



**Housing & Land Delivery Board**

**Thursday 21 February 2019 at 10.00 am**

**Minutes**

**Present**

Councillor Mike Bird (Chair)	Walsall Metropolitan Borough Council
Councillor Peter Bilson	City of Wolverhampton Council
Councillor Kieran Casey	Dudley Metropolitan Borough Council
Karl Tupling	Homes England
Councillor Steve Charmley	Shropshire County Council
Councillor Ian Courts	Solihull Metropolitan Borough Council
Councillor Richard Overton	Telford and Wrekin Council
Kevin Rodgers	West Midlands Housing Association Partnership

**In Attendance**

Gareth Bradford	West Midlands Combined Authority
Carl Craney	West Midlands Combined Authority
Jo Nugent	Walsall MBC
David Warburton	Homes England

**Item Title**

**No.**

**36. Apologies for Absence (if any)**

Apologies for absence had been received from Sarah Middleton (Black Country Local Enterprise Partnership), Councillor George Adamson (Cannock Chase District Council), Roy Stokes (Environment Agency), Simon Marks (Greater Birmingham and Solihull Local Enterprise Partnership), Councillor Paul Moore (Sandwell Metropolitan Borough Council) and Councillor Peter Butlin (Warwickshire County Council).

**37. Notification of Substitutes (if any)**

Marc Liddeth had been nominated as a substitute for Roy Stokes (Environment Agency).

**38. Declarations of Interests (if any)**

No declarations of interest were made in relation to items under consideration at the meeting.

**39. Minutes of last meeting**

Resolved:

That the minutes of the meeting held on 20 December 2018 be confirmed as a correct record and signed by the Chair.

#### **40. Housing Affordability: Update and Proposal to H M Government**

Gareth Bradford presented a report which updated the Board on the progress to date in developing a WMCA proposal for the region to deliver collectively on affordable and social housing with HM Government and a summary of the developments in housing policy and analysis supporting this approach. He reported on discussions, inter alia, with HM Government, registered providers and the Mayoral Homelessness Task Force on this matter.

Pat Willoughby assured the Board that the intention was not to set regional affordable housing targets with this responsibility remaining with Local Planning Authorities. She outlined the steps the WMCA Housing and Regeneration Team had taken with regard to developing the proposal to HM Government and explained the 'ask from' and 'offer to' HM Government.

Councillor Peter Bilson welcomed the 'ask from' and 'offer to' HM Government as detailed in paragraph 4.4 of the report and drew to the attention of the Board the work which was underway on the Walsall to Wednesbury (W2W) Corridor. He suggested that the more powers that were devolved by HM Government to the WMCA the more that could be delivered by the WMCA working with its local authority partners. The Chair reminded the Board that it was not the role of the WMCA to deliver but that this was the responsibility of the respective Local Planning Authorities.

Councillor Richard Overton commented on the absence of numbers of units to be delivered in the document and that whilst he welcomed the provision of affordable housing it should be possible to calculate these numbers by multiplying the number by the 20% limit. Pat Willoughby explained that the 20% was a minimum number with a higher figure being applied by certain Local Planning Authorities. The issue was that currently the 20% target was not being achieved.

Councillor Kieran Casey referred to Appendix 2 of the report (Defining housing affordability) and suggested that different definitions would need to be applied across the region. Councillor Ian Courts referred to paragraph 4.4 of the report inasmuch as it focussed on the development on Brownfield land, protecting Green belt and green field land where appropriate. Councillor Daren Pemberton commented that this particular part of the 'offer to' HM Government was difficult for the rural authorities insofar as there were very few, if any, Brownfield sites available for redevelopment. He suggested that this was likely to rule out the rural based authorities from contributing to the desired housing numbers. He advised that this definition needed to address to subtle nuances of the geography of the region and the urban : rural make up. Councillor Richard Overton suggested that the wording of the 'offer to' be revised to recognise this issue.

Resolved:

1. That the approach to delivering the affordable housing workstream as detailed in the report be agreed;
2. That the key elements of a potential affordable housing deal with HM Government as detailed in the report be agreed;
3. That the background evidence on progress and supply be noted;

4. The progress in developing a proposal for a Housing Affordability Deal with HM Government be noted;
5. That it be noted that the report had been considered, and the broad contents endorsed, for submission to this Board by the Housing and Land Steering Group with a collective agreement that addressing the growing affordability challenge would be crucial to achieving full success.

**41. Town Centres Programme including Future High Streets Fund**

Pat Willoughby presented a report which provided a summary of the WMCA Town Centre Programme which provided specifically an update on:

- Overall Programme;
- Status report on the five centres and 'quick wins';
- Regional Town Centre Task Force;
- Development of a town centres 'toolkit';
- The Government's Future High Streets Fund and the role of the WMCA in submitting bids;
- Next Steps.

She advised that the purpose of the report was to bring together the various strands and form a compendium of information on this particular initiative. She reminded the Board that the Housing and Regeneration Team was working with the respective local authorities on delivery plans for Phase 1 of the programme. Gareth Bradford referred to section 5 of the report inasmuch as it detailed the help and assistance which could be provided to all partner local authorities in driving forward the town centre regeneration initiative which would concentrate on interventions and renewal.

The Chair reported that the Local Government Association was investigating lobbying HM Government to remove Permitted Development Rights to prevent commercial premises being converted to residential usage without the benefit of planning permission. Councillor Daren Pemberton supported this move given that, without it, Local Planning Authorities could lose control over quality and space standards of newly introduced residential properties.

In response to a comment from Councillor Ian Courts regarding residential SPACE standards becoming smaller over time, Gareth Bradford advised the Board on discussions which had taken place at a recent meeting of the WMCA Investment Board with regard to the possible creation of Town Centre Investment and Delivery Plans for individual Town Centres. He referred the Board to paragraph 2.3 of the report which addressed this issue.

Councillor Richard Overton commented on the need to differentiate between 'High Streets' and Town Centres' which were markedly different in traditional rural market towns. He acknowledged the possible need for town centres to shrink in size for retail purposes. The Chair acknowledged this remark and that greater use could be made of the town centres to improve the leisure offer albeit that an overstretch of residential uses would only serve to diminish the appeal of both town centres and high streets.

Councillor Ian Courts commented on the need for lessons to be learnt in how hot food retailers continued to succeed in maintaining their presence. Gareth Bradford advised that some Local Planning Authorities had sought to use the powers under Article 4 of the Town and Country Planning Act 1971 to restrict the increase in the number of such establishments. He advised on the programme of engagement between the WMCA, local authorities and the Local Enterprise Partnerships in relation to the town centre workstream.

Resolved:

1. That the contents of the report and progress on the town centre programme be noted;
2. That it be noted that the report had been considered, and the broad contents endorsed, for submission to this Board by the Housing and Land Steering Group.

#### **42. Regional Design Charter: Options and Next Steps**

Pat Willoughby presented a report which provided a context for the preparation of a Regional Design Charter together with some thoughts on its purpose and application. She advised that the principle of securing improved design quality was a key part of the WMCA's role in housing delivery, inclusive growth and place-making and the preparation of a Regional Design Charter had been agreed as a key deliverable for 2019 previously.

She advised the Board that the message regarding the importance of the quality of design needed to be emphasised to the development industry and that the purpose of the Design Charter was to supplement, but not supersede or replace existing documents of individual Local Planning Authorities. It was not intended to be a code, framework or guideline but would be a document that the WMCA could refer to when financial assistance and/or land was sought by prospective developers. The Officer Working Group would continue to develop the Charter which would hopefully be published in summer 2019. The Chair referred to paragraph 3.2 of the report and emphasised that the Charter was in addition to existing design policy documents.

Councillor Daren Pemberton supported the development of the Charter but reminded the Board that this could not ever be considered to overrule the policy documents of Local Planning Authorities. He enquired as to the level of discussion required with the development industry. He also counselled caution against unintended consequences when prospective developers could attempt to use the Charter against the individual policy documents of Local Planning Authorities. Pat Willoughby explained that the Charter would contain general principles relating to place-making and improving the quality of life. She assured the Board that different characteristics would be applied across the region in order to acknowledge the subtle nuances as appropriate. The document would be non-statutory but capable of being classified AS A material planning consideration in the determination of planning applications.

Councillor Ian Courts suggested that the task was much bigger than was currently realised and commented that it be reduced to three core elements as follows:

- External design;
- Space standards; and
- Place-making – setting around houses.

He commented that there were responsibilities on the WMCA on an environmental front to ensure good quality design in order to protect health and wellbeing. Landowners needed to be influenced and persuaded of the need for good quality design with minimum standards being set by the WMCA, which in turn, could be reflected in the price of land and viability of development proposals. The Chair commented that if viability was prejudiced financial assistance could be provided by the WMCA.

Councillor Richard Overton commented that he supported any movement to define minimum standards and cited the example of some town centre developments which could be considered to be prejudicial to health and wellbeing. Gareth Bradford reported that there was a need to define 'high quality design' and on opportunities which could exist to showcase such developments.

Resolved:

1. That the proposed elements and application of a Regional Design Charter following the commitment in the Housing Deal, for the WMCA to develop and implement a new Regional Design Charter in 2019 and thus continuing to improve design quality and place-making across the West Midlands be noted;
2. That it be noted that the report had been considered, and the broad contents endorsed, for submission to this Board by the Housing and Land Steering Group.

#### **43. Spatial Investment and Delivery Fund (SIDP)**

Pat Willoughby presented a report which sought the Board's approval to the revisions to the Spatial Investment and Delivery Plan. She reported that the document had a target date for agreement in Quarter 1 of 2019 and had been identified by this Board as a key deliverable for the Portfolio in 2019. She informed the Board that the document was still to be subject to final editing with additional clarity to be provided on the role of the document and the geography of the Local Enterprise Partnerships.

Councillor Ian courts queried the relationship between the document and the geography of the various Housing Market Areas (HMA's) especially WITH REGARD to those local authority areas which were neither Constituent nor Non-Constituent Members of the WMCA. Pat Willoughby advised that the target of 215,000 additional housing units had been agreed previously and that it would be for individual Local Planning Authorities to make provision in their areas or to use the Duty to Co-Operate powers for provision in other local authority areas or the Housing Market Area. She reminded the Board that it was not the responsibility of the WMCA or the Spatial Investment and Delivery Plan (SIDP) to determine the distribution of these units.

Resolved:

1. That subject to final minor amendments, the revised Spatial Investment and Delivery Plan be approved (with previous iterations having been approved previously);
2. That delegated authority be granted to the Director of Housing and Regeneration (following further discussions with the Housing and Land Steering Group), in consultation with the Portfolio Lead for Housing and Land to agreed further minor revisions (provided that these does not change its sense nor purpose), the text for the executive summary and the design for publication;
3. That it be noted that the report had been considered, and the broad contents endorsed, for submission to this Board by the Housing and Land Steering Group.

**44. One Public Estate (OPE): Augmenting the One Public Estate Programme**

David Warburton presented a report which provided the Board with an update on recent work, led by the WMCA, on the One Public Estate Programme (OPE) and which outlined the aspirations for an enhanced scope of work which would take the strategy to a higher level, potentially providing the most ambitious single public estate programme in England and which would be a key tool for the West Midlands' pursuit of inclusive growth.

Resolved:

That the following aspects be noted:

- the current position on the One Public Estate Programme (OPE)
- the potential need for further swift responses to queries arising out of the recent OPE Stage 7 funding bid
- the proposed enhanced governance and programme management arrangements for the West Midlands OPE programme
- the aspiration to develop the programme into an ambitious single public estate programme, and
- the report had been considered, and the broad contents endorsed, for submission to this Board by the Housing and Land Steering Group.

**45. Exclusion of the Public and Press**

Resolved:

That in accordance with Section 100A4 of the Local Government Act 1972, the press and public be excluded from the meeting during the consideration of the following items of business as they involve the likely disclosure of exempt information relating to the business affairs of any particular person (Including the authority holding that information).

**46. Single Commissioning Framework (SCF)**

Gareth Bradford and David Warburton presented a report which provided the Board with an update on the development of a Single Commissioning Framework for housing and land funds and which detailed some principles proposed to underpin the framework which had been informed by the recent Housing and Land Delivery Board, investment Board, Housing and Land Steering Group and WMCA Board decisions, steers and conversations. Gareth Bradford emphasised the input which had been made by the WMCA inclusive Growth Unit.

Members of the Board indicated that they would prefer an opportunity to take from their respective Officers on the contents of the report before committing fully to the proposals. In acknowledging this request David Warburton confirmed that the Framework would not be implemented retrospectively and would not hinder, fetter or slow down existing or pipeline schemes.

Councillor Kieran Casey commended the report especially the references to the use of modular buildings, youth employment initiatives, inclusive growth and locally sources technologies. Councillor Richard Overton suggested that a reference to providing local jobs for local people be added to the document.

Councillor Ian Courts referred to the ambitions for a commercially minded approach with a return being sought on investments and advised that sufficient time might need to be allowed for a return to be generated. He asked as to any perceived difficulties with commitments and cash flow planning. Gareth Bradford acknowledged that not all investments would generate a return but that the intention was that a return be generated from the overall programme. He acknowledged that the wording in paragraph 3.12 could be strengthened.

Karl Tupling referred to paragraph 3.16 of the report and suggested that the WMCA should be ambitious in seeking funding from national funding sources. He reported that with regard to risk and exposure, Homes England was now taking a more robust approach in 'knowing your customer' and that such information could be shared with partners.

The Board received a PowerPoint presentation from Councillor Peter Bilson on work being undertaken on the Walsall to Wolverhampton (W2W) corridor.

Resolved:

That subject to a period of grace of seven to ten days for further comments on the Single Commissioning Framework with comments being forwarded to Gareth Bradford;

- a) The progress on the funding workstream be noted;
- b) The key operational principles proposed in the report be endorsed subject to the amendments detailed above;
- c) It be noted that the report had been considered, and the broad contents endorsed, for submission to this Board by the Housing and Land Steering Group.

**47. Town Centre Investment Package**

Pat Willoughby presented a report which updated the Board on the steps underway to implement the first phase of the Town Centre Investment Package. She reported that a variation of the report had been presented to and approved by the WMCA Investment Board at its meeting held on 18 February 2019.

Resolved:

1. That a bespoke package of 'quick win' and land infrastructure interventions as identified on the report in the five wave one town centres be approved;
2. That the acquisitions and interventions proposed in the report had (as with all WMCA acquisitions and interventions under this programme) been developed in collaboration with and supported expressly by the relevant local authorities.

The meeting ended at 11.21 am.