



## Housing & Land Delivery Board

**Date:** Monday 2 November 2020

**Time:** 10.00 am                      **Public meeting**                      Yes

**Venue:** This meeting is being held entirely by video conference facilities  
[Please click here to view the meeting](#)

### Membership

Councillor Mike Bird (Chair)	Walsall Metropolitan Borough Council
Sarah Middleton	Black Country Local Enterprise Partnership
Councillor Sharon Thompson	Birmingham City Council
Councillor George Adamson	Cannock Chase District Council
Councillor Jacqueline Sweetman	City of Wolverhampton Council
Bill Blincoe	Coventry and Warwickshire LEP
Councillor David Welsh	Coventry City Council
Councillor Angus Lees	Dudley Metropolitan Borough Council
Marc Liddeth	Environment Agency
Simon Marks	Greater Birmingham and Solihull LEP
Philip Farrell	Homes England
Councillor David A Wright	North Warwickshire Borough Council
Councillor Julie Jackson	Nuneaton & Bedworth Borough Council
Councillor Matthew Dormer	Redditch Borough Council
Councillor Sebastian Lowe	Rugby Borough Council
Councillor Keith Allcock	Sandwell Metropolitan Borough Council
Councillor Robert Macey	Shropshire Council
Councillor Ian Courts	Solihull Metropolitan Borough Council
Councillor Daren Pemberton	Stratford on Avon District Council
Councillor Jeremy Oates	Tamworth Borough Council
Councillor David Wright	Telford and Wrekin Council
Councillor Peter Butlin	Warwickshire County Council
Kevin Rodgers	West Midlands Housing Association Partnership

Quorum for this meeting shall be at least eight members

If you have any queries about this meeting, please contact:

**Contact** Carl Craney Governance Services Officer  
**Telephone** 0121 214 7965  
**Email** Carl.Craney@wmca.org.uk

# AGENDA

No.	Item	Presenting	Pages
1.	Apologies for Absence (if any)		None
2.	Notification of Substitutes (if any)		None
3.	Declarations of Interests (if any) Members are reminded of the need to declare any disclosable pecuniary interests they have in an item being discussed during the course of the meeting. In addition, the receipt of any gift or hospitality should be declared where the value of it was thought to have exceeded £25 (gifts) or £40 (hospitality).		None
<b>Business Items for Consideration</b>			
4.	Minutes of last meeting [For approval]		1 - 6
5.	Single Assurance Framework - Impact on Thematic Boards - Terms of Reference and Role		7 - 12
6.	Zero Carbon Homes Programme Update		13 - 18
7.	Advanced Manufacturing in Construction (AMC) Routemap		19 - 22
8.	Planning Reform: Key Messages		23 - 28
9.	Local Plans: Update on Progress		29 - 34
10.	Exclusion of the Public and Press [To pass the following resolution: That in accordance with Section 100(A) of the Local Government Act, 1972 the press and public be excluded from the meeting for the following items of business as it involves the likely disclosure of exempt information relating to the business or financial affairs of any particular person (including the authority holding that information)]		None
<b>Business Item for Consideration</b>			
11.	Affordable Housing Collaborative Delivery Vehicle		35 - 42



## West Midlands Combined Authority

### Housing & Land Delivery Board

Monday 7 September 2020 at 10.00 am

#### Minutes

#### Present

Councillor Mike Bird (Chair)  
Councillor Keith Allcock  
Bill Blincoe  
Councillor Ian Courts  
Councillor Matthew Dormer  
Philip Farrell  
Councillor Julie Jackson  
Councillor Angus Lees  
Sarah Middleton

Councillor Daren Pemberton  
Kevin Rodgers

Councillor Jacqueline Sweetman  
Councillor David Wright

Walsall Metropolitan Borough Council  
Sandwell Metropolitan Borough Council  
Coventry and Warwickshire LEP  
Solihull Metropolitan Borough Council  
Redditch Borough Council  
Homes England  
Nuneaton & Bedworth Borough Council  
Dudley Metropolitan Borough Council  
Black Country Local Enterprise  
Partnership  
Stratford on Avon District Council  
West Midlands Housing Association  
Partnership  
City of Wolverhampton Council  
Telford and Wrekin Council

#### Item Title No.

#### 10. Apologies for Absence

An apology for absence was received from Councillor Peter Butlin (Warwickshire).

#### 11. Minutes - 6 July 2020

The minutes of the meeting held on 6 July 2020 were agreed as a correct record.

#### 12. Housing & Land COVID-19 Recovery Strategy and Implementation Plan

The board considered a report from the Director of Housing & Regeneration providing an update on the progress made to develop a portfolio-specific COVID-19 economic recovery strategy and interventions plan in response to the challenges and opportunities brought about by the pandemic.

At its meeting on 27 April 2020, this board commissioned the preparation of a Housing & Land portfolio COVID-19 Recovery Plan that specifically focused on driving forward opportunities and interventions in each of the major programmes of work within the board's Annual Business Plan. This would sit alongside, and directly inform and be informed by, the wider regional economic recovery work agreed by the Mayor and constituent authority leaders. Whilst the focus of the regional investment case had been on the immediate economic challenges facing the region during lockdown, the housing and land recovery planning work was being developed with policy interventions and projects being identified over a longer time frame.

Seven priority areas for housing and land within the West Midlands had been identified previously by the Board, relating to:

- brownfield regeneration
- affordable housing policy and delivery
- business and investor partnerships
- Advanced Manufacturing in Construction, high quality design and zero carbon
- public land/One Public Estate
- town centres
- employment land and enterprise

The Chair thanked officers for all the work they had done in pulling together the recovery strategy and implementation plan so that it could be approved today and now moved forward to publication.

Resolved:

- (1) The draft Housing & Land COVID-19 Recovery Strategy, showcasing this board's proactive work on this agenda, be approved for publication.
- (2) It be agreed that a public-facing document be published in order to communicate the Housing & Land portfolio's COVID-19 recovery strategy to a wider audience, and that authority be delegated to the Director of Housing & Regeneration in consultation with the Portfolio Holder for Housing & Land to agree the final contents of the document.
- (3) The engagement and on-going development of the recovery strategy, undertaken through strong collaboration with local authorities, local enterprise partnerships and expert advisory groups and taskforces be noted.
- (4) It be noted that the recovery strategy had informed the region's 'Recharge the West Midlands: Kickstarting the West Midlands Economy' document published on 23 June 2020 and was directly informing future asks of the Government through the Comprehensive Spending Review, forthcoming business case submissions and the wider business of this board.

### **13. COVID-19 Recovery Discussion Paper: Town Centre Living and Regeneration**

The board considered a report from the Director of Housing & Regeneration on a number of high-level strategic town centre recovery policy principles and interventions in response to the commission on town centre policy from the Housing and Land Board on the Covid-19 Recovery Plan. The detail of the paper had emerged following discussions with the Town Centre Taskforce, the Government, expert industry forums and officer working groups to support town centres to recover from the COVID-19 lockdown.

Whilst each town centre was unique, these discussions had identified a number of common themes and challenges, prompting the development of ten key principles that would need to underpin any regional town centre COVID-19 recovery policy and interventions. The overarching principles and supporting interventions would be incorporated into the Housing & Land Portfolio Recovery & Implementation Plan (minute no. 12 above), the Comprehensive Spending Review submission to Government, the COVID-19 project pipeline, amendments to the Single Commissioning Framework and forthcoming business cases to the Government.

The Chair stressed the importance of developing a strategy that recognised that COVID-19 was unlikely to disappear from communities, and therefore town centres needed to adapt and exist in an environment where social distancing and other health measures were the norm. Councillor Ian Courts highlighted that land ownership issues within town centres were often the most significant barriers to development, and therefore these needed to be addressed within any strategy. He asked that a copy of the document should be prepared for all local authority planning departments.

Cllr Daren Pemberton asked whether officers had any sense of how town centre living might be impacted by proposed changes to the planning system and changes to the methodology for calculating housing needs. The Director of Housing & Regeneration explained that the town centre policy paper will support WMCA's joint work with local authorities on regenerating town centre sites to provide new housing supply.

Cllr Angus Lees endorsed the importance of the proposal for a bespoke town centre investment prospectus.

Cllr Bird Mike Bird emphasised the need to recognise that all town centres are different, requiring individual response to their unique challenges and opportunities.

Cllr Courts agreed that a distinct suite of interventions was needed for each town centre. Specific matters that must be addressed include landownership, articulating a clear and ambitious vision and the ability to deliver. Land ownership presented the opportunity for local authorities to exercise more control over the future of their town centres. Cllr Bird agreed that community impacts needed to be considered carefully so that town centres reflected what local people wanted.

Councillor Julie Jackson stressed the importance of ensuring that there was no duplication between this work and that already being done by local authorities themselves. The Director of Housing & Regeneration confirmed that the WMCA was seeking to add value to the work already being done in town centres and would work closely with constituent and non-constituent authorities to ensure workstreams aligned and any WMCA support really adds value like the work happening on town investment plans, just as this paper itself had been the result of a co-development exercise with local authorities. Councillor Keith Allcock highlighted the particular problem of landownership, delays caused by the compulsory purchase process and noted that revenue funding was often the barrier to supporting town centres. The Director of Housing & Regeneration explained that WMCA is tackling the problems of land assembly in town centres by acquiring and assembling land using devolved housing and land funds and would continue to do so in collaboration with local authorities and the private sector. In relation to town centre revenue funding he indicated that this particular issue was one that the WMCA continued to make the case to Government for.

Cllr Sweetman asked about prioritisation of the principles and interventions. The Director of Housing & Regeneration confirmed that the prioritisation would be different for each centre.

Resolved:

- (1) The town centre living and regeneration policy principles and typology of interventions set out within the report be endorsed.
- (2) It be noted that, as this board had previously discussed, the town centre living and regeneration policy paper was informing the region's Comprehensive Spending Review submission to the Government, future business cases to the Government for town centre and brownfield regeneration investment by the WMCA and local authorities, and decisions by the WMCA over the deployment of devolved housing and land funds and project development.
- (3) It be noted that the report had been co-developed with officers from across the region on the Housing & Land Delivery Steering Group, as well as private sector partners and industry representatives on the Commercial Property Forum and Town Centre Taskforce.

#### **14. COVID-19 Recovery Discussion Paper: Public Land**

The board considered a report of the Director of Housing & Regeneration on the role of public land and its disposal in the WMCA's wider COVID-19 recovery plans and on how a new approach to public land disposals and development could support delivering this board's business plan and key policy objectives.

The WMCA's Land Commission report in 2017 recommended that a more productive use of the public estate should be a key aspect to any housing and regeneration activity within the region. It suggested engaging strongly as a single combined entity with the One Public Estate programme and undertaking a comprehensive land audit under which all public land and

relevant private sector bodies would be asked to justify their asset strategies for operational, strategic and surplus land. The key finding from the report was based on experiences elsewhere that land supply to meet housing and employment needs could be partly met from a more effective utilisation of the public sector estate.

The total amount of land in the West Midlands in public ownership amounted to approximately 5,713 hectares. This land was managed by various public sector organisations with some joined up working but no single overarching co-ordinated approach, programme, policy principles or governance. The report set out some of the key policy principles underpinning any public land recovery policy, along with a number of proposals for further development.

The Chair welcomed the report and noted that the potential use of land should not be limited solely to housing, for example where there were greater benefits to be achieved through allocating land for employment and other land uses. Councillor Ian Courts noted the strong links between this item and the town centre policy paper discussed earlier given that, in some town centres, there is substantial public land ownership. Cllr Angus Lees supported the idea of town centres being seen as destinations, entertainment centres and events places. Cllr Keith Allcock stated that green growth is important, not just 'best value' in the assessment of potential development projects. In response to a question from Councillor Daren Pemberton, the Director of Housing & Regeneration confirmed that this work involves constituent and non-constituent authorities.

Resolved:

- (1) The report, produced in line with the commission from this board as part of the COVID-19 Recovery Plan, be noted, and the key policy principles set out within it be endorsed.
- (2) It be agreed that this work should inform the region's forthcoming response to the Comprehensive Spending Review consultation and bid to the next funding round for the One Public Estate Programme (OPE 8).
- (3) The work to co-develop this report with Housing & Land Delivery Steering Group, One Public Estate groups and the Commercial Property Forum be noted.

#### **15. Advanced Manufacturing in Construction Routemap**

The board considered a report of the Director of Housing & Regeneration providing an update on the work undertaken by the WMCA, the Advanced Manufacturing in Construction Officer Working Group and the Expert Advisory Group in producing a routemap for accelerating the Advanced Manufacturing in Construction (AMC) industry and take-up in the region.

Due to the barriers that currently existed in increasing the uptake within the AMC industry, the Board had agreed that a comprehensive routemap and strategy would be developed that would set out the purpose of, and aspiration for, AMC in the region, and detail the key steps required to deliver

these aspirations in the short and medium term. The routemap would ensure the region's approach focused not just on investing in more AMC units, but on wider changes to the construction industry in the West Midlands that also delivered inclusive growth, social value, quality and improved environmental performance.

Part one of this routemap was appended to the report, and it was intended that part two would now be prepared, exploring options for implementing the recommended short-term actions contained within part one. Both parts would then be submitted to the next meeting of this board for approval.

The Chair noted that this was a significant growth area and that there was scope to re-skill people losing their jobs in other sectors, particularly if the region's dependency on the motor industry was to fluctuate in the coming years. Councillor Ian Courts noted that AMC was most effective when delivered at scale, and that this scaling up amongst private developers was the key to its success. It was also important to promote the quality of the manufacturing process involved in AMC. The Chair noted that this enabled genuine year-round housing construction, unaffected by variances in weather.

In response to a question from Councillor Keith Allcock, it was clarified that the proposed routemap was seeking to encourage and facilitate house builders to adapt to advanced manufacturing techniques, rather than creating the WMCA's own manufacturing capability. Cllr Keith Allcock further stated that one of the principal issues to be tackled was the higher costs associated with AMC. This was noted and is being addressed in the study. Cllr Bird suggested, whilst a pipeline of AMC projects is being developed, that AMC projects could highlight the reduced running costs.

Resolved:

- (1) The structure and format of part one of the Advanced Manufacturing in Construction routemap be agreed.
- (2) The proposal to explore options for implementing the routemap's recommendations prior to the meeting of the board on 2 November 2020 be agreed.
- (3) The intention to complete part two of the routemap over the coming months, and to bring both parts of the routemap for agreement the meeting of the board on 2 November 2020 be agreed.
- (4) It be noted that the routemap was directly informing negotiations underway with the Government on securing a £50m enabling fund to support Advanced Manufacturing in Construction.

The meeting ended at 11.10am.



## HOUSING & LAND DELIVERY BOARD

Date	2 November 2020
Report title	Single Assurance Framework - Impact on Thematic Board Terms of Reference and Role
Portfolio Lead	Councillor Mike Bird, Leader Walsall MBC
Accountable Chief Executive	Deborah Cadman, West Midlands Combined Authority email: deborah.cadman@wmca.org.uk tel: (0121) 214 7200
Accountable Employees	Gareth Bradford, Executive Director Housing & Regeneration Julia Goldsworthy, Executive Director of Strategy Tim Martin, Head of Governance & Monitoring Officer

Recommendation(s) for action or decision:

The Housing & Land Delivery Board is recommended to:

- (1) Consider the Single Assurance Framework requirements for Thematic boards
- (2) Consider proposed Portfolio improvements for Housing, Land & Delivery Board
- (3) Endorse the amended Terms of Reference as set out in Appendix A

### 1. Purpose

- 1.1 On 24 July 2020 the WMCA Board adopted a revised 'Single' Assurance Framework following an internal review. The Assurance Framework sets out how the West Midlands Combined Authority (WMCA) will use public money responsibly, both openly and transparently, and achieve best value for money. The intent of the review undertaken was to streamline and improve decision-making, driving best practice and consistency.
- 1.2 The purpose of the Single Assurance Framework is to deliver the following:
  - Deliver consistency and accountability within decision-making
  - Ensure ability to develop projects at speed whilst maintaining required development standards
  - Provide WMCA with Financial and Governance Protections for stewardship of public funds
  - Improve standards of project initiation, development, delivery and oversight
  - Ensure that there is alignment between organisational objectives and outputs - "the Golden Thread"

### 2. Single Assurance Framework – Implications for Thematic Boards

- 2.1 The Single Assurance Framework (SAF) has implications for Thematic Boards, it requires each Thematic Board to undertake a set of core roles. The intention of the core roles is to ensure that Thematic Boards are applying the appropriate oversight, support and portfolio development roles required to support the key principles and application of the SAF.
- 2.2 The proposed core roles for each Thematic Board are as follows:
  - i. **Play a key role in developing and approving the Portfolio Annual Business Plan** - ensuring that it demonstrates a clear 'golden thread' to the WMCA Annual Plan and strategic

objectives, highlighting prioritisation considerations where appropriate and then supporting and challenging delivery.

- ii. **Provide oversight of the Portfolio Project Pipeline** - taking ownership of supporting and challenging the Lead Member on the pipeline and monitoring its content, providing feedback to Business Areas (but not instruction) and performance managing bids and project development to ensure delivery of the golden thread.
- iii. **Advise on major policy change within Portfolio** - Consider and advise upon major policy change within their thematic area, delivering expert stakeholder engagement, ensuring ownership and accountability, and where necessary recommend policy matters to WMCA Board for approval.
- iv. **Performance manage Portfolio project delivery** - at thematic level (below strategic), ensuring effective and appropriate challenge to the delivery of projects and programmes, ensuring the continued delivery of the golden thread

2.3 In order to support delivery of these core roles each Portfolio will be required to produce a Project Pipeline that sets out all bids, developing projects and projects in delivery within that Portfolio. The Pipeline will be expected to include key details about the project, the stage that it is at and be open for review, challenge and support through the relevant Thematic board.

2.4 Each Project Pipeline will be regularly updated and will be available to view by its Thematic Board. Each Project Pipeline will also feed into the WMCA Activity Register which is a new central register of all WMCA activity.

### 3. Thematic Board – Portfolio Improvements

3.1 As part of the work undertaken through the Single Assurance Framework Project, further review of Thematic Boards took place as part of the response to the Internal Project Governance Review which had highlighted inconsistent practices and approaches being taken by Thematic Boards and the negative impact this inconsistency has, alongside consensus opinion at a senior officer level that Thematic Boards were not contributing to the delivery of outputs and strategic objectives.

3.2 As a result the Senior Leadership Team tasked the Single Assurance Framework Project with developing proposals for a consistent role, purpose and approach to Thematic Boards to help drive effective, clear and accountable decision-making, ensure appropriate political oversight and support for Portfolio Leads and to support the intent to deliver a 'Golden Thread' from strategic objective through initiation, development, delivery and evaluation within the WMCA.

3.3 This work was in addition to the developing SAF core roles that would be required to be delivered at each Thematic Board.

3.4 This work has led to the drafting of a standardised Terms of Reference for Thematic Boards that is intended to deliver a consistent approach to Thematic Boards across the WMCA as well as support the Single Assurance Framework core role requirements.

3.5 The work undertaken to provide a more consistent approach across Thematic Boards and therefore deliver consistent application of standards recommends the following:

- Each Thematic Board to play a key role in the oversight and management of the development and delivery of Portfolio projects, ensuring that they are contributing to the delivery of WMCA Strategic Objectives.
- Relevant Portfolio Lead to chair each Thematic Board
- Membership to consist of 7 Constituent Council representatives, preferably the relevant Cabinet Member for each Constituent Authority
- Membership to consist of 1 non-con council representative per county area (Warwickshire, Shropshire, Worcestershire, Staffordshire) and for the representative to be a relevant Cabinet Member where possible
- Membership to consist of representative from each LEP (3 members)
- Membership to consist of additional portfolio specific membership dependent on each Thematic area
- Minimum of 4 Thematic Board meetings per year in order to ensure consistent quarterly review of Portfolio Project Pipeline
- Quorum of Portfolio Lead + a third of voting members

- 3.6 As stated above the intention of the proposed consistencies and the SAF core roles is to provide a consistent role, purpose and approach across all the Thematic Boards to help drive effective, clear and accountable decision-making, ensure appropriate political oversight and support for Portfolio Leads and to support the intent to deliver a 'Golden Thread' from strategic objective through initiation, development, delivery and evaluation within the WMCA.
- 3.7 Engagement has taken place with the Executive Director of Housing & Regeneration in developing the SAF and the Thematic Board consistency approach as set out above. In addition, this engagement has covered Portfolio specific opportunities to improve the application of the Housing & Land Delivery Board and its role. This engagement has led to a recommendation that the Non-Voting Membership of the Board be extended to include Network rail.
- 3.8 A key role for each Thematic board is to provide support to the Portfolio Lead, engagement with the Executive Director of Housing & Regeneration has help develop an amended list of functions for inclusion in the Terms of Reference to provide this support. This for example includes monitoring of the Local Plans Monitoring Dashboard.
- 3.9 All of the requirements set out in this report, the SAF core roles, the consistency improvements and the developments to better support Portfolio Leads have resulted in an amended terms of reference for the Housing & Land Delivery Board being proposed for endorsement. These Terms of Reference are detailed in **APPENDIX A**.
- 3.10 The Housing & Land Delivery Board is asked to consider the content of this report and endorse the Terms of Reference proposed in Appendix A.

#### **4. Financial Implications**

- 4.1 There are no direct spend or budgetary implications as a result of the recommendations within this report. The assurance frameworks and delegated approval structures detailed within this report are considered to be appropriately designed to ensure WMCA deliver value for money against all its investments and that the financial controls and checks required to deliver those investments are robust.

#### **5. Legal Implications**

- 5.1 It is a statutory requirement that the Combined Authority has an assurance framework in place. There are also statutory duties on the Authority in relation to best value and securing the best use of public money in terms of projects and spending. Failure to have a robust assurance framework in place would result in action by the Authority's internal and external auditors and would affect the value for money judgement provided on an annual basis. It could also result in action being taken by the WMCA Statutory Officers

#### **6. Equalities Implications**

- 6.1 There are no specific equalities implications arising out of this report.

#### **7. Inclusive Growth Implications**

- 7.1 The WMCA has developed its own standards that it wishes to drive through its projects and programmes, one of which is consideration and development of Inclusive Growth. Continued regional inequalities and the impact of Covid-19 on some groups reinforces the need for the WMCA to continue to develop processes and initiatives to drive inclusive growth.

#### **8. Geographical Area of Report's Implications**

- 8.1 The Assurance Framework applies to any relevant activity across both Constituent and Non-constituent areas.

#### **9. Other Implications**

9.1 None.

## 10. Schedule of Background Papers

- 10.1 ARAC September 2019
- 10.2 ARAC November 2019
- 10.3 ARAC July 2020
- 10.4 WMCA Board July 2020

## 11. Appendices

- 11.1 Appendix A – Proposed Terms of Reference for Housing & Land Delivery Board

Purpose:	The Board will play a key role in the oversight and management of the development and delivery of Portfolio programmes and projects, ensuring that they are contributing to the delivery of WMCA Strategic Objectives and the Annual Business Plan.
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	<p>The Board will be responsible for the oversight of delivery of the Housing and Land Business Plan, contributing to its development and monitoring its delivery.</p> <p>The Board will assist in the accelerated delivery of housing and employment space across the West Midlands region, delivering nationally leading policy initiatives.</p>
Accountable to:	WMCA Board
Membership:	<p><u>Voting Members:</u></p> <ul style="list-style-type: none"> <li>○ Chaired by WMCA Portfolio Holder</li> <li>○ Constituent Members – Relevant Cabinet Member as determined by each Constituent Council</li> <li>○ Non-Constituent Members – 1 Representative per county area (Warwickshire, Shropshire, Worcestershire, Staffordshire) Representative to be a relevant Cabinet Member where possible</li> <li>○ LEPs – Representative from each LEP Area</li> </ul> <p><u>Non-Voting Members:</u></p> <p>The following subject specific guests will be invited to Board meetings as appropriate:</p> <ul style="list-style-type: none"> <li>○ Environment Agency</li> <li>○ Homes England</li> <li>○ West Midlands Housing Association Partnership</li> <li>○ Network Rail</li> </ul>
Chair:	The Chair will be the Portfolio Lead for Housing & Land
Functions:	<ul style="list-style-type: none"> <li>● To review, monitor and approve the Housing &amp; Regeneration Annual Business Plan, ensuring that it demonstrates a clear golden thread to the WMCA Strategic Objectives, highlighting prioritisation considerations where appropriate and supporting and challenging delivery of the Plan.</li> <li>● Consider the Housing &amp; Regeneration Portfolio Project Pipeline in order to monitor its content, providing feedback to the Business Area and performance managing project development</li> <li>● To consider and advise upon major policy change within the Housing &amp; Regeneration Portfolio</li> <li>● To performance manage the delivery of projects detailed within the Housing &amp; Regeneration Portfolio Project Pipeline at Portfolio level, ensuring effective and appropriate challenge to the Business Area and stakeholders</li> <li>● To provide co-ordination and direction on strategic matters relating to the portfolio needs of the region.</li> <li>● To provide the forum for facilitating strategic conversations between the local authorities, stakeholders and WMCA</li> <li>● To provide oversight of the Local Plans Monitoring Dashboard</li> </ul> <p>Support Housing &amp; Land Portfolio Holder by:</p> <ul style="list-style-type: none"> <li>● Providing advice and support to WMCA activity</li> <li>● Helping engage with wider stakeholder networks and activity</li> <li>● Identify and scale up existing good practice within the WMCA area</li> <li>● Identify and secure resources to deliver new opportunities</li> <li>● To provide co-ordination and direction on strategic policy and delivery matters relating to the housing and employment development needs of the region.</li> <li>● To agree to review of the Single Commissioning Framework</li> <li>● To provide the forum for facilitating strategic conversations between the WMCA and local authorities around the supply of the right land, in</li> </ul>

	<p>the right places, to deliver the homes and jobs the population and the economy needs to grow in a sustainable way.</p> <ul style="list-style-type: none"> <li>• To develop and implement a strategy for accelerating housing growth and employment across the region.</li> <li>• To ensure alignment with other WMCA-led strategies and programmes e.g. transport, skills, One Public Estate and the West Midlands Growth Company.</li> <li>• To recommend and endorse bids for government funding to the WMCA Board.</li> <li>• To collaborate with those external organisations that also have responsibility for housing delivery and policy.</li> <li>• On behalf of the WMCA, to lead dialogue with the Government on the West Midlands housing devolution/housing deal agenda, and as part of devolution negotiations with Government, to lead on developing propositions and asks that relate to Housing, Land and Regeneration policy and delivery.</li> <li>• To commission and publish research on housing and employment land to inform decisions made by the WMCA Board.</li> </ul>
Voting:	<p>All Members will have one vote each.</p> <p>The Chair will have a casting vote if required.</p>
Quorum:	WMCA Portfolio Lead + Third of Voting Members
Frequency:	Minimum of 4 times a year or more frequently as required to discharge its responsibilities



## Housing & Land Delivery Board

<b>Date</b>	2 November 2020
<b>Report title</b>	Zero Carbon Homes: Programme Update
<b>Portfolio Lead</b>	Councillor Mike Bird, Leader, Walsall Council
<b>Accountable Employee</b>	Gareth Bradford, Director of Housing & Regeneration, WMCA Patricia Willoughby, Head of Policy (Housing & Regeneration), Senior Reporting Officer, WMCA Rachel-Ann Atterbury, Report Author
<b>Report has been considered by</b>	14 October 2020: Housing & Land Delivery Steering Group

### Recommendation(s) for action or decision:

The Housing & Land Delivery Board is asked to:

- 1) **Note and discuss** the proposed approach to delivering the zero carbon homes (ZCH) ambition in the 2041 Climate Change Action Plan, which includes establishing the current level of low/zero carbon building in the region, producing an agreed ZCH standard routemap to 2025 and launching a zero carbon homes charter.
- 2) **Note** the findings of the Baseline Gap Analysis report and its implications for meeting the 2025 Zero Carbon Homes target.
- 3) **Note** that the Zero Carbon Homes Taskforce has now been established, met (on 6<sup>th</sup> October and 22<sup>nd</sup> October) and that it will directly support the development of the Zero Carbon Homes Charter and Routemap over the coming months.

### 1.0 Purpose

- 1.1 The purpose of this paper is to seek views from the Housing & Land Delivery Board on the proposed approach to producing a 2025 Zero Carbon Homes standard and routemap, as agreed by the Housing & Land Delivery Board as key deliverables in its 2020/21 Business Plan.

### 2.0 Background to Zero Carbon homes

- 2.1 In January 2020, the Combined Authority launched its 2041 Climate Change Action Plan (WM2041) including a strong commitment to achieving a Zero Carbon Homes (ZCH) standard by 2025.
- 2.2 At the same time, the Housing & Land Delivery Board agreed that a major deliverable for the Housing & Land Portfolio in 2020/21 was to establish a regional ZCH standard it would seek to apply to WMCA investments/acquisitions under the Single

Commissioning Framework and to prepare a routemap with supporting guidance to meet the 2025 target.

- 2.3 The Board commissioned WMCA's Housing & Regeneration Directorate to take forward this work under the Board's instruction, leading during the year in partnership with local councils and the private sector.

### 3.0 Approach to the 2025 Standard

- 3.1 It was agreed at the Housing & Land Delivery Board in April 2020 that WMCA would adopt the UK Green Building Council's (UKGBC) definition - '[Net Zero Carbon Buildings: A Framework Definition](#)' to define zero carbon development in the region and guide the development of the 2025 Zero Carbon Homes standard. UKGBC defines net zero carbon for both construction and operation, as well as for whole building life as follows:

- Net zero carbon – construction: *“When the amount of carbon emissions associated with a building's product and construction stages up to practical completion is zero or negative, through the use of offsets or the net export of on-site renewable energy.”*
- Net zero carbon – operational energy: *“When the amount of carbon emissions associated with the building's operational energy on an annual basis is zero or negative. A net zero carbon building is highly energy efficient and powered from on-site and/or off—site renewable energy sources, with any remaining carbon balance offset.”*
- Net zero carbon – whole life: *“When the amount of carbon emissions associated with a building's embodied and operational impacts over the life of building, including its disposal, are zero or negative.”*

- 3.2 Meeting net zero is currently aspirational, requiring we address all aspects of a building's carbon footprint. The benefit of the framework definition is that it identifies the steps required to shift towards whole life net zero carbon as well as defining the overall ambition.

- 3.3 This framework is being used to guide the development of the 2025 standard with an initial focus on significantly reducing operational energy (which is the focus of the Baseline Gap Analysis included with this report). In these early stages, WMCA are also considering approaches to limiting embodied carbon and will define actions to reduce this in both the routemap and charter.

### 4.0 Update on the Zero Carbon Homes Programme

- 4.1 In April 2020, the Housing & Land Delivery Board commissioned a comprehensive programme of work to meet the 2025 commitment. WMCA appointed Useful Projects to work with WMCA's Project Manager (Rachel-Ann Atterbury) to develop and-co-ordinate a ZCH workplan, programme and schedule of activities to accelerate the move towards zero carbon development in the region and ensure key milestones are met. This commission delivers three outputs agreed by the Board, which are essential to understanding the current and potential performance of the region in respect to zero carbon development and the associated costs. These are:



1. *A Baseline Gap Analysis* – evaluating the performance of homes currently being delivered in the region, assessing the performance gap to achieve zero carbon and modelling four scenarios to bridge this gap.
2. *A Zero Carbon Homes Charter* – framing WMCA and its partners commitment to and objectives for zero carbon homes
3. *A Zero Carbon Homes Routemap* – providing an implementation plan for the charter as well as other short and medium-term goals to meet the 2025 commitment.

4.2 The work is making strong progress against the milestones agreed by the Board. Part 1 of this work, the Baseline Gap Analysis, is complete and included as an Annex.

## **5.0 Baseline Gap Analysis Report Findings**

5.1 This Baseline Gap Analysis report establishes the region's policy baseline (reviewing local planning policies and other relevant documents such as #WM2041 and the West Midlands Regional Design Charter) as well as performance in practice using two development case studies which followed the Single Commissioning Framework process.

5.2 It found that current best practice in WMCA (as per the case studies) was an improvement on building regulations but still not sufficient to meet the current zero carbon homes target. Furthermore, while WMCA's best practice is reflective of new development coming through the Single Commissioning Framework, a review by the Zero Carbon Homes Officer Working Group established that the reality is that most homes built in the region continue to follow building regulations and would not meet this baseline standard.

5.3 The report models two alternative scenarios to meet the 2025 commitment and details some proposed interventions and the relative costs to meet each of these. These findings are directly informing both the charter and the routemap – two key deliverables of this work.

## **6.0 Zero Carbon Homes Taskforce**

6.1 It was also agreed at the April meeting that WMCA should seek to draw on expertise across the low and zero carbon construction sector in the region and beyond through a new Zero Carbon Homes Taskforce. This group would co-develop the charter and routemap, informing and challenging the emerging documents, as well as any future investment cases for funding relating to the programme.

6.2 The Taskforce has now been established and will meet three times between October and December this year. Julie Hirigoyen, Chief Executive of UKGBC, has agreed to chair the Taskforce during this period. The taskforce membership represents a range of sectors and areas of expertise, including innovation, finance, engineering, training providers, supply chain, architects and developers.

## **7.0 Next steps**

7.1 Based on the findings of the Baseline Gap Analysis, a draft version of the Zero Carbon Homes Charter will be developed and brought to the next meeting of the Housing & Land Delivery Board in December.

- 7.2 Simultaneously, thought will be given to the format and structure of the routemap, with the view to bringing an outline of the contents of the routemap to the next meeting.
- 7.3 Throughout this process, WMCA will engage internally, and with local authority and other public and private sector partners to ensure both the charter and routemap are reflective of these partners aspirations and their understanding of the opportunities and challenges in meeting WMCA's 2025 zero carbon homes commitment.

## **8.0 Financial Implications**

- 8.1 There are no direct financial implications from the information contained in the report. The Single Commissioning Framework provides a single set of criteria and governance systems that will be applied to all applications for available devolved WMCA Housing, Land and Property Development funds, together with a consistent process and timelines for decision.
- 8.2 WMCA investment in any proposed Zero Carbon Homes projects, due diligence, feasibility or studies would be governed and administered through the Single Commissioning Framework, WMCA Single Assurance Framework, Commission Pathway and in line with the accounting and taxation policies of the WMCA and HMRC.

## **9.0 Legal Implications**

- 9.1 Section 113A(1)(a) of the Local Democracy, Economic Development and Construction Act 2009 gives WMCA a power of competence appropriate for the purposes of carrying-out any of its functions. Part 4 of The West Midlands Combined Authority Order 2016 (2016 No 653) confers that the functions relating to any economic development and regeneration in the constituent councils are exercisable by WMCA. Part 3 of The West Midlands Combined Authority (Functions and Amendment) Order 2017 confers functions corresponding to the functions of the Homes and Communities Agency has in relation to the combined area. Paragraph 10 (2) (a) of the 2017 Order confers the function of improving the supply and quality of housing to the Combined Authority, 10 (2) (b) to secure the regeneration or development of land or infrastructure in the combined area, 10 (2)(c) to support in other ways the creation, regeneration or development of communities in the combined area or their continued well-being and 10 (2)(d) confers the function of contributing to the achievement of sustainable development and good design.
- 9.2 It is noted that the purpose of this paper is to seek views from the Housing & Land Delivery Board on the proposed approach to producing a 2025 Zero Carbon Homes standard and routemap. Although there are no direct legal implications of producing the standard and routemap legal advice should be sought as and when required. Once the requirements have been established and included within the Single Commissioning Framework then the requirements would need to be implemented through the funding agreements on a case by case basis.

## **10.0 Equalities Implications**

10.1 There is no equality impact in relation to these reports.

### **11.0 Inclusive Growth Implications**

11.1 The Zero Carbon Homes programme will seek to improve the performance of residential properties across the region, as part of wider transition to a more resilient, people-centred low carbon economy. Improving building performance means addressing some of the key impacts of deprivation, such as fuel poverty, reduced levels of comfort and higher risk of disease related to poor air quality. It will also involve limiting exposure to future climate risks. This means that a key output and measure of the programme would be the degree to which it reduces climate inequities related to housing.

11.2 Additionally, the programme would seek to provide new opportunities for local residents and businesses to prosper, through the creation of a low and zero carbon pipeline that brings with it new employment, upskilling and growth opportunities across the region.

### **12.0 Geographical Area of Report's Implications**

12.1 The results of the Zero Carbon Homes programme would inform WMCA investment decisions across the whole geography of the WMCA area, including the 3 LEPs and non-constituent Member authorities.

### **13.0 Other Implications**

13.1 There are no other implications.

### **14.0 Schedule of Background Papers**

14.1 There are no background papers.

**PLEASE NOTE THAT THE APPENDIX IS AVAILABLE ON REQUEST FROM:**

[Rachel-Ann.Atterbury@wmca.org.uk](mailto:Rachel-Ann.Atterbury@wmca.org.uk)

## **Appendix 1: Defining Zero Carbon**

- 1.1 Existing UK climate policy largely focuses on operational energy, such as heating, cooling and electricity use with limited consideration given to the embodied energy of new builds.
- 1.0 Whilst building operations do account for a significant proportion of overall UK emissions (30%), this percentage does not include embodied emissions in construction, which contribute up to half of the carbon impacts of a new building. In the West Midlands, failure to address embodied emissions would translate to 107,500 new homes being delivered at the current baseline in the next decade, regardless of any wider commitments to in-use performance. The extent of the region's commitment to zero carbon will therefore depend on the definition used.
- 1.1 It is important to note that whilst definitions of whole life net zero carbon exist, there is still work to do around developing this approach in detail. Meeting net zero carbon in the built environment will require a transitioning phase, including identifying new approaches to construction, education around building use, deployment of new skills programmes and changes to energy management and monitoring.
- 1.4 Identifying the separate aspects of zero carbon within the definition is necessary to ensure that not only are all aspects of the home's carbon footprint addressed, but also that the WMCA has some flexibility during this transition to apply parts of the definition on a site by site basis, whilst still encouraging an overall shift towards whole life net zero carbon.



## Housing & Land Delivery Board

<b>Date</b>	2 November 2020
<b>Report title</b>	Advanced Manufacturing in Construction (AMC) Routemap
<b>Portfolio Lead</b>	Councillor Mike Bird, Leader, Walsall Council
<b>Accountable Employee</b>	Gareth Bradford, Director of Housing & Regeneration Patricia Willoughby, Head of Policy (Housing & Regeneration) Senior Reporting Officer Rachel-Ann Atterbury, Policy Advisor, Report Author
<b>Report has been considered by</b>	14 October 2020: Housing & Land Delivery Steering Group.

### Recommendation(s) for action or decision:

The Housing & Land Delivery Board is asked to:

- a) **Consider** the contents of Part 2 of the AMC routemap (Appendix 1)
- b) **Agree** the proposal to explore options for implementing the AMC routemap's recommendations in collaboration with the AMC Officer Working Group and Expert Advisory Group
- c) **Note** the intention to formally launch the AMC routemap in Winter 2020/21
- d) **Delegate** to the Director of Housing & Regeneration, in consultation with the Portfolio Holder for Housing & Land, authority to agree the final versions of the AMC routemap (for publication).

### 1.0 Purpose

- 1.1 The purpose of this paper is to update the Housing & Land Delivery Board on the work undertaken by WMCA, the AMC Officer Working Group and Expert Advisory Group in producing a routemap for accelerating Advanced Manufacturing in Construction in the region as commissioned by the Housing and Land Board.

### 2.0 Background

- 2.1 At its 15 January 2020 meeting, the Housing & Land Delivery Board received an update on the work on AMC in the region - a key programme outlined in the Board's Annual Business Plan and central to delivery of other programmes such as brownfield regeneration, inclusive growth and zero carbon homes. This included agreement to the development of a comprehensive AMC routemap and strategy. As a reminder, the

primary purpose of the routemap was to ensure that AMC delivers housing and job numbers, but also social value, inclusive growth and environmental benefits.

- 2.2 It is important to note that there are some differences between MMC and AMC. MMC is a term defined by MHCLG to cover a broad range of pre-manufacturing techniques in construction which aim to improve quality, programme efficiency and reduce material waste. AMC, describes a sub-set of MMC technologies which focus specifically on advanced construction techniques, typified by the fundamental use of digital technology throughout the design and construction process, automation, high quality materials and performance and potential for mass-customisation. Both of these terms are clarified on page 3 of the routemap.
- 2.3 To ensure that the routemap is accessible to those less familiar with the AMC sector, but robust enough to inform credible actions, a two-part structure was proposed and agreed by the Board in April 2020:
- Part 1 - An Executive Summary - which would be a standalone, focussed and accessible document. The summary would broadly address the opportunities and challenges provided by AMC, and the key strategic and policy drivers for the West Midlands. As well as this, it would suggest short, medium and long term actions, with recommended next steps. The Housing & Land Delivery Board agreed the structure and format of Part 1 at the September meeting.
  - Part 2 -A detailed report – which would underpin the summary, providing a comprehensive evidence base and analysis of the AMC sector in the West Midlands.
- 2.3 Part 2 of the routemap (Appendix 1) has now been produced and WMCA is seeking comments on the routemap in its entirety today. Part 2 is top and tailed by Part 1 and includes 3 additional chapters (p.7 – p. 37) based on the research pieces presented to the Steering Group in June 2020.
- 2.4 Alongside the routemap, AMC has also been identified as a core game changer in the Housing and Land Board's Covid19 recovery plan. An investment case for an AMC Acceleration Fund has been prepared and talks are ongoing with government to secure new investment into AMC. This funding would be used to increase uptake of AMC in the region by bridging the gap between the cost of AMC vs traditional methods of construction and providing the certainty business needs to invest and develop in new technologies and training in the region.
- 3.0 Next steps and Implementation**
- 3.1 WMCA officers are requesting delegated authority from Housing & Land Delivery Board to make any amends necessary to finalise the routemap for publication. WMCA will look to formally launch the routemap in Winter 2020/21 with appropriate comms and publicity.
- 3.2 In the meantime, WMCA, in collaboration with the officer working group and expert advisory group, will begin to explore options for implementing the recommended short-term actions in Part 1.

## **4.0 Financial Implications**

- 4.1 There are no direct financial implications from the information contained in the report. The Single Commissioning Framework provides a single set of criteria and governance systems that will be applied to all applications for available devolved WMCA Housing, Land and Property Development funds, together with a consistent process and timelines for decision.
- 4.2 WMCA investment in any proposed Advanced Manufacturing in Construction projects would be governed and administered through the Single Commissioning Framework, WMCA Assurance Framework and in line with the accounting and taxation policies of the WMCA and HMRC.

## **5.0 Legal Implications**

- 5.1 Section 113A(1)(a) of the Local Democracy, Economic Development and Construction Act 2009 gives WMCA a power of competence appropriate for the purposes of carrying-out any of its functions. Part 4 of The West Midlands Combined Authority Order 2016 (2016 No 653) confers that the functions relating to any economic development and regeneration in the constituent councils are exercisable by WMCA. Part 3 of The West Midlands Combined Authority (Functions and Amendment) Order 2017 confers functions corresponding to the functions of the Homes and Communities Agency has in relation to the combined area. Paragraph 10 (2) (a) of the 2017 Order confers the function of improving the supply and quality of housing to the Combined Authority, 10 (2) (b) to secure the regeneration or development of land or infrastructure in the combined area, 10 (2)(c) to support in other ways the creation, regeneration or development of communities in the combined area or their continued well-being and 10 (2)(d) confers the function of contributing to the achievement of sustainable development and good design.
- 5.2 It is noted that the purpose of this paper is to update the Housing & Land Delivery Board on the work undertaken by WMCA, the AMC Officer Working Group and Expert Advisory Group in producing a routemap for accelerating Advanced Manufacturing in Construction in the region. Legal advice should be sought as and when required in the development of the AMC strategy and routemap. Once the AMC requirements have been established the existing requirements for AMC in the Single Commissioning Framework would need to be strengthened and implemented through the funding agreements on a case by case basis.

## **6.0 Equalities Implications**

- 6.1 There is no equality impact in relation to this report.

## **7.0 Inclusive Growth Implications**

- 7.1 The research presented at this meeting will be used to inform WMCA's approach to growing the AMC sector in an equitable way, maximising economic benefits, housing quality and job/skills opportunities across the region's communities.

## **8.0 Geographical Area of Report's Implications**

- 8.1 The research presented applies to the whole WMCA geography. The proposed AMC Charter and routemap would be used to guide WMCA investment decisions across the whole geography of the WMCA area.

## **9.0 Other Implications**

9.1 There are no other implications.

## **10.0 Schedule of Background Papers**

10.1 There are no background papers.

**PLEASE NOTE THAT THE APPENDIX IS AVAILABLE ON REQUEST FROM:**

[Rachel-Ann.Atterbury@wmca.org.uk](mailto:Rachel-Ann.Atterbury@wmca.org.uk)



## Housing & Land Delivery Board 2 November 2020

<b>Date</b>	2 November 2020
<b>Report title</b>	Planning Reform Paper: Key messages and issues that informed responses across the region to the consultation
<b>Portfolio Lead</b>	Councillor Mike Bird, Leader, Walsall MBC
<b>Accountable Employees</b>	Gareth Bradford, Director of Housing & Regeneration (Accountable Director) Patricia Willoughby, Head of Policy (Housing & Regeneration) (Senior Reporting Officer) Gurdip Nagra, Strategic Delivery Advisor (Housing & Regeneration) (Report Author)
<b>Report has been considered by</b>	14 October 2020: Housing & Land Delivery Steering Group October 2020: Housing & Land DSG Working Group(s)

### Recommendation(s) for action or decision:

The Housing & Land Delivery Board is asked to:

- a) **note** some of the key issues, messages and points of clarification raised by the Delivery Steering Group to the consultation on the White Paper entitled '*Planning for the Future*' which closed on the 30<sup>th</sup> October.
- b) **note** that officials across the region will continue to raise these key messages, issues and points with Government in different fora together with any other points raised in today's meeting.

### 1.0 Purpose

- 1.1 Central Government (HMG) recently consulted on a set of landmark reforms to the planning system. Such changes were always likely to be highly controversial and it has

been proven to be the case. The consultation began on 6th August and closed on the 29th October 2020.

- 1.2 This paper reports on the ask from the Housing & Land Delivery Board, at the meeting in July 2020, for WMCA officials to work closely with local authority officials to discuss any regional impacts from the proposed planning reforms, and to identify any consistent messages or points of clarification.
- 1.3 This report reports on collaborative officer discussions held by WMCA with local authorities on key issues and points raised by the consultation as requested by the Board in July 2020.

## **2.0 Background to the Consultation**

- 2.1 Through the White Paper Central Government has proposed extensive changes to the planning system. The proposals cover plan making, development management and development contributions alongside other related policy proposals. This new system has been devised by an expert panel working with MHCLG and Treasury officials and retains local plan making at the heart of the system.
- 2.2 The White Paper sets out the proposed reforms through three ‘pillars’ entitled ‘*planning for development*’, ‘*planning for beautiful and sustainable places*’ and ‘*planning for infrastructure and connected places*’.
- 2.3 Following the request of the Housing & Land Delivery Board in July 2020, two separate workshops were held with members of the Delivery Steering Group to discuss the proposals set out in the White Paper. The views heard were wide ranging and varied and highlighted some gaps and possible unintended consequences arising as a result of the White Paper proposals. Key messages were recorded and discussed at DSG on 14 October 2020.
- 2.4 The Delivery Steering Group reviewed and endorsed this paper and the points raised, recognising the general consensus with individual local authority responses on the same matters. The Group recommended that the Mayor and WMCA officials might wish to relay some of these key points in their conversations with Whitehall.

## **3.0 Observations of Delivery Steering Group**

- 3.1 The workshops were helpful in discussing the proposals and led to a general consensus on the key messages that the region should relay in different ways back to Government. **The key messages from the workshops fall into two groups:** gaps in the new system and potential unintended consequences of some of the reforms.

These are reported for information to the Housing & Land Delivery Board below as agreed by the Delivery Steering Group on 14<sup>th</sup> October 2020.

### ***Specific Gaps in the new system***

- ***Strategic planning:*** The abolition of the ‘duty to co-operate’ raises a number of questions. It is far from ideal but it was a mechanism through which agreement could be reached on the distribution of local housing need as we have achieved here in our region.

- **A vision for the future:** Articulating a future vision should remain a requirement of a local plan. Developers, investors and strategic infrastructure providers need to understand the long-term vision for an area so that they can invest with confidence.
- **Employment and other land uses:** The consultation paper focuses on a system that delivers new homes but does not deal adequately with its relationship with other land uses e.g. employment, transport, healthcare, education and the environment.
- **Effective infrastructure planning:** The reduction in the period covered by a Local Plan that is proposed, from 15 to 10 years, may hinder the potential for long-term infrastructure planning and strategic investment decision-making. The system needs to be able to identify long-term transport and other infrastructure requirements if it is to plan effectively and maximise private sector investment.
- **Adequate resources and skills:** The Secretary of State's recognition of the need for additional resources and a different skill set is welcomed.
- **Delivery of allocations and permissions:** The new system ramps up the requirements of the Housing Delivery Test but needs to do more to tackle the non-delivery of consented sites.

### ***Unintended consequences of the new system***

- **Delivering new homes:** As widely reported, the new methodology for calculating local housing need will result in a redistribution of new homes, maintaining or reducing overall need in metropolitan areas and at the same time increasing the need in the non-metropolitan authorities. This will result in additional demands being made on greenfield land for development and the likely consequential loss of Green Belt.
- **Prejudicing our 'brownfield first' policy:** Release of greenfield and Green Belt land is likely to make brownfield sites less attractive, adversely affect viability and ultimately require greater subsidy levels to achieve viable developments.
- **Planning obligations:** Section 106 agreements ensure that infrastructure and affordable housing is provided when and where it is needed. The risk with the proposed system is that financial contributions for infrastructure will not be provided when needed.
- **Affordable housing:** The new system raises the threshold for provision of affordable housing and, by removing the requirement from many small sites, is likely to reduce overall provision. The provision of affordable housing could also be adversely affected by the new infrastructure levy.

## **4.0 Suggested points to raise in consultation responses**

- 4.1 Many of the principles proposed in the new system have been long discussed by the planning and development industries, this Housing and Land Board and were seen by the Delivery Steering Group discussions as long overdue. To name a few these included the focus on the importance of local plans, shorter, more focused and plan-based; the ambition to provide greater certainty following the inclusion of a site in a plan; the need to raise design standards and quality of the built environment; the need to better capture the increase in land value from development schemes.
- 4.2 However, DSG also collectively identified some **concerns about how the principles are framed and translated into practice**. Especially on the housing numbers and the new national methodology.

4.3 To address some of the issues identified and maximise the new system's ability to deliver on the intent, the following points were suggested by the Delivery Steering Group that could be highlighted in different responses to the consultation and engagement with Whitehall:

- **The abolition of the Duty to Co-operate** will need to be replaced with an alternative coherent approach for strategic planning. The DSG suggested that there may be merit in Mayors and combined authorities helping to facilitate cross-boundary discussions on major development proposals and strategic infrastructure provision.
- The White Paper has a heavy focus on housing so an important amendment will be to **incorporate other non-housing land uses into the proposals**. Two key areas of land use that were identified by the DSG as needing particular attention are employment land needs and the future of town and city centres.
- The newly proposed local plans will have a much shorter preparation time compared to the current system. So, DSG was clear that **it is vital that local authorities have the resources and capacity to be able to prepare local plans** within the specified timeframes. This is essential if we are to ensure that we can continue the West Midlands' record over recent years on delivery and local plan progress.
- The new infrastructure levy is promoted in the White Paper as being able to provide more affordable housing compared to the current system of planning obligations. **The group felt the region needed more clarity as to precisely how this levy proposal will lead to more affordable housing in our region.**
- **Development of brownfield sites must remain an absolute priority** at the heart of the planning system. This doesn't come across sufficiently in the White Paper.
- The new system will require primary and secondary legislation and thus DSG felt it will **need adequate time to work through the details**

4.4 In terms of next steps, we propose to:

- Await the outcome from HMG of this consultation and any legislation and policy changes to be brought forward to change the planning system
- Offer to support HMG in identifying how to ensure the system works in practice and delivers on its stated intent

## 5.0 Financial Implications

5.1 There are no direct financial implications from the information contained in the report. The Single Commissioning Framework provides a single set of criteria and governance systems that will be applied to all applications for available devolved WMCA Housing, Land and Property Development funds, together with a consistent process and timelines for decision.

5.2 WMCA investment in any Planning Reform projects, due diligence, feasibility or studies would be governed and administered through the Single Commissioning Framework,

WMCA Single Assurance Framework, Commission Pathway and in line with the accounting and taxation policies of the WMCA and HMRC.

## **6.0 Legal Implications**

6.1 Section 113A(1)(a) of the Local Democracy, Economic Development and Construction Act 2009 gives the CA a power of competence appropriate for the purposes of carrying-out any of its functions. Part 4 of The West Midlands Combined Authority Order 2016 (2016 No 653) confers that the functions relating to any Economic development and regeneration in the constituent councils are exercisable by the CA. Part 3 of The West Midlands Combined Authority (Functions and Amendment) Order 2017 confers the functions corresponding to the functions of the Housing Community Agency has in relation to the combined area.

6.2 The contents relate to informal discussions which may or may not lead to the need for further legal input and contractual arrangements. Legal Services will provide assistance and support as and when requested.

## **7.0 Equalities Implications**

7.1 There are no immediate equalities implications in relation to this report. However, individual strategies and delivery schemes will need to take into account local area needs and local stakeholder needs to ensure the schemes developed through the delivery vehicle benefit local residents, including harder to reach groups. To that effect equality impact assessments will need to be conducted to understand demographics, key inequality issues and how investment can help address key inequality gaps. Engagement and consultation with key equality stakeholders is also crucial.

## **8.0 Inclusive Growth Implications**

8.1 None at this stage.

## **9.0 Geographical Area of Report's Implications**

9.1 The recommendations of this report apply to the whole of the WMCA area.

## **10.0 Other implications**

10.1 None.

## **11.0. Schedule of Background Papers**

11.1 None.

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## Housing & Land Delivery Board

<b>Date</b>	2 November 2020
<b>Report title</b>	Local Plans: Progress Update
<b>Portfolio Lead</b>	Housing & Land - Councillor Mike Bird
<b>Accountable Employees</b>	Gareth Bradford, Director of Housing & Regeneration (Accountable Director) Patricia Willoughby, Head of Policy (Housing & Regeneration) (Accountable SRO and joint report author)
<b>Report has been considered by</b>	14 October 2020: Housing & Land Delivery Steering Group

### Recommendation(s) for action or decision:

The Housing & Land Delivery Board is recommended to:

- (1) **Note** the contents of this short briefing paper that Housing and Land Board commissioned on local plan progression, provided in full collaboration with local authorities, and
- (2) **Note** the March 2018 Housing Deal commitment that all reasonable steps are taken to progress local plans to adoption, keep plans up to date and ensure the region can demonstrate it is planning for delivery of 215,000 homes to 2031.

## 1.0 Purpose

- 1.1 At the meeting of the Housing & Land Delivery Board (6 September 2020), Members asked for a short position statement on local plan progress across the region, in particular, focusing on bringing forward sufficient housing land supply given the Board's targets in its Business Plan and Covid19 Recovery Plan around housing delivery and the commitment in the March 2018 Housing Deal on Local Plans.
- 1.2 The purpose of this paper is therefore to summarise the position on local plans which has been developed with the Local Plans HMA Group. We also use this opportunity to refer the Board to the fact that local plan progression is a key condition of most HMG funding decisions at present on housing and regeneration.

## 2.0 Background

- 2.1 **Local plan progression** is important to the remit and Business Plan of the Housing & Land Delivery Board:
- Local plans lie at the heart of the planning system and central government places great store on the preparation of local plans.
  - The ability to progress local plans is a key factor in investment case approval by Government (e.g. on business cases we submit for brownfield funding).
  - Continuing to demonstrate satisfactory performance against local plans is a key requirement of the March 2018 Housing Deal and the funding provided to the region contained within that agreement.
  - WMCA has a key role in supporting local authorities in delivery of key development projects and many of these projects are identified in adopted or emerging local plans.
  - Local plans play a really beneficial role in supporting business cases investment from WMCA under devolved housing and land funds.
  - Local plans reduce risks on site-specific development proposals and make them more attractive to potential investors.
  - The Covid19 pandemic has had an impact on some local plans progression (e.g. public consultations and examination by the Planning Inspectorate having been postponed).
  - Central government is seeking reassurance from WMCA that all possible steps are being taken in the region to minimise local plans delay and to maintain delivery of new homes.
- 2.3 Given the importance of the March 2018 Housing Deal, officers from authorities across the WMCA geography meet on a regular basis to discuss matters relating to housing need and land supply, and to review progress on individual local plans. The inter-relationship between local plans is clearly acknowledged. This officer group provides an excellent forum for discussing how any potential problems can be resolved.
- 2.4 Outside this meeting, separate discussions take place between authorities to discuss how any unmet need in housing provision might be shared. It is important to note that this group considers housing need across both the Greater Birmingham & Black Country HMA (GBBCHMA) and the geography of the WMCA Housing Deal which is wider. Provision in both of these areas is considered in more detail below.

### 3.0 GBBHMA Joint Position Statement (September 2020)

- 3.1 The authorities in the Greater Birmingham & Black Country Housing Market Area (GBBCHMA) recently published a Joint Statement on housing need and housing land supply. It should be noted that the geography of the HMA is different to that of WMCA (and therefore the Housing Deal) so the two are not directly comparable but, as there are 14 authorities in the GBBCHMA, the work overlaps to a significant degree.
- 3.2 The GBBHMA Position Statement demonstrates that **strong progress has been made in meeting the housing need shortfall for the period 2011-31**. It is acknowledged that future completions might slow in the short term because of the COVID19 crisis but the public statement highlights the strong pipeline of homes either allocated in local plans or with planning permission.
- 3.3 The Joint Statement reports that there is expected to be a housing shortfall post 2031. The scale of the post 2031 shortfall across the HMA area is the subject of work that is underway by the authorities together. There may be scope for contributions to meeting that shortfall from local authorities outside the HMA but with a strong functional link to it.
- 3.4 **The Joint Statement shows clear progress is being made in bringing sites forward for development and progressing local plans in a timely manner.**

### 4.0 WMCA Housing Deal and Local Plans

- 4.1 The WMCA Housing Deal requires the delivery of 215,000 dwellings by 2030/31 in return for up to £350m of investment including £100m of which would be provided in the form of a Land Fund to accelerate the delivery of new homes.
- 4.2 The Housing Deal requires Local Plans for both constituent and non-constituent local authorities to be progressed in a timely manner and adopted as necessary by 2021 to deliver and accommodate the 215,000 new homes target set in the Housing Deal.
- 4.3 To ensure that these targets are met, both local plans and housing land supply are monitored on a regular basis at a regional level in the same officer group as for the GBBCHMA.
- 4.4 We can report to the Board that the latest information from local authorities on housing land supply gives us real optimism that the target the region agreed with HMG back in March 2018 can be achieved and confirmed in adopted local plans.
- 4.5 In terms of the local plans themselves, it is not the purpose of this report to report progress on individual local plans (that is a matter for individual local planning authorities). It is clear, however, that central government expects continued progress on local plans. In that context two key events took place in spring this year the Board should be aware of:
- In the budget announcement in early March 2020, the Chancellor of the Exchequer announced that funding would be released for major infrastructure projects including some HIF applications and HS2. This paved the way for progress to be made on a number of local plans in the region which had been paused until such decisions were made.

- At the start of the lockdown in March 2020, the Chief Planner wrote to all local authorities acknowledging the impact that the pandemic would have on decision-making, both for local plans and planning applications

- 4.6 Although the lockdown has had an impact on some local plans in our region, particularly where public consultation was needed, **it is clear that local authorities in our region have been taking positive steps to make ongoing progress.** Those plans which had to be paused are making their way through the system. The region continues to have a good story to tell on this agenda and the progress being made.
- 4.7 The proposals for reform of the planning system and changes to the methodology for calculating housing need will of course have implications for local plans in our region but none of these changes have yet taken effect.

## 5.0 Conclusions and Next Steps

- 5.1 It is clear that continued progress is being made by all authorities across the region on local plans as committed to in the Housing Deal and that 'duty to co-operate' discussions are being effective in reaching agreement on how any unmet need might be accommodated. Although the pandemic has caused delay, local plans are being taken forward and we are able to give continued reassurance to government that provision is being made in local plans to meet the Housing Deal target of 215,000 dwelling.
- 5.2 It is clear that this continued progression on local plans will remain essential to securing future investment from government so that the Board may deliver the projects and programmes in its approved Business Plan and Covid19 Recovery Plan.

## 6.0 Financial Implications

- 6.1 There are no direct financial implications from the information contained in the report. Funding for future programmes will be analysed on a case by case basis and projects on which funding is sought will need to demonstrate a clear relationship with the direct outputs required by the Single Commissioning Framework approved by the WMCA Board in 2019, namely:
- brownfield land remediation
  - new homes delivered
  - new commercial, retail or employment floorspace delivered.

## **7.0 Legal Implications**

- 7.1 Section 113A(1)(a) of the Local Democracy, Economic Development and Construction Act 2009 gives WMCA a power of competence appropriate for the purposes of carrying-out any of its functions. Part 4 of The West Midlands Combined Authority Order 2016 (2016 No 653) confers that the functions relating to any economic development and regeneration in the constituent councils are exercisable by WMCA. Part 3 of The West Midlands Combined Authority (Functions and Amendment) Order 2017 confers functions corresponding to the functions of the Homes and Communities Agency has in relation to the combined area. Paragraph 10 (2) (a) of the 2017 Order confers the function of improving the supply and quality of housing to the Combined Authority, 10 (2) (b) to secure the regeneration or development of land or infrastructure in the combined area, 10 (2)(c) to support in other ways the creation, regeneration or development of communities in the combined area or their continued well-being and 10 (2)(d) confers the function of contributing to the achievement of sustainable development and good design.
- 7.2 Although there are no direct legal implications it is noted that local plans play an important in securing investment from the Government and also assist in the delivery of development projects and provision of new homes. Hence progress in the development of the plans will encourage delivery of new schemes through co-investments with qualifying organisations including grant and/or loan funding from WMCA through the application of the criteria and governance systems set out in the WMCA Single Commissioning Framework.

## **8.0 Equalities Implications**

- 8.1 There are no immediate equalities implications in relation to this report. However, individual strategies and delivery schemes will need to consider local area needs and local stakeholder needs to ensure the schemes developed through the delivery vehicle benefit local residents, including harder to reach groups. To that effect equality impact assessments will need to be conducted to understand demographics, key inequality issues and how investment can help address key inequality gaps. Engagement and consultation with key equality stakeholders is also crucial.

## **9.0 Inclusive Growth Implications**

- 9.1 The proposals themselves are neutral when it comes to inclusive growth. However, implications will arise as investments are made and strategies are devised – in terms of who benefits from those investments and in who is involved in shaping and contributing to them. As such, any programmes should be devised with the responsibility to deliver inclusive growth. The Inclusive Growth Framework can be as a guide to shape this process.
- 9.2 Current governance arrangements are satisfactory for building a strategic picture, but the shaping and delivery of specific programmes will need to involve a wider variety of stakeholders in order to be inclusive.

## **10.0 Geographical Area of Report's Implications**

- 10.1 The recommendations of this report apply to the whole of the WMCA area.

**11.0 Other implications**

11.1 None.

**12.0. Schedule of Background Papers**

12.1 None.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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