation

Public Report of the Head of Growth and Investment

Recommendation

The response to the Government consultation on the “Planning For The Future” White Paper as set out in Appendix 1 is retrospectively endorsed.

1. Introduction and Background

- 1.1. Government consulted on significant changes to the planning system on 6 August 2020 in the form of the “Planning for the Future” White Paper (WP). The consultation closed on Thursday 29 October 2020. The response contained within appendix 1 to this report was sent to Government as the Rugby Borough Council response, caveating that formal endorsement would be confirmed following endorsement of appendix 1 by Cabinet on 7 November.
- 1.2. The changes set out in the White Paper have been prompted by the Government’s concerns about the lengthy and complex nature of the current planning system and the need to bring forward housing and other development more quickly.
- 1.3. The WP proposes long-term structural changes to the planning system, rather than more immediate amendments to existing processes. The intention is that it will be followed by legislative changes and then a renewed National Planning Policy Framework (NPPF) that reflects these proposals.

2. Consultation

Internal consultation on the White Paper was undertaken with Development Management, Homes and Communities, Legal, Parks and Property. Responses were received from Development Management and Parks.

In addition, two Planning Services Working Party meetings were held to discuss the paper with members of PSWP, with the invitation extended to members of Planning Committee.

Given the scope of the proposals contained within the PWP officers have engaged with colleagues at Warwickshire County Council to inform a rounded perspective of the potential impact on the council planning operations. Input from the county ecologist and archaeologist were received.

Appendix 1 incorporates those responses.

3. Key Changes contained within the “Planning for the Future” White Paper

The White Paper (WP) sets out a wide-ranging package of proposals to reform the planning system. The proposals are encompassed within three overarching pillars as follows:

Pillar One – Planning for development includes proposals to simplify the role of local plans. Development management policies would be removed from local plans and devised entirely at the national level. The WP considers that a new style local plan should be more concise and focused principally on identifying areas for ‘growth’, ‘renewal’ or ‘protection.’ The emphasis is that the local plan should be fundamentally map-based, providing broad zoning areas of ‘Growth’, ‘Renewal’ or ‘Protected’ Areas generally, setting the principles for what development would be acceptable. In the case of ‘growth’ areas this would allow outline permission, rather than within the Development Management function. The WP places a lot of emphasis on the move to digitise Local Plans, with an emphasis on map-based planning, to increase accessibility and reduce their length. The focus on digitisation supports the radical change in public engagement where this will be focused during plan making and more streamlined than the current system. To support the desire to streamline the system, Local Plans must be prepared from start to finish within 30 months and will plan for a duration of 10 years, instead of the current 15 years.

The removal of the legal Duty to Co-operate from plan making would see a significant milestone of the process disappear (the WP does acknowledge there will be a need to address cross boundary issues such as major infrastructure). Instead, adjoining authorities have the option to prepare plans on a joint basis and agree an alternative distribution of their housing requirement.

The current tests of soundness and legal tests which Local Plans are tested against will be replaced by a ‘sustainable development’ test. A standard method will be used to nationally calculate a binding housing requirement numbers for planning authorities to deliver through their Local Plan. It is implied that this will be reduced where necessary, also at a national level by application of constraints however, the detail as to how this be achieved effectively at such a high level is unclear. The White Paper confirms that neighbourhood planning will be retained.

Pillar Two– Planning for beautiful and sustainable places includes proposals to build on the National Design Guide to create more specific design standards. There will be an expectation that design guidance and codes will be prepared locally with community input either to support local plans, as part of neighbourhood plans or by developers. To elevate the increased emphasis on design, the WP states a body will be set up to support delivery and that each authority should have a chief officer for design and place-making.

Where plans identify growth areas it will be required that a masterplan and site-specific code are agreed as a condition of the permission in principle that is granted through the local plan process. Proposals around stewardship and enhancement of the environment are to be worked up in more detail, such as protection of the historic environment presumably to replace the Sustainability Appraisal (SA), Habitats Regulations Assessment (HRA) and Environmental Impact Assessment (EIA) which are all to be removed. There is lack of detail as to how this will be done,

and there is an absence of balancing benefits and harm which is an integral part of the current system.

Pillar Three – Planning for infrastructure and connected places sets out proposals relating to the funding of infrastructure. It is proposed that the Community Infrastructure Levy and S106 planning obligations are replaced with a new national infrastructure levy, so that all arrangements with developers for infrastructure provision, including affordable housing provision, would be dealt with under the same levy. This would be set by the Government and charged as a fixed proportion of the development value above a set threshold. The WP does suggest there may be need for some variation across the country, although it is not suggested how much variation there may be. There are two possible funding mechanisms put forward for affordable housing. Either it would be secured as in-kind payment towards the 'Infrastructure Fund' or there would be a right to purchase at discounted rates for local authorities. It is proposed that councils would borrow against future payments to them of this levy in order to forward fund infrastructure. The levy is to be collected on occupation.

Delivery of the Planning Reform

Although the WP is not clear on transitional arrangements, it does in general terms the financial implications on how local authorities can implement the new changes once they are confirmed in updated regulations and NPPF. It is suggested that planning fees will continue to be set nationally but that the emerging Infrastructure Levy could contain an element for plan making to reflect the increase in emphasis at this stage to enable development to come forward. Reference is also made to funding the production of design codes an enforcement, but no clear detail provided.

However, proposals also suggest local planning authorities should be subject to a new performance framework to 'ensure continuous improvement across all planning functions from Local Plans to decision-making and enforcement – and enables early intervention if problems emerge with individual authorities.' The White Paper also acknowledges the importance of enforcement and states these powers should be strengthened but contains little detail as to how this will be achieved.

4. Rugby Borough Council Response

Appendix 1 to the report contains the response to the consultation on the Planning for the Future White Paper. This was submitted to Government by the deadline of 29 October 2020 with the caveat that endorsement will be sought from Cabinet. The recommendation to Cabinet is to retrospectively endorse the response. Officers will then confirm this endorsement with Government.

It is worth noting that as the consultation is a White Paper, the proposals are high level in nature. Throughout the consultation the Government has made clear that given the early stages of the proposals they have sought an interactive engagement as much as possible and is looking for positive feedback which can help to shape the proposals as they move forward. Despite this there are elements within the consultation which have caused concern. These have been raised in the

attached proposed response. It is expected that the Government fully takes into account those concerns raised in further updates and consultations.

Name of Meeting: Cabinet

Date of Meeting: 9 November 2020

Subject Matter: Rugby Borough Council response to the 'Planning for the Future (PFTF)' White Paper consultation

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink
1	
2	

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Rugby Borough Council response to the Planning White Paper

The Council's response below is formed of engagement with both the Planning Committee and also the Planning Services Working Party and from officers of the council. Appended to this response is input from both the county Archaeologist and Ecologist.

General comments

The Council recognises that the proposals contained within the PWP will see significant changes to the existing planning system once implemented. The Council does support an overhaul of the system as a whole, rather than in part, but the PWP contains proposals which raises concerns to the Council as the Local Planning Authority, namely:

- Although the Council supports the principle of streamlining the planning system, simplifying the planning system in its entirety must be questioned. The Council does not support the proposal for placing land into three distinct areas simplified permission as a result. By its very nature planning is complex and what does 'simplifying it down' ultimately achieve? It does not stand to reason this will automatically result in good development which a fundamental aim of planning. It is also considered in practice this will be a lengthy process.
- The Council is concerned by the proposal for a statutory production of a Local Plan within 30 months. Given the additional burdens and certainty expected at this stage of the planning process it is not considered deliverable for a LPA and there are concern on the financial burden to deliver.
- The Council does not support nationally derived housing numbers for each Local Planning Authority. In theory this should support the ability to deliver within 30 months, but this is likely to see undeliverable plans. It is difficult to see how this can take into account local considerations and constraints at the national level.
- Lack of acknowledgement of the accountability of the role of the development industry in delivering the growth required locally to meet the Government's aspirations. Mechanisms and penalties need to be proposed at the national level in response to failure to deliver.
- Undertaking the additional functions set out within the PWP will place a greater burden on local planning departments and consequently council finances at a time when budgets are already stretched. Support is required from Government for this to be implemented locally. Given that these will be ongoing commitments the form of short-term burden grants will not provide the financial certainty required in order to fulfil those commitments.
- Although it is acknowledged that the current S106 and CIL system can be improved, the Council does not support the proposal for a nationally set Infrastructure Levy. Improvements to the existing S106 system, which is locally negotiated is considered preferable and more deliverable.
- The consultation is very much focused on housing development and largely omits mention of other forms of development that are equally important in order to support the future occupants. This includes economic, retail and other service growth. In order for growth to be delivered sustainably locally, any future planning reform must be consider this wider context.

It is acknowledged that as the consultation is a white paper the content is at a high level, but the Council considers in places that there is not sufficient information provided in order for a meaningful response to be provided. It is hoped that further engagement is undertaken on those areas of particular concern and these are incorporated into future wider consultation. Rugby Borough Council is keen to be part of this process and welcomes future engagement.

Question 1. What three words do you associate most with the planning system in England?

Fair, transparency (strive for), complicated, thorough (NPPF and planning processes are well covered by the committee system), impenetrable (residents' point of view); local, accountable and accessible; no unauthorised development (rural point of view); consultation (residents do pick up on large scale development, do connect and have their say. There are many opportunities to get involved in the planning process). Balanced, Democratic, Honest.

Question 2(a). Do you get involved with planning decisions in your local area?

Yes, as the determining local planning authority. The Planning Committee plays a key role in Development Management across Rugby Borough.

2(b). If no, why not? [Don't know how to / It takes too long / It's too complicated / I don't care / Other – please specify]

Not applicable.

Question 3. Our proposals will make it much easier to access plans and contribute your views to planning decisions. How would you like to find out about plans and planning proposals in the future? [Social media / Online news / Newspaper / By post / Other – please specify]

RBC's Local Plan process was more open than most and had a higher response rate at around 3,000 responses. We believe this local authority has good practices already in place. A pro-active approach is taken to keeping residents informed that includes meetings held within the community with council officers, councillors and developers present. Residents have the opportunity to discuss plans with Officers and attend Planning Committee where presentations on development proposals are given. In addition, Rugby Borough Council frequently consults for longer periods than the statutory periods of 6 weeks for Local Plans and 4 weeks for Supplementary Planning Documents to enable a greater access for response.

Question 4. What are your top three priorities for planning in your local area? [Building homes for young people / building homes for the homeless / Protection of green spaces / The environment, biodiversity and action on climate change / Increasing the affordability of housing / The design of new homes and places / Supporting the high street / Supporting the local economy / More or better local infrastructure / Protection of existing heritage buildings or areas / Other – please specify]

The options mentioned above, by no means exhaustive, show the plethora of competing priorities the planning system has to grapple with on a daily basis. Choosing a top three would give an unrealistic impression of the issues faced by local planning authorities as they are all important. The following are highlighted:

- Increase in affordable housing
- The environment, including high quality open spaces
- Delivery of infrastructure alongside development
- Housing needs surveys (rural areas)

- Green Belt (rural areas) and ensuring the function of the green belt is maintained, such as maintaining separation between Coventry and Rugby
- Design
- Enforcement

Question 5. Do you agree that Local Plans should be simplified in line with our proposals? [Yes / No / Not sure. Please provide supporting statement.

No, these proposals are an attack on local democracy and local accountability. Local planning authorities and local residents are best placed to judge how their area should evolve over time and land should not be put into three broad silos that are completely devoid of local nuance.

Many schemes often need to mitigate their impacts of the historic and/or natural environment. This is often done by providing detailed supporting information with the planning application (at the developers' expense). It is unclear from the consultation if sites allocated for growth that have issues which need to be mitigated if the work to identify those mitigations will be undertaken by the local authority as part of the allocating for growth process or by the developer as part of the initial six month call for sites process. An unintended consequence of these reforms could be to increase the burden on council taxpayers, if local authorities are now required to produce these mitigation studies, away from developers. Appendix X attached sets out a detailed response from colleagues in the County archaeological service on this and other matters.

The proposal to reduce the duration of the plan to 10 years also so raises potential issues. A lot of sustainable growth is achieved through large scale allocations to existing towns such as Rugby. These are complex to deliver and can require large lead in times. This may cause issues when considering shorter term plans.

In addition, the principle of simplifying the planning system in its entirety must be questioned. It is by its very nature complex and what does 'simplifying it down' ultimately achieve? It does not stand to reason this will automatically be good development which is a fundamental aim of planning.

Alternative options: Rather than dividing land into three categories, we are also interested in views on more binary models. One option is to combine Growth and Renewal areas (as defined above) into one category and to extend permission in principle to all land within this area

No. Two broad silos would be even worse. The PWP is focused disproportionately on housing delivery with very little on other types of development – what does the categories mean for these different land uses? The notion of sub areas also has the potential to considerably complicate and slow down the process.

Question 6. Do you agree with our proposals for streamlining the development management content of Local Plans, and setting out general development management policies nationally? [Yes / No / Not sure. Please provide supporting statement.

Not sure. If the government were minded to pursuing the timescales of 30 months for a Local Plan production, removal of the DM policies would assist in meeting this extremely ambitious timescale. There is some logic in taking some of the development management policies to the national level but there is also some danger in doing so and preventing local factors to be taken into account in policy

production. Local Planning Authorities are better placed to ensure local policies reflect local circumstances rather than centrally imposed national policies devoid of local context.

Questions 7(a). Do you agree with our proposals to replace existing legal and policy tests for Local Plans with a consolidated test of “sustainable development”, which would include consideration of environmental impact? [Yes / No / Not sure. Please provide supporting statement.]

Not sure. The points regarding examination and constraints of a top-down approach are relevant. The evidence gathering could be merged into one logical process for testing, but the devil is in the detail. There was a need for an extensive evidence base for the Local Plan process.

The existing Sustainability Appraisal process is a high-level onerous piece of work and the Council recognises the potential for review. The EU requirements could be reviewed.

There is however limited information on what is being proposed on how the new consideration of environmental impact would be an improvement on the current considerations of environmental impact before this question could be answered.

7(b). How could strategic, cross-boundary issues be best planned for in the absence of a formal Duty to Cooperate?

Central Government have abolished regional planning and now it is proposing to abolish the duty to cooperate, transport, minerals and waste issues cannot be addressed without some form of higher-level intervention, intervention Government has ruled out. This will leave an inevitable vacuum.

DTC was quite onerous. However, cross boundary work on housing targets help to achieve a deliverable plan.

The Coventry & Warwickshire Local Enterprise Partnership (CWLEP) organised a working partnership with Chief Executives and portfolio holders from within the LEP area on joined up working on cross border issues, road, rail, and infrastructure. This model could work for the Local Plan process. The area includes Hinckley and A5 corridor.

There are other examples of working groups in existence, such as the Climate Change Working Group and the sub regional Duty to Cooperate Group. It was important to explore the best ways of working. Project based work was more effective.

This links to the review of the structure of local government. DTC is connected to making cross boundary issues easier to deal with.

There is a need to plan a strategy for cross boundary issues in advance of any changes.

Boundaries may change and there was a requirement to have a working relationship with Northamptonshire, Leicestershire, and Coventry.

There is no explanation in the PWP on how Government plans for local planning authorities to work together. This would be difficult without a structure in place and some form of regional strategy was needed.

Proven examples to support that advice are needed.

This has the potential to cause issues with the 30 month timescales for plan making.

Questions 8(a). Do you agree that a standard method for establishing housing requirements (that takes into account constraints) should be introduced? [Yes / No / Not sure. Please provide supporting statement.]

No. Although the Council is of the view that the application of a standard method to identify housing requirements in theory could assist in delivering a plan in 30 months, the proper consideration of constraints at the national level for each LPA seems unrealistic. The potential outcome is an undeliverable plan. This lack of flexibility on the part of the LPA to consider their own housing target through local evidence and consultation would appear to be a considerable constraint to the Government's own aspirations to increase housing delivery.

The PWP makes reference to further changes, but no detail is contained. Further consultation on this is needed in order to form a view but there are potential pitfalls to delivery locally and a lack of full consideration of local issues.

Furthermore, the LPA is best placed to decide the capacity for new housebuilding, where it can be built and the provision of the necessary infrastructure.

8(b). Do you agree that affordability and the extent of existing urban areas are appropriate indicators of the quantity of development to be accommodated? [Yes / No / Not sure. Please provide supporting statement.]

No. The effect of these measures will be to allocate more development to larger areas and/or those with worse affordability, these are often areas tightly constrained by open countryside or Green Belt. Plans will not then be adopted quickly as open countryside/green belt releases will generate large volumes of local plan objections.

RBC has enough land supply to meet current targets and has worked hard to get developments through. Historically Rugby has cumulatively overprovided on its housing target but this has not seen a lessening of affordability issues. It is therefore considered that this is a overly crude and unproven way in which to address affordability issues and there should be other measures outside of the planning process to support addressing affordability. Increasing the number of housing built in itself will not achieve this. These two indicators are not appropriate in particular when it is unclear how constraints to delivery are taken into account.

There is no control on when developments commence. This document does not deal with that point.

There is a lack of accountability on developers, for example not providing a policy-compliant level of affordable housing due to viability concerns. A buffer of 20% on the land supply if housing delivery falls to 85% or 75% could compound the problem. The onus should be on ability to deliver.

Questions 9(a). Do you agree that there should be automatic outline permission for areas for substantial development (Growth areas) with faster routes for detailed consent? [Yes / No / Not sure. Please provide supporting statement.]

No, areas for substantial growth often have complex infrastructure needs that need to be addressed before consent can be or should be granted.

9(b). Do you agree with our proposals above for the consent arrangements for Renewal and Protected areas? [Yes / No / Not sure. Please provide supporting statement.]

No. There needs to be far more detail on how town centre renewal, areas which often have conservation areas and listed buildings in them, will work alongside protection for these heritage assets.

9(c). Do you think there is a case for allowing new settlements to be brought forward under the Nationally Significant Infrastructure Projects regime? [Yes / No / Not sure. Please provide supporting statement.]

No. How would the NSIP consider a local planning authority emerging local plan and vice versa? This is considered to be something that should sit with the local planning authority.

Question 10. Do you agree with our proposals to make decision-making faster and more certain? [Yes / No / Not sure. Please provide supporting statement.]

Not sure. Achieving certainty sooner is considered positive for all but a quicker decision-making process must not be at the expense of transparency e.g. provided through the scrutiny Planning Committee provides and thorough consideration of all constraints and planning merit.

Question 11. Do you agree with our proposals for accessible, web-based local plans? [Yes/No/Not sure. Please provide supporting statement.]

Yes and no. The of the White Paper is for a technology-driven approach to planning. Whilst it is true that a majority of people are on-line there is not an even distribution of access to technology across all income groups and rural areas still suffer from broadband issues. There is still a role for paper-based formats for the technologically disadvantaged.

Question 12. Do you agree with our proposals for a 30 month statutory timescale for the production of Local Plans? [Yes / No / Not sure. Please provide supporting statement.]

No. It is noted that the Local Plan will be with the Planning Inspector for 9 months of the overall 30 months which in effect affords the LPA less than a year. This timetable is considered to be extremely tight in particular given the greater level of certainty expected through the Local Plan and the likely financial consequences for the Local Planning Authority to achieve this. Local authorities should not be financially punished when their plans are held up by PINS or central Government call-in. In the proposed new system, area designation will now be the prime focus for debate. If Inspector's remove sites, then replacement sites will need to be identified, publicised and debated all within the nine-month window. This is ambitious. In particular if the top down housing need is extremely challenging and there is no clear mechanism in which to seek assistance from adjacent local planning authorities.

Instead, timescales should be set by the local democratic framework, where the process can be informed by more deliverable considerations.

Questions 13(a). Do you agree that Neighbourhood Plans should be retained in the reformed planning system? [Yes / No / Not sure. Please provide supporting statement.]

13(b). How can the neighbourhood planning process be developed to meet our objectives, such as in the use of digital tools and reflecting community preferences about design?

Yes. Neighbourhood plans are huge pieces of work. Work is undertaken closely with the local authority. The PWP suggests that neighbourhood plans do not reflect Local Plans but by working with a designated planning officer the NP is produced alongside the Local Plan.

Producing a NP for a defined area is easier than for an urban area covering several wards. A separate underlying plan may be required.

The use of digital tools for neighbourhood plans is a good idea. NP also illustrate residents participation in the planning process. Monks Kirby Parish Council have assessed the proposed reforms and have submitted their own response to this consultation.

Question 14. Do you agree there should be a stronger emphasis on the build out of developments? And if so, what further measures would you support? [Yes / No / Not sure. Please provide supporting statement.]

Yes. In general, there is a lack of consideration of the role that the land promotion and development industry have to play in both the plan making and development management process; and ultimately delivering on local plan targets. Many authorities such as Rugby are pro-growth. This is demonstrated through our allocation at Houlton, a development of 6,200 homes which is emerging as an example of national best practice. Rugby consistently produces strategic planning documents which allocate significant amounts of growth and take a positive approach to addressing land supply issues through development management. There have still been issues with delivery with permissions granted on the back of lack of land supply. The failure of developers to act upon those permissions causes frustration locally. The Planning White Paper must consider how this part of the process can take more accountability and be more transparent. This could be around disclosure of information around options, constraints, etc in submitting land for consideration, viability and national guidance on consequences on stalled schemes, or reduced planning permissions. As has been well documented there is a considerable amount of permitted dwellings which have not been built – despite the efforts of LPAs. There is nothing within the PWP which seeks to address this issue, yet this appears to be the greatest obstacle looking forward to the Government meeting the 300,00 per annum target.

Mechanisms to ensure the developers bring forward permissions in a timely fashion, that reflects upon their own estimations at the point of promotion should be considered. In addition this could include the use of ‘use it or lose it’ clauses. Government should introduce penalties to developers for non-delivery of housing. Penalty clauses could result in financial constraints.

Many developers are not open about their timescales to bring forward sites and they should be more transparent.

The Landfill Tax has diverted waste away from landfill to other forms of waste management that are less environmentally damaging. Perhaps a tax could be levied that falls as every 10% of a scheme is delivered would encourage delivery.

To address slow market absorption, we propose to make it clear in the revised National Planning Policy Framework that the masterplans and design codes for sites prepared for substantial development (discussed under Pillar Two) should seek to include a variety of development types by different builders which allow more phases to come forward together

Questions 15. What do you think about the design of new development that has happened recently in your area? [Not sure or indifferent / Beautiful and/or well-designed / Ugly and/ or poorly-designed / There hasn't been any / Other – please specify]

Proposals to address market absorption are supported, but there is concern how this can be delivered on the ground. Development design in Rugby was excellent and there are examples of good housing design such as Houlton – urban extension to Rugby where a collaborative approach has been achieved between the master developer Urban and Civic and the Council. It was important not to lose control and the ability to plan on a place by place basis.

This is a subjective question but overall, there was a good standard design. Local Plan policy is used to deal with 'carbuncles'.

Developers could do better. The biggest battle is that developers have their own standard design models and would state that to divert from that would cost more and this could result in them questioning the viability.

Developers present schemes of little overall merit but ones that 'are not bad enough' to be refused.

16. Sustainability is at the heart of our proposals. What is your priority for sustainability in your area? [Less reliance on cars / More green and open spaces / Energy efficiency of new buildings / More trees / Other – please specify

Again, given the importance of the issues raised, as well as air quality, noise, archaeology, water supply it would give a misleading impression to prioritise one over all the others.

It was good that proposed design is raised on the agenda. Sustainability is subjective. Developers lead the way on this.

There should be less reliance on cars and more focus on green and open spaces.

How is sustainability classed? The conversion of remote farm building to residential homes was unsustainable as a car would be required to access the property.

Energy efficiency should be more widely supported, particularly by housing developers.

It was important to get site plans right at the outset. An example of this is south facing roofs to enable solar panels. Sustainability was fundamental. A greater emphasis on south facing development was needed.

In addition, a fabric first approach would result in the use of less energy so could be argued would be preferable to the installation of solar panels to offset damage to the environment. There are also examples of facilities including schools in Rugby Borough of an approach to building a facility that was as energy efficient as possible.

Mixed used developments of housing and employment should also be favoured sustainable modes of transport and ensure that these form integral and preferred forms of transport.

Question 17. Do you agree with our proposals for improving the production and use of design guides and codes? [Yes / No / Not sure. Please provide supporting statement.

Two issues that the design codes will need to address are their impact on viability and that they can date very quickly as new, often more sustainable, materials come forward.

Government was seeking change to bring forward neighbourhood plans and often many contain a greater focus on design. This could be useful tool for residential design standards in an area.

One set of design codes cannot cover everything. There were no issues with the use of design guides and codes provided the guidance was not too prescriptive and inhibited innovation and change. Design codes should be flexible enough to take into account regional variations in style and fabric.

Developers vary and have different ideas. Negotiation and discussion will result in slowing down the process.

Planning officers often end up in lengthy negotiations with developers and dialogue can last several weeks which adds to development costs. Government was stating that having guides and codes in place would avoid this, but developers will probably want to negotiate.

Building samples, such as bricks should be reviewed on site to ensure they were appropriate for the location. This was the current practice.

Question 18. Do you agree that we should establish a new body to support design coding and building better places, and that each authority should have a chief officer for design and place-making? [Yes / No / Not sure. Please provide supporting statement.]

No. Instead of creating a new body and a chief officer post in every authority the money should be spent on training development management officers so they can improve the design of what they deal with every day. It is not advisable to have a single officer in one role as this leads to a lack of resilience for when the officer cannot fulfil that role for any reason.

Establishing a new expert body would add an additional element to the overall process.

Not many local planning authorities would be able to employ a new chief officer. There would be a lot of burden on one person. It was more likely this would fall within existing roles and put more pressures on their existing workloads.

Many of the council's planning team have conservation knowledge. If Government was offering more resources this could be used for training or building skills on design for existing planning officers. Having a dedicated conservation advisor was not statutory.

How this would be resourced is not clear.

Knowledge comes from years and years of experience and the council moved away from having an in-house expert. The structure could be reviewed again to look at where priorities lay.

It was important to build resilience in teams. The senior more experienced planning officers have a greater level of knowledge.

Question 19. Do you agree with our proposal to consider how design might be given greater emphasis in the strategic objectives for Homes England? [Yes / No / Not sure. Please provide supporting statement.]

Not sure. Homes England are involved in the development of the Local Plan South West Rugby allocation and steps have been taken to champion design quality. It was possible to draw upon their expertise and take their lead. If they are championing design this may be beneficial to this authority.

However, nationally, Homes England will be involved in the delivery of only a small fraction of all homes, the emphasis needs to be on the national housebuilders.

Question 20. Do you agree with our proposals for implementing a fast-track for beauty? [Yes / No / Not sure. Please provide supporting statement.]

No. 'Beauty' is far too subjective a concept to be assessed on a consistent basis across applications. What is beautiful to one person could be a carbuncle to another.

This would require the NPPF to be updated again to identify areas of significant development (growth areas) to be in place prior to detailed proposals coming forward.

The proposal to legislate to widen and change the nature of permitted development was a concern. These forms of development can result in the design not repeating the street scene or could adversely affect amenity.

Whilst the council could remove permitted development rights from a development, the Government is keen to enable more flexibility in the system to allow development and not burden schemes with conditions which have to be fully justified. Conservation areas and listed buildings have separate protection.

The wording in the first paragraph of page 52 does not make sense.

Permitted development is a minefield and takes up a lot of planning officer time. Unauthorised development was not supported.

The wording on page 54 was also unclear and contradicts the emphasis on design. Is the focus on allowing redevelopment, conversion or rebuild or development in principle? The Paper refers to existing residential and a hint around zoning?

Prior approval is another minefield and removes addressing principles.

This section is not clear and needs to be clarified.

It was hoped this would be a good starting point with amending the NPPF to incorporate climate change.

The Environment Bill incorporates a condition based on a commitment for all new streets to contain trees. It was uncertain how that could be achieved.

Pavements were not wide enough to plant trees. After 40 years the small trees originally planted become huge trees and this results in the roots causing damage.

Trees placed near roads was a poor idea. This would result in a lot of maintenance and additional work. The leaves also block drains. Tall vehicles have difficulty travelling on roads due to overhanging branches.

There was a struggle to protect views. There were cases where the views of Stately homes were considered in some controversial appeals to protect significant long-distance views from the development of wind farms situated miles away. Historic England were looking at different ways to protect long distance views.

Question 21. When new development happens in your area, what is your priority for what comes with it? [More affordable housing / More or better infrastructure (such as transport, schools, health provision) / Design of new buildings / More shops and/or employment space / Green space / Don't know / Other – please specify]

Priorities will vary depending on the location and scale of the development. Infrastructure must be considered. Every development is slightly different, difficult to prioritise the order.

Affordable housing is a priority, but not for every development coming forward.

Questions 22(a). Should the Government replace the Community Infrastructure Levy and Section 106 planning obligations with a new consolidated Infrastructure Levy, which is charged as a fixed proportion of development value above a set threshold? [Yes / No / Not sure. Please provide supporting statement.]

No. S106 exists to mitigate harm, still need a mechanism to address site specific issues, amend CIL to capture land value as the White Paper seeks to do through new CIL. It was clear why CIL was introduced as there are issues with S106. CIL is non-negotiable and not as flexible as S106. S106 can be adapted to fit schemes. However, resolving the problems with S106 processes would have been preferable.

It would be dependent on the nature of the development, where it was located and the priorities that development would bring.

The proposals appear to be over-looking the fact that not all developments deliver an uplift in land value. Local Authorities with sites that can demonstrate no uplift in land value, will not be able to capture the revenue they need to deliver essential infrastructure. This might not be a direct issue for Rugby due to our strategic location in the 'golden triangle', but it could result in less money for critical infrastructure such as sustainable transport. It is promoting lower investment in areas of low land values, widening the north-south divide. The White Paper does not currently address how it will overcome this issue.

22(b). Should the Infrastructure Levy rates be set nationally at a single rate, set nationally at an area-specific rate, or set locally? [Nationally at a single rate / Nationally at an area-specific rate / Locally]

No. Locally, trying to set a rate nationally so that it would work for places as diverse as Westminster and Rotherham appears to be unworkable. Areas of little uplift often have the most pressing need for infrastructure but under the proposals as drafted these areas would have least ability to revenue for infrastructure.

The planning white paper does not clarify about receipt of levies. These should be collected and distributed on a local basis.

As has been the case with some CIL there could be problems if different local authorities set different levies. A nationally set CIL is unlikely to work as each LPA has different needs.

If a baseline was imposed, then local authorities should be able to provide evidence as to why they would introduce a higher figure.

22(c). Should the Infrastructure Levy aim to capture the same amount of value overall, or more value, to support greater investment in infrastructure, affordable housing and local communities? [Same amount overall / More value / Less value / Not sure. Please provide supporting statement.]

No. More value - to help address shortages in infrastructure funding. The Levy is not the right solution and has the potential for a detrimental effect on development.

S106 allows for greater returns and greater certainty on delivery. There is a balance between allowing development and providing funding.

22(d). Should we allow local authorities to borrow against the Infrastructure Levy, to support infrastructure delivery in their area? [Yes / No / Not sure. Please provide supporting statement.]

Yes, this should be an option for local planning authorities, but it must not be assumed to be a given by developers.

Getting infrastructure in was the biggest challenge. The opportunity to borrow against future planning obligations was supported if it were needed to enable delivery of schemes.

However, it is acknowledged that development activity is cyclical and during low period of activity, there should not be an expectation that local planning authorities should automatically take a risk in place of a developer.

Question 23. Do you agree that the scope of the reformed Infrastructure Levy should capture changes of use through permitted development rights? [Yes / No / Not sure. Please provide supporting statement.]

Yes. Creating new residential units in former office blocks creates demand for education and health impacts beyond those generated by offices. It is right that the levy can address these impacts. Development through the prior approval process route would impact on infrastructure, and in the longer term would also impact on growth. It does not provide funding to deliver on infrastructure. There were aspirations to widen the scope e.g. levies taken from permitted development impacts should be captured.

Under this approach we recognise that some risk is transferring to the local planning authority, and that we would need to mitigate that risk in order to maintain existing levels of on-site affordable housing delivery. We believe that this risk can be fully addressed through policy design. In particular, in the event of a market fall, we could allow local planning authorities to ‘flip’ a proportion of units back to market units which the developer can sell, if Levy liabilities are insufficient to cover the value secured through in-kind contributions.

Questions 24(a). Do you agree that we should aim to secure at least the same amount of affordable housing under the Infrastructure Levy, and as much on-site affordable provision, as at present? [Yes / No / Not sure. Please provide supporting statement.]

Given the scale of the affordable housing crisis in the UK, yes.

Getting developers to deliver current policy requirements is difficult and it is not possible to obtain funding for affordable housing through CIL. There was a need capture this through incentives for greater delivery.

In principle this is a positive incentive not looked previously and the overall aim is positive. However, the Planning White Paper is extremely lacking on the detail on how this will be achieved. If equal levels are not possible, how is viability calculated? Further mechanisms are needed and nothing that addresses that within the consultation as this is essential element of delivery.

Developers usually locate the affordable housing provision at the lower value areas of a development. In many cases it would be preferable to receive the money that development for the local authority to deliver. Give developer the option of allocation or pass land to LA to build.

Although the RBC shares the clear aspiration to increase delivery of affordable housing, there is a concern that other infrastructure may suffer.

Transparent viability is an important part of the delivery of affordable housing. It is the view of the council that the consultation does not place enough focus on this and the responsibility of site promoters in this process. Further detail is required over how viability is tested.

24(b). Should affordable housing be secured as in-kind payment towards the Infrastructure Levy, or as a ‘right to purchase’ at discounted rates for local authorities? [Yes / No / Not sure. Please provide supporting statement.]

Right to purchase would ensure that the quality of the affordable units would be the same as the market housing.

24(c). If an in-kind delivery approach is taken, should we mitigate against local authority overpayment risk? [Yes / No / Not sure. Please provide supporting statement.]

24(d). If an in-kind delivery approach is taken, are there additional steps that would need to be taken to support affordable housing quality? [Yes / No / Not sure. Please provide supporting statement.]

Questions 25. Should local authorities have fewer restrictions over how they spend the Infrastructure Levy? [Yes / No / Not sure. Please provide supporting statement.]

The infrastructure levy should be used to address infrastructure needs. Local planning authorities are best placed to determine what they are but this should not include lowering council tax.

In addition, there should be fewer restrictions, but they should be justified. There is also a danger the levy will just focus on housing issues and not all the community facilities that are required to ensure developments contribute to the long-term liveability on communities. Such facilities are essential. There needs to be specific reference to green space and children's play, although equally sports and community facilities should also not be ignored. The guidance on "Beautiful Communities" does reference "not just beautiful buildings but gardens, parks and green spaces", but no reference on how this is achieved or maintained. This should be made clearer and needs to ensure equity of provision across developments to avoid the creation of ghettos, and links to local green infrastructure / green space strategies. (along with sufficient maintenance payments).

The Levy should be spent where there is a recognised purpose either to improve the environment or meet local needs. It should not become a cash cow to fund any project. The fund could be held in a pot and the community could decide on what improvements should be prioritised.

25(a). If yes, should an affordable housing 'ring-fence' be developed? [Yes / No / Not sure. Please provide supporting statement.]

If revenue is raised locally it should be a matter of local discretion that local authorities determine how it is spent, rather than central Government determining priorities. Local authorities needed more powers to address the consequences for planning breaches.

Question 26. Do you have any views on the potential impact of the proposals raised in this consultation on people with protected characteristics as defined in section 149 of the Equality Act 2010?

Many of those with a protected characteristic tend to be in lower income groups, the suggested 'tech-heavy' approach envisaged by the White paper is likely to bypass these groups and they will continue to be excluded from the process.

Race is a protected characteristic. The rights of one group should not impinge on another group.

All designed to make development easier. The travelling community will benefit. It is perceived that they are adept at getting round the planning system and finding loopholes.

Site provision for the travelling community needs a consistent approach and plan. Current national planning guidance requires these needs are incorporated into the Local Plan but national guidance for Gypsy and Traveller. The current Planning Policy for Traveller Sites policy must be incorporated into

any update of the NPPF, to provide a greater clarity to local planning authorities on how they are expected to meet all of their development needs within one policy document.

It is unclear whether the intention is for accommodation needs for the travelling community to be set nationally through a standardised methodology, in particular given the reliance on specific primary data. In addition, given the difficulties authorities such as Rugby have had in identifying deliverable sites, a 30 month timescale for a Local Plan is again challenging. More support and guidance is required to helping to overcome these substantial hurdles locally.

Residents are concerned by unauthorised development by gypsy and traveller groups. Matters should be dealt with through legislation and policy. Planning Enforcement has a key role to play.

Human rights legislation is clear on equality. Housing should be planned so that as older residents and those with disabilities can afford that housing caters for their needs and allows for them to stay in their own homes rather than going into a care home.

Equality applies to everyone and not one individual group.

Appendix XXX

WCC Archaeological Information and Advice Comments to Rugby Borough Council

Sustainable Development and the Historic Environment. It is important to protect more of our historic environment e.g. listed buildings. Greater strength to Local Listing and Enforcement action would help achieve this.

Section 2 of the present National Planning Policy Framework (NPPF) recognises that the protection and enhancement of our historic environment is part of the three overarching objectives which help ensure sustainable development. Section 16 further recognises that heritage assets are an 'irreplaceable resource', that should be 'conserved in a manner appropriate to their significance (para. 184)' and recognises the 'wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring (para. 185)'. We would seek reassurance that the proposed new planning system recognises the role that the historic environment plays in sustainable development, and the benefits it brings to our communities.

We are pleased that the White Paper has recognised that 'the planning system has played a critical role ensuring the historic buildings and areas we cherish are conserved and, where appropriate, enhanced by development' and that the NPPF sets out strong protections for heritage assets where planning permission or listed building consent is needed' (pg. 58).

We would seek to ensure that any new planning new system, and the proposed revised NPPF, as a minimum, retains its current level of protection of the historic environment. We are reassured that the White Paper confirms that it is proposed to build on this framework when developing the new planning system (pg. 58) and that it is aimed for the proposed reform to 'protect our historic buildings and areas... (pg.25)'.

Assessing Impacts on the Historic Environment

Of particular importance to the protection of the historic environment is the adequate understanding of the potential impacts of a proposal on it. Whilst the examination of existing information, including that held by the relevant Historic Environment Record, should inform this understanding, it is not unusual for further assessment to be necessary in order to provide further information on any heritage assets across, or in the wider vicinity of the development site. This is particularly important for archaeological remains, where an archaeological evaluation may be necessary to obtain further information, such as character, date, state of preservation etc, in order for the significance of any known, or as yet unidentified, archaeological features present to be determined, and the impact that the proposed scheme to have on these assessed. This is acknowledged by para. 189 of the NPPF which directs Local Planning Authorities (LPAs) to require, where a site 'includes, or has the potential to include, heritage assets with archaeological interest', 'developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation'.

Section 16 further sets out how that impact of a proposal on a heritage asset should be taken into account when determining an application, taking into account the scale of any harm or loss and the significance of the heritage asset.

Obtaining sufficient information on any heritage assets across or in the wider vicinity of a proposed development site at an early stage in the process can help ensure that a proposed development is designed in such a way as to avoid, or minimise, any potential impacts on the historic environment, and/or identify any ways in which it can be enhanced. It also helps to ensure that a reasoned and informed planning decision (in respect of the historic environment) can be made, reducing the risk of

consent being inadvertently granted for a scheme that causes unacceptable harm to the historic environment. For example, one which would cause substantial harm to a subsequently identified archaeological site of the highest significance (eg. of equivalent significance to scheduled monuments); such harm para. 194 of the NPPF states should be ‘wholly exceptional’,

It is not clear at present how this approach can fit into the proposed new planning system, with its focus on decisions being made at the Plan Stage, and the principle of development being firmly established at that stage (pg. 34). In addition, there is a concern that the proposed reduction in assessment undertaken during the development in Local Plans (pg. 20) and prior to the final consent being granted (pg. 34) could result in planning decisions being made which are not adequately informed in respect of, and could have a significant negative impact on, the historic environment. This is contrary to the aim set out in the White Paper to ‘protect the places of environmental and cultural value which matter to us (pg. 56)’.

Should adequate assessment not be undertaken prior to the designation of a development area in the Local Plan, there is a risk that deemed consent could be granted for a proposal which could have an unacceptable impact on the historic environment. For example if heritage assets (such as archaeological features worthy of conservation, or an area with significant Historic Landscape Character) are identified following the allocation of an area which could not be ‘designed around’. This is of particular concern across smaller designated areas in the Local Plan, where there may be less design flexibility, or larger sites where there are potentially non-heritage constraints which could impact the potential final design (for example, flood alleviation works or landscaping which need to be positioned in certain parts of the site, which may conflict with conserving archaeological remains across that area).

If there is no mechanism to refuse consent for proposals which will have an unacceptable impact on the historic environment following the allocation of that area for development in an Local Plan (for example, if heritage assessments are identified following allocation), we would expect any revised planning process to ensure that adequate assessment of potential impacts on the historic environment, including archaeological evaluation where appropriate, is undertaken prior to the inclusion of any development area in the Local Plan.

This could have significant cost impacts for the LPAs producing Local Plans. At present, under the NPPF, any such detailed assessment is funded by the developer/applicant, which is consistent with the ‘polluter pays’ principle and required in planning policy guidance since the publication of PPG16 in 1990.

Should it be necessary for detailed heritage assessment (which may include archaeological evaluation) to be undertaken to inform the development of the Local Plan, the cost of this is likely to fall onto the local planning authority, which may be inconsistent with the aim, as set out on page 71 of the White Paper, of the cost of operating the new planning system being ‘principally funded by the beneficiaries of planning gain’... ‘rather than the national or local taxpayer’.

The production of the Masterplans and Codes referred to on page 52, which it is proposed LPAs produce before detailed proposals come forward for Growth areas, should also be informed by an adequate understanding of any heritage assets which could be impacted by the proposal. This may also have cost implications for the LPAs.

We are pleased to note that it is envisaged that Local Plans will ‘clearly identify the location of internationally, nationally and locally designated heritage assets, such as World Heritage Sites and conservation areas’ (pg. 58) as this will help ensure that these are taken into account when schemes are developed. We would, however, highlight the following:

- The majority of heritage assets are not presently designated, irrespective of their significance. As detailed in the NPPF, the impact of proposals on non-designated, as well as designated heritage assets should be taken into account when planning decisions are made.
- Data alone does not protect the historic environment. Whilst there are benefits to including this data in the Local Plans, it should also be analysed by appropriately qualified and experienced heritage professionals. Any assessment should consider the potential for as yet unidentified archaeological features to survive across an area.
- As set out above, detailed assessment, including archaeological evaluation where appropriate, should be undertaken to inform the development of the Local Plan. The results of any such assessment should be included in the Local Plan.
- The local Historic Environment Records contain information about known heritage assets and should be consulted when undertaking any heritage assessment.

Page 48 highlights that it is important that ‘local guides and codes’ be prepared in order to help ensure that schemes ‘reflect the diverse character of our country’. We would highlight that the historic environment often strongly contributes to the character of an area and would strongly encourage heritage specialists being included in the production of any such documents, and any other assessments of local character. The local Historic Environment Records should be consulted, and the data generated by projects such as the Extensive Urban Surveys Programme and Historic Landscape Characterisation Programme used.

Whilst we support the encouragement of high-quality development which reflects local character (which often has a historic component), this should not be at the expense of other aspects of the historic environment. We would seek reassurance that any ‘fast-tracking’ of such development, as referred to on pg. 52, would still require sufficient assessment to ensure that any potential negative impacts on the historic environment, including archaeological features, are identified, avoided, and where otherwise unavoidable, minimised and mitigated, including the preservation of heritage assets worthy of conservation. We would also highlight the potential for such developments to enhance the local historic environment.

Historic Environment Records

The new planning system should recognise the role that Historic Environment Records (HERs) have in providing Historic Environment information as an essential evidence base for informing the development of Local Plans and planning decisions (see para. 187, 189, NPPF). These should be

actively maintained, and adequately resourced, to ensure they contain up to date information to be used in the planning process. Formalising HERs as a statutory requirement of local planning authorities help would achieve this.

Enforcement

We are pleased to note that it is proposed to place more emphasis on enforcement (pg. 72). Timing is vital to ensure effective enforcement action. Quick enforcement responses can prevent further problems. Unfortunately, once harm is caused to the historic environment, it frequently cannot be mitigated, for example, you cannot recreate an archaeological feature that has been destroyed by building works. Stronger enforcement will help to ensure that this is less likely to occur by acting as a deterrent and may help ensure any breaches, such as undertaking works without the appropriate consents, or failing to satisfy planning conditions, are identified at an earlier stage, which may help limit some of the harm caused. We would also request that the use of fines, with the proceeds being used to help conserve and enhance local heritage, for use where a breach has occurred which has caused harm to the historic environment that cannot be mitigated be investigated. Any such fines should be sufficient to act as a deterrent to breaches. We would also support the increased use of the Proceeds of Crime Act in such instances.

Infrastructure Levy

We would recommend that provision be made in the new 'Infrastructure Levy' scheme for support, where appropriate, for existing community assets such as museums.

Non-Heritage Comments

This document refers to a lack of houses being delivered, and makes reference to introducing a binding housing requirement that local planning authorities will have to deliver (pg. 23), and the maintenance of the Housing Delivery Test (pg. 33). We would highlight that the delivery of housing is also dependent on developer's bringing forward schemes they have planning consent for, as often this only occurs in phases. We would recommend that, parallel to any planning reforms being developed, mechanisms to ensure that schemes granted consent are brought forward in a timely manner by the developers are also investigated.

Page 57 makes reference to identifying areas where woodland or forestry creation could be accommodated. The Forestry Commission is presently responsible for administering the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended. It is not therefore clear how Local Planning Authorities will be involved in allocating such areas.

Emphasis is placed throughout the document on the benefits of increased use of technology during the plan making and planning permissions process, with 20th century technology being one of the factors identified as hindering the present system (pg. 13). Many of the technological benefits detailed in this document could be achieved without direct changes to the planning process, but rather the technology used.

Answers to Specific Questions

We would highlight that the protection and enhancement of the Historic Environment should be included as a priority for sustainability in response to question 16.

Ecology

The paper has a chapter specifically for the Natural and Historic Environment, under Pillar 2 and EFFECTIVE STEWARDSHIP AND ENHANCEMENT OF OUR NATURAL AND HISTORIC ENVIRONMENT. Here it states that the planning system will continue to protect ecological sites of international down to local (county) importance. However, it suggests that it will do more by making Biodiversity Net Gain within a Local Nature Recovery Strategy a mandatory requirement. The reform will also make all new street trees-lined. Not all streets can be tree-lined, as this may result in inappropriately high housing densities. Appropriate attention should be paid to the right species.

Under Propoal 16, the Government intends to do this by designing a quicker, simpler framework for assessing environmental impacts and enhancement opportunities, that speeds up the process while protecting and enhancing the most valuable and important habitats and species. Indeed the government looks to strengthen protections that make the biggest difference to species, habitats and ecosystems of national importance, and that matter the most to local communities. To do this they intend to:

consider environmental aspects of a plan or project early in the process, and to clear timescales

make available National and local level data in digital form and re-use this data to make it easier to re-use, keep up-to-date and reduce the need for site-specific surveys.

Some of this will be the subject of a separate and more detailed consultation in the autumn and so there are no specific questions in the consultation on this topic.

Comments

How the above relates to other Proposals and question, therefore, fall into generic concerns and these are:

Protected Areas - the designation of these areas will need to rely on robust up-to-date species and habitat data at a greater level of detail that currently exists. This takes into account that Warwickshire has, arguably, the most comprehensive habitat dataset in the UK. However, hundreds more Local Wildlife Sites need to be surveyed habitats will need condition assessments to apply Biodiversity Net Gain principles to site allocations structured species surveys would be required to model protected species presence and potential abundance, where it is scientifically acceptable to do so funding on the Local Record Centre to manage this data

Growth & Renewable Areas - in these areas there will be a 'permission in principle' leaving only reserve matters to be considered. In these areas all assessments would be 'front loaded' and would need to include protected species surveys (noting the first bullet) and habitat surveys with condition assessments. The species conditon could change prior to commencement so careful consideration needs to be considered to ensure compliance with the Habitat Regulations and Wildlife Countryside Act that governs how decisions and conditions placed within the current planning process. With

standard national conditions this may remove the ability for planning officers and their advisors to formulate a legally, pragmatic solution to the nuances that each site brings.

To ensure that all ecological constraints can be legally on a 'Growth' or 'Renewal Area' there is a significant potential that a 'too precautionary' approach is advised or the opposite and 'over allocation' of units is promoted causing issues at the reserve matter stage where constraining conditions are already imposed on the 'outline' permission.

Design codes - These will require a significant amount of front-loaded assessments to ensure that full professional considerations have been incorporated in them and make them fit for a 'rule-based' assessment.

Future Maintenance - It is essential that all onsite and offsite management considerations are financially supported by all management organisations. If this falls within the 'Infrastructure Levy' then the cost is likely to be open to challenge. For example, if there is a commitment to line every street with trees, then who maintains and replaces these trees.

Ultimately, all these concerns fall under financial outlays; be these on the landowner, promoter, developer, local authority, future occupier or tax payer. The burdens associated to the planning reform on all these parties could be considerable. Some, especially at the 'allocation' stage could be viewed as a 'high risk' and non-recoverable.

AGENDA MANAGEMENT SHEET

Report Title:	Finance & Performance Monitoring 2020/21 - Quarter 2
Name of Committee:	Cabinet
Date of Meeting:	9 November 2020
Report Director:	Interim Chief Finance Officer
Portfolio:	Corporate Resources
Ward Relevance:	All Wards
Prior Consultation:	None
Contact Officer:	Jon Illingworth, Acting Section 151 and Chief Finance Officer jon.illingworth@rugby.gov.uk 01788 533410
Public or Private:	Public
Report Subject to Call-In:	Yes
Report En-Bloc:	No
Forward Plan:	Yes
Corporate Priorities:	This report relates to the following priority(ies):
(CR) Corporate Resources	<input checked="" type="checkbox"/> To provide excellent, value for money services and sustainable growth
(CH) Communities and Homes	<input checked="" type="checkbox"/> Achieve financial self-sufficiency by 2020
(EPR) Environment and Public Realm	<input checked="" type="checkbox"/> Enable our residents to live healthy, independent lives
(GI) Growth and Investment	<input checked="" type="checkbox"/> Optimise income and identify new revenue opportunities (CR)
	<input checked="" type="checkbox"/> Prioritise use of resources to meet changing customer needs and demands (CR)
	<input checked="" type="checkbox"/> Ensure that the council works efficiently and effectively (CR)
	<input checked="" type="checkbox"/> Ensure residents have a home that works for them and is affordable (CH)
	<input checked="" type="checkbox"/> Deliver digitally enabled services that residents can access (CH)

- Understand our communities and enable people to take an active part in them (CH)
- Enhance our local, open spaces to make them places where people want to be (EPR)
- Continue to improve the efficiency of our waste and recycling services (EPR)
- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background: This report has been submitted in accordance with the Financial Standing Orders.

Summary: This report sets out the anticipated 2020/21 financial & performance position for the Council based on data as at 30 September 2020 (Quarter 2). It also presents proposed 2020/21 budget adjustments for approval as required by Financial Standing Orders.

Financial Implications: As detailed in the main report.

Risk Management Implications: This report is intended to give Cabinet an overview of the Council's forecast spending and performance position for 2020/21 to inform future decision-making.

Environmental Implications: There are no environmental implications arising from this report.

Legal Implications: There are no legal implications arising from this report.

Equality and Diversity: No new or existing policy or procedure has been recommended.

Options: Members can elect to approve, amend or reject the supplementary budget requests listed at recommendation 3 to 6

Recommendation:

RECOMMENDATION

- 1) The Council's anticipated financial position for 2020/21 be considered;
- 2) performance summary & performance data included in Section 7 and Appendix 3 be considered & noted;
- 3) a supplementary general fund capital budget of £0.032m for 2021/22 for the Corporate Asset Management scheme to be funded from borrowing as detailed in section 6 be approved; and
- 4) IT BE RECOMMENDED TO COUNCIL THAT -
 - (a) the virement to transfer £0.073m from centrally held budget set aside for Salary pay award to Services as detailed in section 6 be approved;
 - (b) a supplementary general fund budget for the consultancy costs incurred for the development of the 'Town Centre Spatial Strategy'. A total of £0.135m funded from the Town Centre Improvement Reserve as detailed in section 6 be approved;
 - (c) a supplementary general fund budget for 'Reopening of the High Streets Safety Fund' of £0.096m financed from Grant, as detailed in section 6 be approved.

Reasons for Recommendation: A strong financial and performance management framework, including oversight by Members and senior management, is an essential part of delivering the Council's priorities and statutory duties

Cabinet - 9 November 2020

Finance & Performance Monitoring 2020/21 – Quarter 2

Report of the Interim Chief Finance Officer

RECOMMENDATION

- 1) The Council's anticipated financial position for 2020/21 be considered;
- 2) performance summary & performance data included in Section 7 and Appendix 3 be considered & noted;
- 3) a supplementary general fund capital budget of £0.032m for 2021/22 for the Corporate Asset Management scheme to be funded from borrowing as detailed in section 6 be approved; and
- 4) IT BE RECOMMENDED TO COUNCIL THAT -
 - (a) the virement to transfer £0.073m from centrally held budget set aside for Salary pay award to Services as detailed in section 6 be approved;
 - (b) a supplementary general fund budget for the consultancy costs incurred for the development of the 'Town Centre Spatial Strategy'. A total of £0.135m funded from the Town Centre Improvement Reserve as detailed in section 6 be approved;
 - (c) a supplementary general fund budget for 'Reopening of the High Streets Safety Fund' of £0.096m financed from Grant, as detailed in section 6 be approved.

1. INTRODUCTION

This is the second of the quarterly finance and performance monitoring reports for 2020/21, which combines finance (revenue and capital) as well as performance for General Fund (GF) and Housing Revenue Account (HRA). The year-end forecasts for 2020/21 are based on actual expenditure from 01 April 2020 to 30 September 2020 (Quarter 2) plus any known changes that have developed thereafter. The report also includes proposed 2020/21 budget adjustments which are recommended for approval by Members.

The key sections of the report are laid out as follows:

- Background- Section 2
- General Fund (GF) Revenue Budgets and Performance - Section 3 & Appendix 1;
- Housing Revenue Account (HRA) Revenue Budgets & Performance- Section 4 & Appendix 2;
- Capital Budgets - Section 5 and Appendices 1 (GF) & 2 (HRA);
- Performance- Section 7 and Appendix 3
- Future Outlook - Section 8

Throughout the report, pressures on expenditure and income shortfalls are shown as positive values. Savings on expenditure and additional income are shown in brackets.

2. BACKGROUND

As previously reported in quarter monitoring for 2020/21 this year has seen unprecedented times with the impact of the Coronavirus pandemic (COVID-19). The initial lockdown that took place at the beginning of the year presented significant challenges both nationally and locally. The government has taken steps to support both businesses and authorities to recognise the financial impact alongside increased demand on service delivery and this review of cost pressures and financial support is ongoing as detailed in section 3.2

Whilst the first report went some way to give the initial overview on pressures, it also highlighted that it was too early to speculate on the recovery of local economy with this report continuing to hold the same significant risks around cost pressure within services and collection of income.

3. GENERAL FUND (GF) REVENUE BUDGETS

3.1 GF Overview and Key Messages:

The current reported forecast position reporting an increased pressure of **£0.521m** compared with £0.017m reported at quarter 1 (Q1).

It needs to be noted that there are still significant risks that the deficit will increase with potential pressures continuing to be reviewed and considered.

The details are as follows;

- Impact of continued increased demand on Council services.
- Impact of continued pressures on service providers, local businesses, and the general public.
- Review of pressures resulting from required changes that will need to be made to ensure a safe environment for both staff and customers.
- Any financial impact of the implementation of recovery plans over the short to medium term.
- Inability to speculate what lies ahead over the coming months as the COVID-19 pandemic continues.
- Impact of pressures on the Council's financial provisions to mitigate future risks of reduced income collection rates.

It needs to be noted that this unprecedented set of circumstances may mean that there may still be significant changes which will be reported in future quarterly reports.

Further details of portfolio variances and key performance indicators can be seen in Appendix 1.

This variance is made up of the following significant items-

A pressure of **£1.412m** from GF Portfolios; this is mainly due to loss of income and increased costs due to the impact of COVID-19 and a summary is provided below; **this variance does not include the impact of the emergency funding received from Ministry of Housing, Communities and Local Government (MHCLG) The £1.284m received as at 30 September is included as a Corporate item and is being used to offset the total pressure of COVID-19 rather than be allocated to specific services.**

- **Growth & Investment** portfolio reports a pressure of **£0.230m** mainly resulting as a loss of income as a direct impact of the COVID-19 pandemic across Planning, Sport & Recreation, Land Charges, Benn Hall and Visitor Centre. This pressure has been partly mitigated from the Covid-19 Sales, Fees and Charges recovery scheme in which the Council expects to receive an estimated (£0.428m). In addition, the service has been awarded funds from the Arts Council Culture Recovery Fund to support loss of income within Benn Hall. However, it needs to be noted that this will reduce the amount claimable from the Sales, Fees and Charges Recovery Scheme with the full impact of this to be detailed in future reports.
- **Environment and Public Realm** portfolio reports a pressure of **£0.215m**. This can be broken down as the loss of car park income of £0.287m due to the fall in visitor numbers to the town centre as a direct result of the COVID-19 pandemic. An overspend of £0.170m on Trade Waste due to loss of income from the downturn in business trade as a result of lockdown restrictions and reduced ability to increase our customer base for Trade Waste during the current year. The overspend of £0.125m on the Domestic Waste service can be attributed to an increase in haulage costs as a direct result of the pandemic on the increase in household tonnage being collected as residents spend more time at home during the pandemic, which is partly offset by increased income from Warwickshire County Council from recycling credits and a contribution towards haulage costs. This has been partly mitigated as a result of Household Green Waste service seeing an increase in subscriptions of £0.055m and the COVID-19 Sales, Fees and Charges recovery scheme in which the Council expects to receive an estimated (£0.318m)
- **Communities and Homes** portfolio reports a pressure of **£0.769m** mainly resulting from accommodation costs for housing homeless people during the Coronavirus pandemic. The forecast represents a central case of maintaining the rough sleeper cohort in Bed and Breakfast accommodation for the remainder of 2020/21. The Council has been awarded (£0.212m) of intermediate funding from the Next Steps Accommodation Programme (NSAP) grant following a bid submission during the summer. This will provide continuing emergency accommodation for rough sleepers (including those without recourse to public funds) for between 12 and 20 weeks during the remainder of the financial year. The sum also includes £0.039m to assist in access to private rented sector accommodation for these clients.
- **Executive Services** reports a pressure of **£0.143m** which includes the appointment of the New Deputy Chief Officer and is offset by vacancy savings within Corporate Resources and Environment and Public Realm.
- **Corporate Resources** reports a pressure of **£0.056m** which is mainly due to reduced income from Council Tax and Business Rates recovery.

In addition to specific pressures there is a net saving from the Corporate items which are not attributed to a portfolio

- **Corporate items** reports a saving of (**£0.892m**) this is as a result of MHCLG emergency funding allocated to the Council (£1.284m) as at 30 September and a saving of (£0.344m) in relation to delays in the delivery of the capital programme and the associated savings in borrowing costs and MRP. This is mostly related to delays in the delivery of fleet replacement vehicles. Minimum Revenue Provision (or the statutory requirement to repay borrowing) occurs in the year after an asset becomes operational and therefore this underspend will be committed to 2021/22. In

addition to this there is a projected pressure of £0.826m in the delivery of the Corporate savings target as well as centrally held COVID-19 costs.

Please note that the forecast position does not include the 4th Tranche of MHCLG Emergency funding for Local Government. Announced on the 22 October the allocation for Rugby Borough Council is (£0.214m). This will be incorporated into the future forecasts

2020/21 Savings and Income Proposals

- Total Portfolio Service savings of (£0.385m) - (£0.216m) are risk assessed as green and deliverable. The balance of (£0.169m) is assessed as amber and continues to be monitored.
- It needs to be noted that the 2020/21 income proposals of (£0.570m) are at significant risk of non-delivery and are included in the forecast loss of income.
- Corporate, Salary and Digitalisation savings of (£0.403m) – The current forecast assumes that £0.381m will not be delivered due to additional staff costs from increased demand for services. However, this will continue to be reviewed with any changes to this reported in future reports. Any savings at risk of delivery continue to be reviewed to take action to mitigate wherever possible.

Reserves

The table below shows the anticipated balance in the general fund balances at 31 March 2021 based on the forecasts at Quarter 2.

	Forecast in-year change £000s	Balance £000s
Revised GF Balance at 01 April 2020		(2,250)
Net amount to be taken from balances	521	
Anticipated GF Balance at 31 March 2021		(1,729)

Table 1 – Summary General Fund Balances in Reserve.

Whilst the current reported position is reporting a pressure of £0.521m pressure the Council continues to face significant challenges as a result of COVID-19. There are potential further pressures in the region of £1.000m as the likelihood of the risk materialising becomes greater the forecasts will be amended. As part of this process there will also be a review of the most appropriate reserve to draw on to balance the position for the year.

There are risks in both increased expenditure and reduced income for services which will have a significant impact on the level of reserves if not met by other funding streams.

The Risk Assessment completed in September considered within the initial budget report assumed

- The General Fund has a risk of **£1.506m** to support the impact of the Coronavirus Pandemic with £0.521m reported in the quarter 2 (Q2) position leaving the balance to mitigate further risks.
- The Budget Stability Reserve has a significant risk in excess of **£0.800m** to support service pressures from additional costs, loss of income and risk to the delivery of savings during 2020/21

- If all of the risks were to materialise over the next 2 years, then Reserves will be fully depleted by the financial year 2023/24.

The initial estimate for forecast reserves over the medium term can be seen within the General Fund Appendix 1 – Dashboard. These will continue to be updated as new information is made available.

3.2 Coronavirus pandemic (COVID-19)

To date, Rugby Borough Council has been allocated (£37.638m) to pass directly to residents and businesses as follows:

COVID-19 Funding Type	£000s	Notes
Balance b fwd at the end of Q1	(33,447)	
Expanded Business Rates Relief (MHCLG)	(4,129)	Second allocation to fund the increase in business rates retail relief to 100% to eligible retail, leisure and hospitality properties.
Test and Trace Support Payments (Department of Health & Social Care)	(62)	Initial cash allocations for support payments (including discretionary allocation) as published on 30 th September 2020.
TOTAL COVID-19 FUNDING	(37,638)	

Table 2 – Summary Grants and Reliefs – COVID 19.

Since the initial lockdown on 23 March 2020 local authorities have been required to report monthly to MHCLG. This has included updates on the impact of the Coronavirus pandemic from both a financial and non-financial perspective. This information has enabled the government to recognise the financial support required to ensure that cash flow pressures can be limited, and local authorities can continue to serve their communities.

The potential risk and loss of income included in the Q2 forecast total £2.600m. However, it needs to be noted that the climate and circumstances are constantly changing. Future reports will continue to provide updates on both the costs and income.

Whilst services are continuing to take action to minimise cost pressures wherever possible, the reported forecast pressures mentioned previously have been partly part mitigated by grants awarded by Government and the co-payment scheme to compensate local authorities for irrecoverable losses in 2020/21 from eligible sales, fees and charges. The initial claim submitted in July provides a total of (£0.512m) with an estimated full year forecast in Q2 of (£0.869m)

In addition, a consideration for authorities to spread collection fund deficits arising in 2020/21 over the next three years rather than the usual one. A full announcement will be made at the next Spending Review which is expected later in the Autumn.

Other COVID-19 related support grants for services awarded since 30 June reported position

COVID-19 Funding Type (excluding emergency funding)	£000s	Notes
Next Steps Accommodation Programme	(212)	Funding to support emergency accommodation and private rented sector accommodation pressures (will be subject to separate cabinet report)
New Burdens – Local Authority Discretionary Grants Fund	(130)	To support the costs of administering the scheme
Reopening of the High Streets Safety Fund (ERDF)	(96)	As reported to Cabinet in September 2020 – see recommendation 6
Test and Trace Support Payments (Department of Health & Social Care)	(26)	Administration fee for delivering the scheme
Arts Council Culture Recovery Fund (Arts Council)	(78)	Announced 14 October funds to support loss of income within Benn Hall, which will be factored into future forecasts and will replace MHCLG sales fees and charges income recovery from MHCLG
Compliance and enforcement (MHCLG)	(46)	Announced 8 October to support compliance and enforcement of measures to control the spread of COVID-19 across individuals, businesses and in the community. This will be factored into future forecasts
	(588)	

Table 3 – Summary Service Grants – COVID 19.

Council Tax

The largest cause of Council Tax losses is due to the increase in the number of taxpayers claiming council tax support (CTS).

At the end of June 2020 (Q1) an increase of 7.1% compared to budget was reported. At the end of September 2020 (Q2), this has dropped to 6.8%. However, there are still significant downside risks from CTS, especially if unemployment pushes applications higher over future months.

At the end of September 2020 (quarter 2), the Council tax base was 1.7% below budget. New properties are coming on the valuation list, but any increase in the tax base is currently being overshadowed by increases in CTS. It is not clear yet whether the Council will achieve its budgeted taxbase and the extent of any collection fund deficit. This will be monitored closely over the coming months.

Business Rates

At the end of quarter 2, the amount of business rates payable is 33% lower than estimated in the NNDR1. This is a result of COVID-19 related losses as follows:

- Empty property relief for unoccupied business premises is 26% higher than estimated.
- Business rates growth was anticipated from the J1 service station in 2020/21, but it is unlikely that there will be any income until 2021/22.
- There has been a significant increase in reliefs due to the expanded retail discount scheme introduced by Central Government to support business as a result of COVID-19 measures. This is fully funded by s31 grant funding.
- However, there is no evidence to date that non-collection is a driver of business rates losses. A significant number of ratepayers are receiving COVID-19 grants and up to 100% relief. This will continue to be monitored in the coming months.

Where income from ratepayers is more or less than originally estimated, it results in a surplus or deficit on the Council's Collection Fund. The surplus/deficit is shared between Rugby Borough Council (40%), Warwickshire County Council (10%) and Central Government (50%) and must be taken into account in the forthcoming budget setting process.

It is difficult to forecast the full extent of the income losses and any Collection Fund deficit for 2020/21 at this stage as there are further risks to business rates. In the short-to-medium term it is possible that businesses will be eligible for reductions in valuations as a result of Material Changes in Circumstances due to lockdown. In the longer term (from 2021/22) it is possible there will be a permanent reduction in the "footprint" occupied by the business sector, which means that business rates may not ever recover.

As stated above, the income losses from the expanded retail discount scheme are to be fully funded by s31 grant from Central Government. The s31 grant will be received and accounted for in the general fund in 2020/21. To ensure this mitigates the losses and the Collection Fund deficit, this funding can be transferred into the Business Rates Equalisation Fund and withdrawn as necessary to ensure there is no impact on the authority's bottom line in future years. The amount expected to be transferred to reserves in 2021/22 will be confirmed in later reports. However, the consequence of cashflow concerns and government action to support local authorities and businesses this amount could be significant and just reflects the timing issues of this cashflow from one year to the next.

Approval for the transfer to the Business Rates Equalisation Fund will be requested as part of the Final Outturn Report once final figures are confirmed.

Business Rates – Coventry and Warwickshire Pooling Arrangement

The recent government announcement to offer authorities an extension of existing pooled arrangement into 2021/22 highlighted the deadline of 23 October for submission. Once pools are designated it is open to every council to decide not to proceed within a 28-day period of the provisional settlement. However, the effect of any local authority within the pool deciding to leave is that the entire pool is revoked, with no option to form a new pool until the following financial year.

With this in mind, there has been some sensitivity analysis prepared to review the current performance and future outlook of business rates yield over the medium term. In addition, there has been a review of the Local safety net fund which is set aside to mitigate any significant risks of reduced business rates for all members. Rugby Borough Council share of this as at 31 March 2020 was (£1.837m).

The outcome of this has been considered and the following agreement reached.

- All members of the pool remain in place for 2021/22
- The pool will retain a safety net balance of (£2.000m) to cover any future volatility
- Pool members will be paid 50% of the remaining cash balance held at 31 March 2020

The cash balance to be paid to Rugby Borough Council is (£1.211m) and will be requested to be transferred into the Business Rates Equalisation Fund as part of the Final Outturn Report once final figures are confirmed.

4 HOUSING REVENUE ACCOUNT (HRA) REVENUE BUDGETS:

4.1 Context

Housing Rents were set by Council on 4 February 2020. Following 4 years of rent reductions of 1% annually, Council agreed to a rent uplift of 2.7% (CPI + 1%) for 2020/21 in line with government guidance on Social Rent policy for the period 2020/21 to 2024/25.

Biart Place/Rounds Gardens

Council has received previous reports concerning the condition and potential redevelopment options for both Biart Place and Rounds Gardens.

Deconstruction works have recommenced at Biart Place following delays resulting from the Coronavirus pandemic and are scheduled for completion in early 2021. As noted within the monitoring table, 159 properties at the Rounds Gardens site have now been decanted and the schedule of full decant by March 2022 remains on target.

The structural findings in respect of the blocks at both sites, which account for almost 10% in total of the Council's HRA stock, were unanticipated. The measures required to respond to these findings will have an extraordinary impact on the HRA's financial resources, which will in turn impact on its ability to meet to both current and emerging housing needs.

As part of rent setting for 2020/21 Council also agreed to a recommendation that £3.743m previously set aside for the repayment of debt within the HRA medium term financial plan is now utilised as Revenue Contributions to Capital Expenditure. The HRA has also taken advantage of historically low PWLB interest rates during March/April 2020 to secure financing for the build costs at both sites when capital investment balances have been depleted.

4.2 HRA Overview and Key Messages

The total approved HRA budget is £17.088m. Based on the September 2020 forecast, it is anticipated that the year-end variance at 31 March 2020 will be a pressure of £0.743m. This variance is made up of the following significant items-

- £0.635m - An income shortfall predominantly related to the decant of properties at the Rounds Gardens site. As of 1 October 159 flats (of 221 in total) are empty. It is anticipated that all

properties at the site will be vacated by 31 March 2022 but the timing of the decant process will be driven by variable dynamic factors including the availability and suitability of alternative accommodation for tenants.

- £0.098m - Additional agency costs of within the Housing Management service as a result of:
 - back-filling whilst staff undertake user acceptance testing of the new Housing Management system; and
 - long term sickness / vacancies at the control centre

The COVID-19 pandemic has not had a material impact on HRA budgets to date. The ability to undertake repairs or relet void properties was curtailed during April and May but has now returned to pre-COVID levels. More than a third of tenants do not receive housing benefit or universal credit and are therefore possibly impacted by current furlough arrangements. As the furlough scheme unwinds in the coming months close scrutiny will be required to assess any impact on rent arrears arising from a potential increase in unemployment levels.

The table below shows the anticipated balance in the Housing Revenue Account at 31 March 2021 based on the forecasts at Quarter 1.

	Forecast in-year change £000s	Balance £000s
HRA Balance at 01 April 2020		(5,085)
Forecast variance at the end of 2020/21	743	
Anticipated HRA Balance at 31 March 2021		(4,342)

Table 4 – Summary HRA Balances

5. CAPITAL

The latest approved capital programme (GF and HRA) is £36.656m. The programme has a forecast variance to year-end of **(£1.827m)** against the budget after taking into consideration any proposed carry forward requests.

5.1 General Fund Capital – Overview (Appendix 1)

The latest approved GF capital programme is £7.912m. The programme has a forecast variance to year-end of **(£0.873m)**.

The variance is made up of the following key items:

- (£0.648m) - Corporate Property Enhancements – potential slippage resulting from ongoing review of Town Hall / Public Offices site;
- (£0.314m) Carbon Management Plan - underspend pending review by Climate Change Working Group of alternate uses for financing.
- £0.023m Additional ICT costs (laptops, etc.) arising from working from home arrangements
- £0.029m Brownsover Footpaths – overspend for additional groundworks and drainage at Glaramara Park to be accessed and met from s.106 funding; and
- £0.025m Purchase of Bins – overspend resulting from increased demand to be funded from housing developer contributions

5.2 Housing Revenue Account – Capital (Appendix 2)

The latest approved capital programme is £28.744m. The programme has a forecast net variance to year-end of **(£0.955m)**. However, several major projects, notably the surveying and design phases of the Biart Place and Rounds Gardens redevelopment schemes, are likely to require revised profiling of budgets as more detailed timelines are established during the autumn/winter.

The variance is made up of the following key items:

- (£0.045m) - CCTV upgrades potential budget saving due to high rise site redevelopments
- £0.050m - Biart Place - COVID-19 deconstruction delays
- (£0.105m) - Boiler Works Tanser Court - possible saving pending site review
- (£0.288m) - Various year end estimated savings on refurbishment work
- (0.567m) – Biart Place -estimated slippage into 2021/22 for conclusion of design / survey works

6. SUPPLEMENTARY BUDGET REQUESTS

As included within the recommendations section of this report, see below for further detail on the supplementary budget requests:

- 1) Following the recent announcement to award local government staff with a 2.75% increase it is requested that a virement is approved to transfer £0.073m to services from a centrally held budget which was set aside as part of the 2020/21 budget setting process. However it needs to be noted that this only provides for a total of 2.5% pay award increase with the balance reported as an estimated pressure of £0.037m.
- 2) A supplementary general fund capital budget of £0.032m be approved for 2021/22 for the Corporate Asset Management scheme to be funded from borrowing
- 3) A supplementary general fund budget for the consultancy costs incurred for the development of the Town Centre Spatial Strategy. A total of £0.135m funded from the Town Centre Improvement Reserve be approved; and
- 4) A supplementary general fund budget for 'Reopening of the High Streets Safety Fund' of £0.096m financed from grant and reported to Cabinet in September 2020 be approved.

7. PERFORMANCE SUMMARY

The data for Quarter 2, 2020/21 can be seen in Appendix 3.

Training on the RPMS is available to Members and can be requested by contacting the Corporate Assurance & Improvement team. Training involves learning how to navigate the system, how to interpret the data and development of personalised performance dashboards. This can be arranged for a time to suit Members, either during the day or evening.

If you wish to request training or if there is specific piece of performance data not covered in the appendix on a particular subject matter that you wish to review, then please request a performance report from the Corporate Assurance & Improvement team by emailing rpmsupport@rugby.gov.uk

8. FUTURE OUTLOOK

The initial 2021/22 Budget and Q1 2020/21 monitoring reports presented to Cabinet in September gave details of the significant challenges faced by the Council in the current financial year. It also highlighted that services are currently working through recovery plans that will also inform the impact to the Medium Term Financial Plan (MTFP).

With the potential impact of a second wave of the pandemic over the coming months it needs to be noted that this could delay recovery and therefore have a financial impact on both 2021/22 and future years. In particular, the ability to financially maintain service delivery and income levels.

The estimated cost pressure of £2.600m for the current year will, therefore, present a significant challenge in setting a balanced budget for next financial year. Consequently, this will need to be factored into any risk assessment of reserves and future budget planning of services and will be included in the Draft Budget expected in January 2021.

Name of Meeting: Cabinet

Date of Meeting: 9 November 2020

Subject Matter: Finance & Performance Monitoring 202021- Quarter 2

Originating Department: Corporate Resources

DO ANY BACKGROUND PAPERS APPLY

YES

NO

Appendix 1 - Revenue Forecasts - Key variance information									
Service	Current Net Budget	Exp to date plus commitments	Forecast	Employee Variance	Running Cost Variance	Income Variance	Pending Supplementarily Budget/Virement	Total Variance	Key reasons for variances
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	
Growth and Investment	3,054	2,843	3,284	(25)	(22)	277	0	230	<p>£214,000 overspend on the Planning Service mainly due to the impact over COVID-19 pandemic</p> <p>£183,000 overspend for the Sports and Recreation service mainly due to unachieved income due to non delivery of activities between April - August during the COVID-19 pandemic, in addition to this there is further pressure around the delivery to meet stretched targets new for 2020/21.</p> <p>£165,000 overspend for The Benn Hall mainly due to closure of the building following the COVID-19 pandemic,</p> <p>£50,000 overspend for the Land Charges service mainly due to loss of income following the COVID-19 pandemic,</p> <p>£44,000 overspend for the Visitor Centre mainly due to loss of income on sales following the closure of the building during the COVID-19 pandemic</p> <p>£42,000 Other minor variances across the portfolio</p> <p>(£428,000) has been forecasted as an estimate of income from MHCLG for loss of income due to the COVID 19 pandemic</p> <p>£288,000 overspend mainly due to loss of income within Car parks following the COVID-19 pandemic £3,000 underspend on rates</p>
Environment & Public Realm	7,535	4,717	7,751	(228)	314	129		215	<p>£170,000 overspend on Trade Waste made up of £296,000 due to a loss of income following businesses being closed during lockdown and not requiring the service. Which is offset by savings of £120,000 which is made up of a vacant Trade Waste manager post and a £50,000 reduction in the Q1 gate fee costs for waste disposal due to tonnages being down. The pandemic has also prevented the service from growing and therefore some of the loss of income is due to the non-achievement of gaining new customers.</p> <p>£125,000 overspend on the Domestic Waste service due to an increase in haulage as a result of lockdown restrictions increasing household tonnages. Part of this increase has been offset by additional income reimbursed to RBC from Warwickshire County Council for recycling credits and contributions towards the haulage costs.</p> <p>(£31,000) surplus income on the Household Green Waste Service due to an additional 5,000 subscriptions since April following lockdown restrictions and good weather conditions over the spring/summer.</p> <p>(£45,000) underspend for the vacant head of Environment and Public Realm post.</p> <p>£26,000 Other minor variances across the service</p>
Communities & Homes	2,017	7,182	2,786	271	323	175	0	769	<p>£668,000 overspend in the CAST team - The large variance is due to accommodation costs for housing homeless people during the COVID 19 pandemic. The forecast represents a central case of maintaining the rough sleeper cohort in B & B for the remainder of 2020/21 without additional central government funding or utilising the Welfare Support Reserve, the projected cost of using B & B/Hotel accommodation will increase as the Councils own homeless stock is already fully utilised. The projected variance has increased from £718,000 to an estimated £855,000 for the year. Government has announced an application process for the Next Step Accommodation Programme which RBC has bid for and will receive a grant of £212,000. Of this an estimated £39,000 will be used for rents in advance. Additionally three vacant posts have now been filled in the last quarter.</p> <p>£47,000 overspend relates to ICT Services -Additional costs not predicted of £16,000 for various software packages. £11,000 additional expenditure on Land Charges software due to the old system needing to be replaced, but when the planning service investigated alternate systems, they have not found a suitable replacement, therefore incurring charges to keep the original system. £20,000 income shortfall due to street name and number. The £40,000 budget was an estimate and the process is very dependent on several factors and income can vary each year.</p> <p>(£24,000) underspend in the Corporate Apprenticeship Scheme due to the budget being set for 6 full time apprentices. As the pay is linked to age, we are unable to predict who will be recruited. Currently, during this year, we have an apprentice working part time hours, increasing the underspend.</p> <p>£45,000 overspend in Welfare Services - income levels are lower than budget amount that was forecast to increase by £40,000. Despite advertising and continually installing lifelines throughout the COVID 19 pandemic it looks likely that this level of income will be not achieved. The market for lifelines is already competitive with both suppliers from other local authorities and private companies.</p> <p>£19,000 overspend for Woodside Park due to 6 vacant plots which are scheduled to be re-let later on in the year. The overspend has been offset by a vacant post.</p> <p>£23,000 Other minor variances</p>
Executive Director's Office	2,069	1,328	2,212	146	0	(3)	0	143	Overspend due to staff changes and turnover which is mitigated by the underspend on staffing within Corporate Resources and Environment & Public Realm
Corporate Resources	1,116	(572)	1,172	(130)	145	41	0	56	<p>£150,000 reduced income from Council Tax and Business Rates recovery as the courts have been closed during the COVID 19 pandemic.</p> <p>£23,000 overspend in General Financial Services due to increased banking and treasury related costs.</p> <p>£18,000 Other minor variances.</p> <p>(105,000) has been forecasted as an estimate of income which we will receive from MHCLG for loss of income due to the COVID 19 pandemic.</p> <p>(£71,000) underspend in Head of Resource due to vacant head of service post which will offset overspend in Executive Directors.</p>
Corporate Items	1,644	1,174	752	0	(892)	0	0	(892)	<p>£445,000 spend relating to central pressures as a result of the COVID-19 pandemic.</p> <p>(£1.284m) reflects the total government funding for COVID costs to help mitigate the total pressures seen across the piece. (offsetting costs across all portfolios)</p> <p>(£201,000) underspend for the net cost of borrowing due to delays in expenditure on capital programme items (see also MRP) resulting in increased cash balances.</p> <p>(£143,000) underspend on MRP due to a delay in delivery of replacement fleet vehicles in 2019/20. Delivery has now taken place and so the associated MRP will carry on through to the 2021/22 charge.</p> <p>£381,000 risk to shortfall in the delivery of the delivery of the Corporate Savings target due to additional staff costs from increased demand for services during the Covid-19 Pandemic.</p> <p>(£88,000) Central budget released to cover estimated forecast pay award of 2.5% across services. However it needs to be noted that negotiations are still taking place and final figures will be confirmed in later reports.</p>
Grand Total	17,435	16,672	17,956	34	(132)	619	0	521	

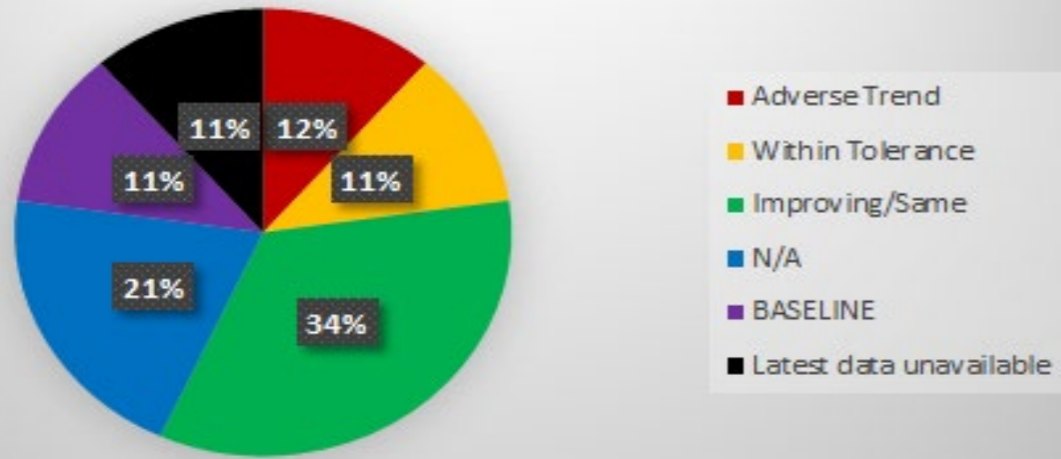
Head Count- Vacancies			
General Fund- FTE's at Q2 2020/21			
Portfolio	Budgeted FTE's	Actual FTE's at Q2	Vacant FTE's
Growth & Investment	61.00	58.09	(2.91)
Environment & Public Realm	172.42	158.78	(13.64)
Communities & Homes	92.61	94.72	2.11
Executive Directors	18.13	16.02	(2.11)
Corporate Resources	58.72	49.44	(9.28)
Total	402.88	377.05	(25.83)

Service Earmarked Reserves										
Name of reserve	Balance as at 1/04/20	Forecast contribution (to)/from	Forecast balance as at 31/03/21	Forecast contribution (to)/from	Forecast balance as at 31/03/22	Forecast contribution (to)/from	Forecast balance as at 31/03/2023	Forecast contribution (to)/from	Forecast balance as at 31/03/2024	Description
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	
General Fund Balances	(2,250)	521	(1,729)	0	(1,729)	0	(1,729)	0	(1,729)	This includes the reported shortfall of £0.521m
General Fund Carryforwards	(331)	331	0	0	0	0	0	0	0	Draw down of carryforwards as requested in the Q1 Report
Business Rates Equalisation Fund	(3,646)	(2,223)	(5,869)	(461)	(6,330)	(750)	(7,080)	(800)	(7,880)	Future years is as per the MTFP and will be reviewed as part of the budget setting process. The Business Rates Pooled arrangement has been extended for a further year. However, the Council will receive a proportion of the Local Safety Net Fund of £1.211m. There are also risks associated with the future years contributions if Government announce that only baseline funding will be given.
Budget Stability Fund	(2,494)	114	(2,380)	0	(2,380)	0	(2,380)	0	(2,380)	This includes the draw down for the funding of the development of the trading company, the cost of the local government reorganisation study and the loan to CWRT re the CBILS
Other Corporate Reserves	(1,649)	(69)	(1,718)	0	(1,718)	0	(1,718)	0	(1,718)	
Growth & Investment	(636)	435	(201)	201	(0)	0	(0)		(0)	Forecast usage of service Earmarked Reserves, including the recommendation 5 included in this report
Environment & Public Realm	(296)	(284)	(580)	164	(416)	152	(264)	108	(156)	Forecast usage of service Earmarked Reserves
Communities & Homes	(591)	26	(565)	10	(555)	(10)	(565)	(11)	(576)	Forecast usage of service Earmarked Reserves
Executive Director's Office	0	0	0	0	0	0	0		0	No reserves within this Portfolio
Corporate Resources	(110)	(15)	(125)	(18)	(143)	3	(140)		(140)	Forecast usage of service Earmarked Reserves
Total Reserves	(12,003)	(1,164)	(13,167)	(104)	(13,271)	(605)	(13,876)	(703)	(14,579)	

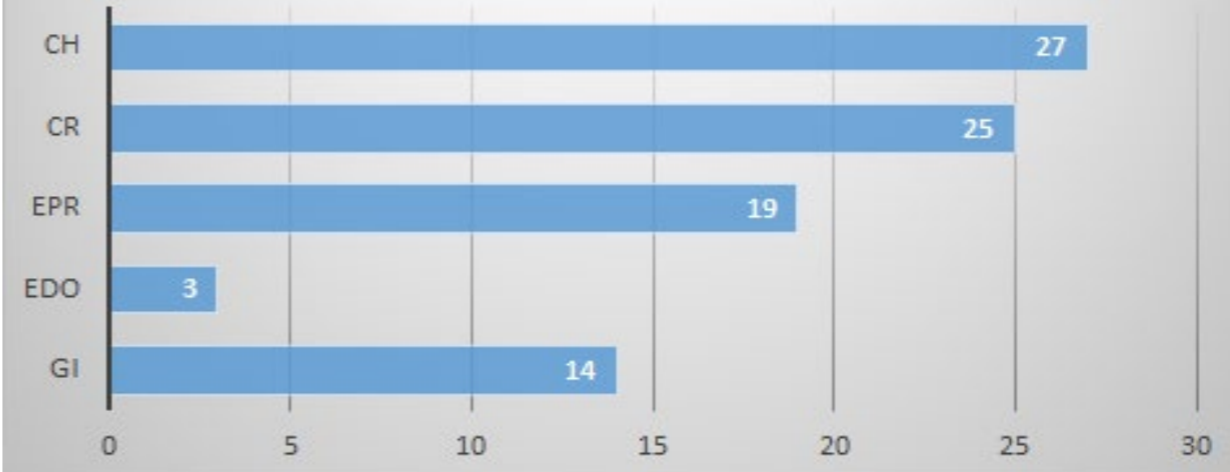
Capital Forecasts - Key variance information						
Portfolio	Current Budget	Exp to date & commitments	Full year forecast 2020/21	Pending Supplementary Budget / Virement	Total Variance	Comments
	£000s	£000s	£000s	£000s	£000s	
Growth & Investment	250	0	250	0	0	Portfolio programme consists of: Athletics Track refurbishment financed via Section 106 contributions
Environment & Public Realm	4,464	2,616	4,527	0	63	Portfolio programme consists of: vehicle replacement programme, open spaces refurbishment projects, works at the Rainsbrook Crematorium and remedial/enhancement works to the Great Central Walk Bridges. Variances: £29,000 Brownsver Footpaths, overspend for additional groundworks and drainage at Glaramara Park to be accessed and met from s.106 funding. £25,000 Purchase of Bins, overspend resulting from increased demand to be funded from housing developer contributions.
Communities & Homes	1,224	1,000	1,251	0	27	Portfolio programme consists of: multiple ICT projects including rolling renewal of hardware and servers, Disabled Facilities Grants. Variances: £23,000 additional ICT costs (laptops etc.) arising from working from home arrangements.
Corporate Resources	1,974	65	1,011	0	(963)	Portfolio programme consists of: Corporate Property Enhancements (Town Hall site, Works Services Unit, Art Gallery and Museum), Carbon Management Plan (Solar PV), Changing Places project and works at Brownsver Car Park Forecast underspend on Corporate Property Enhancements (£0.649m) and Carbon Management Plan (£0.314m) pending further decisions to be made on these schemes.
Overall Total	7,912	3,681	7,039	0	(873)	

Delivery of Approved Savings 2020/21		
Service	Description	Value £000s
Cast Team	Stretched saving linked to Housing Acquisition Fund Proposal approved in 2019/20 for the medium term	(140)
Customer and Information Services	Reduction in costs for software maintenance and crisis funding based upon current expenditure and estimated requirements	(47)
Central Telephone Service	Savings found through procurement of a new supplier	(15)
Communities and Homes Total		(201)
Communication	Following historic spend the budget to be reduced on Publicity & Marketing	(16)
Electoral Registration	Savings found through new ways of working through service redesign	(4)
Members Allowances	Cease funding member broadband and landlines	(8)
Executive Directors Total		(28)
Resources	Realignment of staffing budgets	(20)
Retired Employees/Unapportionable	Reduces over time as people leave the pension scheme	(6)
To be apportioned	Growth Proposals less than £25,000 will be met from efficiencies or increased commercialisation within services - to be realigned to services within future budget papers and small savings across the portfolio	(7)
Corporate Resources Total		(33)
Car Parks & Parking	Budget no longer required for consultancy following service review	(5)
Miscellaneous Highways Services	Budget reduced based on historical spend and on going requirements.	(6)
Land Drainage	Budget reduced based on historical spend.	(9)
Licensing	Restructure of Licensing team, including introduction of trainee post	(33)
Regulatory Services	Airways Radio software no longer needed	(5)
Regulatory Services	Reduction due to review of historic spend and on-going requirements	(8)
WSU Vehicle Workshop	Qualified post replaced with Trainee post	(24)
To be apportioned	Growth Proposals less than £25,000 will be met from efficiencies or increased commercialisation within services - to be realigned to services within future budget	(14)
Environment and Public Realm Total		(122)
Grand Total		(385)

Status of RBC Key Performance Indicators for Q2 2020/21



Number of Key Performance Indicators by service area



Appendix 2- Cabinet Summary as at September 2020 (Quarter 2) - Housing Revenue Account (HRA)

Revenue Outturn - Key variance info

Service	Current Budget	Total Net Expenditure to date	Forecast	Employee Variance	Running Cost Variance	Income Variance	Pending Supplementary Budget /Virement	Pending Reserve Movement Requests	Total Variance	Reason for variance
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	
Rent income from dwellings	(15,746)	(7,036)	(15,149)	0	0	597	0	0	597	An income shortfall of £0.597m predominantly related to the decant of properties at the Rounds Gardens site. As at 01 October 2020 159 flats (of a total 221 properties) are empty. It is anticipated that all properties at the site will be vacated by 31 March 2022 but the timing of the decant process will be driven by variable dynamic factors including the availability and suitability of alternative accommodation for tenants.
Rent income from land and buildings	(130)	(59)	(130)	0	0	0	0	0	0	
Charges for services	(997)	(433)	(940)	0	0	57	0	0	57	An income shortfall of £0.057m predominantly related to the loss of CCTV/Concierge service charge income as a consequence of the decant of properties at the Rounds Gardens site
Contributions towards expenditure	(152)	(35)	(171)	0	0	(19)	0	0	(19)	
Total Income	(17,025)	(7,563)	(16,390)	0	0	635	0	0	635	
Transfer to Housing Repairs Account	3,979	0	3,979	0	0	0	0	0	0	
Total Supervision & Management	5,581	4,168	5,691	108	6	(4)	0	0	110	Additional agency costs within the housing management service as a result of back-filling whilst staff undertake user acceptance testing of the new Housing Management System and long term sickness / vacancies at the control centre.
Rent, rates, taxes and other charges	5	8	10	0	5	0	0	0	5	
Depreciation and impairment	2,137	2,137	2,137	0	0	0	0	0	0	
Debt management costs	24	0	24	0	0	0	0	0	0	
Provision for bad or doubtful debts	114	0	57	0	(57)	0	0	0	(57)	A mid year calculation showed that only a small amount needs to be added to the provision based on arrears levels, but due to uncertain economic factors (such as the end of the furlough scheme and potentially rising unemployment) half of the budgeted provision has been used as a forecast.
Total Expenditure	11,840	6,313	11,898	108	(46)	(4)	0	0	58	
HRA share of CDC costs	224	0	224	0	0	0	0	0	0	
Net cost of HRA services	(4,961)	(1,250)	(4,268)	108	(46)	631	0	0	693	
Interest payable and similar charges	1,532	0	2,418	0	886	0	0	0	886	The HRA secured £40m PWLB HRA Certainty Rate loan finance in April 2020 in advance of commencing redevelopment works at Biart Place / Rounds Gardens. This has increased the interest payable forecast but is offset by additional investment income. The net forecast variance is £0.050m
Interest and Investment Income	(220)	0	(1,056)	0	0	(836)	0	0	(836)	
Net Operating expenditure	(3,649)	(1,250)	(2,906)	108	840	(205)	0	0	743	
Contributions to (+) / from (-) reserves	48	0	48	0	0	0	0	0	0	
Revenue Contributions to Capital Expenditure	3,601	0	3,601	0	0	0	0	0	0	
(Surplus) / Deficit for the Year on HRA Services	0	(1,250)	743	108	840	(205)	0	0	743	

Head Count- Vacancies (HRA)

Budgeted FTE's 20/21	Actual FTE's at Q2	Vacant FTE's at Q2
88.42	83.70	(4.72)

Reserves & Balances

Name of reserve / balance	Balance as at 1/04/20	Forecast contribution (to)/from	Forecast balance as at 31/03/21	Forecast contribution (to)/from	Forecast balance as at 31/03/22	Forecast contribution (to)/from	Forecast balance as at 31/03/2023	Forecast contribution (to)/from	Forecast balance as at 31/03/24	Description
	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	£000s	
Housing Revenue Account Balances	(5,085)	743	(4,342)	0	(4,342)	0	(4,342)	0	(4,342)	The level of the HRA Revenue balance was re-assessed in light of prior reports to Council concerning the redevelopment of the high-rise sites. Balances were bolstered to provide mitigation for fire risk, additional security measures and potential income loss. The balance will be reassessed following the full decant of the Rounds Gardens site.
HRA Balances (Capital)	(14,765)	10,888	(3,877)	(865)	(4,742)	0	(4,742)	(689)	(5,431)	
HRA Major Repairs Reserve	(2,190)	(317)	(2,507)	(262)	(2,769)	(659)	(3,428)	(675)	(4,103)	
Housing Repairs Account	(668)	0	(668)	0	(668)	0	(668)	0	(668)	
Sheltered Housing Rent Reserve	(212)	(48)	(260)	(48)	(308)	(48)	(356)	(48)	(404)	
Right to buy Capital Receipts	(7,582)	4,556	(3,026)	(100)	(3,126)	(400)	(3,526)	(400)	(3,926)	
	(30,502)	15,822	(14,680)	(1,275)	(15,955)	(1,107)	(17,062)	(1,812)	(18,874)	

Capital Outturn - Key variance info

Service	Original Budget	Total Net Expenditure to date	Forecast	Pending Supplementary / Virement / Carry Forward	Total Variance	Comments
	£000s	£000s	£000s	£000s	£000s	
Bell House Redevelopment	1,965	62	1,965		0	Awaiting contract programme values for 20/21 & 21/22 split - Q3 to update
Biart Place - Capital	1,134	29	567		(567)	Potential slippage into 2021/22 to finalise design / survey works
Biart Place Demolition	2,083	701	2,083		0	
Biart Place COV-19	0	50	50		50	Costs arising from deferred works during initial lockdown
Cawston Meadows Houses	0	(17)	0		0	
Garage Site HRA	1,229	39	1,229		0	
Housing Management System	307	73	307		0	
Fire Risk Prevention Works	70	(4)	70		0	
Rewiring	0	19	11		11	
Lifeline Renewal Programme	64	34	64		0	
CCTV upgrades	45	0	0		(45)	Potential saving arising from redevelopment of high rise sites. Further CCTV coverage may not be required pending final design of redevelopment.
Finlock Gutter Improvements	111	12	111		0	
Rebuilding Retaining Walls	89	2	89		0	
Roof Refurbishment - Lesley Souter House	70	0	70		0	
Replacement Footpaths	120	2	120		0	
Door Security Systems	311	187	208		(103)	Current estimate of works allocated in year
Electrical Upgrades - Community Rooms	186	6	67		(119)	Current estimate of works allocated in year
Boiler Works - Tanser Court	105	0	0		(105)	Likely slippage / deferral pending site review
LED lighting	16	0	16		0	
Disabled Adaptations	206	22	206		0	
Kitchen Modifications	99	3	5		(94)	Current estimate of works allocated in year
Kitchen Modifications Voids	120	5	120		0	
Heating Upgrades	1,423	332	1,423		0	
Bathroom Modifications	343	89	358		15	Current estimate of works allocated in year
Bathroom Modifications - voids	80	2	80		0	
Patterdale sheltered scheme improvements	37	0	40		3	
Housing Window Replacement	34	4	34		0	
Mobysoft Rentsense Software	84	45	84		0	
Purchase of Council Houses	15,186	3,323	15,186		0	Budget to be reprofiled following confirmation of housing delivery schedules for s.106 properties in 2021/22 and 2022/23
Rugby Gateway - Bloor Homes	0	(3)	0		0	
Rugby Gateway - Cala Homes	434	0	434		0	
Rounds Gardens Capital	2,494	145	2,494		0	Minimal spend anticipated prior to design procurement (unlikely before Q4 21/22)
Property Repairs Team Vehicle	300	250	300		0	
Overall Total	28,745	5,412	27,791	0	(954)	

Appendix 3 - Q2 2020/21 Performance report

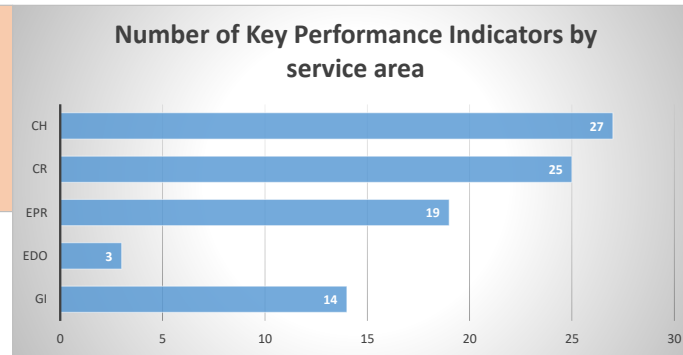
This appendix collects the performance data for each of the Council's service areas. You can navigate to each service area's performance data using the tabs below.

CH = Communities & Homes
 CR = Corporate Resources
 EPR = Environment & Public Realm
 EDO = Executive Director's Office
 GI = Growth & Investment

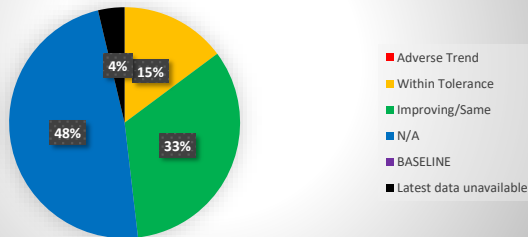
Also below is the key to understanding the performance trends followed by the status charts of each service area.

Trend Key

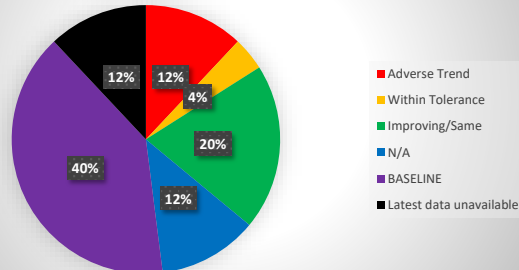
	Improving/Stable trend
	Within tolerance levels
	Worsening trend
	N/A Trend is not measured
	BASELINE This is baseline data



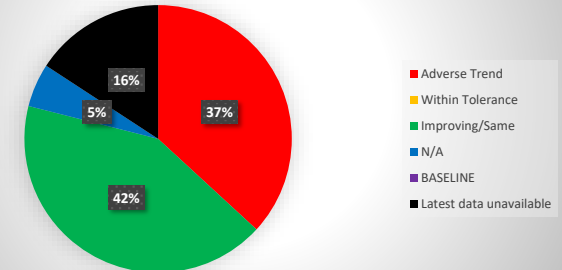
Status of Communities & Homes Key Performance Indicators for Q2 2020/21



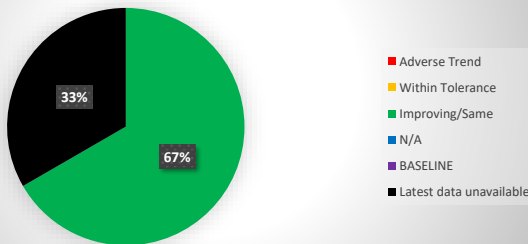
Status of Corporate Resources Key Performance Indicators for Q2 2020/21



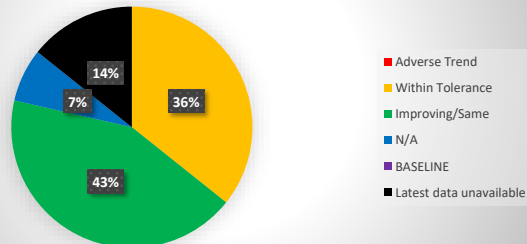
Status of Environment & Public Realm Key Performance Indicators for Q2 2020/21



Status of Executive Director's Office Key Performance Indicators for Q2 2020/21



Status of Growth & Investment Key Performance Indicators for Q2 2020/21



Performance Appendix - Communities & Homes

Community & Projects

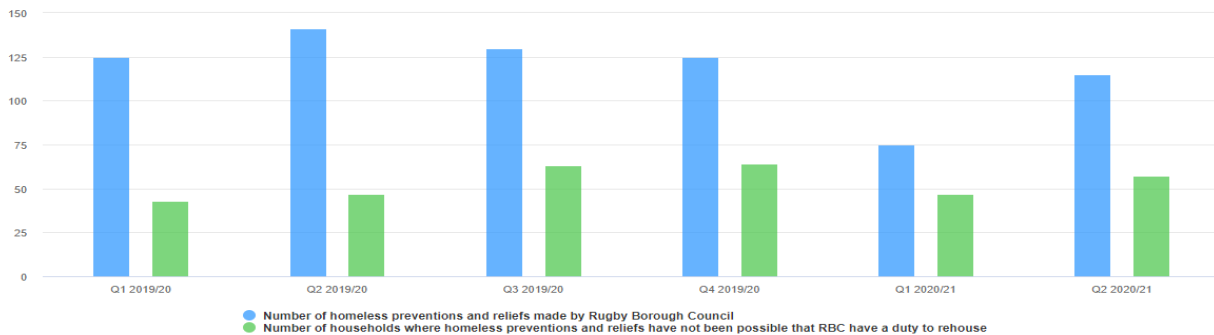
Performance Indicator	Service Area	Current Value		Trend
Number of affordable homes delivered	Community & Projects	Q2 2020/21	81	
		Q1 2020/21	31	
		Q2 2019/20	36	

Latest Note

Registered Provider Delivery - 72 Units
RBC Acquisitions - 9 Units

Community Advice & Support Team

Homelessness preventions-



Latest Note

There has been a need to balance priorities during lockdown. This is attributable to demand for front-line homelessness services reaching previously unseen levels during the response to the government's 'everybody in' requirement in respect of those with nowhere to stay. The need to resource this crisis intervention appropriately has also contributed to reduced activity in other areas

Performance Indicator	Service Area	Current Value		Trend
Number of households in Bed & Breakfast at the end of Quarter	Community Advice and Support Team	Q2 2020/21	30	N/A
		Q1 2020/21	36	

Latest Note

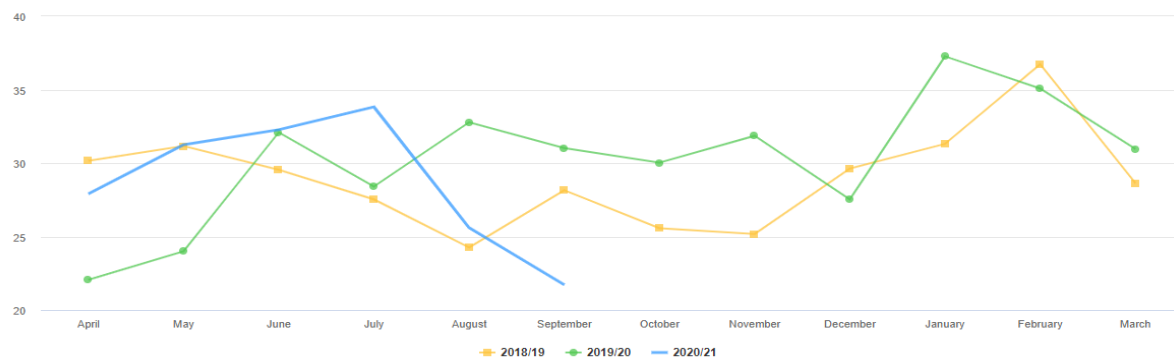
The significant rise in Bed and Breakfast use is directly attributable to demand for front-line homelessness services reaching previously unseen levels during the response to the government's 'everybody in' requirement in respect of those with nowhere to stay.

Performance Indicator	Service Area	Current Value		Trend
Number of households in other types of temporary accommodation	Community Advice and Support Team	Q2 2020/21	158	N/A
		Q1 2020/21	177	

Latest Note

The continuing rate of households in other types of temporary accommodation is due to the response to the current pandemic and suspension of housing allocations work.

Benefits process time-



Equality & Diversity

Performance Indicator	Service Area	Current Value		Trend
Percentage of employees at Rugby Borough Council identifying as disabled	Equality & Diversity	2019/20	23.00%	N/A
		2018/19	27.60%	

Latest Note

We aim to have a workforce profile that represents the local population. We currently have a higher proportion of employees with a disability compared to 16% of the local population.

Performance Indicator	Service Area	Current Value		Trend
Percentage of residents identifying as disabled within the Borough of Rugby	Equality & Diversity	2019/20	16.10%	N/A
		2018/19	16.10%	

Latest Note

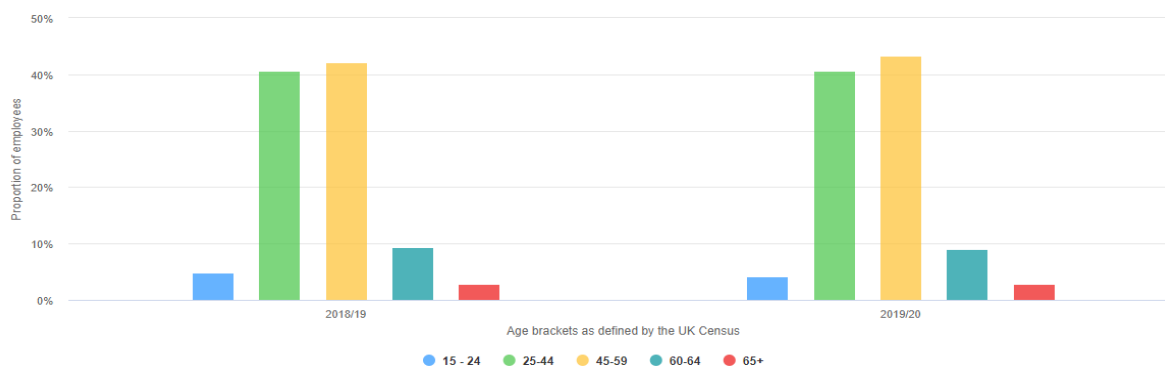
Performance Indicator	Service Area	Current Value		Trend
Percentage of employees at Rugby Borough Council who identify as male	Equality & Diversity	2019/20	51.92%	N/A
		2018/19	51.20%	

Latest Note

Performance Indicator	Service Area	Current Value		Trend
Percentage of employees at Rugby Borough Council who identify as female	Equality & Diversity	2019/20	48.08%	N/A
		2018/19	48.80%	

Latest Note

Employee Age Profile (as a percentage)-



Housing Management & Tenancy Sustainment

Performance Indicator	Service Area	Current Value		Trend
Proportion of current rent arrears caused by Universal Credit	Housing Management & Tenancy Sustainment	Q1 2020/21		38.40% Improving

Latest Note

This is a notable drop in comparison to last month and can partly be attributed to TEMP accounts that were delayed in being set up due to COVID 19 and in turn the arrears figure increasing by over £100k.

Performance Indicator	Service Area	Current Value		Trend
Average number of days to allocate void property	Housing Management & Tenancy Sustainment	September 2020	21.24	
		August 2020	31.74	
		July 2020	35.78	

Latest Note

-17 properties were let in September. 2 PSL & 3 Temp. Highest number of days to allocation was 50 days - GN which partly due to delays in tenant availability for sign up. Next highest were 43 days -PSL and 39 days Temp. There is a steady improvement in the number of days taken to let GN properties.

Performance Indicator	Service Area	Current Value		Trend
Average void rent loss	Housing Management & Tenancy Sustainment	September 2020	£858.50	
		August 2020	£1,599.60	
		July 2020	£1,356.09	

Latest Note

Performance Indicator	Service Area	Current Value		Trend
Average number of days for void properties (Keys in to keys out)	Housing Management & Tenancy Sustainment	September 2020	78	
		August 2020	125	
		July 2020	91	

Latest Note

Performance Indicator	Service Area	Current Value		Trend
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Current position of rent arrears	Housing Management & Tenancy Sustainment	Q2 2020/21	£967,129.75	
		Q1 2020/21	£983,279.10	
		Q2 2019/20	£1,102,639.94	

Latest Note

It is worth noting that this is gross arrears and doesn't take into account accounts that are paying a month in advance and includes all TEMP arrears.

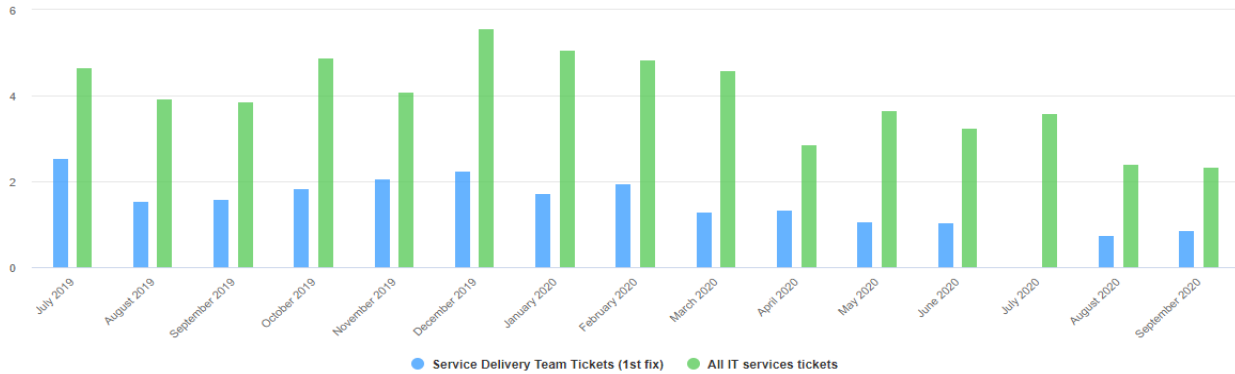
Information & Communications Technology

Performance Indicator	Service Area	Current Value	Trend
Service Delivery Metric: Number of tickets	Information & Communications Technology	September 2020	1,619
		August 2020	1,441
		July 2020	1,626

Latest Note

The Service Desk ticket numbers had a slight drop in calls in August due to summer leave.

IT Service desk average resolution time of tickets (in hours)-



Latest Note

Our standard SLA is a 8 hour response and 16 hour fix time-
Other times are: **Priority 1** = 1 hour response and 4 hour fix, **Priority 2** = 4 hour response and 8 hour fix, **Priority 3** = 8 hour response and 16 hour fix.
Our Service Standards are fully documented and available on both SharePoint and the Service Desk Portal.

Performance Indicator	Service Area	Current Value	Trend
Service Delivery Metric: Customer satisfaction	Information & Communications Technology	September 2020	98.5%
		August 2020	100%
		July 2020	98.95%

Latest Note

One call rated as poor from 82 calls

Performance Indicator	Service Area	Current Value	Trend
Critical systems downtime	Information & Communications Technology	Q2 2020/21	0%
		Q1 2020/21	0%
		Q2 2019/20	0%

Latest Note

Performance Indicator	Service Area	Current Value	Trend
Internet downtime	Information & Communications Technology	Q2 2020/21	0%
		Q1 2020/21	0%
		Q2 2019/20	0%

Latest Note

Performance Appendix - Corporate Resources

Corporate Assurance & Improvement

Performance Indicator	Service Area	Current Value	Trend
Total amount recovered due to fraud or irregularity	Corporate Assurance & Improvement	2019/20 £4,948.05	BASELINE

Latest Note


This reflects the amount recovered through the National Fraud Initiative in 2019/20. Whilst there were two investigations into allegations of internal fraud at the Council in 2019/20, fraud was not confirmed in either case.

Performance Indicator	Service Area	Current Value	Trend
Total number of insurance claims	Corporate Assurance & Improvement	2019/20 25 2018/19 22 2017/18 31	N/A


Latest Note

The data shows there has been a substantial, and sustained, reduction in claims over recent years. This is due to effective management of the risk of claims, an increase in the use of technology and the previous management culture at the WSU which ensured thorough investigation of accidents.

Financial Services

Performance Indicator	Service Area	Current Value	Trend
The % of total suppliers 'In Scope'	Procurement Services	Q2 2020/21 22.27% Q1 2020/21 10.89% Q2 2019/20 19.96%	

Latest Note

Performance Indicator	Service Area	Current Value	Trend
The % of total spend with suppliers 'In Scope'	Procurement Services	Q2 2020/21 82.10% Q1 2020/21 82.70% Q2 2019/20 81.59%	

Latest Note

Performance Indicator	Service Area	Current Value	Trend
% delivery of savings targets	Financial Services	2019/20 100%	BASELINE

Latest Note


Performance Indicator	Service Area	Current Value	Trend
% delivery of corporate savings target	Financial Services	2019/20 100%	BASELINE

Latest Note

Performance Indicator	Service Area	Current Value	Trend
% delivery of income generation targets (excluding inflation)	Financial Services	2019/20 100%	BASELINE


Latest Note

Human Resources

Performance Indicator	Service Area	Current Value	Trend
Number of working days lost due to long term sickness absence	Human Resources	Q2 2020/21 768 Q1 2020/21 692 Q2 2019/20 473	

Latest Note

No narrative provided

Performance Indicator	Service Area	Current Value	Trend
Number of working days lost due to short term sickness absence	Human Resources	Q2 2020/21 316 Q1 2020/21 329 Q2 2019/20 810.5	

Latest Note

Performance Indicator	Service Area	Current Value	Trend
Number of staff (Headcount)	Human Resources	Q1 2020/21	489.33

Latest Note

April = 498
May = 484
June = 492

Performance Indicator	Service Area	Current Value	Trend
Number of staff full time equivalents (FTE)	Human Resources	Q1 2020/21	460.78

Latest Note

April= 458.98
May= 459.87
June= 463.48

Performance Indicator	Service Area	Current Value	Trend
% of Staff turnover	Human Resources	Q1 2020/21	2.45% Improving

Latest Note

12 Leavers in period

Performance Indicator	Service Area	Current Value	Trend
Number of recruitment applicants aged under 30 years	Human Resources	2019/20	384 BASELINE

Latest Note

Performance Indicator	Service Area	Current Value	Trend
Number of internal promotions	Human Resources	2019/20	10 BASELINE

Latest Note

Performance Indicator	Service Area	Current Value	Trend
Number of training courses run internally	Human Resources	2019/20	1,506 BASELINE

Latest Note

[These are training places \(not whole courses\)](#)

Performance Indicator	Service Area	Current Value	Trend
Number of recruitment vacancies filled	Human Resources	2019/20	73 BASELINE

Latest Note

Performance Indicator	Service Area	Current Value	Trend
Number of flexible working requests approved	Human Resources	2019/20	36 BASELINE

Latest Note

Updated on behalf of Suzanne Turner 14/05/20

Performance Indicator	Service Area	Current Value	Trend
Number of disciplinary cases	Human Resources	2019/20	8
		2018/19	16
		2017/18	7

Latest Note

Performance Indicator	Service Area	Current Value	Trend
Number of grievances including bullying, harassment and recruitment complaints.	Human Resources	2019/20	6
		2018/19	3
		2017/18	3

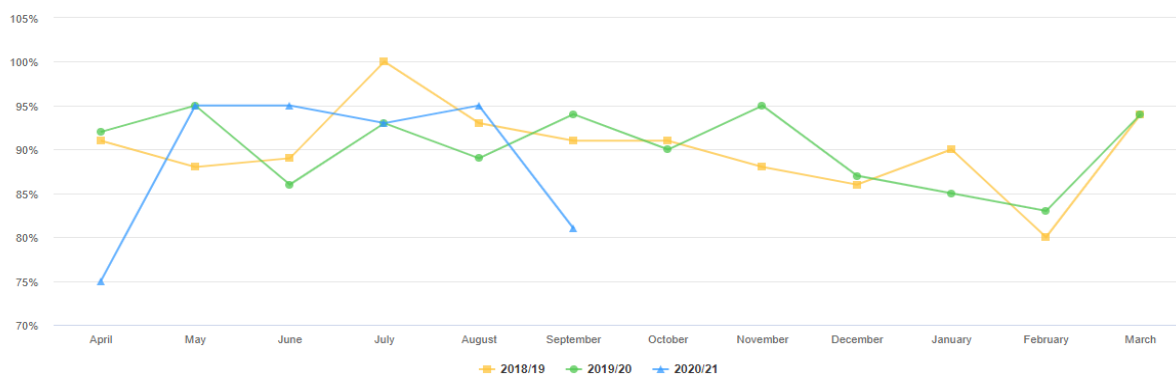
Latest Note

Performance Indicator	Service Area	Current Value	Trend
Number of employees receiving market supplements	Human Resources	2019/20	76 BASELINE

Latest Note

Property Repairs Service

Tenant feedback on the Oneserve repairs survey as a % responding as satisfied or better.-



Latest Note

No narrative provided

Performance Indicator	Service Area	Current Value	Trend
Average number of days to complete a repair	Property Repairs Services	September 2020	3
		August 2020	7
		July 2020	6

Latest Note

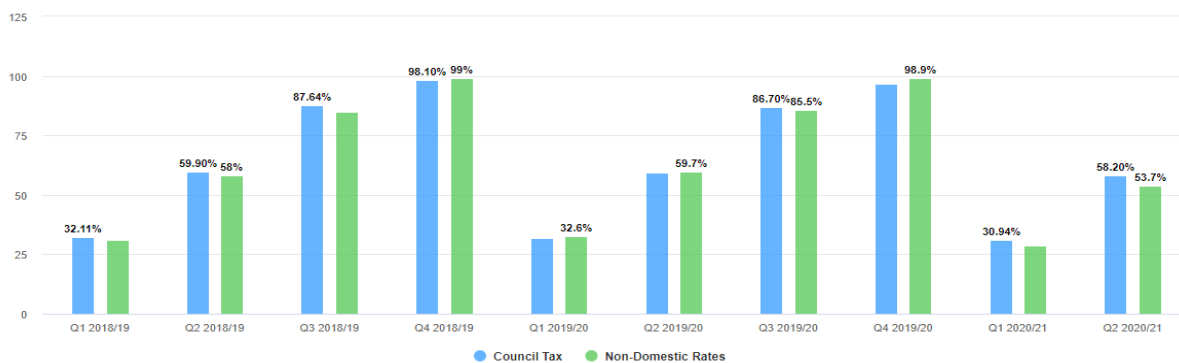
Property Services

Performance Indicator	Service Area	Current Value	Trend
Energy Efficiency of Housing Stock	Property Services	2019/20	68
		2018/19	68
		2017/18	68

Latest Note

Revenues Services

Council Tax and Non-Domestic Rates (Cumulative percentage over the financial year)-



Performance Appendix - Environment & Public Realm

Bereavement Services

Performance Indicator	Service Area	Current Value		Trend
% of local deceased usage through Rainsbrook Crematorium	Bereavement Services	Q2 2020/21	46.49%	
		Q1 2020/21	81.17%	
		Q2 2019/20	62.61%	

Latest Note

Registered Local Deaths: July - 71, August - 78, September - 79
 Local deceased cremated at Rainsbrook: July - 47, August - 41, September - 51
 Cremations held: July - 70, August - 52, September - 66

Commercial Regulation

Performance Indicator	Service Area	Current Value	Trend
% of premises within the Rugby Borough that have attained the Food Hygiene Rating 5	Commercial Regulation	Q1 2020/21	70.10% No Change

Latest Note

No change as no inspections have occurred

Performance Indicator	Service Area	Current Value	Trend
% of premises within the Rugby Borough that have attained the Food Hygiene Rating 4 and above	Commercial Regulation	Q1 2020/21	86.90% No Change

Latest Note

No change as no inspections have occurred

Performance Indicator	Service Area	Current Value	Trend
% of premises within the Rugby Borough that have attained the Food Hygiene Rating 3 and above	Commercial Regulation	Q1 2020/21	93.10% No Change

Latest Note

No inspections have occurred so no change

Parks and Open Spaces

Performance Indicator	Service Area	Current Value		Trend
Number of volunteer hours on RBC green space	Parks and Open Spaces	2019/20	15,765	
		2018/19	11,727	

Latest Note

The number of volunteer hours has steadily increased since 2012. The 2019 figure is the highest yet, which has been bolstered by new volunteer groups being established in Dunchurch and the Northern Section of Great Central Walk.

Performance Indicator	Service Area	Current Value		Trend
Number of trees planted on RBC green space	Parks and Open Spaces	2019/20	113	
		2018/19	100	

Latest Note

Tree planting is an important part of ensuring a healthy tree stock is maintained on our parks and open spaces. They play a major role in air quality and climate change mitigation. Over recent years we have planted significant areas of new tree cover on our open spaces so opportunities for more large scale planting is now limited. However we do still plant where possible.

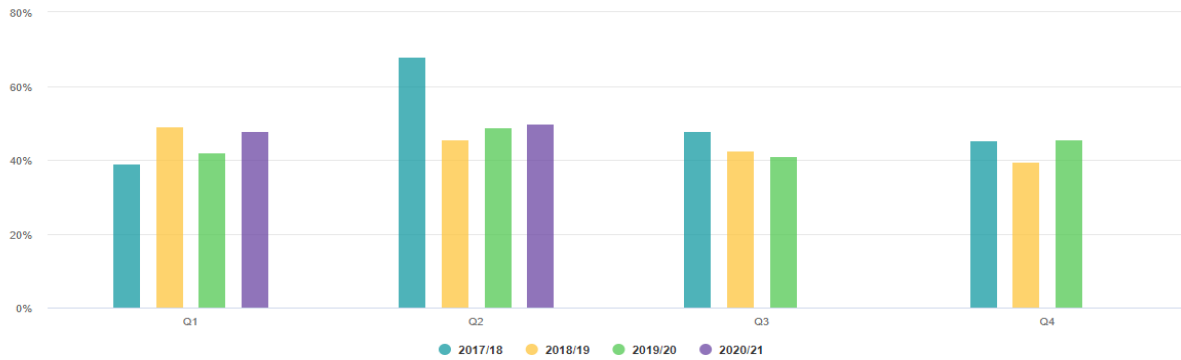
Performance Indicator	Service Area	Current Value		Trend
Number of Green Flags awarded	Parks and Open Spaces	2020/21	5	
		2019/20	5	
		2018/19	5	

Latest Note

The Green Flag Award is the international standard for parks and green spaces and is owned by the British Government. This provides an independent external review process on both the management and operational aspects of a park and is an important indicator, which also provides useful feedback and learning.

Refuse & Recycling

Percentage of household waste sent for reuse, recycling and composting-

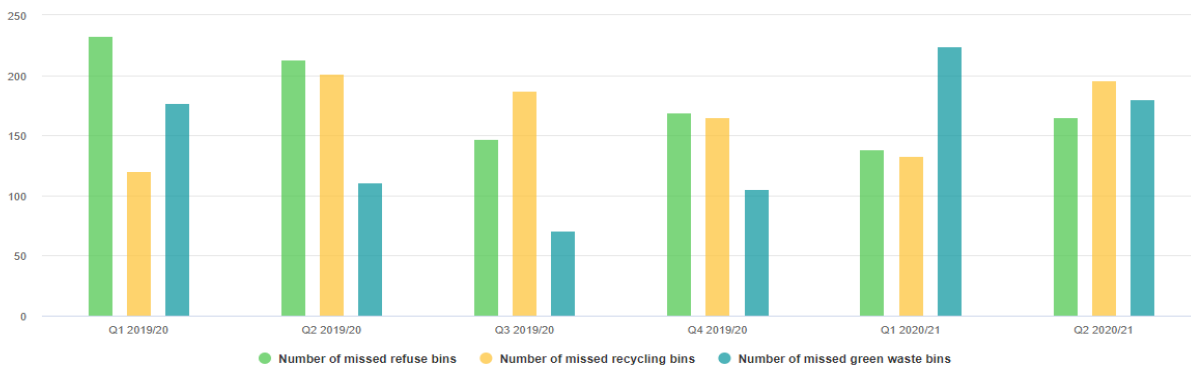


Latest Note

Performance Indicator	Service Area	Current Value	Trend
Total number of bin collections	Refuse & Recycling	Q2 2020/21	658,340
		Q1 2020/21	677,968
		Q2 2019/20	684,225
			N/A

Latest Note

Number of missed bins-



Latest Note

Need narrative on increase of missed refuse and recycling bins

Performance Indicator	Service Area	Current Value	Trend
% of contamination in collected recycling	Refuse & Recycling	Q2 2020/21	10.51%
		Q1 2020/21	10.75%
		Q2 2019/20	12.5%

Latest Note

Performance Indicator	Service Area	Current Value	Trend
Number of tagged contaminated recycling bins	Refuse & Recycling	Q2 2020/21	233
		Q1 2020/21	126
		Q2 2019/20	3,213

Latest Note

This is based on reports from the operatives. Reporting remains a concern.

Performance Indicator	Service Area	Current Value	Trend
Bulky Waste Complaints	Refuse & Recycling	Q2 2020/21	0
		Q1 2020/21	0
		Q2 2019/20	2

Latest Note

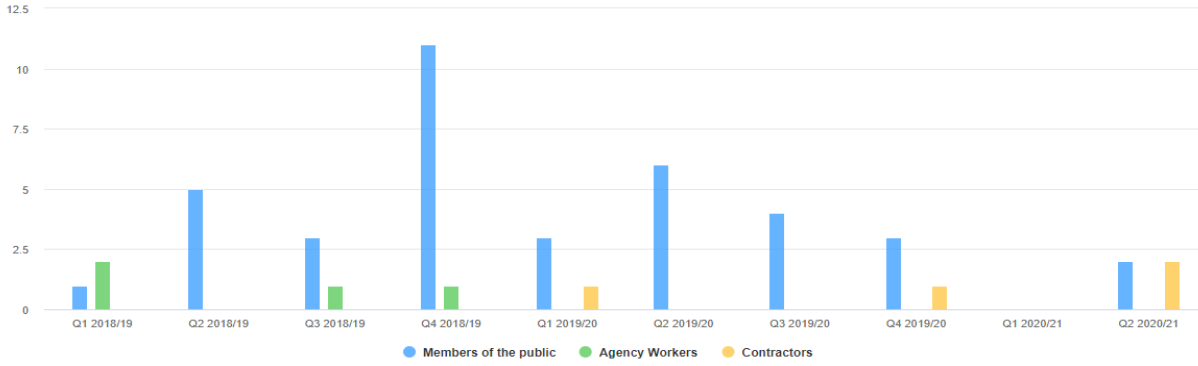
no complaints during Q1 due in part to the service being suspended for a 2 week period due to Coronavirus

Safety & Resilience

Performance Indicator	Service Area	Current Value	Trend
Number of RBC staff recorded in an accident	Safety & Resilience Team	Q2 2020/21	10
		Q1 2020/21	8
		Q2 2019/20	18

Latest Note

Non-employee categories recorded as being involved in an accident-



Narrative on accidents needed

Performance Appendix - Executive Director's Office

Communications, Consultation & Information

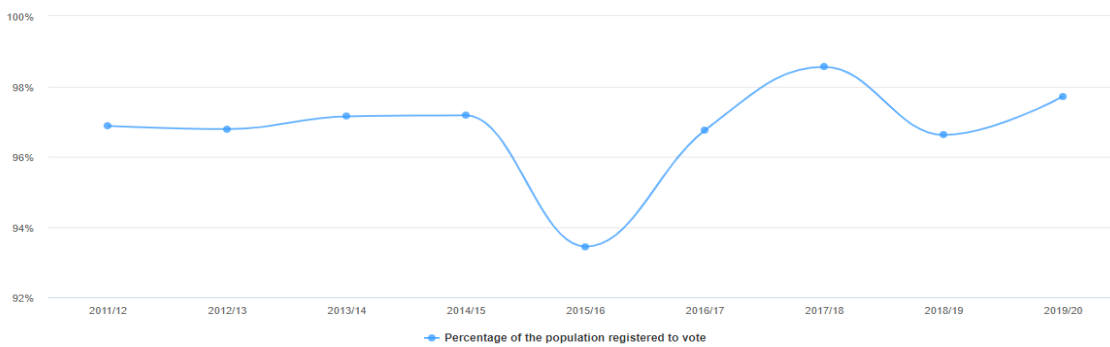
Performance Indicator	Service Area	Current Value	Trend
Number of data breaches reported to the Information Commissioner's Office (ICO)	Communications, Consultation & Information	Q1 2020/21	0 No Change
Latest Note			

Democratic Services

Performance Indicator	Service Area	Current Value	Trend
Member attendance at Committee meetings	Democratic Services	September 2020 August 2020 July 2020	95% 83.3% 95%
Latest Note			

Electoral Services

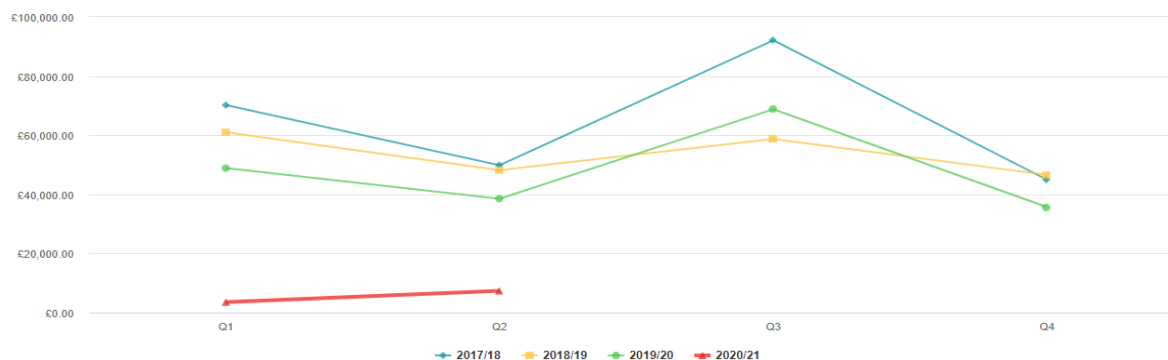
Electoral Registrations within the Borough of Rugby-



Performance Appendix - Growth & Investment

Benn Hall

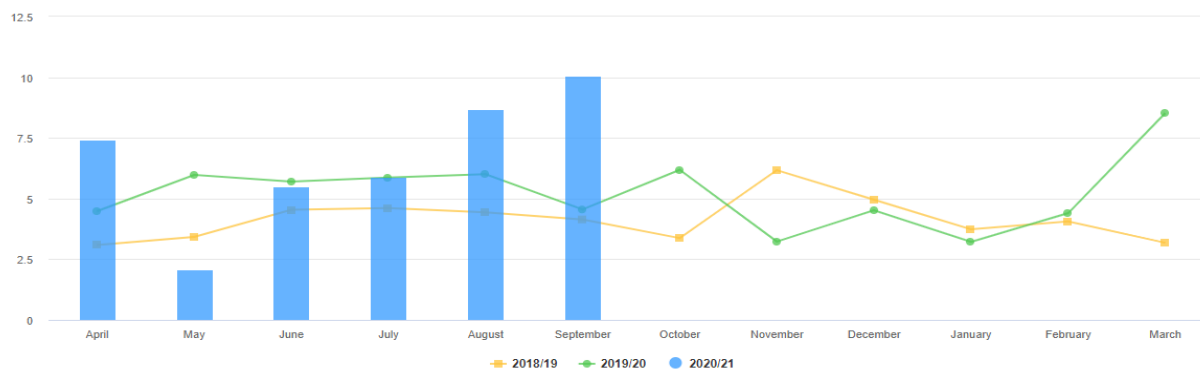
Benn Hall overall income-



Latest Note

Development & Enforcement

Average end to end time for Land Charge searches (in days)-



Latest Note

The average end to end time for Land Charges Searches was higher than target in September due to sickness, leave and challenges faced with systems and WFH arrangements. The number of searches in September was almost as high as August, which was the highest since October 2019 and as such there was a backlog of the previous months searches at the start of the month. In addition with confidence in people moving again during the pandemic and associated enquiries has created a surge in search requests and put additional pressure on the Team.

Performance Indicator	Service Area	Current Value	Trend
Percentage of major planning applications determined within statutory time frame	Development & Enforcement	Q2 2020/21	100%
		Q1 2020/21	100%
		Q2 2019/20	100%

Latest Note

Ref designation report 11 out of 11 major planning applications were determined within the statutory time frame

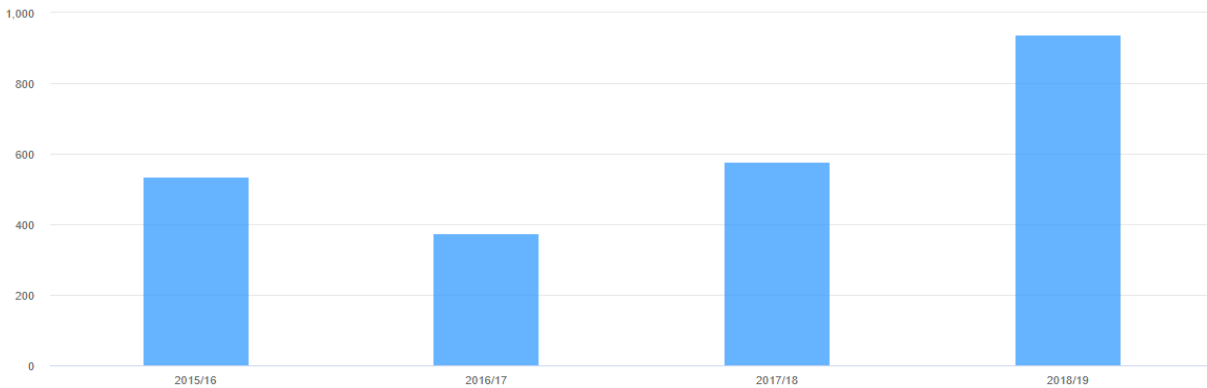
Performance Indicator	Service Area	Current Value	Trend
Percentage of non-major planning applications determined within statutory time frame	Development & Enforcement	Q2 2020/21	82%
		Q1 2020/21	94%
		Q2 2019/20	82%

Latest Note

Ref designation report 119 out of 146 non-major planning applications were determined within the statutory time frame. The main cause for reduction in performance is when the time frame is exceeded and the applicants are unwilling to grant the Local Planning Authority an extension of time to determine the application. The Government designation target for this threshold is 70%. It can be seen from the data that Rugby Borough Council are well in

Development Strategy

Number of new homes built within the year-



Latest Note

Data to be included in the Authority Monitoring Report to be published December/January.

Significant increase compared to previous year as development of strategic allocated sites has progressed.

Rugby Art Gallery & Museum/Hall of Fame

Performance Indicator	Service Area	Current Value	Trend
No. of visits to Rugby Art Gallery & Museum in person	Art Gallery, Museum, Visitor Centre & Hall of Fame	September 2020	246
		August 2020	344
		July 2020	0

Latest Note

July was still closed due to the pandemic. Visitor footfall low as expected.

Performance Indicator	Service Area	Current Value	Trend
No. of visits to the Hall of Fame in person	Art Gallery, Museum, Visitor Centre & Hall of Fame	September 2020	95
		August 2020	184
		July 2020	0

Latest Note

July was still closed due to the pandemic. Visitor footfall very low as expected.

Sports & Recreation

Performance Indicator	Service Area	Current Value	Trend
Leisure Centre Visits	Sport & Recreation	September 2020	11,725
		August 2020	3,227
		July 2020	0

Latest Note

Centre open for gym, swim and studio classes
Climbing wall, sauna/steam, swim school closed during August

Performance Indicator	Service Area	Current Value	Trend
Total grants income from external funding	Sport & Recreation	H2 2019/20	£131,572.00 Getting Worse

Latest Note

Performance Indicator	Service Area	Current Value	Trend
Number of participants - Family Weight Management	Sport & Recreation	Q1 2020/21	20 No Change

Latest Note

Visitor Centre

Performance Indicator	Service Area	Current Value		Trend
Visitor Centre overall retail sales	Visitor Centre	Q2 2020/21	£973.93	
		Q1 2020/21	£65	
		Q2 2019/20	£11,392.96	

Latest Note

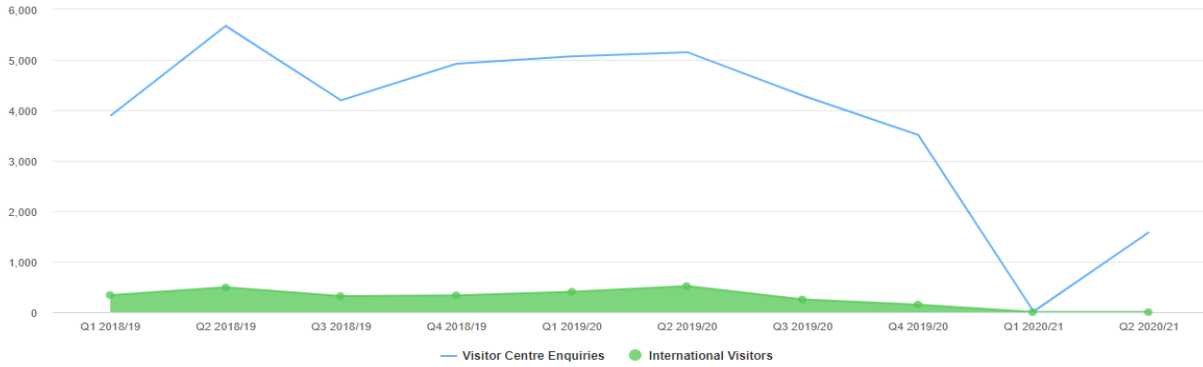
Visitor Centre closed to the public throughout July due to the COVID-19 lockdown.

Performance Indicator	Service Area	Current Value		Trend
Visitor Centre online retail sales - excl. Hall of Fame	Visitor Centre	Q2 2020/21	£5	
		Q1 2020/21	£65	
		Q2 2019/20	£270.04	

Latest Note

Online sales resuming in October 2020

Visitor Centre Enquiries-



AGENDA MANAGEMENT SHEET

Report Title: Civic Honours - amendment to criteria

Name of Committee: Cabinet

Date of Meeting: 9 November 2020

Report Director: Executive Director

Portfolio: Corporate Resources

Ward Relevance: N/A

Prior Consultation: Civic Honours Working Party

Contact Officer: Aftab Razzaq, Monitoring Officer 01788 533521
or aftab.razzaq@rugby.gov.uk

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: Yes

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

Continue to improve the efficiency of our waste and recycling services (EPR)

Protect the public (EPR)

- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background:

Summary:

Further legal content has been reviewed by officers regarding the Council's criteria for civic honours. The criteria relating to Honorary Alderman requires amendment to ensure it complies with legislation.

Financial Implications:

There are no financial implications as a result of this report

Risk Management Implications:

Environmental Implications:

There are no environmental implications as a result of this report

Legal Implications:

S.249 of the Local Government Act 1972 sets out that that honorary aldermen/alderwomen must be past members of the Council.

Equality and Diversity:

Options:

N/A

Recommendation:

The amended criteria for civic honours, as detailed in Appendix 1 to the report, be approved.

Reasons for Recommendation:

To comply with legislation.

Agenda No 8

Cabinet - 9 November 2020

Civic Honours - Amendment to criteria

Public Report of the Executive Director

Recommendation

The amended criteria for civic honours, as detailed in Appendix 1 to the report, be approved.

1. INTRODUCTION

- 1.1 Cabinet on 2 September 2019 approved an amended criteria for civic honours for the Council.
- 1.2 Officers have reviewed further legal content regarding relating to civic honours and have concluded that the Council's protocol, as amended and agreed at Cabinet on 2 September 2019, requires further amendment. This is as the statutory requirements specify that Honorary Aldermen can only be reserved for past members of the Council.

2. PROPOSED AMENDMENTS TO CRITERIA

- 2.1 It is proposed that the criteria be amended as detailed in Appendix 1. The amended wording is shown with track changes. This will ensure the criteria is in accordance with the legislation.

Name of Meeting: Cabinet
Date of Meeting: 9 November 2020
Subject Matter: Civic Honours - amendment to criteria
Originating Department: Executive Director

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

RUGBY BOROUGH COUNCIL**CIVIC HONOURS – PROPOSED AMENDED CRITERIA AND PROCEDURE****1. TYPES OF HONOURS**

There are civic honours which can be conferred on an individual or, in exceptional circumstances, a military unit or organisation. The criteria for each is detailed below:

Honorary Freeman

This honour may (but not necessarily) be bestowed upon:

- A Leader or former Leader of the Council, on retirement as a Councillor
- An elected member or officer who has given significant service to the Borough, on retirement as a member or officer
- A member of the public who has given significant service to the Borough
- Those in paid employment who have given service over and above that which would normally be expected of their role.
- Anybody nominated for this award must have been a resident in the Borough of Rugby for the duration of the activity for which they are nominated.

The privileges of the conferment of Honorary Freeman are:

- To have the courtesy title of Honorary Freeman
- To attend civic events
- To walk in civic processions behind the local Member of Parliament and in front of Honorary Aldermen
- To wear the Honorary Freeman badge of office at civic events
- The Town Hall flag will be flown at half-mast when the organisation is informed of the death of an Honorary Freeman
- The role of Honorary Freeman carries no additional privileges
- The role of Honorary Freeman gives no right to claim allowances or expenses from the Council.

Honorary Alderman

This honour may (but not necessarily) be bestowed upon an elected member who has served a minimum of a total of 20 years on their retirement as a Councillor-.

The privileges of the award of Honorary Alderman are:

- To have the courtesy title of Honorary Alderman
- To attend civic events
- To walk in civic processions behind Honorary Freeman and in front of Members of the Cabinet

- To wear the Honorary Alderman badge of office at civic events
- The Town Hall flag will be flown at half-mast when the organisation is informed of the death of an Honorary Alderman
- The role of Honorary Alderman carries no additional privileges
- The role of Honorary Alderman gives no right to claim allowances or expenses from the Council.

Freedom of Entry to the Borough of Rugby (Freedom of the Borough)

In exceptional circumstances this honour may be granted to military units or other organisations. The privileges conferred by Freedom of Entry to the Borough are:

The right to march through the streets with bayonets fixed, colours flying and drums beating.

2. HONOURS CRITERIA

The honours would be exceptional rather than being given as a matter of course. Requests for nominations will not be advertised. All nominations should, therefore, be submitted by a Councillor.

The awards should be non-political i.e just because a member or supporter of one political party has an honour conferred upon them does not mean that an equal number of people from other parties would also be recognised.

These are civic honours for exceptional service, and conferring of them would not necessarily be an annual event, but should take place not more than once in any municipal year.

3. HONOURS PROCESS

A cross party Civic Honours Working Party will be appointed by Cabinet in June each year to consider nominations.

The timetable for the process is detailed below:

last working day of September – all nominations to be received by Democratic Services.

October – Civic Honours Working Party to consider all nominations. Any objections to the nominations submitted to Cabinet should be recorded.

November – agreed nominations to be submitted to Cabinet in private for recommendation to Council in December.

After Cabinet has approved the honours, the intended recipients will be contacted to ensure that they would accept them before the matter is taken to Full Council. Not less than 2/3 of voting members at Full Council should approve each nomination.

January/February – Democratic Services to start making arrangements for the ceremony. A guest list for each approved nominee to be submitted to Democratic Services by mid February. The total number of people present at each ceremony will be determined by the Council's health and safety requirements in its Council Chamber.

April – ceremony to confer the honour(s). A drinks reception may be held afterwards.

Group Leaders, the Executive Director, and the two Members who had proposed and seconded the nomination will be invited to the ceremony together with a small number of the nominee's personal guests.

4. WITHDRAWAL OF TITLE

The Council may withdraw the title of Honorary Freeman or Honorary Alderman should the beneficiary act in a manner that brings the Council, the Borough or the role of Honorary Freeman/Honorary Alderman into disrepute.

Should this action be deemed necessary, it would be referred firstly to the Civic Honours Working Party and then to a confidential meeting of Full Council, at which a majority decision will be required to agree the removal of the honour.

AGENDA MANAGEMENT SHEET

Report Title: Appointments to Outside Bodies - Miscellaneous Appointments

Name of Committee: Cabinet

Date of Meeting: 9 November 2020

Report Director: Executive Director

Portfolio: Corporate Resources

Ward Relevance: None

Prior Consultation: Trustees of Lawrence Sheriff Almhouses and Trustees of Hillmorton Charities have been consulted.

Contact Officer: Linn Ashmore, Democratic Services Officer
linn.ashmore@rugby.gov.uk 01788 533523

Public or Private: Public

Report Subject to Call-In: Yes

Report En-Bloc: Yes

Forward Plan: Yes

Corporate Priorities: This report relates to the following priority(ies):

(CR) Corporate Resources To provide excellent, value for money services and sustainable growth

(CH) Communities and Homes Achieve financial self-sufficiency by 2020

(EPR) Environment and Public Realm Enable our residents to live healthy, independent lives

(GI) Growth and Investment Optimise income and identify new revenue opportunities (CR)

Prioritise use of resources to meet changing customer needs and demands (CR)

Ensure that the council works efficiently and effectively (CR)

Ensure residents have a home that works for them and is affordable (CH)

Deliver digitally-enabled services that residents can access (CH)

Understand our communities and enable people to take an active part in them (CH)

Enhance our local, open spaces to make them places where people want to be (EPR)

- Continue to improve the efficiency of our waste and recycling services (EPR)
- Protect the public (EPR)
- Promote sustainable growth and economic prosperity (GI)
- Promote and grow Rugby's visitor economy with our partners (GI)
- Encourage healthy and active lifestyles to improve wellbeing within the borough (GI)
- This report does not specifically relate to any Council priorities but ensures continuity of the council's representation on outside bodies.

Statutory/Policy Background:	N/A
Summary:	Three terms of office on outside bodies require re-appointments.
Financial Implications:	There are no financial implications arising from this report.
Risk Management Implications:	There are no risk management implications arising from this report.
Environmental Implications:	There are no environmental implications arising from this report.
Legal Implications:	There are no legal implications arising from this report.
Equality and Diversity:	There are no equality and diversity implications arising from this report.
Options:	N/A
Recommendation:	<p>(1) Mr Walter Goodman be re-appointed to the Trustees of Hillmorton Charities for a further four-year term of office;</p> <p>(2) Councillor Mrs Roodhouse be re-appointed to the Trustees of Lawrence Sheriff Almshouses for a further three-year term of office; and</p> <p>(3) Mrs C A Avis be re-appointed to the Trustees of Lawrence Sheriff Almshouses for a further three-year term of office.</p>
Reasons for Recommendation:	To ensure continuing Council representations.

Cabinet - 9 November 2020

Appointments to Outside Bodies - Miscellaneous Appointments

Public Report of the Executive Director

Recommendation

- (1) Mr Walter Goodman be re-appointed to the Trustees of Hillmorton Charities for a further four-year term of office;
- (2) Councillor Mrs Roodhouse be re-appointed to the Trustees of Lawrence Sheriff Almshouses for a further three-year term of office; and
- (3) Mrs C A Avis be re-appointed to the Trustees of Lawrence Sheriff Almshouses for a further three-year term of office.

1. TRUSTEES OF HILLMORTON CHARITIES

One term of office for the Trustees of Hillmorton Charities is due to expire on 28 November 2020. Mr Walter Goodman has confirmed he is willing to continue with a further four-year term of office and the Trustees have also been consulted.

2. TRUSTEES OF LAWRENCE SHERIFF ALMSHOUSES

Two terms of office to the Trustees of Lawrence Sheriff Almshouses are due to expire:

Councillor Mrs Roodhouse – term of office expires on 4 December 2020

Mrs C A Avis – term of office expired on 4 October 2020

Councillor Mrs Roodhouse and Mrs C A Avis have confirmed they are willing to continue with a further three-year term of office and the Trustees have also been consulted.

Name of Meeting: Cabinet

Date of Meeting: 9 November 2020

Subject Matter: Appointments to Outside Bodies - Miscellaneous
Appointments

Originating Department: Executive Director

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A